



Title
Equality, Diversity and Human Rights Policy and Procedure
Principle
Homekare Community services is an equal opportunities employer- we are committed to ensuring that the talents and resources of all our employee's are utilised to the full Homekare Community services are committed to adopting, implementing and monitoring our policy of equal opportunities for all our team members to ensure a total absence of discrimination in our workplaces and as a team. Homekare aims to ensure our service to our client's and employment conditions for each of our team members, which are relevant, responsive, sensitive and compliant with the Equality Act 2010
Objectives
• This policy is designed to ensure that there is no discrimination towards employee's on the grounds of any of characteristics, many of which are regarded as "protective characteristics" listed in section 4 of the Equality Act 2010. These include: ▪ Age ▪ Disability ▪ Gender Reassignment ▪ Marriage and Civil Partnership ▪ Pregnancy and Maternity ▪ Race ▪ Religion or Belief ▪ Sex ▪ Sexual Orientation
Scope
This policy applies to: • All clients of Homekare Community Services • All team members employed by Homekare Community Services including Care team, Senior team, Care Manager, HR & Compliance Lead, Registered Manager and Director/ Nominated Individual • All visitors, contract and agency workers that are working on behalf of Homekare Community Service's • All visitors and contractor on Homekare Community Service's premises

All regulated activities carried out as part of our provision of care and support to others	
Responsibilities	
Director/ Nominated Individual- Sets strategic direction for EDH&R, approves policy, champions inclusive culture at Management level, reviews escalated complaints	
Registered Manager- Holds overall accountability for this policy implementation, investigates EDH&R related complaints, ensures inclusive practice is embedded, submits CQC notifications	
HR & Compliance Lead- Maintains EDH&R compliance in recruitment and employment, monitors training completion, conducts internal audits, investigates HP matters involving discrimination	
Care Manager- Ensure care plans capture diversity needs, communicates individual requirements to team members, identifies and escalates concerns	
Senior Team- Role models inclusive, dignified practice, coaches care workers, first point of escalated concerns	
Care Worker- Delivers care respectfully to all clients, applies FRED A principles at every visit, reports concerns promptly, completes mandatory EDH&R Training	
Procedure	
1. Protected Characteristics	
The Equality Act 2010 protects individuals from discrimination because of nine characteristics. Homecare Community Service always ensures that neither client nor team members are treated less favourably on any of these grounds:	
Protected Characteristic	Application at Homecare Community Service
Age	Applies to all ages; community team members must not make assumptions based on age.
Disability	Physical, sensory, mental, cognitive impairment — must not disadvantage clients or team members.
Gender Reassignment	Transgender and non-binary individuals are protected; privacy must be respected.
Marriage & Civil Partnership	Protected in employment contexts; must not affect care delivery decisions.
Pregnancy & Maternity	Must not disadvantage pregnant clients or team members; reasonable adjustments required.
Race	Includes colour, nationality, ethnicity — culturally appropriate care must be provided.

Religion or Belief	All faiths and non-religious beliefs protected; spiritual needs recorded in care plans.	
Sex	Equal treatment for all genders in both care delivery and workforce management.	
Sexual Orientation	Lesbian, gay, bisexual individuals must be treated with dignity and without discrimination.	

Homekare Community Service also recognises broader dimensions of diversity including socio-economic background, migration status, homelessness, and multiple/intersectional disadvantage, in accordance with NICE inclusion health guidance and SCIE tackling inequalities practice.

2. The FRED A Principles in Practice

The FRED A principles, endorsed by the CQC and SCIE, provide the practical framework for applying equality and human rights in community care. All Homekare Community Service team members must demonstrate these principles in every interaction:

Fairness

Every person receives care and support that meets their individual needs without unjustified differential treatment. Care plans are personalised and resource allocation decisions are transparent and non-discriminatory.

Respect

All communications and care interactions demonstrate respect for the client's identity, choices, values, culture, religion, and life experience. Team member's address clients in the manner they prefer.

