

Policy No: 03-1006a	Authorised: 	Date: 07/02/2020
EQUAL OPPORTUNITIES & DIVERSITY POLICY		

Aim

Challenging Inequality and Celebrating Diversity

The purpose of this policy is to provide equality (treating everyone fairly) and diversity (valuing people's differences) in both our role as an employer and as a provider of services. Sentinel Care Services is committed to ensuring the principle of equality in all aspects of our employment practices, policies and procedures and we are committed to providing an environment that is free from discrimination, harassment, bullying and victimisation.

Our aim is to ensure that our workforce is truly representative of all sections of society, that all employees whether part-time or full-time are treated with respect, that each employee feels able to give their best and that the skills and talents of our workforce are harnessed.

Policy statement

"Sentinel Care Services is committed to encouraging equality (treating everyone fairly) and diversity (valuing people's differences), in both our role as an employer and as a provider of services. We are committed to realising and fulfilling the potential of employees and to take positive steps in eliminating discrimination."

This policy applies to all job applicants, employees, and the people we support. All of which are entitled to be treated with respect and dignity. Sentinel Care Services will not tolerate any less favourable treatment of any person on the grounds of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex or gender and sexual orientation (the "Protected Characteristics").

All employees have the protection of and are subject to this policy. Disciplinary action will be invoked against any employee who is in breach of this policy, which may result in summary dismissal.

An Equality and Diversity Hot Topic will be carried out by all Line Managers and Support staff and Line Managers will be expected to deliver this to their teams. The Hot Topic will raise employee awareness of Equality and Diversity and ensure that employees are clear about our commitment to treating everyone fairly, recognising each individual's differences, ensuring everyone has the same opportunities and valuing people's differences.

This policy is non-contractual and we reserve the right to amend this policy at any time. This policy is reviewed annually to ensure it is compliant with any changes in law and best practice. Employees and where relevant, the people we support, will be informed if any amendments are made and an updated copy of the policy will be made available.

Process

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Responsibility

All employees have a responsibility to ensure that others are treated equally and that their behaviour is compliant with this policy at all times. Employees who witness inappropriate behaviour have a responsibility to challenge and/or convey their concerns to a Manager or a member of the Human Resources Team.

All employees have the individual responsibility to:

- Follow procedures introduced to ensure equal opportunity and non-discrimination;
- To draw the attention of management to suspected or alleged discriminatory practices;
- To refrain from harassing or intimidating job applicants, employees or the people we support on any of the grounds cited in the policy statement.

There may be changes to an employee's personal circumstances during the course of their employment which may result in them having a Protected Characteristic. Such employees are responsible for informing Sentinel Care Services of this. Upon notification, Sentinel Care Services will support the employee appropriately and consider any opportunities for the implementation of reasonable adjustments.

Employees are not permitted to wear or display articles or materials, irrespective of medium, which include words, pictures, photographs or images that may be considered provocative or may cause offence to job applicants, employees or the people we support.

All Line Managers have the following additional responsibilities:

- To set an appropriate standard of behaviour
- To lead by example
- To ensure that the employees they manage adhere to this policy
- To promote the aims and objectives of equal opportunities within the workplace
- To act upon any complaint of discrimination or inappropriate behaviour.

Protected Characteristics

All applicants, employees and people we support must comply with the legal requirements not to discriminate against an individual or group based on any one of the Protected Characteristics under the Equality Act 2010, as listed below:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion or belief

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8. Sex or gender
9. Sexual orientation

What is discrimination?

Direct Discrimination: Direct Discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see Perceptive Discrimination below), or because they associate with someone who has a protected characteristic (see Associative Discrimination below).

Associative Discrimination: This already applies to Race, Religion or Belief and Sexual Orientation. It is now extended to cover Age, Disability, Gender Reassignment and Sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive Discrimination: This already applies to Age, Race, Religion or Belief and Sexual Orientation. It is now extended to cover Disability, Gender Reassignment and Sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess the characteristic.

