



Equality, Diversity and Human Rights Policy of all NVR UK Accredited Training Organisations

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1.0 Introduction

Advancing equality of opportunity, valuing the diversity and respecting human rights are fundamental to the vision and core values of NVR UK and we promote equality in all aspects of our work within the UK and the international community. NVR UK is committed to challenging prejudice and discrimination wherever this affects our members making equality and diversity integral to our organisational culture. To that end, NVR UK encourages all NVR UK accredited training organisations to act fairly and prevent discrimination at all times.

NVR UK recognises that equality of opportunity in training and supervision will promote the full use of the skills and abilities of trainees and supervisees. In practice, providing equal opportunities means providing equal access to training, supervision, promotion and development opportunities, services, information and an environment free from bullying, harassment, discrimination, and victimisation.

NVR UK will ensure that all accredited NVR UK training organisations provide sensitive and effective training to all their trainees. By recruiting trainees and trainers from all sections of the community, NVR UK accredited training organisations will be able to provide sensitive and effective training and meet the above core values and objectives of equality and diversity.

2.0 Policy Statement

NVR UK expects from all their accredited NVR UK training organisations that they celebrate diversity in trainers, trainees and supervisees and recognise the richness that this brings to their organisations. Therefore, NVR UK will ensure that all NVR UK accredited organisations will provide their services and practices to users without any form of

unlawful discrimination and will communicate to their trainers and supervisors, as well as users of their services and partners an expectation to adhere to these values in all interactions.

NVR UK requires all NVR UK accredited organisations to ensure that no user of their services or present member of their staff receives less favourable treatment or is in anyway disadvantaged because of a protected characteristic.

NVR UK accredited organisations will be expected to comply with all legislation and codes of practice that relate to Equality, Diversity and Human Rights and in particular the Equalities Act 2010, with the aim of ensuring that equal opportunities are provided for all staff and all those who use their services.

NVR UK accredited organisations will ensure that the Diversity and Equality Policy is consistently applied and that all other policies, practices and procedures adhere to its principles. Trainers and supervisors of all NVR UK accredited organisations have a responsibility to work towards achieving high standards of equality, diversity and human rights and to promote the principles of this Policy.

3.0 Scope of the Policy

The Policy applies to all NVR UK accredited training organisations and their associates, including honorary staff and graduate parents. Although this Policy does not apply directly to external organisations, whilst interacting and co-working with NVR UK accredited training organisations, they will be expected to abide by this Policy also.

This Policy applies to all stages within the training and supervision Cycle, including:

- Recruitment and selection of trainers, supervisors and trainees
- Pay scales and rewards
- Learning and development
- Progression
- Performance and planning
- Engagement and retention

4.0 Roles and Responsibilities

The responsibility for exercising the equality and diversity, and human rights principles in all that accredited NVR training organisations do, as well as preventing unlawful discrimination, rests with all their staff members.

This section outlines the roles and responsibilities for the main parties involved. These lists are not exhaustive.

4.1 Responsibilities of all NVR UK accredited organisations

NVR UK accredited organisations have a legal and moral responsibility to ensure that their trainers and supervisors do not unlawfully discriminate and recognise that their trainers and supervisors should not just seek to avoid such discrimination, but should develop positive policies to widely promote equality, diversity and human rights;

NVR UK accredited organisations are responsible for safeguarding their trainers and supervisors from all forms of unlawful discrimination by trainees, supervisees, service users, their families, carers and friends, as well as staff of partner organisations or commissioners of their services.

NVR UK accredited organisations seek to provide opportunities for all trainers, trainees and supervisors to develop their potential and for service users to have equal access to services that will facilitate their best care and rehabilitation;

NVR UK accredited organisations are liable, together with individual members of their staff, for any acts of unlawful discrimination by their staff, even when such acts are carried out without their knowledge or approval;

NVR UK accredited organisations are responsible for ensuring that their provisions and services comply with the relevant UK laws and regulations.

