



## **Equality Every day at EMAS**

The basic concept of managing diversity and equality accepts that the workforce consists of a diverse population of individuals. This diversity consists of both visible and non-visible differences. It is founded on the premise that harnessing these differences will create a productive environment in which everyone feels valued and where their talents are fully utilised and where organisational goals are met.

### **Equality**

Defines the aim of creating a society free from discrimination where equality of opportunity is available to all individuals and groups. Equality has often been viewed as “treating everyone the same”. In practice however, achieving equality of opportunity or equality of outcome can mean treating some groups or individuals differently in order to give them a fair chance. In essence treating people according to their needs is a useful and legal requirement.

Equal Opportunities – Defines the promotion of fair and equal chances for all to develop their full potential in all aspects of life, and the removal of barriers of discrimination experienced by certain groups and individuals.

### **Diversity**

Refers to differences between people and is used to highlight individuality and Individual need.

### **Inclusion or being Inclusive**

Means everyone feels valued, respected and supported. If Diversity is about recognising difference, Inclusion is about creating the conditions in which different people, with diverse identities, skills, experiences and needs can work well together.

### **Human Rights**

These are basic rights that belong to everyone simply because we are human. They are particularly significant for people who are at greater risk of poor



treatment. Human Rights are based on key principles, such as fairness, respect, equality, dignity and autonomy. Current concepts stem from the United Nations 1948 Universal Declaration of Human Rights. This was incorporated into UK Law by the 1998 Human Rights Act.

## **Mainstreaming**

In the integration of equalities into policy, practice and evaluation across EMAS each part of the organisation accepts its own responsibility for promoting equality, valuing diversity and creating an inclusive working environment.

## **Why are Equality, Diversity, Inclusion and Human Rights important?**

EMAS is a public sector organisation and is therefore governed by key aspects of legislation. The Equality Act 2010, The Public Sector Equality Duty, The NHS Constitution and the NHS Equality Framework – Equality Delivery System 2.

The Equality Act 2010 applies to all organisations that provide a service to the public or a section of the public. It also applies to anyone who sells goods or provides facilities. The law protects everyone and that includes **YOU!**

We are all protected by our own individual characteristics (**Protected Characteristics**). These are as follows:

- Age
- Disability
- Gender Reassignment
- Marriage and civil partnership
- Pregnancy and Maternity
- Race – Nationality – Ethnic Origin
- Religion or belief – Including non-belief
- Sex
- Sexual Orientation

## **What the Law Prohibits**



- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation

## **What is Discrimination?**

In simple terms it means treating someone less favourably on the grounds of their differences linked to their protected characteristic, in employment or provisions of goods and services. There are several issues arising from discrimination such as indirect discrimination, association and perception.

Discrimination arises as a result of prejudice (most of the time). We all have differing levels of prejudice against an individual or particular group. Prejudice is the thought coming to life as discrimination. Prejudice is often linked to our belief and value systems. These aspects shape our thoughts and behaviour. Values are things we hold dear, and beliefs are also strongly held. As Individuals we have the right to hold a wide range of beliefs and of course our values remain a core component of who we are. These two important elements are often gifted from our family of origin or primary care giver and have helped shape who we are to the present day.

## **Individual Values Vs Organisational Values**

Employment law based on the equality agenda means we are not allowed to discriminate in the way we treat our patients, staff, partners or anyone we encounter. Therefore, it is vital that we adhere to the organisational values and not use our own value and belief systems to influence our behaviour or decision making. Remember EMAS (all staff) must abide by the legislation. The Public Sector Equality Duty clearly states the following responsibility to:

- Eliminate discrimination prohibited by or under the act.
- Foster good relations between people who share a protected characteristic and those who do not.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.



So what does this mean for you within your role and responsibilities? You must wear two hats. Your own, linked to your own values and beliefs and your organisational hat, linked to Equality, Diversity, Inclusion and Human Rights.

How do you manage the process? What happens if you allow your own values and beliefs to influence your behaviour and attitude?

In an ideal world we would not make mistakes, however we are only human and sometimes we say or do something that may cause offence. This is a useful model to add to your box of management tools you use daily. Remember we can all say things that we may regret not wanting to cause distress.

- **Clumsy** - We can educate the individual to understand what they have said or done is just plain clumsy. Language is a good example of this process.
- **Inappropriate** - We may need to challenge the behaviour / comment and make the individual aware that the comment / behaviour is inappropriate. If this is done with confidence it can be a very useful intervention.
- **Unacceptable** - This is the time when the law demands that you act and make this a formal process. This may be a verbal or written warning. Remember this does not have to be a grenade moment.

This takes practice and differing levels of confidence and competence. Trust your judgement and experience. If in doubt check with HR and the Equality Lead for clarity. Remember, as a manager, the law and the organisation have an expectation of you managing **Equality and Diversity Every Day**.

## **Responsibilities of Employers**

Employers are:

- Responsible for ensuring that no unlawful discrimination takes place on the grounds of an individual's protected characteristic.
- Liable for any discriminatory act carried out by an employee.
- Expected to take responsibility for promoting equality of opportunity.
- Required to ensure that procedures, policies and actions comply with the equality legislation and are not unlawfully discriminatory.



- Expected to take positive action where necessary to redress any unjustified disparities based on the protected characteristic elements in employment and service delivery.
- Responsible to promote Equality, Diversity, Inclusion and Human Rights and where discrimination takes place it is tackled immediately.
- Committed to provide effective measures to eliminate discrimination, bullying and harassment

## **Responsibilities of Employees**

- Fulfil your legal obligations as an employee (Your contract of employment and Job Description as a manager) to reduce the risk of personal litigation – vicarious liability.
- You recognise that Equality and Diversity are everyone's responsibility.
- Help shape attitudes of mutual respect and recognition of difference as distinct from prejudice and discrimination.
- Contribute to excellent patient care.
- Work at improving and developing meaningful relationships with colleagues, patients and partners.
- Behave in a manner that meets all the above and work to resolve differences in an open and transparent way.

## **In Conclusion**

By recognising and valuing Equality, Diversity, Inclusion and Human Rights EMAS will:

- Enhance competitiveness by attracting more competent employees who understand the needs of their patients and respect and value differences.
- Improve performance and outcomes by encouraging everyone to perform to their maximum potential
- Enhance and improve management practice and skill set.
- Develop EMAS ethics and values.
- Improve patient services by reflecting and meeting the diverse needs of all patient groups.



- Increase and further develop an awareness of equality, diversity inclusion and Human Rights.
- Improve staff relations.
- Reduce the risks of costly tribunals by complying with equality legislation.

For further details please contact:

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