

# Equality & Diversity Policy

*(incorporating Privacy & Dignity)*



Category	Policy
Summary	This policy outlines BAPAM's commitment to promoting equality, valuing diversity and challenging discrimination.
Valid from	15 March 2016
Version	1.1
Date of next review	Sept 2016
Approval date/ via	BAPAM Medical Committee
Distribution	BAPAM Trustees & clinicians e-mail & online forum Staff e-mail and meetings Public website
Related documents	<i>Clinical Governance policy</i> <i>Clinician Agreement</i> <i>Employee Handbook</i>
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## **1. Background**

BAPAM is committed to providing a fair and inclusive culture for all personnel (staff, Trustees, clinicians, volunteers), service users (including performer patients and training participants) and stakeholders. This policy outlines our commitment to promoting equality, valuing diversity and challenging discrimination.

We recognise people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perceptions, and we wish to encourage and harness these differences to make BAPAM a supportive working environment and to make our services relevant and accessible.

We welcome our legal duties not to discriminate as a service provider and an employer. We aim to go beyond the scope of legislative compliance and follow best practice, making equality and diversity a fundamental part of all our activities.

### **1.2 Declaration**

BAPAM will not discriminate or tolerate discriminatory behaviour on the grounds of gender (including gender reassignment), disability, sexual orientation, age, race, ethnicity, religious belief, pregnancy and maternity, and marital or civil partnership status.

## **2. Scope**

This policy relates to all activity undertaken by BAPAM including employment and recruitment, providing services to performers and stakeholders, and relationships with associated third parties.

BAPAM is a healthcare organisation providing advice and support, including clinical services within a healthcare environment. We recognise that all personnel and service users are entitled to respect, privacy and dignity within that environment and these issues are outlined further under 4.2.

Equality and Diversity underpin all our policies, but the following policies are particularly relevant: Clinical Governance, Safeguarding, Health and Safety, Data Protection/Confidentiality, Grievance procedures (personnel) and Complaints (service users).

## **3. Legal obligations**

BAPAM is committed to legal requirements regarding equality, most recently outlined in the Equality Act 2010. We recognise that the Act replaces previous equality legislation but that the following are still relevant:

- The Human Rights Act 1998
- The Work and Families Act 2006
- Employment Equal Treatment Framework Directive 2000 (as amended)

## **4. Services**

### **4.1 Meeting our service users' needs**

BAPAM is committed to meeting the diverse needs of service users and to promoting equal opportunity in access to services. We will take steps to identify the needs of our service users and develop policies and procedures accordingly. We will develop targeted marketing strategies to

ensure that all those who could benefit from BAPAM are aware of us and find our services appropriate and accessible.

Wherever possible, we will ensure that our service users:

- are able to access the service in ways that suit them
- are given help that is relevant to their problem and situation
- are treated with dignity and respect, and without discrimination
- have their needs listened to and met

This commitment includes being sensitive to and taking steps to accommodate service users with special needs, including physical disability, mental health issues and communication difficulties (e.g. patients with a hearing impairment or those whose first language is not English).

#### **4.2 Services in a clinical environment: Privacy and Dignity issues**

We will ensure that our health advice and consultation services for performers are provided in an environment that maintains personal privacy and protects modesty. The personal space of patients will be respected at all times. We also believe our personnel are entitled to the same courtesy.

Specific issues include:

- Consultations with a BAPAM clinician will always take place in a designated consultation room fitted with blinds or curtains and a solid, closed door. Personnel must not enter without knocking and without the patient's consent to enter
- Patients will be informed prior to their appointment that they may undergo a physical examination and may be asked to remove clothing (but not underwear). Clinicians will ensure that patients understand the need for a physical examination. Examinations will only be conducted with patient consent
- Patients are welcome to bring a chaperone to a consultation. However, chaperones should only attend a consultation with the patient's consent, and clinicians should ensure that this has been agreed and is appropriate
- Additional personnel (staff, students) are only permitted to be present during a consultation with patient's consent or at the request of the patient (e.g. in-house chaperone)
- Clinicians are expected to record all issues relating to consent (chaperones, undressing) in the patient's notes
- Waiting areas will, as far as possible, be private and out of earshot of consultation rooms
- Patients' information – in verbal and written forms (including electronic communications) – will be kept private and confidential at all times in accordance with Data Protection

legislation and BAPAM's Data Protection and Confidentiality policies. This includes conversations with or about a patient within the clinic premises (e.g. on the telephone, amongst personnel). Visitors to BAPAM are expected to respect patient confidentiality, and regular visitors are required to sign a confidentiality agreement

## **5. Employment (paid staff)**

As an employer, BAPAM will treat all employees and potential employees equally and without unlawful discrimination. This includes:

- arrangements for recruitment and selection
- terms and conditions of employment
- access to training opportunities
- access to promotions and transfers
- grievance and disciplinary processes
- selections for redundancy
- references and any other employment related activities

### **5.1 Recruitment and selection**

We recognise the benefits of having a diverse workforce and will take steps to ensure that:

- we recruit from the widest pool of qualified candidates practicable
- employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit where appropriate
- selection criteria and processes do not unlawfully discriminate
- positive action measures may be taken to attract applicants from all sections of society and especially from groups underrepresented in BAPAM's workforce or who meet the needs of a particular service user group
- any third parties acting for BAPAM in respect of employment are made aware of the requirements not to discriminate and to act accordingly.

