

(QP-01) Equal Opportunities and Diversity Policy

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Responsibilities

Management and all staff.

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Introduction

Richmond House Social Care Services has instituted this Equality & Diversity Policy to ensure equal opportunities for all its staff, job applicants, clients, customers, suppliers and service users. It expects that all persons will contribute to and actively support the company in working towards the elimination of discrimination and harassment and the promotion of equality of opportunity.

We are committed to providing a working environment in which employees are able to realise their full potential and contribute to its business success. The Company values the differences that a diverse workforce brings. This is a key employment value to which all employees are expected to give their support.

Equal opportunities practice is developing constantly as social attitudes and legislation change. The Company will keep its policies under regular review and will implement changes where these could improve equality of opportunity. This commitment applies to all the Company's employment policies and procedures, not just those specifically connected with equal opportunities and diversity.

1. Scope of the policy

This policy applies to all those working for the company, in whatever capacity. A failure to follow the requirements of the policy may result in an investigation and management action being taken as considered appropriate. This may include formal action in line with the company's disciplinary procedures.

2. Purpose of the Policy

Through the implementation of this policy, the company are committed to:

- Promoting equality of opportunity for all persons
- Promoting a good and harmonious working environment in which all persons are treated with respect
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimisation

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- Fulfilling all our legal obligations under the equality legislation and associated codes of practice
- Complying with our own equal opportunities policy and associated policies
- Taking lawful affirmative or positive action, where appropriate
- Regarding all breaches of equal opportunities policy as misconduct which could lead to disciplinary proceedings.

3. Legislation

The Company's Equal Opportunities Policy is designed to comply with all relevant legislation, Our policy is governed by the Equality Act 2010, which makes it unlawful to discriminate directly or indirectly, in recruitment, employment or service delivery because of a protected characteristic.

4. Protected Characteristics

Our definition of 'protected characteristics' is based on those set out in the Equality Act 2010: The protected characteristics are:

Age refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18-30 year olds). Under this policy, no employee or service user should be treated differently on the basis of their age unless it can be demonstrated that it is a proportionate means of meeting a legitimate goal,

Disability: A person has a Disability if he or she has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. To qualify for protection from discrimination, a disabled person does not have to show that their impairment affects a particular 'capacity', such as mobility, speech, hearing or eyesight. N.B. Candidates for employment should not be asked about their health before offering them work.

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Gender Reassignment: The protected characteristic of Gender Reassignment applies to a person who is proposing to undergo, is undergoing or has undergone a process to change their sex. To qualify for protection from discrimination a transsexual person does not have to show that they are under medical supervision.

Marriage: This is defined as a legal 'union between two persons'. Same-sex couples can also have their relationships legally recognised as Civil Partnerships. Civil partners must be treated the same as married couples and neither group can be discriminated against for being married or part of a civil partnership.

Pregnancy: This is the condition of expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Women are protected from discrimination on the grounds of pregnancy and maternity during the period of pregnancy and any statutory maternity leave to which they are entitled. Employers must not take into account an employee's period of absence due to pregnancy-related illness when making a decision about employment and should ensure that there are appropriate mechanisms for separately recording such illnesses.

Race: This refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. A racial group can be made up of two or more different racial groups (for example, Black Britons).

Religion and Belief: This refers to religious and philosophical beliefs that affect a person's life choices or the way a person lives. A religion must have a clear structure and belief system. A belief means any religious or philosophical belief or lack of belief that guides a person's life choices.

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Sex: This refers to a person's gender - a man or a woman.

Sexual Orientation categorises a person's sexual attraction towards their own sex, the opposite sex, or both sexes. Under this policy, no employee or service user should be treated unfairly on the basis of their sexual orientation. The Equality Act protects lesbian, gay, bisexual and heterosexual employees from discrimination, harassment and victimisation.

