

## **Healthwatch Cambridgeshire and Peterborough: Equality, Diversity & Inclusion Policy**

This policy aims to outline Healthwatch Cambridgeshire and Peterborough's commitment to ensuring equality, diversity and inclusion for all staff, volunteers and committee in terms of employment and access to services and to provide guidance on anti-discriminatory practice.

The policy applies to employees directly employed by Healthwatch Cambridgeshire and Peterborough, to workers employed via agencies, contractors in terms of employment, directors, volunteers, service users and the general public in terms of service provision.

The policy applies specifically to discrimination and equality of opportunity in respect of 'protected characteristics' as defined in the Equalities Act 2010:

- Age
- Disability
- Race
- Sex
- Religion or cultural beliefs
- Gender reassignment
- Marital status and civil partnership
- Sexual orientation
- Pregnancy and maternity

### **1. Responsibilities**

Healthwatch Cambridgeshire and Peterborough values its staff and volunteers and expects them to be treated in a respectful manner. Accordingly, everyone has a responsibility to treat others with dignity and respect. The CEO is responsible for equality and diversity issues, and to ensure the policy document is kept up to date.

### **2. Aims**

2.1 Healthwatch Cambridgeshire and Peterborough is committed to valuing diversity and working with equality as a core value and aims to:

- Promote equality of opportunity
- Celebrate and value diversity
- Eliminate unlawful direct and indirect discrimination and harassment
- Eliminate bullying

2.2 We will provide equality of opportunity and equal treatment as an integral part of good practice. The organisation is committed to a working environment in which the contribution and needs of everyone are fully valued and recognised.

2.3 We will support our staff, volunteers and clients in not tolerating any inappropriate, violent or abusive behaviour from colleagues, other organisations or clients.

### **3. Employment Practices**

3.1 Healthwatch Cambridgeshire and Peterborough aims to promote equality and diversity as an employer and to ensure that no job applicant or employee receives less favourable treatment or is disadvantaged by conditions or requirements that cannot be shown to be justifiable in the context of the policy.

3.2 Selection, recruitment, training, promotion and employment practices will be subject to regular review to ensure that they comply with the highest standards of Diversity and Equalities practice.

3.3 All training opportunities will be published widely to all appropriate employees and not in such a way so as to exclude particular groups. Healthwatch Cambridgeshire and Peterborough regards discrimination in the course of work as a disciplinary offence that could be regarded as gross misconduct.

### **4. Harassment & Bullying**

4.1 Bullying, harassment or victimisation is unacceptable and as an organisation we understand our obligations to take pro-active steps to condone all forms of bullying and harassment in the workplace, including third party harassment.

4.2 Harassment may include bullying behaviour and refers to bad treatment that is related to a protected characteristic. More specifically, the law defines it as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.'

4.3 It can include behaviour that individuals find offensive even if it's not directed at them, and even if they do not have the relevant protected characteristics themselves.

## **5. Victimisation**

5.1 Broadly refers to bad treatment directed towards someone who has made or is believed to have made or supported a complaint under the Equality Act. It includes situations where a complaint hasn't yet been made but someone is victimised because it's suspected they might make one.

5.2 If an individual gives false evidence or makes an allegation in bad faith, then they are not protected from victimisation under the Act.

## **6. Bullying**

6.1 Can be defined as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power that undermines, humiliates, denigrates or injures the recipient (emotionally or physically) – but it doesn't have a legal definition in the Equality Act.

6.2 In fact, bullying behaviour is very similar to harassment, but it is not related to a protected characteristic.

6.3 Healthwatch Cambridgeshire and Peterborough recognises that bullying and personal harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

1. Healthwatch Cambridgeshire and Peterborough deplores all forms of personal harassment and bullying and seeks to ensure that the working environment is sympathetic to all our employees.
2. We have published these procedures to inform employees of the type of behaviour that is unacceptable and provide employees who are the victims of harassment or bullying with a means of redress.
3. Healthwatch Cambridgeshire and Peterborough recognises that we have a duty to implement this policy, and all employees are expected to comply with it.

### **Examples of harassment**

Harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Harassment is unwanted behaviour by one employee towards another or several employees and examples of harassment include:

- Offensive comments on the basis of a protected characteristic;
- insensitive jokes and pranks;
- lewd or abusive comments about appearance;
- deliberate exclusion from conversations;
- abusive or offensive writing or material including via email, text or social media;
- unwelcome touching; and
- abusive, threatening or insulting words or behaviour.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment. Serious acts of harassment will be classed as gross misconduct and can lead to summary dismissal.