Indirect Discrimination: This already applies to Age, Race, Religion or Belief, Sex, Sexual Orientation and Marriage and Civil Partnership. It is now extended to cover Disability and Gender Reassignment. Indirect Discrimination can occur when you have a condition, rule, policy or even a practice in your organisation that applies to everyone but particularly disadvantages people who share a protected characteristic.

Harassment: Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating intimidating, hostile, degrading, humiliating or offensive environment for that individual". Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Third Party Harassment: This already applies to Sex. It is now expected to cover Age, Disability, Gender Reassignment, Race, Religion or Belief and Sexual Orientation. The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as the people we support or clients.

Victimisation: Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. The Equality Act amends the definition 'victimisation', so that no longer needs to point to a comparator.

Exceptions

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Positive Action: Positive action can be taken when:

- people who share a protected characteristic suffer a disadvantage connected to that characteristic;
- people who share a protected characteristic have needs that are different from the needs of people who do not share it; or
- participation in an activity by people who share a protected characteristic is disproportionately low.

The actions that might be taken include:

- targeting training at specific disadvantaged groups
- mentoring
- work shadowing
- open days which are held exclusively for the targeted group

Positive action and recruitment: The Equality Act extends the use of positive action in the workplace and so Sentinel Care Services can address under-representation when, for example, recruiting Social Care Workers. Where two candidates are equally qualified, under-representation could, if desired, be used as part of the decision making process.

Genuine Occupational Requirements under the Equality Act 2010.

Under the Equality Act 2010 it is lawful to specify that job applicants must have, or must not have, a particular protected characteristic under the Equality Act 2010, otherwise known as an 'occupational requirement', provided the requirement is crucial to the role and Sentinel Care Services is able to show that it is a proportionate way of pursuing a legitimate aim.

Specifically the requirement must be:

- Crucial to the post, and not just one of several important factors
- Relating to the nature of job in question, rather than the nature of Sentinel Care Services
- A proportionate means of achieving a legitimate aim.

In particular, relating to the privacy and decency of the people we support:

- If the job is likely to involve close physical contact (not just physical proximity) with a person we support they might reasonably request that the Social Care Worker is of the same sex.
- If the job is likely to involve the people we support being in a state of undress or using sanitary facilities, the people we support might reasonably request that the Social Care Worker is of the same sex.

Example 1: If the person we support is a female and requires personal care, which includes, bathing or toiletry duties, the package is likely to require that the Social Care Worker be female.

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Example 2: If the person we support is a male and needs assistance with getting dressed, the person we support may choose that he has a male Social Care Worker.

Example 3: If a female person we support has incontinence pads which require regular changing, it would be legitimate for them to choose that the Social Care Worker is also female.

Sentinel Care Services' Commitments to Equality and Diversity

- To attract, select and retain a diverse range of talented people
- To create an environment in which individual differences and the contributions of all our employees are recognised and valued.
- To create a working environment that promotes dignity and respect for all. No form of intimidation, bullying or harassment will be tolerated.
- To ensure training, development and progression opportunities are available to all.
- To promote equality in the workplace.
- To regularly review all employment practices and procedures to ensure that no job applicants or employees are treated less favourably than others.
- To regularly review services to ensure they are accessible and appropriate to all groups within society.
- To challenge inequality in all its forms and promote dignity, respect and understanding.
- To treat breaches of the equality policy seriously and to take disciplinary action when required.
- To provide information and training to all employees so that they are fully aware of the issues relating to Equality and Diversity and their responsibilities relating to it.
- To ensure the policy is fully supported by the Management Team.
- To monitor and review the policy annually
- To monitor workforce equality and diversity in order to address areas of under-representation.