Equality

No client is disadvantaged because of a protected characteristic. Reasonable adjustments are made as required to ensure equal access to care. Team recruitment, development, and treatment is fair and non-discriminatory.

Dignity

Privacy is maintained at all times, including during personal care. Client's self-worth and independence are actively promoted. Team member's challenge undignified practice and report concern immediately.

Autonomy

Client's are supported to make informed decisions about their own care, including how, when, and by whom care is delivered. Where capacity is in question, the Mental Capacity Act 2005 process is followed with the least restrictive option applied.

3. Understanding Discrimination

All Team member's must be able to recognise the following forms of prohibited conduct:

- Direct Discrimination — treating someone less favourably because of a protected characteristic (e.g. refusing to assign a team member because of the client's religion).

- Indirect Discrimination — applying a provision, criterion or practice that disproportionately disadvantages people with a protected characteristic (e.g. care visit schedules that ignore religious observance times).
- Harassment — unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment.
- Victimisation — treating someone unfavourably because they have made, or are suspected of making, a complaint or allegation under the Equality Act 2010.
- Discrimination by Association — discriminating against someone because of their association with a person who has a protected characteristic.
- Discrimination by Perception — discriminating against someone because they are perceived to have a protected characteristic, even if they do not.
- Institutional Discrimination — embedded policies, practices, or culture within an organisation that, consciously or unconsciously, disadvantages people with certain protected characteristics.

Any discriminatory act, whether deliberate or inadvertent, is taken seriously by Homekare Community Service. Allegations will be investigated under the Complaints and Disciplinary procedures. Proven discrimination may constitute gross misconduct.

4. Procedure — Care Delivery

4.1 Pre-Service Assessment

- Prior to the commencement of care, the Care Manager will complete a person-centred assessment that specifically captures equality and diversity needs including: preferred name, pronouns, and form of address; cultural, religious, or spiritual practices relevant to care; dietary requirements; language or communication needs; gender preference for personal care workers; any intersectional vulnerabilities (e.g. disability plus homelessness).
- This information will be recorded in the client's care plan and communicated to all team member's prior to the first visit.
- A risk assessment must be completed before care commences. Assessments must not make discriminatory assumptions about risk based on protected characteristics.

4.2 Care Planning

- Care plans must be written in plain English. Where the client's first language is not English, translated summaries or interpreter support must be arranged.
- Cultural, religious, and personal preferences must be reflected in the daily care schedule — for example, prayer times, preferred mealtimes, observance of religious dress.
- Mental Capacity Act 2005 capacity assessments must be conducted wherever there is any doubt about a client's ability to consent to care. Best interests decisions must be documented and reviewed.

- Deprivation of Liberty safeguards (DoLS) / Liberty Protection Safeguards (LPS) referrals must be made to the local authority without delay where applicable.

4.3 Day-to-Day Care Delivery

- Team members must apply the FRED A principles at every visit. They must not discriminate, harass, or victimise any client, family member, or carer.
- Reasonable adjustments must be made to how care is delivered to accommodate disability, communication needs, or cultural requirements. Team member's must report to the Care Manager any need for adjustment that is beyond their remit.
- Team member's must challenge and report any equality or human rights concern they witness, including concerning behaviour by other team member's, family members, or third parties.
- Dignity must be maintained at all times, including during personal care, when clients are asleep, or when third parties are present.

4.4 Communication and Information

- Information about the service, rights, and how to complain must be available in accessible formats on request, including large print, easy read, audio, and in the client's preferred language.
- Team member's must use appropriate, respectful language. Any use of discriminatory language will be treated as a conduct matter under the Disciplinary Policy.

5. Procedure — Workforce

5.1 Recruitment and Selection

- All recruitment will be carried out in accordance with the Equality Act 2010 and Homekare Community Service's Selection and Safer Recruitment Policy. Job advertisements must be accessible, inclusive, and free from stereotyping.
- Selection decisions must be based solely on the requirements of the role. Reasonable adjustments to the recruitment process must be offered to disabled applicants.
- Interview panels must be trained in unconscious bias. No applicant may be asked about protected characteristics (other than for the purposes of making reasonable adjustments or monitoring).
- Homekare Community Service actively encourages applications from under-represented groups, in alignment with Skills for Care's Social Care Workforce Race Equality Standard (SC-WRES) principles.

