



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

October 2011 Rev 1

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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

Any other status identified by the European Convention of Human Rights
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
Gender Reassignment
Race, colour, ethnic or national origin
Disability
Age
Pregnancy and Maternity
Because they are married (including civil partnerships)
Because they have complained of discrimination
Religion or Belief
Or
Because others think someone possess a protected characteristic
Because someone associates with another person who has a protected characteristic

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

Current legislation includes:

Rehabilitation of Offenders Act 1974
Human Rights Act 1998
Part-time Workers Directive 1999
Carers Equal Opportunities Act 2004
Gender Recognition Act 2004
Civil Partnerships Act 2005
Equality Act 2006 including the establishment of the Commission for Equality and Human Rights
Equality Act 2010

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 because of a protected characteristic they have, are thought to have or because they associate with someone who does have a protected characteristic. 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 unwanted conduct related to a relevant protected characteristic which has the purpose of violating an individual's dignity or creating an intimidating, hostile, degrading or humiliating or offensive environment for that individual.
- Victimisation occurs when a person is given less favourable treatment than others. Because they have supported a complaint or raised a grievance because of a protected characteristic or because they are suspected of doing so.
- Anti Oppressive Practice means practice and procedures, which use a proactive approach to challenging and combating inequality and discrimination against any group or individual on any ground.
- Perceptive discrimination is direct discrimination against an individual because others think they possess a particular characteristic.
- Associative discrimination is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

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.