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Equality and Diversity Policy

Version:	Review date:	Edited by:	Approved by:	Comments:
2	09.02.2024	Carolina Guariniello	Paul Flynn	Formatted to fit in the new the Policies template.
3	10.02.2025	Carolina Guariniello	Paul Flynn	Rewritten the policy.

1 Policy Statement

The organisation values the rich diversity, skills and abilities that people from differing backgrounds and experiences bring to the workplace. Implementing and abiding by a policy that provides for diversity and equal opportunities and deters unlawful discrimination is therefore important to this organisation.

'Equality' requires us, and those who work for us, to treat everyone equally and fairly, with equal opportunities and rights.

'Diversity' recognises that this world is full of differences. We should note, value and positively embrace these differences. It is important for differences to be recognised. But it is equally important that, while recognising them, each and every person does so positively, with the importance of equality at the forefront of their minds.

The purpose of this policy is to set out the aims of the organisation to create an inclusive working environment, where access to work is based on fair and objective criteria, and where there is zero tolerance of unlawful discrimination in respect of our workforce, patients, visitors and others involved in providing or receiving our services. We aim to implement clear processes in terms of how the organisation supports and works towards its aims. Every

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person working for or on behalf of this organisation plays a vital role in implementing these aims.

The organisation also intends to be clear about how it will deal with actions that adversely impact on its stated aims.

The key legislation that this policy relates to is the [Equality Act 2010](#). However, reference is also made to other legislation such as that which sets out the rights of part-time and fixed term workers.

2 Scope

2.1 Who it applies to

This document applies to all employees of the organisation, partners and other individuals performing functions in relation to the organisation, such as agency workers, locums and contractors.

This policy recognises that the diversity that exists across the organisation's patient groups should be reflected in the way the organisation operates in terms of diversity within its employees. Also, the fair and objective treatment of others should be part of the way the organisation does things.

The organisation will ensure that its working practices demonstrate its commitment to fairness and equity, equality of opportunity and that it is free from any bias that is founded in unlawful discrimination including how such aspects as the following are addressed:

- Recruitment and selection
- Learning and development opportunities
- Appraisals
- Promotion opportunities
- Pay
- Benefits and terms of employment
- Redundancy and dismissal
- Disciplinary and grievance matters

2.2 Why and how it applies to them

Everyone working for the organisation is required to assist us to meet our commitment to provide equal opportunities and avoid unlawful discrimination in employment and in the provision of its services.

Any individual can be held personally liable as well as, or instead of, the organisation, for any act of unlawful discrimination and those who commit serious acts of harassment may be guilty of a criminal offence.

Staff are to ensure that access to care is equitable for all. Acts of discrimination, harassment, prejudice, bullying or victimisation against employees, patients or others with whom the organisation has contact will be dealt with under the organisation's disciplinary procedure, and may be considered as gross misconduct.

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3 Terms used Within the Equality Act 2010

3.1 Protected characteristics

These are the nine characteristics protected under the Equality Act 2010:

- Age
- Disability
- Gender reassignment (including trans and non-binary status)
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including colour, nationality, ethnic or national origins)
- Religion or belief
- Sex (including gender)
- Sexual orientation

3.2 Direct discrimination

When a person is treated less favourably because of a protected characteristic (as listed above)

3.3 Indirect discrimination

When the employer or, for example, in its role as a service provider, applies a practice, requirement or condition which applies equally to all individuals, but which puts someone with a protected characteristic at an unfair disadvantage, unless this can be justified

3.4 Harassment

Unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them

The Equality Act 2010 also recognises sexual harassment as something separate to sex (i.e., female or male) harassment. Sexual harassment occurs when someone is subjected to unwanted conduct of a sexual nature or when a person is treated less favourably because they have accepted or rejected unwanted conduct of a sexual nature.

3.5 Victimisation

Treating someone unfairly because they have made a complaint about discrimination or harassment

4 Guidance

4.2 The law

It is unlawful to discriminate directly or indirectly in recruitment or employment, or in the provision of public services, because of age, disability, sex, gender reassignment (including trans, gender fluid, third gender, gender non-conforming and non-binary), pregnancy and maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief (which can include philosophical beliefs such as ethical

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veganism or being gender-critical) or because someone is married or in a civil partnership. These are known as protected characteristics.

It can also be unlawful to discriminate unfairly on the grounds of being a fixed term or part-time worker, trade union membership and activity or non-membership, political belief and in relation to criminal convictions.

Discrimination after employment can also be unlawful, e.g., refusing to give a reference for a reason related to one of the protected characteristics.

It is generally unlawful to discriminate directly or indirectly, harass or victimise an employee or member of the public based on any of the protected characteristics in relation to their employment or the provision of services or goods. It is unlawful to fail to make reasonable adjustments which could overcome disability-related barriers to work or to access services.

A person does not need to have a protected characteristic in order to be able to claim they have been discriminated against because of it. The law protects individuals from being treated less favourably because of a protected characteristic they are thought to have (discrimination by perception) or because of the characteristic of someone they are associated with (discrimination by association).

