



# **Equality and Diversity Policy and Code of Practice for County Durham LINK**

November 2008

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# 1. Introduction

## Local Involvement Network (LINK)

Local Involvement Networks or LINK were set up by the Government in April 2008 to give local people a stronger voice in how their health and social care services are delivered.

A LINK is an independent network of local people and groups, whose responsibility it will be to discover what people want from their health and social care services.

A LINK is being set up in every local authority area where they have health and social care responsibilities. All LINKs will be managed by local groups and individuals who will decide what their priorities are and how they will work. To help them with this, each LINK will have a “Host” organisation to support them in their work. The Host must be an independent, not for profit organisation and in County Durham, local charity The Pioneering Care Partnership have been appointed as Host.

## County Durham LINK

County Durham LINK will help councils, the local NHS and organisations who provide care services to listen and respond to a wide range of views so that people, groups and organisations can influence all health and social care services in an area.

The LINK will help local people and organisations to speak with one voice and have real influence over key decision makers.

The LINK will be able to:

- Obtain the views of people about their needs for, and experience of, local health and social care services
- Enable people to monitor and review the commissioning and provision of care services
- Enter and ‘view’ certain local health and social health and care services
- Make known the views of local people and make reports and recommendations
- Develop positive working relationships with those responsible for commissioning, providing, managing or scrutinising local health and social care services

## **About this document**

This policy document should help all County Durham LINK members to: -

- Be aware of Equality and Diversity issues.
- Be aware of County Durham LINK's policy and practice on Equality and Diversity and the law related to Equality and Diversity.
- Avoid unlawful discrimination.
- Put into practice County Durham LINK's policy on Equality and Diversity.
- Contribute towards promoting Equality and Diversity.
- Make sure anti-oppressive, fair practices are carried out.

## **2. Statement of Policy**

County Durham LINK is committed to providing equality of opportunity and anti-oppressive practice. The organisation will not tolerate any kind of discrimination, harassment or oppressive practices and is committed to stopping it (see Definitions of Discrimination and Harassment).

The organisation wishes to secure genuine equality of opportunity whether required by legislation or not, in all aspects of its work. It applies to LINK activities, all aspects of volunteering from recruitment, through to selection and training of LINK members.

It is also the individual responsibility of everyone connected to and acting on behalf of County Durham LINK to contribute to promoting equality and diversity and make sure anti-oppressive, fair practices are carried out.

County Durham LINK aims to ensure that:

- No person is treated less favourably than another on grounds of:

- Age
- Sex (gender)
- Marital status
- Physical or mental disability
- Race
- Responsibility for dependants
- Sexual orientation
- Caring responsibilities
- Political affiliation
- Religious belief
- Offending background
- Or any other improper ground

- All County Durham LINK members and applications for membership are treated fairly and consistently and are not subject to unjustifiable requirements or conditions.
- Any activities carried out by County Durham LINK do not disadvantage Service Users on any of the grounds detailed above.

### **3. The Legal Framework of Equality and Diversity**

It is against the law to treat a person less favourably than you would treat another on the grounds of:

Sex (gender)  
 Sexuality  
 Race, colour, ethnic or national origin  
 Disability  
 Age  
 Because they are married (including civil partnerships)  
 Because they have complained of discrimination  
 Offending background (subject to the conditions of the Rehabilitation of Offenders Act 1976)

It is against the law to apply an unjustifiable condition or requirement, which puts people of any group at a disadvantage, compared to others.

Equal Pay Act 1970  
 Rehabilitation of Offenders Act 1976  
 Sex Discrimination Act 1975  
 Disability Discrimination Act 1995  
 Race Relations Act 1976 plus Race Relations (Amendment) Act 2000  
 Human Rights Act 1998  
 Part-time Workers Directive 1999  
 Gender Reassignment Regulations 1999  
 Employment Equality Sexual Orientations Regulations 2003  
 Employment Equality Religion and Beliefs Regulations 2003  
 Carers Equal Opportunities Act 2004  
 Gender Recognition Act 2004  
 Civil Partnerships Act 2005  
 Disability Discrimination Act 2005  
 Employment Equality Age Regulations 2006  
 Equality Act 2006 including the establishment of the Commission for Equality and Human Rights

The aim of the legislation is to ensure people are not treated in a discriminatory or oppressive way. County Durham LINK fully accepts responsibilities within these laws and is also bound within the spirit of the Acts.

## **Positive Action**

The law allows positive action to be taken to help or encourage those in under-represented groups to apply to be members of County Durham LINK. This means:

- Removing or redressing discriminatory and oppressive practices
- Actively seeking to provide genuine equality of opportunity and enabling people from all groups to stand a fair chance of becoming a member of the LINK.

## **4. Definitions of Discrimination and Harassment**

- Direct discrimination occurs when a person is treated less favourably, on any of the grounds outlined in the policy statement above, than others are or would be treated in the same or similar circumstances. This may be as a result of conscious decision, policy, or bias in a system or procedure.
- Indirect discrimination occurs where conditions or requirements, although applied equally, favour one group more than any other group, and cannot be justified.
- Harassment is behaviour with racial or sexual connotations, which is deliberate, unreciprocated and unwelcome. Harassment extends to interaction between people, which is acceptable to them, but offensive to a third party. Harassment is behaviour of a nature, which is calculated, or likely, to give offence or is directed at that person because of any of the grounds outlined in the policy statement. It includes, but is not limited to, physical or verbal threat or abuse, mockery or innuendo, assault, unacceptable touching, displays of offensive material in the workplace or suggestions that any of the grounds listed in the policy statement are a condition of retention of jobs or promotion. In summary, verbal or physical actions related to or motivated by any of the above grounds, which cause discrimination, humiliation, offence or distress, interfere with an individual's work or create an unpleasant or hostile working environment.
- Victimisation occurs when a person is given less favourable treatment than others in the same circumstances because it is suspected or known that s/he has brought proceedings under the 1975 Sex Discrimination Act, or the Race Relations (Amendment) Act 2000 or given evidence of information relating to such proceedings, or alleged that discrimination has occurred and/or any other legislation that is appropriate.

## **5. Code of Practice**

It is essential for the successful operation of the Equality and Diversity policy that all County Durham LINK members support it. All members must therefore:

- Co-operate with measures designed to support or promote the Equality and Diversity Policy and take a pro-active approach to minimising oppressive practices, behaviour and attitudes.
- Make sure as far as possible that other members are not victimised, oppressed or discriminated against.
- Inform the County Durham LINK Management Committee if they know or suspect that inequality or discrimination is occurring.
- Follow all instructions given in accordance with the Law and Codes of Practice concerning Equality and Diversity.
- Participate fully in any Equality and Diversity training provided for them by County Durham LINK.

Failure to do so may result in membership cancellation.

### **Additional responsibilities of Management Committee Members**

Members of County Durham LINK's Management Committee have certain additional responsibilities:

- To ensure County Durham LINK members participate in Equality and Diversity training where necessary.
- Familiarise themselves with the Equality and Diversity Policy.
- Take immediate action to stop any unlawful discrimination, give support to the person discriminated against and deal with the issue through the appropriate policy and guidelines.

### **Allegations of Discrimination/Harassment against a Member/s**

Allegations of discrimination/harassment against a member/s of County Durham LINK will, in the first instance, be dealt with by the County Durham LINK Management Committee. At their discretion they may also signpost the issue to an independent external body as appropriate.