

# Diversity, Equality, and Inclusion Policy

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**Physis Care**

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## DIVERSITY, EQUALITY, AND INCLUSION POLICY

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## 1. Our commitments

1.1 We are committed to promoting equal opportunities in employment and creating a workplace culture in which diversity and inclusion is valued and everyone is treated with dignity and respect. As part of our zero-tolerance approach to discrimination in any form, you and any job applicants will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex, or sexual orientation (Protected Characteristics). We are also committed to providing equitable treatment to all those we deal with as an organisation, including customers, and visitors.

1.2 We will take all *reasonable* steps to:

- Promote awareness and provide training to all staff and all managers on all aspects of equality and diversity in the workplace.
- Apply the principles of equity to all staff and all job applicants so that there is equality of opportunity. Our aim is that no individual is denied employment opportunities for reasons unrelated to ability, required qualifications, or criteria applicable to the necessary performance of the role.
- Establish processes that promote a diversity of candidates at all career stages beginning with recruitment, including the development and promotion of talent through to the appointment of senior leadership.
- Implement all internal policies and procedures (on a fair and impartial basis).
- Create an inclusive working environment that is sensitive to the needs of staff of differing cultures, religions, and beliefs. For example, in connection with religious observance and dress.
- Make *reasonable* adjustments to enable employees with disabilities to function effectively and to their full potential.
- Ensure that all work environments are free from all forms of discrimination, harassment, intimidation, or bullying.
- Monitor how this policy is working in practice.
- Comply with the Equality Act 2010 and the Equality Act 2010 (Amendment) Regulations 2023.

## 2. About this policy

2.1 The purpose of this policy is to set out our approach to diversity, equity, and inclusion. Our aim is to encourage and support diversity, equity and inclusion and actively promote a culture that values difference and eliminates discrimination in our workplace. It applies to all aspects of employment with us, including recruitment, pay, benefits and conditions, flexible working and leave, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.

2.2 This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

## 3. Who does this policy apply to?

3.1 This policy applies to all employees, consultants, contractors, volunteers, casual workers and agency workers.

## 4. Who is responsible for this policy?

4.1 The Director Of Children's Services (DoCS) is responsible for the effective operation of this policy but has delegated day-to-day responsibility for overseeing its implementation to the Human Resources Business Partner. Questions about the policy or suggestions for change should be referred to Human Resources Business Partner.

4.2 All managers must set an appropriate standard of behaviour, lead by example, and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to diversity, equity, and inclusion.

## 5. Diversity and inclusion training

5.1 Managers will be given appropriate training on recognising and avoiding discrimination, harassment, victimisation, and promoting equality of opportunity and diversity in the areas of recruitment, development, and promotion.

5.2 We will ensure that all employees know of the Diversity, Equality, and Inclusion Policy along with the Anti-harassment and Bullying Policy and that our expectations are clearly communicated. Further training will be provided where appropriate.

## 6. Discrimination

6.1 You must not unlawfully discriminate against or harass other people, including current and former employees, workers, job applicants, clients, suppliers, or visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers, or other work-related contacts), and on work-related trips or events including social events which may occur outside of work hours.

6.2 The following forms of discrimination are prohibited under this policy and are unlawful:

(a) **Direct discrimination:** treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay. Direct discrimination can include associative discrimination, where a person is treated less favourably because of their association with an individual with a Protected Characteristic, and perception discrimination, where a person is treated less favourably because of the mistaken belief that they possess a Protected Characteristic.

(b) **Indirect discrimination:** a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others and is not justified. An example of indirect discrimination may be a minimum height requirement for a job where height is not relevant to carry out the role. Such a requirement would likely discriminate disproportionately against women (and some minority ethnic groups) as they are generally shorter than men. An individual without a Protected Characteristic will be able to bring a claim for indirect discrimination, provided that they can demonstrate they suffered the *same* applied disadvantage as a person with a Protected Characteristic.

(c) **Harassment:** this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-harassment and Bullying Policy.

(d) **Victimisation:** retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment. This includes where someone mistakenly believes that the person victimised has done so.