An example would be, should an employee who is straight be subjected to verbal homophobic abuse in the mistaken belief that they are gay, that employee could still claim discrimination on grounds of sexual orientation. Likewise, if an employee who is straight is treated unfairly because they have been seen socialising with someone who is gay, then that employee could potentially claim discrimination on grounds of sexual orientation as they are being discriminated against by association.

4.3 Dealing with discrimination

Acts of discrimination (direct or indirect), whether intentional or unintentional, undermine the organisation's aim of creating an inclusive working environment. Therefore, the organisation will take steps to promote diversity and to ensure that its work processes, activities and environment do not foster any unfair bias or discrimination. The organisation will also ensure that it acts promptly to deal positively with acts that are discriminatory.

The organisation will not tolerate any form of bullying, harassment, victimisation or other behaviour that is founded in discrimination.

The organisation will fully investigate any complaint of discrimination, harassment, or victimisation. The organisation will ensure that the matter is properly dealt through its formal procedures. Behaviour that amounts to an act of discrimination, directly or indirectly, on the part of an employee may lead to disciplinary action being taken, up to and including dismissal for gross misconduct. A person working as a contractor within the organisation who commits such an act may have their contract for services terminated.

If an employee believes they have been subjected to any form of discrimination or harassment, or victimisation, they should advise their line manager or another senior manager and discuss the matter with them. Their role is to help the employee and to determine an appropriate means of dealing with the issue, which may include making a complaint through the organisation's grievance procedure.

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When the organisation becomes aware of any indication of the existence of discrimination (or its potential existence), it will act promptly and robustly to establish the true nature of the situation and take appropriate action in line with its commitment to this policy.

4.4 Equality in recruitment, selection, and career development

The organisation will endeavour, through appropriate training, to ensure that employees making selection and recruitment decisions do not discriminate, whether consciously or unconsciously, in making those decisions.

- Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy
- Job requirements will be reflected accurately in job descriptions and person specifications.
- The organisation will adopt a consistent, non-discriminatory approach to the advertising of vacancies
- All applicants who apply for jobs with the organisation will receive fair treatment and will be considered solely on their ability to do the job
- All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate
- Shortlisting and interviewing will be carried out by more than one person where possible
- Interview questions will be related to the requirements of the job and will not be of a discriminatory nature
- Applicants will not be asked about protected characteristics or whether they are married, single or in a civil partnership, or if they have, or plan to have, children
- Applicants will not ordinarily be asked about health or disability unless there are necessary requirements of the job that cannot be met with reasonable adjustments, or the organisation is finding out if an applicant needs help to take part in a selection test or interview
- The organisation will not disqualify any applicant because he/she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job
- Selection decisions will not be influenced by any perceived prejudices of other staff

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4.5 Monitoring

The handling of personal data is controlled by the UK General Data Protection Regulation (UK GDPR) that is within Part 2 of the [Data Protection Act 2018](#). UK GDPR requires the organisation to comply with a number of principles regarding privacy and disclosure when handling equality data (i.e., 'special categories of data'), including ensuring such data is processed, stored and used for limited purposes and always in accordance with Article 9 of the UK GDPR.

The UK GDPR includes measures to ensure that information is processed fairly and seeks to protect individuals' rights to confidentiality.

Documents including such data will be processed in accordance with the UK GDPR and data protection legislation and individuals have, on written request, the right of access to personal data held about them.

The organisation will maintain and review the employment records of all employees in order to monitor the progress of this policy.

Monitoring may involve:

- The collection and classification of information regarding certain protected characteristics, e.g., race, ethnic/national origin, sex, etc. of all applicants and current employees
- The examination of this information with regard to the distribution of employees and the success rate of the applicants
- Recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions

The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.

4.6 Promoting equality and diversity

The organisation will ensure that staff understand how to positively promote diversity and equality in their execution of work activities and by their own attitudes and behaviour.

The organisation provides regular and up to date equality, diversity, and inclusion training. Employees should discuss this subject with their line manager should they feel they have not received this training.

Everyone must be aware that their actions influence others and therefore being positive about diversity and equality will have a positive influence in the workplace and the wider community that the organisation serves.

Promotion of diversity and equality will be a key consideration as policies, procedures, protocols and processes are developed, implemented, monitored and reviewed. This will ensure that they are free from any unfair discriminatory bias, particularly in the approach to employment including such areas as recruitment and selection, promotion, pay, benefits and

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terms of employment, performance review and training and development, redundancy and dismissal, and disciplinary and grievance matters.

It is essential that decisions about all aspects of employment are based on objective criteria and that reasonable adjustments are made to the way the organisation works that encourage, accommodate and facilitate diversity within the organisation.

Signature:	<i>Carolina Guariniello</i>
Date:	18 Feb 2025
Name and role:	Carolina Guariniello – CQC Registered Manager



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