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Imperial College Healthcare
NHS Trust

Trust-Wide Policy	
Version:	V2.0
Policy Category:	People & Organisation Development
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Equality, diversity and inclusion policy

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Key Changes to the Policy from Previous Version

The policy has been rewritten to be in line with the new style guide for P&OD policies. It also incorporates adjustments in light of the full establishment of the EDI team, which took place since the policy was last reviewed in 2020.

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1. Introduction

- 1.1. At Imperial College Healthcare NHS Trust, we are committed to ensuring that our staff feel able to bring their whole selves to work, and we recognise that our diversity gives us a unique perspective on the challenges facing us.
- 1.2. The work of our organisation touches almost a million and a half people every year who rely on our care. We make many judgements every day, so it's vital that our people reflect the society that we serve and we bring diverse attitudes and opinions to our work.
- 1.3. We are committed to advancing equality, diversity and inclusion (EDI) at all levels to help us meet this goal and provide better health, for life.

2. Purpose & Scope

- 2.1. This policy explains what our legal obligations to equality, diversity and inclusion are, as well as explaining how we will meet them.
- 2.2. This policy focuses on our duties as an employer and applies to:
 - All people directly employed with us
 - Trainees, secondees, people under a "license to attend" contract or under a joint contract with us and another employer
 - Contractors and people from other organisations working on our sites

3. Expectations

- 3.1. Everyone at the Trust is expected to promote equality, treat others with respect and dignity, and challenge or report discrimination. All colleagues need to be mindful of our values, and try to ensure that they underpin everything we do.
- 3.2. The data we hold within our Electronic Staff Record (ESR) is an important source of information about our demographics, and helps us draw conclusions about how we're doing and set objectives. We ask that everyone ensures their demographic information is up to date. You can see how to do this using our ESR campaign.
- 3.3. The Chief Executive chairs the EDI committee but also ensures that the Trust is a fair, equitable and just place to work as the most senior member of staff.
- 3.4. The Head of EDI is responsible for developing objectives based on the data available, and will support the EDI team and other stakeholders to fulfil them.
- 3.5. Managers are responsible for setting the standard of acceptable behaviour and to follow our policies. They're also responsible for ensuring anyone they manage do this as well. We want managers to be proactive in addressing issues around culture, behaviours and working

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relationships in a fair and just way, seeking help from the People & OD team where needed.

4. The Equality Act 2010 and the Public Sector Equality Duty

4.1. Like all employers, we have legal duties under the Equality Act 2010. The Act contains nine protected characteristics, which cannot be used as a reason to treat someone unfairly:

- age
- disability
- gender reassignment (whether or not someone is transgender)
- marriage or civil partnership (including same-gender marriage)
- being pregnant or on maternity leave
- race or ethnicity
- sex
- sexual orientation

4.2. The Act also sets out the Public Sector Equality Duty (PSED), which asks us to think about how we can accommodate and support people who are disadvantaged or experience inequality when we do our work.

4.3. The Act requires us to have due regard to the need to the following three “aims”:

- to eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- to advance equality of opportunity
- to foster good relations

4.4. This means that we need to abide by the Equality Act by making sure people aren't treated less favourably because of aspects of their identity.

4.5. Due regard means we need to ensure we consider all three aims and the relevant impact when making decisions.

5. Equality Impact Assessments (EqIAs)

5.1. One of the ways we have due regard is by conducting [equality impact assessments \(EqIAs\)](#).

5.2. EqIAs are a way of looking at our policies to ensure we are not discriminating against anyone based on their protected characteristics.

5.3. If the assessment shows that there may be an adverse effect on a particular group, it's important to consider how this effect could be reduced or eliminated.

5.4. All policies must go through an EqIA, and we work closely with our staff networks and the Partnership Committee to get the benefit of a range of experiences.

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- 5.5. We encourage anyone introducing a new process or starting a project to voluntarily undertake an EqIA to evaluate the impact on protected characteristics.