5. Definitions

The Equality Act introduces a consistent approach to most of the concepts which apply to the different equality strands, and which the Act calls 'protected characteristics'. As an employer, the Richmond House's obligations remain largely the same. The Act harmonises and replaces previous legislation (such as the Sex Discrimination Act 1975 and the Disability Discrimination Act 1995) and ensures consistency in what employers need to do to make the workplace a fair environment and to comply with the law. There are no new protected characteristics for the purposes of the Act, but some of the definitions have been updated in line with social and legislative changes.

Direct discrimination is when someone is treated less favourably than another person because of a protected characteristic. Direct Discrimination is not justifiable.

Occupational Requirement (previously known as a genuine occupational requirement) - in limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and be a proportionate means of achieving a legitimate aim. Decisions are made on a case-by-case basis.

Indirect discrimination is when you have a condition, rule, criterion, policy or practice that applies to everyone but particularly disadvantages people who share a

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protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception by others that they have a particular protected characteristic. It applies even if the individual does not actually possess that protected characteristic.

Discrimination arising from disability is where an individual has been treated unfavourably because of something connected with their disability (so does not have to be the disability itself).

Third-party harassment is where an employee is harassed and the harassment is related to a protected characteristic, by people (third-parties) who are not employees of the organisation.

Victimisation is when an employee is treated badly and subjected to detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, 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.

Harassment is any unwanted physical, verbal or non-verbal conduct based on sex, sexual orientation, marital or civil partnership status, gender reassignment, religious belief, age, race or disability which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment.

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A single incident of unwanted or offensive behaviour can amount to harassment. Some examples are given below, but many forms of behaviour can constitute harassment. These examples are:

1. physical conduct, ranging from touching, pushing or grabbing to punching or serious assault
2. verbal or written harassment through jokes, offensive language, defamatory remarks, gossip, threats or letters
3. unwelcome sexual behaviour, including unwanted suggestions, propositions or advances
4. the sending or displaying of material that is pornographic or obscene, including e-mails, text messages, video clips, photographs, posters, emblems or any other offensive material
5. isolation, non-co-operation at work or exclusion from social activities
6. coercion, including pressure for sexual favours
7. inappropriate personal contact, including intrusion by pestering or spying

It should be noted that it is the impact of the behaviour that is relevant and not solely the motive or intent behind it.

Bullying is persistent, offensive, abusive, intimidating or insulting behaviour, which, through the abuse of power, makes the recipient feel upset, threatened, humiliated or vulnerable.

Bullying can be a form of harassment and can undermine an individual's self-confidence and self-esteem and cause them to suffer stress.

Bullying can take the form of physical, verbal and non-verbal conduct. As with harassment, there are many examples of bullying, which can include:

8. shouting at or humiliating others

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9. high-handed or oppressive levels of supervision
10. unjustified, offensive and/or insulting remarks about performance
11. excluding employees from meetings, events or communications without good cause
12. physical or emotional threats

Bullying can occur in the workplace and outside of the workplace at events connected to the workplace, such as social functions or business trips.

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6. Implementation of Policy

The ultimate responsibility for implementing the policy rests with the directors of the Company. The Company has appointed the Operations Director, to be responsible for the operation of the policy.

All employees of the Company are expected to pay due regard to the provisions of the Equal Opportunities and Diversity Policy and are responsible for ensuring compliance with it when undertaking their jobs or representing the Company.

Acts of discrimination or harassment by employees of the Company will result in disciplinary action. Failure to comply with this policy will be treated in a similar fashion.

7.1 Employment and Training

As an employer, the Company will treat all employees and job candidates equally and fairly and not discriminate unjustifiably against them. This will, for example, include arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, bonus schemes, work allocation and any other employment-related activities.

7.2 Recruitment & Selection

The Company recognises the benefits of having a diverse workforce and will take steps to ensure that:

13. it endeavours to recruit from the widest pool of qualified candidates possible;
14. employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit;

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15. where appropriate, positive action measures are taken to attract applications from all sections of society and especially from those groups which are underrepresented in the workforce;
16. selection criteria and processes do not discriminate unjustifiably on the grounds of gender, race (including colour, nationality or ethnic origin), disability, sexual orientation, marital status, part-time status, age, religion or belief, other than in those instances where the Company is exercising lawfully permitted positive action;
17. wherever appropriate and necessary, lawful exemptions (Genuine Occupational Requirements) will be used to recruit suitable employees to meet the special needs of particular groups; and
18. all recruitment agencies acting for the Company are aware of its requirement not to discriminate and to act accordingly.