We are committed to the requirements of the Equality Act 2010 and Welsh Language Act, not only where we have a legal duty to do so, but in all aspects of our work. We pay due regard to the need to;

- Eliminate unlawful discrimination, harassment and victimisation
- Provide equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

We do this by adopting four key principles;

1. We ensure fairness, equality and diversity is embedded in all our practices and literature
2. We promote equality of opportunity for everyone

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3. We believe in the value of respect, dignity and diversity
4. We are committed to take action to promote diversity and tackle discrimination

Employees

Employees and people applying for a job with Sentinel Care Services must not be discriminated against because of a protected characteristic. This means that people will be provided equality of opportunity in all aspects of recruitment, selection, appraisal, training, promotion/transfer, work allocation, supervision, reward, recognition, retirement, redundancy, career development and any other conditions of employment or work environment.

All employees will be treated fairly and their diversity valued, recognising the different experiences, skills and knowledge they have and the different contributions they make. Employees will also be provided with a work environment where they are free from harassment or other barriers to performing their role and are not placed in compromising situations. This means creating a culture in which employees contribute to a positive working environment for the benefit of everyone, including the people we support.

People We Support

Sentinel Care Services believes that every person we support has the right to be treated fairly, not to be discriminated against, regardless of their 'protected characteristics' and not to be placed in compromising situations. We work to ensure that all of the people we support are treated as individuals and with respect and dignity.

Sentinel Care Services regularly reviews the services we provide to ensure they are accessible and appropriate to all groups within society.

Sentinel Care Services will not discriminate when providing a Social Care Worker to care for the people we support, except where there is a Genuine Occupational Requirement. Sentinel Care Services will listen to the needs of the people we support and will try to match a Social Care Worker and the people we support based on their skills, experience and where possible religious and cultural beliefs.

Recruiting, Employing and Developing People Fairly

Sentinel Care Services has robust recruitment, selection and development policies, procedures and practices which enable us to draw applicants from as wide a pool as possible and employ a more diverse group of people. This enables us to bring different experiences, perspectives and approaches to our work.

Staff with management and recruitment responsibilities will be given guidance in the implementation of the Equality and Diversity Policy to ensure that they understand their position in law and under Sentinel Care Services policy.

Advertising and promoting our opportunities

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Sentinel Care Services use a range of advertising methods in order to attract the widest pool of appropriate applicants. Vacancies for new and existing jobs will normally be advertised internally and externally.

All our advertising will:

- Contain the statement *'As an employer we treat everybody fairly'*.
- Ensure that we do not exclude, discriminate against, or discourage any particular group from applying, except where there is a Genuine Occupational Requirement.
- Refer to the job description in order to give information about the requirements of the job.
- Give clear instructions about how to apply.
- Ensure the language is clear and accessible and does not use abbreviations or jargon.

Job descriptions

Process (continued)

Process (continued)

Job descriptions set out the work that will be expected and a framework to recruit against. As a minimum the job description will include:

- Job title
- Location/department
- Purpose of the job
- Main tasks/duties
- Essential and desirable skills
- Qualifications
- Experience required

Making reasonable adjustments

Prior to interview applicants will be asked if there are any adjustments that they require in order for them to attend the interview. Where possible adjustments will be made to accommodate the applicants and not disadvantage them from attending.

Application process

All applicants will be asked to fill out an application form which contains information that is necessary for any appointment and focuses on knowledge and skills that are relevant for the role.

Application Packs can be sent to applicants electronically or by post and contain:

- The job description
- The application form
- The equal opportunities monitoring form

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- Information about the timescale for the selection process

Shortlisting process: Pre-Screening

The purpose of short-listing is to identify all the applicants whose skills, experience and qualifications match those that have been identified as being necessary to do the job.

Short listing will be performed on the basis of objective criteria and the extent to which candidates have shown, in the application form that they meet the required skills and experience, and can carry out tasks and responsibilities required of the role.

Formal qualifications and standards of literacy and numeracy will only be taken into account when they are recognised as necessary for a particular job.

Selection process: The Interview

As confirmed above, applicants will be asked prior to interview whether any reasonable adjustment are required.

Once the interview has commenced, questions that are relevant to the role will be asked to gather objective evidence in support of the job description.

