

Equality, Diversity, Inclusion and Belonging HR01

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Applies to	All staff and those working within NHS Resolution
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1. Introduction

- 1.1. NHS Resolution (NHSR) is committed to promoting and embedding equality, diversity, inclusion and belonging (EDIB) across the organisation rather than it being viewed as an isolated agenda. Ensuring that fair treatment and social inclusion is at the heart of what we do and how we do it.
- 1.2. NHSR is also committed to providing a working environment that is welcoming, inclusive, respectful, and free from unlawful discrimination and bias. It is the organisation's intention to create an environment where staff respect and value each other's diversity to support the delivery of its Corporate Strategy, business and People plan too.

2. Equality statement and impact assessment

- 2.1. NHS Resolution (NHSR) aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others. It is a requirement that we conduct equality impact assessments on all policies and services within the organisation.

As part of its development, this policy and its impact on equality have been reviewed in consultation with trade union and other employee representatives in line with NHS Resolution's equality impact assessment (Appendix A). The purpose of the assessment is to minimise and, if possible, remove any disproportionate impact on employees on the grounds of race, sex, disability, age, pregnancy and maternity, marriage and civil partnership, gender reassignment, sexual orientation, religious or other belief.

3. Scope and purpose

- 3.1. This policy applies to all staff working within NHS Resolution, including Board members, secondees, agency workers, contractors, volunteers, advisory groups, work experience and student placements, apprenticeships, external secondees with NHSR and student placements.
- 3.2. This policy applies to all aspects of the employment cycle including recruitment and selection, access to education, learning and development, our

inclusive talent management process, other related policies and all aspects of terms and conditions of service.

3.3. The purpose of this policy is to:

- ensure NHR understands its statutory obligations as defined in the Equality Act 2010 and Public Sector Equality Duty
- eliminate unlawful discrimination, harassment, and victimisation in the workplace, including ensuring that staff are not treated less favourably because of aspects of their identity.
- set out proactive individual and collective responsibilities.
- advance equality of opportunity and promote relations between diverse groups by upholding legislation and developing a wider awareness of diversity and inclusion.
- provide a foundation for the ED&I elements of the Corporate Strategy NHR and NHS People plans.

4. Legislation

- 4.1. The Equality Act 2010 provides a framework of protection against direct and/or indirect discrimination, harassment and victimisation in services and public functions, in premises, at work, in education, associations and transport. It protects individuals and promotes a fair and more equal society. The Equality Act 2010 includes the Public Sector Equality Duty which requires public sector bodies to consider how they can positively contribute to the advancement of equality and good relations.

5. Definitions

- 5.1. **Equality** is about treating individuals fairly and equally including creating a fair society where everyone is enabled to fulfil their potential.
- 5.2. **Diversity** is about recognising, respecting, and valuing individual differences in its broadest sense.
- 5.3. **Inclusion** is about an individual's experience within the workplace and in wider society, the extent to which they feel valued and create a culture that empowers staff to feel a sense of belonging and their contributions being valued.
- 5.4. **Belonging** in EDIB (Equality, Diversity, Inclusion, and Belonging) represents the feeling of safety, security, and acceptance an individual feels within a

group. While inclusion is the action of involving people, belonging is the resulting psychological state where individuals feel valued, respected, and empowered to bring their authentic selves to work or education.

- 5.5 **Psychological Safety** is where everyone feels included, safe to ask questions and able to work without fear of retribution or retaliation.
- 5.6 **Bullying** is either offensive, intimidating, malicious or insulting behaviour from a person or group or an abusive or misuse of power. The behaviour undermines, humiliates, or causes physical or emotional harm.
- 5.7 Protected characteristics, as detailed in the Equality Act 2010, are the following characteristics:
 - age
 - disability
 - gender reassignment
 - marriage and civil partnership
 - pregnancy and maternity
 - race
 - religion or belief
 - sex
 - sexual orientation.

