

Equality & Diversity Policy (service user)

Owner/s:	Director of Children Young People and Families
Author/s:	Gill Bloyce
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1. Purpose of the policy

1.1 The purpose of this policy is to state the principles and practices of equality and fairness expected in NDCS services by people using NDCS services and NDCS staff and volunteers.

1.2 These principles and practices include:

- Ensuring the health and safety of all people using NDCS services and NDCS staff and volunteers, including a duty to protect them from discrimination, harassment and bullying.
- Ensuring that NDCS provides equality of opportunity in all aspects of service provision.
- Ensuring that NDCS staff and volunteers recognise the diverse range of people using NDCS services and support them in making full use of their strengths and resources.

1.3 NDCS is committed to eliminating discrimination, encouraging diversity, promoting equality and recognising the value of every individual in all aspects of our work. We work towards ensuring that:

- a) we have taken all reasonable steps to not unfairly discriminate in any way for example on the grounds of age, disability, gender reassignment and gender identity,
- b) marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, gender, or sexual orientation, in terms of the services people receive.
- c) we will prevent indirect discrimination by ensuring our policies and practices do not unfairly or unjustifiably limit opportunities for people for example those listed above.
- d) under Section 158 of the Equality Act 2010 and where appropriate NDCS will promote positive action in the form of proportionate measures to encourage or train people from an under-represented group to take up the support and services offered by NDCS.
- e) in developing our services and wherever practicable we will seek to ensure access for our beneficiaries and remove any barriers, whether these are linked to their disabilities, language, religion and/or any protected characteristic.

1.4 NDCS' mission is to remove the barriers to the achievement of deaf children throughout the world.

1.5 The implementation of this policy will ensure:

- a) People using NDCS services, staff and volunteers are aware that NDCS has obligations under the law in relation to discrimination and that NDCS is committed to meeting these obligations.
- b) Compliance with legislative and professional body requirements to safeguard against discrimination on the grounds of age, disability, gender reassignment and gender identity, marital or civil partner status,

- pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, gender, or sexual orientation.
- c) Demonstration of NDCS commitment to provide services that promote dignity and respect and to create an environment where the people using NDCS services, staff and volunteers are valued and individual differences embraced, recognised and celebrated.
 - d) People using NDCS' services feel comfortable discussing their personal family circumstances, are able to express their diverse lifestyle choices and have confidence that their preferences will be respected by staff, volunteers and other service users.
 - e) Staff and volunteers take account of service user's choices and preferences as well as their age, disability, gender reassignment and gender identity, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, gender, or sexual orientation, in the assessment of service user's strengths and needs and the development of support plans and associated documents.
 - f) People using NDCS' services and staff and volunteers are clear on their roles and responsibilities regarding issues of diversity and equality.
 - g) That negative views expressed towards people with protected characteristics or issues relating to diversity and equality are acknowledged and addressed in a timely manner.
 - h) Failure of people using NDCS' services and staff or volunteers to comply with this policy could lead to accusations of bullying, discrimination or disrespect and could lead to legal proceedings if they say or do something that could be viewed as a discriminatory act or something that incites hatred. Additionally staff or volunteers may face disciplinary action or application of the volunteer's problem solving procedure.

2. Key principles

- 2.1 This policy aims to create a culture within NDCS, in which a proactive approach is taken to equality and diversity.
- 2.2 Whilst meeting legal requirements, this policy aims to celebrate diversity and support people using NDCS services to gain equality in society.
- 2.3 NDCS will not tolerate discrimination, harassment or bullying by people using NDCS services.
- 2.4 Any person provided with NDCS services has the right (so far as it is lawful, possible and appropriate to exercise it):
 - To express their diversity and lifestyle choices
 - To enjoy the respect of others for their private and family life
 - To be respected as individuals