Questions will not be asked that could be construed as discriminatory, including any questions that ask about an applicant's plans to have children or asking about their health conditions.

The same questions will be asked of all candidates applying for the job.

Selection process: Making the Decision

A decision will not be made until all shortlisted applicants have been interviewed.

Notes will be taken during the interview and evidence gathered against the job description so that candidates can be scored against the role criteria.

The applicant with the highest score and most suitably matched competencies will be the most successful and will be offered the position.

Making the offer

Shortlisted applicants that attended interview will be advised of the outcome, whether this is successful and they are being offered a role and if they have been unsuccessful. The offer will be subject to certain conditions.

The offer letter will set out the following:

- The job title and the offer of the job role
- The date of starting

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- That the job role is subject to satisfactory references, enhanced criminal record check (where relevant for the role), eligibility to work in the UK and the relevant car documentation
- The action the candidate needs to take, including confirming their acceptance of the role.

The contract of employment will be sent to the applicant within and no later than 4 weeks of commencing employment. The contract will contain the terms and conditions of the role.

Criminal Record Checks

Enhanced criminal record checks will only be requested where it is a requirement for the role.

Sentinel Care Services will not discriminate against ex-offenders with unspent convictions, unless required to do so because of the nature of the post. All applications will be considered on an individual basis.

Induction Training

All employees will receive training on the Equality and Diversity policy as part of their induction. They will be made aware that discriminatory behaviour will be fully investigated and dealt with using the Disciplinary Procedure.

Health Checks

Section 60 of the Equality Act 2010 makes it unlawful to ask questions about disability and health before you make a job offer. This means that up to the point where a job offer is made, applicants will not be asked for any information about for example their sickness record and neither will their current or previous employers be approached for such information.

Exceptions include:

- To decide whether any reasonable adjustments are needed for the interview/selection process
- To decide whether the job applicant can undergo a work related assessment
- To decide whether an applicant can carry out a function that is intrinsic to the job (with reasonable adjustments)
- Where disability is an Occupational Requirement

NOTE: Disability information is confidential and, in line with the Data Protection Act, cannot be passed to other people without permission. It is ok to encourage employees to disclose their circumstances, however, the final decision rests with the employee and employees should never feel forced into it. You should never disclose personal information about them to a third party without their express consent.

Giving Feedback

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Sentinel Care Services believes it is good practice to give feedback to unsuccessful candidates if they request it.

Training

All employees have access to a wide range of training opportunities, which will be discussed during supervision sessions. Selection for training will be made on the basis of both the needs of the business and the personal development of the individual.

Special needs and requirements for people with disabilities or caring responsibilities will be taken into account whenever practicable and methods sought to help them overcome disabilities in taking up training opportunities

Promotion

All employees will be given equal opportunity to apply for promotion opportunities within Sentinel Care Services.

Successful candidates will be selected based on their skills, experience and competencies suitability matching the requirements of the role.

Pay and Benefits

Sentinel Care Services does not discriminate in setting rates of pay, setting terms and conditions, offering benefits or in awarding pay increases to employees. This could include basic pay, non-contractual bonuses, allowances, benefits and redundancy pay.

Where employees work part time hours, pay and benefits are in direct proportion to the hours worked. This ensures that part-time employees who share a protected characteristic are not disadvantaged.

The only exception is where the Act allows the pay structure for young workers and apprentices to be based upon the pay bands set out in the **National Minimum Wage Regulations 1999**.

Reasonable Adjustments

Sentinel Care Services recognises that the duty to make reasonable adjustments applies in recruitment and during all stages of employment.

The duty relates to all disabled employees and applicants.

Sentinel Care Services is required to take reasonable steps to make reasonable adjustments including:

- Avoiding the substantial disadvantage where a provision, criterion or practice applied by or on behalf of Sentinel Care Services puts a disabled person at a substantial disadvantage compared to those who are not disabled.