### **Examples of bullying**

Bullying is persistent behaviour, directed against an individual or group that creates a threatening or intimidating work environment which undermines the confidence and self-esteem of the recipient. Examples of bullying include:

- Verbal abuse (for example harsh or undermining treatment; verbal intimidation or threat; verbal abuse, including racist, sexist, homophobic or other prejudiced remarks)
- Abuse of power or unfair sanctions

- Practical jokes, initiation ceremonies
- Physical bullying (for example intimidating physical presence; inappropriate touch; physical assault; intentional damage of property or work)
- Social bullying (for example belittling in front of colleagues; lying, spreading rumours or making comments to damage someone's reputation; unjustifiable preferential treatment of others; excluding from activities/opportunities, or encouraging others to exclude).
- Cyber/remote bullying (for example using text message, email or social media to deliver abusive, undermining or hurtful messages; online intimidation or harassment; intentional exclusion of others from online forums; public sharing of private information without consent).

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of bullying. Serious acts of bullying will be classed as gross misconduct and can lead to summary dismissal.

## **7. Complaining about harassment or bullying**

### **7.1 Informal complaint**

7.1.1 Healthwatch Cambridgeshire and Peterborough recognises that complaints of harassment or bullying, and particularly of sexual or racial harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for the issue to be raised through the grievance procedure.

7.1.2 In these circumstances the issues should be raised with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you). This person may be the person who will be responsible for investigating the matter if it becomes a formal complaint, or an individual who you feel comfortable to listen to your concerns and support in raising it in an appropriate way.

7.1.3 If you are the victim of minor harassment/bullying you should make it clear to the perpetrator on an informal basis that their behaviour is unwelcome and ask the perpetrator to stop. If you feel unable to do this verbally then you

should hand a written request to the person. You should seek the support from a senior colleague for assistance where required.

## **7.2 Formal complaint**

7.2.1 Where the informal approach fails or if the behaviour is more serious or you wish to make a formal complaint, the matter should be brought to the attention of the CEO or the designated member of the senior team responsible for staff wellbeing (or the designated trustee responsible for staff wellbeing).

7.2.2 If possible, please include brief written details of the following:-

- the name of the alleged perpetrator;
- the nature of the alleged behaviour;
- the dates and times when the alleged behaviour occurred;
- the names of any witnesses; and
- any action already taken by you to stop the alleged behaviour.

7.2.3 On receipt of a formal complaint, where necessary, we will take action to separate you from the alleged perpetrator to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged perpetrator to another work area or suspension with contractual pay until the matter has been resolved.

7.2.4 The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and will carry out a thorough investigation. You have the right to be accompanied at such a meeting by a colleague or trade union representative and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

7.2.5 On conclusion if it is found that an allegation is well founded, the perpetrator will be liable to disciplinary action in accordance with our disciplinary procedure. An employee who receives a formal warning or who is dismissed for harassment/bullying may appeal by using our disciplinary appeal procedure.

7.2.6 If you bring a complaint of harassment/bullying you will not be victimised for having brought the complaint.

7.2.7 Accusations of bullying can sometimes be used as a form of bullying. If the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action may be taken against the person raising the accusation.

7.2.8 All complaints of bullying, whether formal or informal, will be reported to Healthwatch Cambridgeshire and Peterborough's full board at the next board meeting following the complaint. Where appropriate, and depending on circumstance, complaints may be anonymised.

## **8. Victim support**

8.1 Where appropriate, Healthwatch Cambridgeshire and Peterborough will seek to provide additional assistance to victims by contacting outside agencies who will provide specialist advice and support, with the staff member's permission.

8.2 Healthwatch Cambridgeshire and Peterborough will provide additional support to victims of harassment, until the case is resolved. Wherever possible, Healthwatch Cambridgeshire and Peterborough will ensure that staff are available to support victims if they so wish.

## **9. Police involvement**

Healthwatch Cambridgeshire and Peterborough will report incidents of harassment to the police where there is a clear threat to the safety of staff or the general public or if the allegation is of a serious criminal nature such as rape or sexual or racial assault.

## **10. Healthwatch Cambridgeshire and Peterborough as a Service Provider**

In developing its services and support and publicity materials, Healthwatch Cambridgeshire and Peterborough will seek to ensure that access is equitable for all. This will include, wherever practicable, making specific access arrangements for clients with disabilities or learning difficulties, or any other protected characteristic which may apply, such as religion and belief.

Healthwatch Cambridgeshire and Peterborough will attempt to ensure that none of its policies discriminate directly or indirectly against any group or individual.

## **11. Equality, Diversity & Inclusion**

11.1 Healthwatch Cambridgeshire and Peterborough fully supports the principle of equality and diversity. We aim to encourage, value and manage diversity and we recognise that talent and potential are distributed across the population. Not only are there moral and social reasons for promoting equality of opportunity, but it is also in the best interest of this organisation to recruit and develop the best people for our jobs from as wide and diverse a pool of talent as possible.