### **5.2 Training and development**

We will ensure that all employees are encouraged to achieve their full potential. Performance management and professional development will be conducted routinely for all staff according to a standard and transparent procedure. Selection for all training and career development opportunities will be purely on the basis of merit and in the context of strategic organisational development .

### **5.3 Meeting individual needs**

BAPAM will do its utmost to meet the needs of employees such as:

- Recognising caring and domestic responsibilities
- Working patterns - training courses and meetings will be planned to accommodate part-time staff
- Disability – reasonable adjustments will be made where necessary to enable employees with disabilities to carry out their roles
- Religious practices – wherever possible, time off and suitable facilities for religious observances will be accommodated

## **6. Responsibilities relating to the policy**

### **6.1 Chief Executive**

BAPAM's Chief Executive, is responsible for implementing, monitoring and evaluating all aspects of this Equality and Diversity Policy and for providing regular updates and reports to the Board on Equality and Diversity issues.

The CEO is responsible for ensuring that all personnel are aware of and understand the policy at Induction, and that they comply with the requirements. Service users will also have access to copies of the policy through our website and Patient Contract. The CEO will take seriously and deal with breaches of the policy and grievances and complaints (including informal feedback) relating to Equality and Diversity issues from personnel, service users and stakeholders (see 8 below).

The CEO will be proactive in identifying circumstances in which elements of the policy can benefit individual personnel and service users, and encourage and support them to make use of such benefits.

### **6.2 Personnel (staff, clinicians, Trustees, volunteers)**

All personnel will be given a copy of the Equality and Diversity policy as part of their induction, and compliance will be a contractual requirement: personnel will be expected to have read and understood this policy, to ensure they behave in accordance with its principles and requirements, to encourage the same level of behaviour in colleagues and to immediately report any breaches whenever it is reasonable for them to do so.

### **6.3 Conduct and general standards of behaviour**

All personnel are expected to conduct themselves in a professional and considerate manner at all times. Our service users are bound by similar code of conduct in our Patient Contract. BAPAM will not tolerate behaviour such as:

- making threats
- physical violence
- shouting
- swearing at others
- persistent rudeness
- isolating, ignoring or refusing to work with certain people
- telling offensive jokes or name calling
- displaying offensive material such as pornography or sexist /racist cartoons, or the distribution of such material via email / text message or any other format.
- any other forms of harassment or victimisation

Such unacceptable behaviours from personnel are considered to be disciplinary offences within BAPAM and can lead to disciplinary action being taken.

In cases where service users behave in an unacceptable manner, BAPAM will have the right to withdraw services.

Breaches of the policy will be recorded by the CEO as Incidents (see *Incidents Reporting Policy*) and will be reported to the Board. The CEO will also develop action plans in response to such incidents including staff training and policy review. Breaches, and failure to report observed breaches or to implement recommendations arising from such incidents may be considered a disciplinary offence.

BAPAM encourages resolution of misunderstandings and problems informally wherever possible. Nevertheless, whether dealt with informally or formally, it is important for personnel or services users who may have caused offence to understand that it is no defence to say that they did not intend to do so, or to blame individuals for being over sensitive. It is the impact of the behaviour, rather than the intent, that counts, and that should shape the solution found both to the immediate problem and to preventing similar problems in the future.

Personnel will also be encouraged to proactively promote the policy and to contribute ideas for the advancement of diversity principles within the organisation.

## **8. Complaints**

BAPAM will treat seriously all complaints of unlawful discrimination on any forbidden grounds made by personnel, service users, stakeholders and other third parties and will take action where appropriate.

All complaints will be investigated in accordance with BAPAM's grievance, complaints or disciplinary procedure as appropriate and the complainant will be informed of the outcome in line with these procedures.

We will also monitor the number and outcomes of complaints of discrimination made by personnel, service users, stakeholders and third parties.

## **9. Monitoring**

BAPAM will monitor and record diversity information about all personnel and service users on the basis of age, gender, ethnicity and disability.

Where it is possible to do so, and where doing so will not cause offence or discomfort to those whom it is intended to protect, we will monitor the sexual orientation and religion or belief of BAPAM personnel so to ensure that they are not being discriminated against in terms of employment opportunities or benefits available to them.

We will store diversity monitoring data as confidential personal data and restrict access to this information. This information will be used exclusively for the purposes of diversity monitoring and will have no bearing on opportunities or benefits.

## **10. Review**

This policy will be reviewed in line with our Equality and Diversity Strategy and Action plan. This policy will be reviewed not less than once every two years or more regularly if we identify any non compliance or problem or in the light of emerging legislation or best practice that could impact on this policy. A report of the findings of the review, based on the data and other information collected

and evaluated, will be presented to the Board of Trustees annually, and appropriate action taken.

*Version 1.0 = Sept 2013; Version 1.1 = March 2016 (updated by D Charnock)*

*Review date = Sept 2016*