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- Remove or alter a physical feature (steps, stairways, kerbs, exterior surfaces, paving, parking areas, building entrances and exits, internal and external doors, gates, toilet and washing facilities, lighting and ventilation, lifts and escalators, floor coverings, signs, furniture, temporary and moveable items) or provide a reasonable means of avoiding such a feature where it puts a disabled person at a substantial disadvantage compared to those who are not disabled.
- Provide an auxiliary aid/specialist piece of equipment where a disabled person would, but for the provision of that auxiliary aid, be put at a substantial disadvantage compared to those who are not disabled.

The Act states that where the provision, criterion or practice or the need for an auxiliary aid/specialist piece of equipment relates to the provision of information, the steps which it is reasonable for Sentinel Care Services to take include steps to ensure that the information is provided in an accessible format; for example, providing letters, training materials or recruitment forms in Braille or on audio-tape.

Avoiding a substantial disadvantage caused by a physical feature can include:

- Removing the physical feature in question;
- Altering it; or
- Providing a reasonable means of avoiding it.

Workforce monitoring

Candidates who Sentinel Care Services wishes to offer employment to, will be asked to complete an Employee Equality and Diversity Monitoring Form as part of their offer paperwork and to return the form alongside the other offer documentation.

The employee monitoring information is requested for the purpose of monitoring workforce diversity and ethnicity.

Once received the monitoring information will be recorded onto a central employee monitoring database.

The diversity statistics will be reviewed throughout the year by Location, region and nationally. Monitoring information on the composition of our workforce will be reported both to the business and in tender information.

Process (continued)

Sentinel Care Services monitor workforce diversity and ethnicity in order to assess and, where necessary, take action to address areas of under representation.

Working in a Multicultural Environment

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There are many factors which makes us different form one another, culture being one of them. Class, religion, wealth and past experiences all shape us into different people and it is important not to generalise about people.

In order to truly value diversity, all employees must recognise different cultural norms, values and celebrations.

Food and Fasting

Some religions or beliefs may influence the type of food and drink that employees and the people we support are able to come into contact with and/or their dietary requirements.

It is important that all employees are aware that the people we support or their fellow employees may need to store and heat their food separately from other food.

Celebrations and Festivals

Below are some examples of the celebrations and festivals that will be held by many of our employees and the people we support:

Many Christians celebrate Christmas and Easter with a celebratory meal and the exchange of gifts within and beyond the family. The Christmas celebration does not fall on the same day for all Christians.

The main festivals for Muslims are the month of Ramadan (when Muslims fast during daylight hours). Eid-ul-Fitur marks the end of Ramadan and is celebrated with a celebratory meal and the exchange of gifts within the family.

For Hindus and Sikhs the main festival is Diwali (or Deepawali). As with other Indian festivals, Diwali signifies many different things to people across the country. In north India, Diwali celebrates Rama's homecoming after the defeat of Ravana and his coronation as King. In Gujarat, the festival honours Lakshmi, the goddess of wealth. In Bengal, it is associated with the goddess Kali. For Sikhs it is remembrance of the freeing Guru Hargobind from imprisonment in Gwalior fort in 1619.

For Jews a significant festival is Hanukah, a family holiday celebrated at home and much loved by children for its songs and games, gifts of Chanukah Gelt (foil covered chocolate coins or even real money) and special foods.

Chinese New Year is recognised as a spring festival that last 15 days and is celebrated with the exchange of gifts (traditionally money in a red envelope) and processions in the streets.

A number of religions have at different times, a requirement for fasting or for abstaining from certain foods.

What to do if you experience inequality or discrimination

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Sentinel Care Services will take seriously any complaints of discrimination and inequality. Sentinel Care Services upholds the right of all employees to be treated with equality, respect and dignity and to work in an atmosphere free of discrimination.

Employees and the people we support have the right to complain in good faith about discrimination without being victimised at any time. This means people should be able to raise concerns without feeling awkward, threatened or isolated.

