

My Baobab Learning CIC

Equality, Diversity and Embracing Culture Policy

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1.0 Introduction

My Baobab Learning CIC is committed to ensuring that the people that use our services are safe and their support, treatment and welfare needs are met by staff who are fit, appropriately qualified and are physically and mentally able to do the job.

This is because we comply with the regulations and will:

- Have effective recruitment and selection procedures in place (See recruitment flow chart)
- Carry out relevant checks when we employ staff (Disclosure & Barring Service/Right to work checks (DBS checks)
- Ensure that staff are registered with the relevant professional regulator or professional body where necessary, that they are allowed to work by that body, with no restrictions.
- If restrictions are in place we will ensure that an appropriate risk assessment is carried out to ensure that safeguarding measures are in place wherever necessary
- Refer staff to any appropriate regulator who are thought to be no longer '**appropriate**' to work with vulnerable children and young people or vulnerable adults if ever necessary

The organisation is aware of potential equalities issues which may exist and has taken steps to find solutions. Additionally, the organisation is fully supportive of people with 'protected characteristics' as defined in The Equality Act 2010.

You can find Government guidance on the full policy here: [The Equality Act 2010](#)

The organisation reviews the Equality, Diversity and Embracing culture Policy Annually, If you review the policy and feel it needs to be updated. Please contact My Baobab Learning CIC at: info@mybaobablearning.com to advise you concerns.

Staff and Service Users have been made aware of the organisation's position in relation to equalities issues and are invited to be involved in their review and promotion via appropriate feedback at **any** time.

The terms, 'Equality of Opportunity', 'Equal Opportunity' and 'Non-Discriminatory Practice' previously referred to in the organisation's documentation have the same meaning in relation to activities in the services as 'Equality, Diversity and Embracing Culture'.

2.0 Policy Statement

We believe that Service users, staff and visitors should be provided with a safe environment which embraces all aspects of their care and treatment. This includes

being assured that the staff employed to provide support for service users will help to keep them safe.

2.1 Recruitment

In relation to recruitment, staff:

- Are honest, reliable, trustworthy and treat Service Users with respect.
- Are not discriminated against during the application or recruitment process.
- Are qualified and competent to carry out their role and meet the needs of the Service Users.
- Have been subject to the necessary checks as described in Schedule 3 of the Health & Social Care Act 2008 (Regulated Activities) Regulations 2010, so that the manager is assured that the worker is suitable for their role.
- Have been subjected to a check that they are registered with the Independent Safeguarding Authority (ISA):
 - a. Where they are undertaking a Safeguarding Vulnerable Groups Act 2006 “regulated activity” or “controlled activity”;
 - and
 - b. Are required to be registered under the Scheme’s phasing-in arrangements.
- Are allowed to start work before a full and satisfactory Disclosure and Barring Service (DBS) check has been received **only** in exceptional circumstances. Where this is the case, the manager must have received an ‘ISA Adult First Check’ that confirms that the staff member is not barred.
- In these exceptional circumstances the following safeguards are put in place:
 - a. An appropriately qualified, DBS checked and experienced member of staff is appointed to supervise them, (**at all times**).
 - b. wherever it is possible, a supervisor is on duty at the same time as the new worker, or available to be consulted.
 - c. New workers do not provide care, treatment or services to a service user unless accompanied by a staff member for whom a full and satisfactory DBS check has been received.
- Have demonstrated that they are legally entitled to work in the United Kingdom (Right to work checks)
- Have demonstrated they meet the same standards of competency, qualification and experience for the role where they are recruited from outside the United Kingdom as they would have had they been trained in the United Kingdom.
- Are currently registered with the relevant professional regulator and/or professional body where appropriate, and only use a protected professional title where their qualifications and registration will allow them to do so.

- Are aware of and adhere to any codes of professional conduct that apply to them.
- Are physically and mentally able to carry out their role, with a plan of support including reasonable adjustment where necessary. This means staff:
 - a. Are not placed at risk by the work they will do because of an illness or medical condition they have (Risk assessment to be completed as often as is necessary)
 - b. Do not present a risk to Service Users because of an illness or medical condition they have. (I.E. Flu, Virus)
- They are able to communicate effectively with service users and other staff, to ensure that the care and treatment of Service Users is not compromised in a clear and understandable manner.
- Are clear about their responsibilities because they have an up-to-date job description.

2.2 Quality of Service

Service Users receive a service from an organisation that has the right staff because:

- Staff are recruited following an effective recruitment and selection process that complies with legislation about employment, equalities and Human Rights.
This includes as a minimum when recruiting new staff:
 - a. Application process including all of the necessary checks
 - b. Interview
 - c. References
 - d. Records of the above (Kept in line with the ICO [Employment Codes](#))
- The recruitment and selection process will ensure that staff are fit both mentally and physically to perform their role.
- Temporary, agency, bank and voluntary staff, and any practitioner working under practising privileges, are subject to the **same** level of checks and a similar selection process/criterion as staff recruited directly.
- Other people providing additional services under arrangements made with the organisation are subject to the necessary checks. (**Third party organisations, this should be captured in any Bid/Contract**)
- Staff provided by an agency service, are known to be fit both mentally and physically to perform their role through:
 - a. Confirmation in writing from the agency that all necessary checks have been carried out in relation to each staff member being supplied.
 - b. The manager quality monitoring the contract they have with the agency, where the agency is used on an on-going basis.