4.2 Responsibilities of all trainers and supervisors of NVR UK accredited organisations

Trainers and Supervisors must ensure that actual or potential discrimination within their sphere of responsibility is eliminated and that they discharge their responsibilities in a manner free of discriminatory practices;

Trainers and Supervisors must ensure that the trainees and supervisees they manage are aware of their responsibilities, the relevant legislation and that they comply with the standards set by this Policy;

Trainers and Supervisors must promptly, confront behaviours or displays of attitudes that fall below acceptable standards;

Trainers and Supervisors must deal with complaints and grievances promptly and in a fair and consistent manner;

Trainers and Supervisors must ensure proper records of recruitment/selection decisions are maintained, and regular reviews carried out of employment practices;

Trainers and Supervisors must lead by example and set standards that promote the principles of this Policy;

Trainers and Supervisors must create an environment and culture where equal opportunities are promoted and encouraged.

4.3 Rights and Responsibilities of trainees and supervisees

It is the duty of all trainees and supervisees to accept personal responsibility for the practical application of this Policy;

All trainees and supervisees can expect to be treated with dignity and without discrimination in all matters associated with their employment;

Trainees and supervisees must not discriminate in the way they behave towards others;

Trainees and supervisees must not victimise others on the grounds that they made a complaint or provided information on discrimination;

Trainees and supervisees must not practice discrimination themselves or condone it in others;

Trainees and supervisees must not attempt to induce other members of staff to practice unlawful discrimination;

Trainees and supervisees have a responsibility to alert trainers and supervisors to any behaviour that is perceived as being in breach of this Policy;

Trainees and supervisees are expected to co-operate with the policies and procedures introduced to promote equality, diversity and human rights.

4.4 Responsibilities of the NVR UK Accreditation and Complaints Panel

The NVR UK Accreditation and Complaints Panel will have delegated responsibility for overseeing the introduction, implementation and continuing effectiveness of this Policy in all NVR accredited training organisations. This includes the promotion of equality of opportunities throughout and the regular reporting of progress to the NVR UK Steering Group.

The NVR UK Accreditation and Complaints Panel has a responsibility to ensure that the Policy is followed and applied fairly and consistently. Their duties include:

- Advising NVR accredited training organisations on the application of the Policy;
- Ensuring the effective implementation of the Policy;
- Reviewing and amending the Policy as necessary.

5.0 Our Strategy

Advancing equality, valuing diversity and respecting human rights are fundamental to the vision and values of NVR UK. Tackling community problems has to be grounded in understanding how individuals and communities define themselves by their protected characteristics. This understanding has shaped our track record of providing high quality services to some of the most diverse and deprived inner-city communities in the UK as well as those in suburban and rural areas. However, we are committed to continuing our work in this area in order to ensure NVR UK becomes an exemplar of best practice in advancing equality, diversity and human rights in England and beyond.

The vision for the strategy as well as to our organisation's approach to equality is:

“By developing effective equality, diversity and human rights practice, we want to be inclusive enabling every trainer, supervisor, trainee, supervisee, graduate parent and service user to be their most authentic self and to achieve their potential for personal and professional development and recovery.”

The strategy is concerned with ensuring equality, diversity and human rights for people who use the services of NVR UK accredited organisations.

The strategy outlines the key priorities that will help drive forward the equality, diversity and human rights agenda to deliver continuous improvement in the performance of NVR UK accredited organisations:

1. Use the demographic equality data from the breadth of our work
2. Set external benchmarks to help assess performance;
3. Expand on best practice in training, supervision and research;
4. Improve the quality of non-violent practices;
5. Support the development of networks between NVR UK accredited training organisations and other training providers;
6. Work with partners in health, education, social work and the police to promote non-violent practices that meet the diverse needs of local communities.

The strategy will be regularly reviewed and refined by the NVR UK accreditation and complaints panel, and progress is reported to the NVR UK Steering Group. The strategy will also be updated to take account of changes in the external context.

6.0 Our Approach

Our approach to implementing the NVR UK Equality, Diversity, and Human Rights Strategy is built on the principles of inclusion, accountability, partnership, and open and honest dialogue. Therefore, NVR accredited training organisations are able to express their feedback, suggestions, and concerns.