All employees are responsible for ensuring that their own behaviour is sensitive to others and for ensuring that they do not condone or support the discriminating behaviour of others.

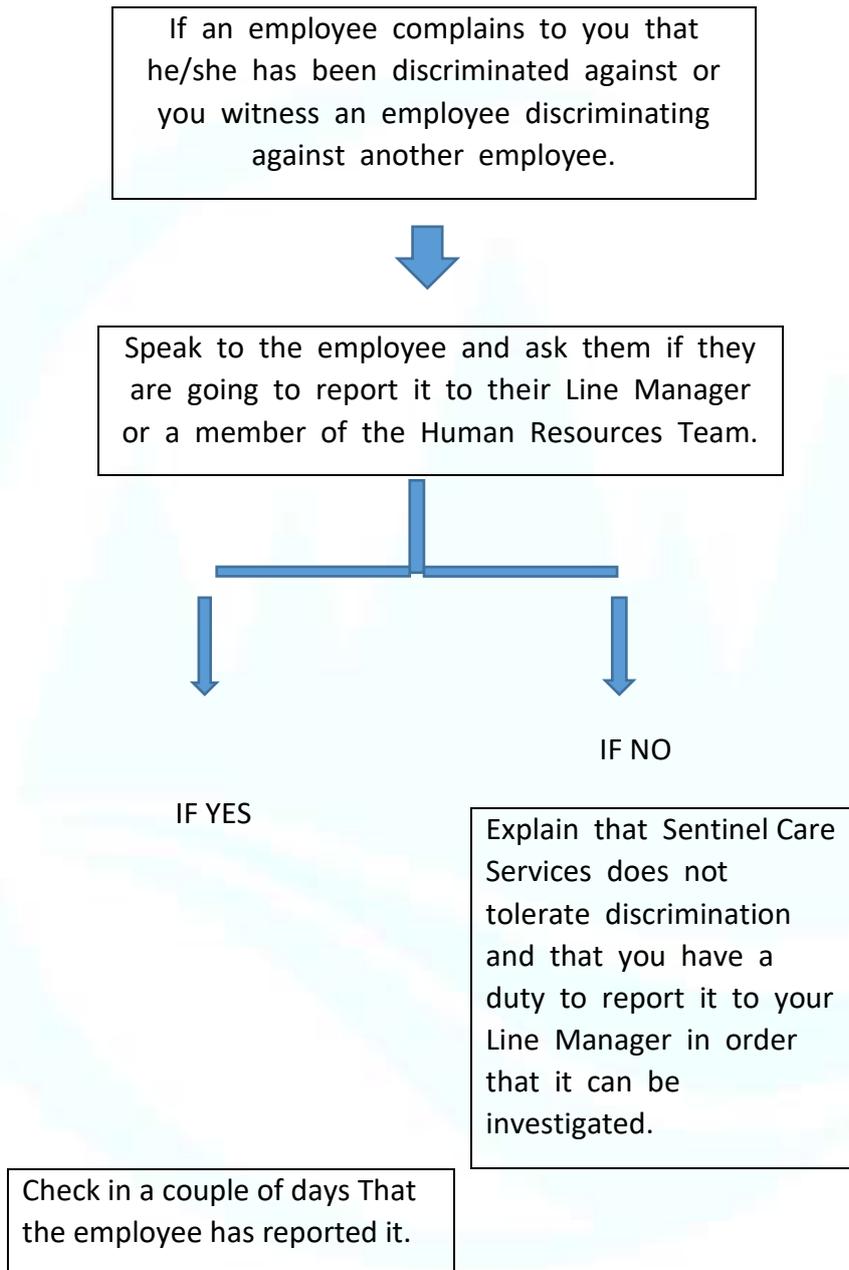
If you believe you have been discriminated against:

If you believe you have been treated less favourably because of your age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or gender or sexual Orientation then in the first instance **you should initially raise your concerns with your line manager**, who will investigate the matter.