5.2 Induction and Training

- All new team members must complete Equality, Diversity and Human Rights e-learning in Week 2 of induction as specified in the Homekare Community Service Workforce Training Plan.

- All new team members must achieve Care Certificate Standard 4 (Equality and Diversity) within 12 weeks of commencement, including both knowledge assessment and observed workplace competency.
- Refresher EDH&R training must be completed annually by all team members
- Oliver McGowan Mandatory Training on Learning Disability and Autism (Tier 1 and Tier 2) must be completed in accordance with Homekare Community Service's Workforce Training Plan and is a mandatory requirement from NHS England.

5.3 Supervision and Appraisal

- Regular supervision must address EDH&R practice, including any concerns about discriminatory behaviour or any support needs related to a protected characteristic.
- The annual appraisal framework includes a specific competency assessment against Aim 3 (Dignity and Respect), which covers equality, diversity, and inclusion performance.
- The Registered Manager and/ or Care Manager must be alert to signs of workplace discrimination or harassment during supervision and must take immediate action if concerns are raised.

5.4 Reasonable Adjustments for Team Members

- Homekare Community Service has a duty under the Equality Act 2010 to make reasonable adjustments for disabled employees. Requests must be considered promptly and documented.
- Adjustments may include changes to working hours to accommodate religious observance, care responsibilities, or health conditions. Each case will be considered on its individual merits.
- All reasonable adjustment decisions and their rationale must be recorded by HR & Compliance Lead.

5.5 Addressing Discrimination in the Workforce

- Any member of our team who believes they have been discriminated against, harassed, or victimised should report this to the Care manager or the Registered Manager. Where the complaint involves the Registered Manager, the Director / Nominated Individual should be contacted.
- Complaints will be investigated under the Grievance Policy within 10 working days of receipt. Interim protective measures may be implemented if required.
- Proven discrimination by a member of team member may be treated as gross misconduct, potentially resulting in dismissal.
- Homekare Community Services will not tolerate victimisation of any person who has made a good-faith complaint or assisted in an investigation.

6. Equality, Diversity and Safeguarding

Homekare Community Services recognises that certain groups are at elevated risk of abuse and neglect, and that safeguarding practice must be equality-aware. In

accordance with Nottinghamshire Safeguarding Adults Board (NSAB) requirements and the Care Act 2014, the following applies:

- Discrimination, harassment, or victimisation of a client by a team member or third party may constitute a safeguarding concern and must be reported as such to the local authority within 24 hours.
- 'Discriminatory abuse' is a recognised category of abuse under the Care Act 2014 statutory guidance. It includes verbal abuse, derogatory remarks, or deliberate exclusion on the basis of a protected characteristic.
- Making Safeguarding Personal (MSP) — in alignment with NSAB policy, Homekare Community Service will ensure clients are involved in decisions about how safeguarding concerns are investigated and resolved, with their desired outcomes at the centre.
- Equality and intersectionality must be considered in all safeguarding risk assessments. Client's who are doubly or triply disadvantaged (e.g. older, disabled, and from an ethnic minority background) require particularly careful and culturally sensitive responses.
- Team members must receive training to recognise how discriminatory attitudes, unconscious bias, or cultural misunderstandings can increase safeguarding risk.
- Homekare Community Service Safeguarding Vulnerable Adults policy and this policy must be read together. All team members have a duty to report safeguarding concerns in accordance with NSAB referral procedures.