Definitions for each protected characteristic can be found at Appendix B.

- 5.5. Direct discrimination occurs when someone is treated less favourably than another person because of their protected characteristics.
- 5.6. Perception discrimination is direct discrimination against an individual because others think they possess a protected characteristic. It applies even if the person does not actually possess that protected characteristic.
- 5.7. Discrimination arising from disability is where a disabled person is treated less favourably because of something that is connected to their disability unless, this can be legally justified by the employer.
- 5.8. Associative discrimination is when someone is discriminated against because of their association with someone who has a protected characteristic.

- 5.9. Indirect discrimination can occur when you have a condition, rule, policy, or practice that applies to everyone but particularly disadvantages people who share a protected characteristic.
- 5.10. Harassment is unwanted conduct related to a protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that individual. The Equality Act 2010 and the Workers Protection Act 2023 (Amendment of the Equality Act 2010) prohibit the following types of harassment including a proactive duty on employers to take "all reasonable steps" to prevent sexual harassment of their employees:
 - harassment related to a protected characteristic
 - sexual harassment
 - less favourable treatment of a worker because they submit to or reject sexual harassment or harassment related to sex or gender reassignment.
- 5.11. Victimisation occurs when an employee is treated badly or has suffered a detriment because they have made or supported a complaint, claim or a grievance under the Equality Act 2010, or because they are suspected of doing so.
- 5.12. Unconscious bias refers to biases that influence our thoughts and behaviours without our awareness.
- 5.13. Occupational requirement enables an employer, in accordance with provisions of the Equality Act 2010, to stipulate that, because of the nature of the job in question, for example, only people of a particular race, religion, age are eligible.
- 5.14. Positive action provisions mean that it is lawful to recruit or promote a candidate who is of equal merit to another candidate, if the employer reasonably thinks the candidate:

has a protected characteristic that is under-represented in the workforce; or that people with that characteristic suffer a disadvantage connected to that characteristic.
- 5.15. Restorative justice is a process where those affected by an injustice have an opportunity to discuss how they have been affected and to decide what should be done to resolve the position.

6. Public Sector Equality Duty

6.1. The Public Sector Equality Duty, part of the Equality Act 2010, requires NHSR in the exercise of its functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010.
- Advance 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.

6.2. The general equality duty is underpinned by specific duties which include the requirement for NHSR to:

- Publish information to demonstrate their compliance with the general equality duty at least annually.
- Set equality objectives at least every four years.

6.3. Monitoring of equality data enables NHSR to meet its obligations and duties under the Public Sector Equality Duty. The following characteristics are recorded and monitored: sex, ethnicity background, age, disability, religion, sexual orientation. Employees will be regularly reminded to update their Employee Staff Record (ESR) by HR&OD and will be assured that this is for monitoring purposes. NHSR Board will be notified of the results from the monitoring of data as appropriate.

6.4. In line with the specific duties within the Public Sector Equality Duty and the statutory code of practice on equal pay, NHSR is committed to Gender Pay Gap and Ethnicity Pay Gap reporting to the relevant committees. NHSR will undertake Gender Pay Gap annual reporting to be published in line with the advertised reporting times each year. Gender Pay Gap reports conducted by NHSR will remain available on our website for three years to show any progress made.

6.5. To be compliant with the Public Sector Equality Duty, NHSR will ensure that the goods and services they procure are fit for purpose and meet the needs of the user. The Public Sector Equality Duty highlights a number of factors which the Deputy Directors (DD) and Heads of Service should pay 'due regard' when making decisions about procurement. NHSR and partners will ensure that procurement

processes are conducted in line with our values and behaviours framework and that equality issues are at the heart of their delivery.

- 6.6. Report on our performance against the workforce race equality standard (WRES) and workforce disability equality standard (WDES) including comparing and tracking progress on both indicators.