Alternatively, you should raise your complaint using Sentinel Care Services Grievance Procedure, if you do not feel it is appropriate to raise with your line manager or you have done and the matter has not been resolved. All complaints will be investigated and where appropriate, the Disciplinary Procedures will be followed.

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If someone complains to you about discrimination or you witness it yourself:



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GLOSSARY OF TERMS

Diversity: Diversity is about recognising, valuing and taking account of people's different backgrounds, knowledge, skills, and experiences, and encouraging and using those differences to create a productive and effective workforce.

Ethnicity: A strict definition of an ethnic group is a group regarded as a distinct community by virtue of certain essential characteristics – a shared history which distinguishes it from other groups and a cultural tradition of its own. Sikhs and Gypsies are examples. However, it has come to have a broader meaning and the expression 'ethnic monitoring' is used in reference to groups defined by colour, race or national origin as well.

Process (continued)

Occupational Requirements: In very limited circumstances, it will be lawful for employers to specify that job applicants must have, or must not have, a particular protected characteristic under the Equality Act 2010. This is known as an 'occupational requirement'. The requirement must be:

- crucial to the post, and not just one of several important factors
- relating to the nature of job in question, rather than the nature of the employing organisation
- a proportionate means of achieving a legitimate aim.

Harassment: Behaviour which is unwelcome or unacceptable and which results in the creation of a stressful or intimidating environment for the victim amounts to harassment. It can consist of verbal abuse, racist jokes, insensitive comments, leering, physical contact, unwanted sexual advances, ridicule or isolation.

Protected characteristics: A protected characteristic is a group which is protected from discrimination under equality legislation. The Equality Act 2010 covers nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Victimisation: occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.

Protected characteristics

Age: An age group includes people of the same age and people of a particular range of ages. Where people fall in the same age group they share the protected characteristic of age.

Disability: This protected characteristic defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

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Gender: The word 'gender' is often used in place of the word 'sex' in equality issues to describe a man or women.

Gender Reassignment: The protected characteristic of gender reassignment for the purposes of law is where a person has proposed, started or completed a personal, social, and sometimes medical process to change his or her sex. A transsexual person has the protected characteristic of gender reassignment. Not all transsexual people undergo medical supervision to change their gender. People who decide to live in the gender opposite to that assigned at birth, but do not undergo any medical procedures, are protected from discrimination under the Equality Act 2010.

Example: A woman making the transition to being a man and a man making the transition to being a woman, both share the characteristic of gender reassignment, as does a person who has only just started out on the process of changing his or her sex, and a person who has completed the process.

Race: People who have or share characteristics of colour*, nationality or ethnic or national origins, can be described as belonging to a particular racial group. A racial group can be made up of two or more different racial groups.

*Colour includes being black or white.

Religion or Belief: This is the protected characteristic of religion or religious or philosophical belief, which is stated to include for this purpose a lack of religion or belief. Denominations or sects within a religion can be considered to be a religion or belief, such as Protestants and Catholics within Christianity. The criteria for determining what is a 'philosophical belief' are that it must be genuinely held; be a belief and not an opinion or viewpoint based on the present state of information available; be a belief as to a weighty and substantial aspect of human life and behaviour; attain a certain level of cogency, seriousness, cohesion and importance; and be worthy of respect in a democratic society, compatible with human dignity and not in conflict with the fundamental rights of others. So, for example, any cult involved in illegal activities would not satisfy these criteria.

Sexual Orientation: The protected characteristic of sexual orientation is defined as being a person's sexual orientation towards: people of the same sex as him or her (in other words the person is a gay man or a lesbian), people of the opposite sex from him or her (the person is heterosexual), or people of both sexes (the person is bisexual).

References & related documents

- Equality Act 2010
- Welsh Language Act
- National Minimum Wage Regulations 1999
- Employee Equality and Diversity Monitoring Form
- How to Monitor Equality and Diversity Information
- Equality and Diversity Policy

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- Disciplinary Policy