11.2 Healthwatch Cambridgeshire and Peterborough recognises that certain groups and individuals in society are oppressed and disadvantaged due to discrimination directed against them. In all its work Healthwatch Cambridgeshire and Peterborough will work to remove any barriers, bias or discrimination that prevents individuals or groups from realising their potential and contributing fully to our organisation's performance and to develop an organisational culture that positively values diversity.

11.3 When listening to communities and individuals Healthwatch Cambridgeshire and Peterborough will make every effort to understand the context in which people live their lives. Where understanding is more difficult Healthwatch Cambridgeshire and Peterborough staff and volunteers will be supported in respectfully seeking information.

11.4 Those people experiencing discrimination may experience particular issues when accessing health and social care services. When working with partner organisations Healthwatch Cambridgeshire and Peterborough will be aware of discriminatory practice and how this may manifest itself. Staff and volunteers will be supported in bringing any issues to the attention of partner organisations.

11.5 Whenever practical and possible Healthwatch Cambridgeshire and Peterborough will support public sector organisations in undertaking Equality Impact Assessment.



11.6 Discrimination operates through commonly held assumptions and prejudices, which are reinforced by laws, rules and customs. This makes discrimination appear normal and inevitable.

Discrimination works by stereotyping people into different roles, by treating some people worse than others, or simply by ignoring them.

11.7 All forms of discrimination are unacceptable, regardless of whether there was any intention to discriminate or not. Staff and volunteers have a duty to co-operate with Healthwatch Cambridgeshire and Peterborough to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination. Employees and volunteers should draw the attention of their line manager to suspected discriminatory acts or practices or cases of bullying or harassment.

11.8 Healthwatch Cambridgeshire and Peterborough recognises that the promotion of equal opportunities requires more than passive opposition to discrimination; we are therefore committed to taking positive action towards equality of opportunity, recognising that the limited resources and the operational needs of the organisation may impose justifiable restrictions upon our ability to take such action.

## **12. Complaints**

12.1 Healthwatch Cambridgeshire and Peterborough will treat seriously any complaints of unlawful discrimination on any of the stated grounds made by employees, volunteers, clients or third parties and will take action where appropriate.

12.2 All complaints made by external parties will be investigated in accordance with Healthwatch Cambridgeshire and Peterborough's Complaints Procedure and the complainant will be informed of the outcome.

12.3 In the event of an investigation concerning a complaint against an employee, Healthwatch Cambridgeshire and Peterborough's Grievance Policy and Procedures will be followed and any action necessary dealt with under Healthwatch Cambridgeshire and Peterborough's Disciplinary Procedure.

12.4 Complaints will be reviewed annually by the Board.

This policy should be read in conjunction with all Healthwatch Cambridgeshire and Peterborough policies, but particularly its Complaints Policy, Grievance Procedure, Disciplinary Procedure.

**Approved by Healthwatch Cambridgeshire Board of Directors**

Date: September 2024

**Next Review**

Date: March 2027

**Responsible Officer**

Chief Executive Officer of Healthwatch Cambridgeshire

**GLOSSARY**

**Protected Characteristics**

The protected characteristics as listed in the Equality Act 2010 are sex, sexual orientation, marriage or civil partnership, gender reassignment, race, religion or belief, age, disability, pregnancy and maternity.

**Disability**

Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse affect on their ability to carry out normal day-to-day activities.

**Gender reassignment**

A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The person does not have to be under medical supervision.

**Race**

Race includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups (eg Black Britons).

## **Religion or belief**

Under the Equality Act 2010, religion includes any religion. It also includes lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

## **Sexual orientation**

Includes bisexual, gay, heterosexual, and lesbian people.

## **Direct discrimination**

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

## **Associative discrimination**

This is direct discrimination against someone because they are linked or associated with another person who possesses a protected characteristic.

## **Perceptive discrimination**

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. **Indirect discrimination**

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic and which cannot be justified in relation to the job.

## **Harassment**

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

**Third party harassment**

Harassment of employees by people (third parties) who are not employees of your company, such as clients. HWC has a duty to prevent harassment and may be liable if aware that harassment has occurred on at least two previous occasions and does not take reasonable steps to prevent it from happening again.

**Victimisation**

Victimisation occurs when an employee is treated badly because they have made or supported a complaint about discrimination or harassment, or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

**Positive action**

Some people with protected characteristics are disadvantaged or underrepresented in some areas of life, or have particular needs linked to their characteristic. They may need extra help or encouragement if they are to have the same chances as everyone else. The new positive action provisions held within the Equalities Act 2010 enable service providers to take proportionate steps to help people overcome their disadvantages or to meet their needs.