7.3 Recruitment of Ex-offenders

As an organisation using the Disclosure and Barring Service (DBS) to assess candidates' suitability for positions of trust, the Company complies fully with the DBS Code of Practice and undertakes to treat all candidates fairly. The Company undertakes not to discriminate unlawfully against any candidate who is required to provide information through this process. The information provided is known as a Disclosure.

The Company's policy on the recruitment of ex-offenders will be made available to all candidates at the outset of the recruitment process.

The Company actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. The Company selects all candidates for interview on the basis of their skills, qualifications and experience.

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A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where such a check is required, all application forms, job advertisements and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is part of the recruitment process, the Company encourages all candidates called for an interview to provide details of any criminal record at an early stage in the application process. The Company requests that this information is sent under separate, confidential cover to a designated person within the Company. The Company guarantees that only those who need to see it as part of the recruitment process will see this information.

Unless the nature of the position is such that the Company may ask questions about an individual's entire criminal record, the Company will only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.

The Company will ensure that all individuals involved in the recruitment process receive appropriate guidance and training in the legislation relating to the employment of ex-offenders, e.g., the Rehabilitation of Offenders Act 1974.

The Company will ensure that it discusses with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job could result in the withdrawal of an offer of employment.

The Company will ensure that it makes any candidate who is subject to Disclosure aware of the DBS / Disclosure Scotland Code of Practice and will provide a copy of the Code on request.

The Company undertakes to discuss any matter revealed in the Disclosure with the candidate before withdrawing the offer of employment.

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Having a criminal record will not necessarily prevent the candidate from working with the Company. Whether or not it does will depend on the nature of the position and the circumstances and background of the offences.

7.4 Communication

We commit to communicating with our employees in a non-discriminatory way that recognises the different needs of employees from different backgrounds. It is every employee's responsibility to ensure that all communication, whether verbal, written or graphic, is clear, accessible and non-discriminatory.

7.5 Work-life Balance

We acknowledge that some working arrangements may cause difficulty for certain sections of society. We provide flexible working practices and family friendly policies to encourage the retention of existing employees and to attract the best possible candidates in the recruitment process. Schemes currently available include part-time working, job sharing, maternity leave, adoption leave, parental leave, flexible working hours and other special leave provisions.

7.6 Conditions of Service

The Company will treat all employees equally and create a working environment which is free from discrimination and harassment and which respects, where appropriate, the diverse backgrounds and beliefs of employees. Terms and conditions of service for employees will comply with U.K. equal opportunities legislation.

The provision of benefits such as working hours, maternity and other leave arrangements, performance appraisal systems, dress code, bonus schemes and any other conditions of employment will not discriminate unlawfully against any employee. Where appropriate and necessary, the Company will endeavour to provide appropriate facilities and conditions of service which take into account the

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specific needs of employees which arise from their gender, ethnic or cultural background, nationality, responsibilities as parents or carers, disability, sexual orientation, marital status, part-time status, age, religion or belief.

7.7 Promotion and Career Development

Promotion within the Company will be made without reference to any of the forbidden grounds and will be based solely on merit.

The selection criteria and processes for recruitment and promotion will be kept under review to ensure that there is no unjustifiably discriminatory impact on any particular group.

Whilst positive action measures may be taken in accordance with the relevant equal opportunities legislation to encourage underrepresented groups to apply for promotion opportunities, recruitment or promotion to all jobs will be based solely on merit.

All employees will have equal access to training and other career development opportunities appropriate to their experience and abilities. However, the Company will take appropriate positive action measures (as permitted by the equal opportunities legislation) to provide special training and support for groups which are underrepresented in the workforce and encourage them to take up training and career development opportunities.