(e) **Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

## 7. Recruitment and selection

7.1 Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. When recruiting or promoting, we will aim to take steps to improve the diversity of our workforce and provide equality of opportunity. Shortlisting should be done by more than one person and with the involvement of the HR Department, where possible. Our recruitment procedures will be reviewed regularly to ensure that individuals are objectively assessed on the basis of their relevant merits and abilities. Further information in relation to recruitment and selection may be found in the Safer Recruitment Policy.

7.2 Vacancies should generally be advertised to a diverse section of the labour market by using a variety of methods which provide a diverse range of suitable candidates. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

7.3 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

7.4 Job applicants should generally not be asked about health or disability before a job offer is made. There are *limited exceptions which should only be used with the approval of the HR Department*. For example:

- (a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any *reasonable* adjustments).
- (b) Questions to establish if an applicant is fit to attend an assessment or any *reasonable* adjustments that may be needed at interview or assessment.
- (c) Positive action to recruit disabled persons.
- (d) Equal opportunities monitoring (which will not form part of the selection or decision-making process).

Where necessary, job offers can be made conditional on a satisfactory medical check.

7.5 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the HR Department or UK Visas and Immigration.

7.6 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we may monitor applicants' ethnic group, nationality, gender, gender identity, disability, sexual orientation, religion, and age as part of the recruitment procedure. Provision of this information is voluntary, and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy and in accordance with data protection legislation. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality, diversity, and inclusion.

## 8. Training, promotion, and conditions of service

8.1 Training needs will be identified through objective assessment of practice needs, the need to comply with external regulations for the role or sector of employment, and needs identified through appraisals. It will not be influenced by any Protected Characteristics that an individual may have. Appropriate access to training

to enable you to progress within the organisation and all promotion decisions will be made on the basis of merit.

8.2 Workforce composition, training and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the specific needs of disadvantaged or underrepresented groups.

## 9. Monitoring

9.1 We will monitor the effectiveness of our policies and procedures in meeting our diversity, equity, and inclusion objectives and to identify areas in which further resources or support are required to achieve equality of experience.

9.2 We will monitor the treatment and outcomes of any complaints of discrimination, harassment, or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved, and workforce training is targeted where needed.

9.3 Progress towards diversity, equality, and inclusion objectives will be reported to the Directors of the company and anonymised information will be shared with employees making a *reasonable* request for such information.

## 10. Termination of employment

10.1 We will ensure that any redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

10.2 We will also ensure that disciplinary and conduct procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal, or other disciplinary action.

## 11. Disabilities

11.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

11.2 If you experience difficulties at work because of your disability, you may wish to contact your line manager or the Human Resources Business Partner to discuss any *reasonable* adjustments that may help overcome or minimise the difficulty. The Human Resources Business Partner may wish to consult with you and your medical adviser about possible *reasonable* adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

11.3 We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take *reasonable* steps to improve access.

## 12. Part-time and fixed-term work

12.1 Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (although on a pro-rata basis where appropriate) unless different treatment is justified. [Workers are not employees and terms and conditions of engagement may be legally different.]

### **13. Breaches of this policy**

13.1 We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Policy. Serious cases of deliberate discrimination and victimisation may amount to gross misconduct resulting in dismissal.

13.2 If you believe that you have suffered harassment, bullying or discrimination, or witnessed it happening to someone else in the workplace, you can raise the matter through our Grievance Procedure and through our Anti-harassment and Bullying Policy as appropriate. Complaints will be treated in confidence and investigated as appropriate.

13.3 There must be no victimisation or retaliation against staff who complain about or report discrimination. If you believe you have been victimised for making a complaint or report of discrimination or have witnessed it happening to someone else in the workplace, you should raise this through our Grievance Procedure.

13.4 We encourage the reporting of all types of potential discrimination, as this assists us in ensuring that diversity, equity, and inclusion principles are adhered to in the workplace. However, making a false allegation in bad faith, or that you know to be untrue, will be treated as misconduct and dealt with under our Disciplinary Procedure.

### **14. Related policies**

14.1 This policy is supported by the following other policies and procedures:

- (a) Anti-harassment and Bullying Policy.
- (b) Grievance Policy.
- (c) Disciplinary Policy
- (d) Flexible Working Policy.
- (e) Maternity, Paternity, Adoption and Shared Parental Leave Policies.
- (f) Special Leave of Absence Policy
- (g) Safer Recruitment Policy

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