NVR accredited training organisations are also given the opportunity to be involved in a range of projects to bring about changes and improvements in NVR UK services.

7.0 Stages of Training and Supervision

7.1 Recruitment and Selection

NVR UK accredited organisations are committed to ensuring the recruitment, selection and retention of appropriately qualified and experienced trainers and supervisors in the most efficient and effective way. Their recruitment practices will ensure that all trainers and supervisors are recruited, trained and promoted on the basis of ability, qualification, aptitude, requirements of the job, and relevant criteria.

This is demonstrated in the NVR UK accredited training organisation's Recruitment and Selection Policy how to operate fair, open and non-discriminatory recruitment and selection procedures.

7.2 Pay and Reward

All conditions of service (including pay and reward) and job requirements will be applied fairly to all trainers and supervisors, regardless of protected characteristics.

7.3 Learning and Development

NVR UK accredited training organisations ensure that all trainers and supervisors have access to opportunities to develop the skills and abilities they require to carry out their current and any likely future role in their organisation and that training and development processes and procedures are fair, followed consistently and will provide equality in the provision of learning and development ensuring that all trainers and supervisors have equal access to appropriate learning opportunities.

NVR UK accredited training organisations will also ensure that matters relating to equality and diversity are considered in the provision of all learning and development activities, as well as take positive steps to ensure that disadvantaged groups are supported through training and have equal opportunities for promotion and career development.

NVR UK accredited training organisations must ensure that there is equal access to training and development for all trainees and supervisees and that there is no unlawful discrimination in appraisal and marking schemes.

7.4 Progression

NVR UK accredited training organisations must ensure that promotion must be based on a competitive selection process and that opportunities for promotion should be as widely publicised as possible and open to anyone with either the skills, or potential after training, to meet the requirements of the job description.

7.5 Performance and Planning

NVR UK accredited training organisations are committed to the achievement of the full potential of individuals through the contribution of their talent and experience.

Appraisals and any performance management processes must be completed fairly, consistently, and on the basis of performance only and not determined by protected characteristics; any reasonable adjustments need to be put in place to allow trainers and supervisors to perform to their best ability and full potential.

8.0 Monitoring and Assurance

This Policy will be reviewed and monitored consistently to assess its implementation and effectiveness.

To ensure that this Policy is consistently applied, co-coordinating responsibilities have been assigned to the NVR UK accreditation and complaints panel that will monitor the operation of the Policy for NVR UK accredited training organisations and undertake periodic audits.

9.0 Concerns and Complaints

Complaints will be dealt with under the Complaints Procedure. Complaints by service users of an NVR UK accredited organisation that they have been discriminated against or harassed by one of their trainers, supervisors or trainees will be dealt with in accordance with the NVR UK's Complaints and Disciplinary Procedure.

It is the responsibility of any trainer, supervisor, trainee, supervisee or service user, who feels that they have been discriminated against or victimised to raise the matter with the NVR UK accredited training organisation that then undertakes to fully investigate all reported incidents of alleged discrimination.

Any trainer, supervisor, trainee, supervisee or service user who is believed to have discriminated against others may face disciplinary action in accordance with the NVR UK Disciplinary Policy.

Any trainer, supervisor, trainee or service user who makes malicious or vindictive allegations of harassment or bullying will be dealt with under the NVR UK's Disciplinary Policy and Procedure.

Trainers, supervisors, trainees and supervisees who feel that they are suffering racial, sexual or other harassment by a service user should take the following steps:

The complainant should ask the harasser to stop, making it clear that the behaviour is unwelcome. If the initial approach does not end the harassment, the complainant should report the matter to their trainer, supervisor or director of training.

The director of training can take either informal or formal action; the complainant may choose whichever option they prefer.

The director of training should discuss the matter sensitively with the complainant and try to reach agreement on the next course of action.

However, the director of training may consider that formal action is necessary in order to fulfil the NVR UK accredited organisation's duty to take reasonable steps to prevent such behaviour recurring. In these circumstances the director of training may take formal action even if the complainant would prefer the matter to be dealt with informally.

If the harassment persists after informal approaches have been made by the complainant and/or the director of training formal action may be taken.