6. Reporting

- 6.1. It's also part of the public sector equality duty that we report on how we've complied with the duty.
- 6.2. We produce a Workforce EDI report each year, which gives an overview of the EDI-related activities we've undertaken over the past year. It also contains a summary of our demographics and our objectives for the coming year.
- 6.3. Under the NHS Standard Contract, we are required to report on our performance against the Workforce Race Equality Standard and the Workforce Disability Equality Standard.
- 6.4. As an employer with more than 250 employees, we are also required to report on our Gender Pay Gap.
- 6.5. We voluntarily publish our Ethnicity Pay Gap report, which uses similar criteria to the Gender Pay Gap.
- 6.6. We also take part in the Equality Delivery System (EDS2) by publishing a joint workforce and patient-focussed report every three years.
- 6.7. [All these reports can be found on our external website.](#)

7. Delivering equality, diversity and inclusion

- 7.1. **EDI Committee:** The Equality, Diversity and Inclusion Committee (or EDI Committee) is chaired by our Chief Executive Officer and meets every two months. It's attended by representatives of the divisions and directorates, the staff networks, and relevant stakeholders.
- 7.2. The committee monitors our performance against our objectives, as well as providing a space for discussion and review.
- 7.3. The committee has a terms of reference and the attendee list is regularly reviewed to ensure the committee remains effective.
- 7.4. **Our objectives:** As part of our commitment to EDI within our workforce, we will set objectives for the Trust to achieve every year.
- 7.5. These objectives will be designed by the Trust Lead for EDI and monitored at the EDI Committee.

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- 7.6. **Our staff networks:** There are a range of staff networks available to our staff that offer a place for staff to come together, share experiences and facilitate learning and development.
- 7.7. The EDI team currently support several staff networks, which are detailed on the [Staff Networks intranet page](#). Each network has a staff-led elected chair and at least one executive sponsor from our Board.
- 7.8. The networks are not only a space of support and learning, but also an important venue where our people can share concerns and issues that affect them with the leadership teams. It's a key objective of our EDI strategy to continue the growth and empowerment of our staff networks.
- 7.9. **Our policies:** We want to ensure equality, diversity and inclusion is featured in all our policies. We help achieve this by requiring all policies conduct an equality impact assessment as part of their review.
- 7.10. We expect all policies to be applied consistently and fairly, including in recruitment, people management, and for training and development opportunities.
- Recruitment and selection**
- 7.11. All recruitment episodes must take place in line with our [Recruitment and Selection policy](#), and take into account where relevant our Inclusive Recruitment procedures. The [recruitment team](#) can provide you with the current advice around inclusive recruitment.
- 7.12. We incorporate equality, diversity and inclusion in our recruitment process by:
- Offering an interview to applicants with a declared disability if they meet the minimum criteria for the role
 - Ensuring our interview panels for senior roles are diverse in both gender and ethnicity
 - Requiring all participants on interview panels to undertake recruitment and selection training, which includes training on inclusive recruitment.
- People management**
- 7.13. Managing people well is a key objective for the Trust. Managers should consider equality, diversity and inclusion when applying the policies around sickness absence, disciplinary or performance issues, and grievances consistently.

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- 7.14. We incorporate equality, diversity and inclusion in our people management processes by:
- Undertaking a thorough review of cases before proceeding to formal action, to ensure consistency and examine bias in the process
 - Making sure managers understand the policies and their responsibilities to the people they manage
 - Offering support to our people when they need it, including reasonable adjustments, flexible working, and special leave.

Training and development

- 7.15. We are committed to ensuring all our people can be the best they can be, and opportunities for training and development must be widely advertised.

- 7.16. We incorporate equality, diversity and inclusion in our training opportunities by:
- Making sure training opportunities are accessible and that facilitators consider reasonable adjustments
 - Taking into account different learning styles
 - Encouraging participation at all levels through apprenticeships that range from Level 2 (GCSE equivalent) to level 7 (Master's equivalent)

8. Bullying, harassment, and discrimination

- 8.1. There is no place for bullying, harassment, or discrimination of any kind at the Trust.

- 8.2. Bullying is behaviour from a person or group that is:

- Unwanted; and
- Makes someone feel uncomfortable, frightened, disrespected, mocked, humiliated, excluded and/ or distressed; and
- Not in line with our values and behaviours.

- 8.3. Harassment is where bullying or unwanted behaviour relates to the protected characteristics and either violates someone's dignity or creates a hostile environment for the person. It's still harassment if the effect of the behaviour was unintentional.

- 8.4. Discrimination is when you're treated less (or more) favourably because of one or more of the protected characteristics.

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8.5. All employees at the Trust have the right to make a formal request for resolution (RFR), however, not every workplace issue is suitable for consideration under this process. For more information, please see the [Resolution Policy](#).

8.6. Concerns that relate to equality, diversity and inclusion can also be raised directly to the [EDI team](#), through the [Freedom to Speak Up guardians](#), or through the [staff networks](#).

9. Implementation and Dissemination

9.1. This policy complements *Equality, diversity and human rights*, a module within the Core Skills training that is a requirement for all colleagues to complete.