7.8 Reasonable Adjustments

Where a disabled person is at a substantial disadvantage in comparison with people who are not disabled, there is a duty to take all reasonable steps to remove that disadvantage by

- (i) Changing provisions, criteria or practices,

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- (ii) Altering, removing or providing a reasonable alternative means of avoiding physical features and
- (iii) Providing auxiliary aids.

The effect of a reasonable adjustment should be to provide a service as close as reasonably possible to the standard offered to non-disabled people.

This is an Anticipatory Duty for service providers, i.e. all reasonable adjustments known to the service provider should be made in advance to assist potential disabled service users and not just to those who are known to the service provider.

What is considered reasonable will depend on all the circumstances of the case including the size of an organisation and its resources, what is practicable, the effectiveness of what is being proposed and the likely disruption that would be caused by taking the measure in question as well as the availability of financial assistance. If an adjustment is reasonable, the person or organisation providing the service must pay for it.

Proportionate refers to measures or actions that are appropriate and necessary. Whether something is proportionate in the circumstances will be a question of fact and involve weighing up the discriminatory impact of the action against the reasons for it, and asking if there is any other way of achieving the aim. Where a decision is taken that a requested adjustment is not reasonable or proportionate, the organisation would need to have evidence to back up this position.

7. Promoting Equality and Diversity

This Company is committed to promoting equality and diversity in the Company as well as in those areas in which it has influence. Employees will be trained on this Equal Opportunities and Diversity Policy and will be provided with equality and diversity training appropriate to their needs responsibilities. The promotion of the Company's Equal Opportunities and Diversity Policy will be covered on the Company's induction program for all employees. Additional training is also provided

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to all managers and persons who are involved in the recruitment of staff through attendance at management training.

All those who act on the Company's behalf will be trained on the Company's Equal Opportunities and Diversity Policy and will be expected to pay due regard to it when conducting business on the Company's behalf.

In all its dealings, including those with clients, customers, suppliers, contractors recruitment agencies and the public, the Company will seek to promote the principles of equality and diversity. To this end, the company undertakes to observe as far as possible the Equality and Human Rights Commission's Code of Practice for Employment. The Company will make every effort to reflect its commitment to equality and diversity in its marketing and communication activities.

8. Complaints of discrimination

The Company will treat seriously all complaints of discrimination made by employees, clients, customers, suppliers, contractors or other third parties and will take action where appropriate.

If an employee believes that they have been discriminated against, they are encouraged to raise the matter as soon as possible with their manager or other senior employee using the Company's Grievance Procedure.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated thoroughly. If an employee makes an allegation of discrimination, the Company is committed to ensuring that the employee is protected from victimisation, harassment or less favourable treatment. Any such incidents will be dealt with under the Company's Disciplinary Procedures.

9. Investigating accusations of unlawful discrimination

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If an employee are accused of unlawful discrimination, the Company will investigate the matter fully. During the course of the investigation, an employee will be given the opportunity to respond to the allegation and provide an explanation of their actions.

If the investigation concludes that the claim is false or malicious, the complainant may be subject to disciplinary action.

If the investigation concludes that the employee's actions amount to unlawful discrimination, they will be subject to disciplinary action, up to and including dismissal without notice for gross misconduct.

10. Monitoring

The company will establish appropriate information and monitoring systems to assist the effective implementation of our equal opportunities policy. The effectiveness of our equal opportunities policy will be reviewed regularly and action taken as necessary. For example, where monitoring identifies an under-representation of a particular group or groups, we shall develop an action plan to address the imbalance. In this connection, the Company will monitor its policies and will implement changes in order to improve them as social attitudes and legislation change. This commitment applies to all the Company's employment policies and procedures, not just those specifically concerned with equal opportunities and diversity.

11. Review

The Company commits to review this policy at least annually, revise it as often as is appropriate and make when required by changes in legislation and regulatory requirements.

Head of Services

Jay Al Karaki

Date: 13 January 2025

Approved by Hala Okasheh and Pauline Bullement

Date: 15 January 2025

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