9.1 Formal Action by the director of training

The Director of training is must be informed in writing of the complaint and the informal actions taken to resolve the matter. This should be copied to the NVR UK accreditation and complaints panel. The Director will consider:

- The degree to which the incidents undermine personal dignity, relationships with patients or service users, and the working climate.
- Any record of previous incidents, their nature and degree of severity.
- The effectiveness of any formal action in preventing repeat harassment, e.g. taking into account the person's health problem or mental state.
- The effect of the harassment on the complainant.

If the complainant is dissatisfied with the director of training's action, they may address the matter through the NVR UK's Grievance Procedure.

10.0 Advice and Support

Anyone who wants to provide feedback, raise concerns, or discuss any aspects of equality, diversity, or human rights in NVR UK accredited training organisations can contact ??????

The below external resources may also be useful when seeking further advice and support:

ACAS Advisory booklet – Delivering Equality & Diversity <http://www.acas.org.uk/media/pdf/t/l/Delivering-equality-and-diversity-advisory-booklet.pdf>

Agenda for Change Terms & Conditions

www.nhsemployers.org/tchandbook

Age UK

Age UK has provides advice and information to older people via:

Telephone: 0800 169 2081

Website: www.ageuk.org.uk

Disability Law Service

Disability Law Service provides specialist legal advice for disabled people, their families and carers on community care and disability discrimination.

Telephone: 020 7791 9800

Website: <http://dls.org.uk/>

Equality Act 2010

<https://www.gov.uk/guidance/equality-act-2010-guidance>

Equality and Human Rights Commission

Equality body who helps make Britain fairer. They do this by safeguarding and enforcing the laws that protect people's rights to fairness, dignity and respect.

Go to: www.equalityhumanrights.com

Hate Crime:

True Vision – stop hate crime ☑ Hate crime third party reporting centres: CST – protecting our Jewish community Tell

MAMA – anti-Muslim hate crime ☑ Galop (LGBT)

www.report-it.org.uk

www.cst.org.uk

www.tellmamauk.org

www.galop.org.uk

Scope

The Scope helpline provides free, independent and impartial information and support on issues that matter to disabled people and their families. Call 0808 800 3333 or go online at:

www.scope.org.uk/about-us/contact-us/helpline

Scope can also signpost you to advice line services available throughout Great Britain. For more information go to:
www.scope.org.uk/support/disabled-people/local/about

Stonewall – acceptance without exception

www.stonewall.org.uk

The NHS Equality & Diversity Council

www.england.nhs.uk/ouwork/gov/equality-hub/edc

Appendices

1.0 Equal Opportunities and the Law

Equality Act 2010

The Equality Act came into force on 1 October 2010. The Equality Act brings together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Act simplifies, strengthens and harmonises the current legislation to provide a new discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The nine main pieces of legislation that have merged are:

- The Equal Pay Act 1970
- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- The Disability Discrimination Act 1995
- The Employment Equality (Religion or Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Gender Recognition Act 2004
- The Employment Equality (Age) Regulations 2006
- The Equality Act 2006, Part 2
- The Equality Act (Sexual Orientation) Regulations 2007

The Equality and Human Rights Commission has produced a Code of Practice on Employment in relation to the Equality Act 2010. This provides advice and guidance on how to avoid discrimination in the workplace and suggests positive steps to promote equality and diversity. The code does not have the force of law but has been approved by the Secretary of State and laid before the Parliament and it will be taken into account by Employment Tribunals in considering relevant cases.

The Equality Act (2010) also imposes a Public Sector Equality Duty (PSED) to have due regard to eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited under the Equality Act (2010); to advance equality of opportunity; and to foster good relations between individuals who possess a certain protected characteristic and those who do not.

2.0 Explanation of the Terms

Identifying Discrimination

Discrimination can occur either directly or indirectly and is unlawful on the grounds of age, disability, gender, gender re-assignment, pregnancy and maternity, marriage and civil partnership, race, religion and belief, and sexual orientation.

Part-time workers have the right not to be treated less favourably than comparable full-time workers.