9.2. The policy will be available on the intranet, as well as shared through the EDI Committee, with the expectation that it is promoted within each division and directorate.

10. Monitoring Arrangements

Lead	Policy Objective	Method	Frequency	Responsible Committee / Group
Head of EDI (workforce)	To grade workforce EDS2 outcomes	EDS2 report with presentation of evidence against relevant EDS2 outcomes	Every 3 years	EDI Committee
Head of EDI (workforce) and People Planning	To report against equality, diversity and inclusion performance for our workforce	Annual Workforce EDI Report	Annually	EDI Committee Executive Committee
Head of EDI (workforce) and People Planning	Produce and analyse workforce race equality standard (WRES) data	WRES report	Annually	EDI Committee Executive Committee Board
Head of EDI (workforce) and People Planning	Produce and analyse workforce race equality standard (WDES) data	WDES report	Annually	EDI Committee Executive Committee Board
Head of EDI (workforce) and People Planning	Produce and analyse gender pay gap data	Gender pay gap report	Annually	EDI Committee Executive Committee Board

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Head of EDI (workforce)	Develop EDI objectives based on data and feedback	EDI objectives	Annually	EDI Committee Executive Committee Board
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11. Definitions & Abbreviations

11.1. Equality is not about treating everyone the same. Equality recognises that:

- everyone has individual needs and the right to have those needs respected;
- inequality exists and that unlawful discrimination needs to be tackled;
- employment and Trust services should be accessible to all; and
- it is about treating people fairly where everyone can participate and have the opportunity to fulfil their potential.

11.2. Diversity is about respecting and valuing individual difference. Diversity recognises that:

- everybody is different;
- we need to understand, value, and respect those differences; and
- diversity can include individuals and groups with varying backgrounds, experiences, styles, perceptions, values and beliefs.

11.3. Inclusion is a universal human right. The aim of inclusion is to embrace all people irrespective of race, gender, disability, medical or other need. It is about giving equal access and opportunities and getting rid of discrimination and intolerance (removal of barriers). It affects all aspects of public life.

11.4. Direct discrimination means treating someone less favourably compared to others because:

- they have certain protected characteristics or;
- they are thought to have protected characteristics (direct discrimination by perception) or;
- they are associated with someone who has a protected characteristic (direct discrimination by association).

11.5. Indirect discrimination can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic.

11.6. Harassment, in general terms, is unwanted conduct affecting the dignity of people in a workplace that creates an intimidating or offensive

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environment. Harassment can relate to any of the nine protected characteristics and can be persistent or one-off. For further details, including examples of what is or isn't harassment, please see the Resolution Policy.

- 11.7. Victimisation is when a person is treated less favourably because they complain about discrimination, or they witness it and give evidence about it.
- 11.8. Due regard: The Equality Act 2010 requires us to pay 'due regard', when considering the effects on the different groups protected from discrimination, and can be demonstrated by carrying out equality impact assessments (EqIAs).
- 11.9. EDI stands for Equality, Diversity and Inclusion.
- 11.10. EDS2 stands for Equality Delivery System 2.
- 11.11. WRES stands for Workforce Race Equality Standard.
- 11.12. WDES stands for Workforce Disability Equality Standard.
- 11.13. EqIA (or EIA) stands for Equality Impact Assessment.
- 11.14. The 2010 Act refers to the Equality Act 2010.
- 11.15. PSED stands for Public Sector Equality Duty.

12. **References**

- [Discrimination: your rights: Types of discrimination \('protected characteristics'\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/discrimination-your-rights-types-of-discrimination-protected-characteristics)
- [Equality Act 2010 \(legislation.gov.uk\)](https://legislation.gov.uk/ukpga/2010/101)
- [Public Sector Equality Duty | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://equalityhumanrights.com/public-sector-equality-duty/)
- [Public sector equality duty - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/public-sector-equality-duty)
- [Public Sector Equality Duty monitoring and publication requirements | NHS Employers](https://www.nhs.uk/consultations/public-sector-equality-duty-monitoring-and-publication-requirements-nhs-employers/)

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13. Supporting Information

Current Document Information	
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Responsible Executive Director:	Kevin Croft, CPO
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Related Trust Documents:	Supporting employees in transitioning to the gender with which they identify - The intranet (imperial.nhs.uk) Managing the menopause at work: information and guidance - The intranet (imperial.nhs.uk)

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Committees / Groups	

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Equality Impact Assessment Sent for Consultation?		No
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2.0	24.10.2023	Corporate Governance	Final ratified