Nottinghamshire Safeguarding Adults Board contact information:

- NSAB website: nsab.nottinghamshire.gov.uk
- Adult Social Care referrals (Nottinghamshire): 0300 500 8080
- Emergency safeguarding: 999 (police) or 0300 500 8080 (out-of-hours)

7. Equality and Health & Safety

Health and safety obligations intersect with equality duties in the following ways:

- Risk assessments must not make assumptions based on protected characteristics. A client's disability, age, or cultural background may require specific, individualised risk controls rather than blanket procedures.
- Manual handling risk assessments must account for the individual's physical and communication needs; generic approaches may constitute indirect discrimination.
- Lone working procedures must be sensitive to situations where clients or their associates may pose a risk related to discriminatory attitudes towards team members (e.g. racist abuse). Incidents must be reported and investigated.
- Environmental risk assessments must consider accessibility requirements for disabled clients.
- Infection control procedures must be applied equally to all client's; any deviation requires clear clinical justification.
- Team member's who are pregnant, disabled, or have other protected characteristics must be subject to individual workplace risk assessments, with reasonable adjustments implemented as required.

8. Monitoring, Audit and Continuous Improvement

Homekare Community Services will monitor the operation and impact of this policy through:

- Tracking 100% completion of EDH&R training at induction and annual refresher by all team member's (HR & Compliance Lead, monthly).
- Recording and analysing all complaints related to equality, dignity, discrimination, or human rights, with monthly reporting to the Registered Manager.
- Conducting an annual equality impact assessment on the policy and key procedures.
- Reviewing anonymised client's feedback and satisfaction survey data for evidence of differential experience across different groups.
- Monitoring workforce data against SC-WRES indicators, including representation at different levels of the organisation.
- Internal audit of care plans quarterly to confirm equality and diversity needs are captured, current, and acted upon.
- Reviewing all upheld EDH&R complaints and safeguarding concerns that involve a discrimination element and implementing learning.

Monitoring data will be reported to the Director / Nominated Individual as part of the monthly governance report. Actions arising will be incorporated into the Quality Improvement Plan.

9. Complaints Relating to Equality and Human Rights

Service users, their families, and staff have the right to raise concerns about equality, diversity, or human rights at any time. Homekare's Complaints Policy sets out the full procedure. The following specific provisions apply to EDH&R complaints:

- All EDH&R-related complaints will be treated with the utmost seriousness and investigated without delay.
- Where a complaint may also constitute a safeguarding concern, it will be referred to the local authority safeguarding team within 24 hours (NSAB requirement).
- The complainant will be kept fully informed of the progress and outcome of the investigation.
- Where a complaint is upheld, the Registered Manager will implement action to prevent recurrence and will monitor compliance.
- Service users who are not satisfied with Homekare's response may escalate their complaint to the CQC (03000 616161), the Local Government and Social Care Ombudsman (0300 061 0614), or the Equality and Human Rights Commission.

Linked Legislation and Guidance

Equality Act 2010- The principal anti discrimination law. Protects the nine characteristics and Prohibits direct and indirect discrimination, harassment and victimisation.

Human Rights Act 1998- Incorporates the European Convention on Human Rights in UK law

Health and Social Care Act 2008 (Regulated Activities) Regulations- Establishes the CQC fundamental Standards

Pregnancy and Maternity -Must not discriminate pregnant team member's, reasonable adjustments required

Race- includes colour, nationality, beliefs protected- care plans must be culturally appropriate

Religion or Belief- All faiths and non religious beliefs protected- care plans must recognise spirituality

Sex- equal treatment for genders in both client base and team member's

Sexual Orientation- Lesbian, gay, bisexual individuals must be treated with dignity and without discrimination

Document Control

Policy Name:	Equality, Diversity and Human Rights Policy and Procedure
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Service Name:	Homekare Community Services
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Policy Reference:	HSC-GP-023
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Version Number:	01
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Date Approved:	01.06.2026
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Approved By:	S.Radford
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Date Last Reviewed:	01.06.2026
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Reviewed By:	S.Radford
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Date of Next Review:	01.06.2027
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Review Frequency:	Yearly or when changes occur
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Review History

Version	Date Reviewed	Reviewed By	Changes Made
01	01.06.2026	S. Radford	Sent with CQC provider application

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