- They take into account any and all relevant guidance, including that from I.E. The Care Quality Commission/or any other regulatory body or Government body where appropriate as may from time to time be published.

2.3 Equality, Diversity and Cultural Opportunity

The policy adopted by the organisation is fully compliant with the requirements of the Equality Act 2010 and fully supports the rights of people with 'protected characteristics' as defined by "The Act".

The organisation also recognises the requirement of Regulation 21 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 to ensure that all staff employed are both mentally and physically fit to carry out their duties. This means that recruiting managers must ensure that ALL applicants must be able to satisfy this requirement prior to their appointment.

The organisation is clearly committed to the promotion of equality of opportunity in any of the services provided and is committed to ensuring that all staff employed will equally promote this policy.

The organisation actively seeks applications for employment applications for employment from all sectors of society but will endeavour to employ those people who share our values.

Staff in the organisation will have received training in issues relating to The Equality Act 2010 and Equality, Diversity and Cultural Opportunity as part of their Induction Training Programme.

The organisation will ensure that service users;

- Are treated as individuals
- Are able to receive treatment in line with their chosen religion, cultural beliefs and/or sexual preferences where applicable.
- Care and treatment planning will reflect their differing and diverse needs.

3.0 Supporting Actions

3.1 Policy Review and Availability

The manager should ensure that the Equality, Diversity and Embracing culture Policy and Procedures are reviewed on an annual basis in order to ensure that it remains suitable and effective for use in the service.

A copy of this policy should be:

- Made available to Service users upon request as part of the organisations approach to being transparent in services provided.
- Displayed in a prominent place within the organisation/service and/or easily accessible.
- Made available, on request, to any visitor to the organisation/service **via email** who asks for a copy. Thus, providing a receipt of the provision and timeframe just in case of any future complaint made in relation to its breach by the service.

3.2 Monitoring

Each person who applies for a job in the organisation should be given an Equality, Diversity and Cultural Opportunity Monitoring Form to complete.

This includes any person who is working in the organisation through an agency.

The use of the Equality Diversity and Cultural Opportunity Monitoring Form should be seen as voluntary, anonymous and is used to ascertain:

- The ethnic mix of applicants in relation to the local population
- The effectiveness n recruitment of attracting minority groups
- The balance of gender in the recruitment process
- The relative age of the applicant pool

3.3 Impact Assessment and Review

Staff, Service users and their families should be listened to and necessary actions take when issues of equality are raised.

The manager is required to identify a range of issues to be included as part of an Equality Impact Assessment on each policy, procedure, protocol and purchase. This should be carried out at least once every year in the organisation as part of the Annual Management Review. This range of issues will include:

- Race
- Culture
- Religion
- Mental/Physical health
- Sight and Hearing
- Physical well-being

List not exhaustive.

The Equality, Diversity and Cultural Opportunity review Programme should focus on the impact in relation to:

- Staff employed in the organisation – and their carers/support networks

- Service users receiving any provisions from us – and their carers/supporters
- The Physical environment
- Services offered by the organisation

Equality, Diversity and Cultural Opportunity issues should be a standing agenda item at each staff meeting and comments made or issues raised should be included in the minutes of each meeting.

3.4 Progress Reporting

Progress by the organisation in relation to equalities issues should be communicated to both the staff group and to service users.

The method of this communication is to be at the discretion of the manager but must be appropriate to the understanding levels of all concerned.

The following Evidence Will Demonstrate That The Required Outcomes Are Being Met And Relevant Standards Achieved

There is evidence that:

- The organisation operates an Equality, Diversity and Cultural Opportunity policy
- Observation in the organisation shows that the Equality, Diversity and Cultural Opportunity policy is applied in a fair and equitable way
- All staff are offered the same opportunities to access training, development and promotion
- Service users confirm that services are in line with the Equality, Diversity and Cultural opportunity
- Staff employed have received training in provision of services which follow best practice guidance in Equality, Diversity and Cultural opportunity
- Staff are aware of how Equality, Diversity and Cultural opportunity is applied in the organisation
- Recruitment records confirm the application/awareness of the policy
- Equality, Equality, Diversity and Cultural opportunity Monitoring information is used appropriately for analysis and improvement

3.5 Training Requirements

Staff should be aware of the following:

- The diverse nature of Equality, Diversity and Cultural Opportunity

- Behaviour which is not acceptable in the organisation in relation to Equality, Diversity and Cultural opportunity policy
- The organisational Equality, Diversity and Cultural opportunity policy
- All staff will receive training in the subject of, and issues relating to, Equality, Diversity and Cultural Opportunity

The manager must work within the requirements of:

- The Equality Act 2010
- Mental Capacity Act 2005
- Any and all other relevant legislation which may be from time to time enacted by the English Parliament or European Union

You can find more information and policies here: <https://www.legislation.gov.uk/>

1.0 Version Control

VERSION	DATE PRODUCED	APPROVED BY