Discrimination can be the result of prejudice, misconception and stereotyping.

Associative Discrimination

Where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic. An example would be not promoting a staff member because they care for a parent who had a stroke. This is discrimination against the staff member because of their association with a disabled person.

Bullying

Bullying differs from harassment and discrimination in that the focus is not often solely based on age, sex, race, disability, religion, sexual orientation, gender identity, or nationality. The focus is often also on competence, or rather the alleged lack of competence of the bullied person.

Bullying is any persistent behaviour, directed against an individual, which is intimidating, offensive or malicious and which undermines the confidence and self-esteem of the recipient. Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or insidious. Whatever form it takes it is unwarranted and unwelcome to the individual.

Staff are requested to refer to the Trust's Dignity at Work Policy for further guidance.

Direct Discrimination

This occurs when a person or group is treated less favourably than others are or would be, treated in the same or similar circumstances because of their protected characteristic.

For example, refusing to employ someone because of their colour or race. Or, for example, when someone is treated differently because they are transsexual.

Disability

A disability under the Equality Act 2010 is a physical or mental impairment that has a substantial and long-term (expected to last or lasting for 12 months or more) effect on the individual's ability to carry out normal day-to-day activities. The Act includes protection for employees with progressive conditions such as cancer, multiple sclerosis and HIV. These groups are also protected from discrimination whilst in remission.

If the employee has such a disability the Trust shall, as deemed appropriate, consult with the employee, seek advice and consider making reasonable adjustments to working conditions, working arrangements and/or the physical environment.

It is the employee's duty to disclose any disability to the Trust or Occupational Health. If the Trust is not aware of a disability the Trust cannot be expected to provide reasonable adjustments.

Harassment

Unwanted conduct relating to one of the protected characteristics that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It does not matter whether or not this effect was intended by the person responsible for the conduct. Employees can complain of behaviour that they find offensive even if it is not directed at them and the complainant does not need to possess any of the protected characteristics themselves.

Harassment can also constitute indirect discrimination on grounds of race, sex, disability, sexual orientation, religion, gender identity or gender expression or belief. This behavior is unlawful and would not be tolerated by the Trust.

Other examples of harassment can be as follows:

- Transphobic harassment - repeatedly refusing to use the desired pronoun of a trans person e.g. calling a trans woman 'he'.
- Homophobic bullying/harassment - stating to a gay woman that she just needs to find the right man to settle down with.

Hate Crime

Hate crimes are any crimes that are targeted at a person because of hostility or prejudice towards that person's: disability, race or ethnicity, religion or belief, sexual orientation or transgender identity. This can be committed

against a person or property. A victim does not have to be a member of the group at which the hostility is targeted. In fact, anyone could be a victim of a hate crime.

Hate crimes and hate incidents can hurt people and leave them feeling confused and frightened. By reporting hate crimes a person may be able to prevent these incidents happening to somebody else. It will also help the police understand the extent of hate crime in your local area so they can better respond to it.

Indirect Discrimination

Broadly this happens where a provision, criteria or practice is imposed in employment, which cannot be justified and, therefore, adversely affects members of a particular group. Examples are: Providing a training course where full-time workers had priority of places before part-time workers, where the majority of part-time workers were female. If a policy on maternity/paternity leave did not apply to same sex couples.

Perceptive Discrimination

Where an individual is directly discriminated against or harassed based on a perception by others that they have a particular protected characteristic. Examples would be if Sam harasses Chris because they think Chris has AIDS, even though Chris does not, in fact, have the illness. Sam has made assumptions and discriminated against Chris, based on perception. Or if Chris harasses Sam because they think Sam is a trans man but they are not, Chris has made an assumption and discriminated against Sam based on perception.

Protected Characteristics

Protected characteristics are the nine groups protected under the Equality Act 2010. They are:

- age
- disability
- gender identity and gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Victimisation

Victimisation occurs when a person is treated less favourably than others because they have alleged unlawful discrimination or supported someone to make a complaint or given evidence in relation to a complaint. Please refer to the Trust's Dignity at Work Policy for more definitive descriptions of what can constitute harassment and bullying.