3. The policy statement

- 3.1 NDCS has set out the policy framework in which staff and volunteers will work when supporting people using NDCS services. Staff and volunteers acting outside of this policy may be subject to NDCS disciplinary procedures.
- 3.2 To avoid discrimination in NDCS, managers must ensure staff and volunteers are made aware of the strands of equality and diversity legislation and how this impacts on different areas of their roles in the organisation.
- 3.3 All people using NDCS services are responsible and accountable for their own actions.
- 3.4 People using NDCS services, NDCS staff and volunteers will not treat a person less favourably than someone else because of a protected characteristic (this is called direct discrimination).
- 3.5 People using NDCS services, NDCS staff and volunteers must not do something to someone in a way that has a worse impact on them and other people who share a particular protected characteristic than on people who do not have that characteristic. If this is done it must be objectively justified, otherwise it will be indirect discrimination. 'Doing something' can include making a decision, or applying a rule or way of doing things.
- 3.6 People using NDCS services, NDCS staff and volunteers must not treat a person using NDCS services unfavourably because of something connected to their impairment or condition where they cannot show that what they are doing is objectively justified. This only applies if staff, volunteers or deaf and disabled people using NDCS services know or could reasonably have been expected to know, that the person is deaf or disabled. This is called discrimination arising from disability.
- 3.7 Staff, volunteers or people using NDCS services must not treat a person worse than someone else because they are associated with a person who has a protected characteristic.
- 3.8 People using NDCS services, NDCS staff and volunteers must not treat a person worse because they incorrectly think they have a protected characteristic.
- 3.9 People using NDCS services, NDCS staff and volunteers must not treat a person badly or victimise them because they have complained about discrimination or helped someone else complain or have done anything to uphold their own or someone else's equality law rights.
- 3.10 People using NDCS services, NDCS staff or volunteers must not carry out acts of harassment (for further information see Bullying and Harassment Policy).

4. Risk assessment

- 4.1 A NDCS Risk Assessment should be completed for any person using NDCS services where it is considered that they may be at risk due to a protected characteristic.
- 4.2 Given the wide impact of this policy, not implementing it, ignoring aspects of it or incorrectly applying it carries risks for NDCS:
- a) Incorrect support or treatment of service users.
 - b) Risk of psychological distress to service users.
 - c) Criminal proceedings and/or prosecution under the Equality Act 2010
 - d) Disciplinary action
 - e) Lack of confidence in the organisation
 - f) Negative local or national publicity
 - g) Loss of good reputation

5. Definitions

- 5.1 Hate crime: Any incident, which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate because of their:
- race, colour, ethnic origin, nationality or national origins
 - religion
 - gender or gender identity
 - sexual orientation
 - disability
- 5.2 Hate crime can take many forms including:
- a) Physical attacks – including physical assault, damage to property, offensive graffiti, neighbour disputes and arson
 - b) Threat of attack – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints.
 - c) Verbal abuse or insults- offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace
- 5.3 Hate incident: Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate. Hate incidents include those motivated by homophobia, transphobia, a prejudice towards someone's faith or disability and sectarian incidents such as inappropriate name calling in a non-confrontational situation which may not constitute a criminal offence.
- 5.4 Protected characteristic is the term that covers nine areas in which discrimination can occur, these are:

- a) Age: Where this is referred to, it refers to a person belonging to a particular age.
- b) Disability: A person has a disability if s/he has a physical or mental impairment which has a substantial and long term adverse effect on that person's ability to carry out normal day to-day activities.
- c) Gender reassignment: The process of transitioning from one gender to another.
- d) Marriage and civil partnership: Marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).
- e) Pregnancy and maternity: Pregnancy is the condition of being pregnant or 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.
- f) Race: Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
- g) Religion and belief: Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
- h) Sex: A man or a woman.
- i) Sexual orientation: Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

6. Legislation and regulation

- 6.1 The Equality Act 2010 replaced all previous equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act.
- 6.2 The Equality Act 2010 provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It simplifies the law by removing anomalies and inconsistencies that had developed over time in the existing legislation, and it extends the protection from discrimination in certain areas.

7. Links to other NDCS policies and procedures

- a) Safeguarding Procedure
- b) Bullying at Work Policy and Procedure
- c) Child Protection policy
- d) Complaints Procedure
- e) Disciplinary Policy
- f) Equality and Diversity Policy
- g) Grievance Policy
- h) Whistleblowing policy

7.1 This is not an exhaustive list.

8. Communication

- 8.1 All managers with responsibility for staff and volunteers should be made aware of this policy. Additionally, all staff should be made aware of this policy during their induction period.
- 8.2 The policy will be saved on the NDCS intranet.
- 8.3 Service users will be made aware of the Policy via the NDCS website and any relevant service information shared with service users.