7. Limitations of the Equality Act 2010

- 7.1. NHS Resolution acknowledges the limitations of the Equality Act 2010 and the language used to describe the protected characteristics. This policy builds on, but is not limited to, the information included in the Equality Act 2010. NHSR is committed to creating an inclusive culture across the organisation, based both on legislation and a wider awareness of diversity, inclusion and belonging.

8. Roles and responsibilities

8.1. All staff roles and responsibilities

- 8.2. Staff share responsibility for promoting EDIB, treating others with respect, being accountable, challenging or reporting inappropriate behaviour and ensuring that this policy is implemented in practice. All staff are responsible for consistently demonstrating NHSR's values and associated behaviours framework. Staff are also expected to act in accordance with the Just and Learning Culture Charter to ensure a consistent and fair approach in relation to incidents and errors.
- 8.3. In the course of their employment staff, as well as their employer, can be held personally liable for breaching the Equality Act 2010 including acts of bullying, harassment, victimisation, and unlawful discrimination, against fellow employees and stakeholders.
- 8.4. Staff are responsible for familiarising themselves with this policy, ensuring that their practices are consistent with its contents and current legislation and challenging and reporting inappropriate behaviour(s). This also includes ensuring that they are up to date with their mandatory and statutory training (MAST.)
- 8.5. Additional accountabilities and responsibilities.

8.6. The Senior Management Team (SMT) Deputy Directors (DDs) and Heads of Service is expected to:

- Lead by example, set strategic direction and champion ED&I across the organisation.
- Ensure that the commitment of NHR to ED&I is communicated to all employees fairly and responsibly. This would include, as an example, prospective employees, users of its services, staff on secondment and all those working for or on behalf of NHR.
- Develop and pro-actively promote EDIB internally and externally. In fulfilling their obligations of the Public Sector Equality Duty, SMT members, DDs and Heads of Service should pay due regard when making decisions about procurement to ensure processes include consideration of equality issues.

8.7. Line Managers will also:

- Take responsibility for promoting and championing EDIB.
- Encourage a climate where the differences that individuals bring are valued.
- Encourage and foster good relations between all employees.
- Ensure that their direct reports attend EDIB training in accordance with current requirements,
- Proactively address issues around culture, behaviours and working relationships in a fair and just way. with advice from the HR&OD team for appropriate interventions where needed.

8.8. HR&OD will:

- Ensure this policy is updated following legislative changes and revised in consultation with staff side representatives and other relevant bodies.
- Request equality information on the protected characteristics from job applicants on application to a new post and employed staff, assuring staff that this information will remain confidential.
- Provide equality monitoring reports for the relevant committees including the Board which will be used to identify any potential barriers in relation to recruitment, selection, education and learning and career development.
- Ensure that all members of recruitment and selection panels have undertaken the Recruitment and Selection training in line with the Recruitment and Selection Policy and Procedure.

- Ensure that HR&OD policies and procedures are subject to Equality Impact Assessments in line with the process for the Approval of Policy and Procedural Documents.
- Lead on NHSR's EDIB strategy and action plan.
- Advise on and administer staff complaints and employee resolution issues in relation to EDIB issues.
- Advise the EDIB working group, SMT and line managers on best practice relating to staffing issues whilst considering the principles of EDIB in all advice that is provided.
- Advise line managers where protected characteristics may need to be considered giving rise to reasonable adjustments.
- Actively take steps to promote and embed NHSR's values and behaviours framework, and the Just and Learning Culture Charter.
- Design, roll out and evaluate equality, diversity, inclusion and belonging training for all NHSR employees in accordance with current requirements.
- Ensure that organisational learning and development events are accessible to all staff and that access to events is compliant with this policy and equality and diversity legislation.
- Ensure organisational learning and development opportunities have EDI&B included as an integral part of the design and delivery.
- Promote EDI&B through communication channels such as Connect, This Week and HR&OD sessions.
- Support NHSR as an exemplar and a good organisation in promoting equality, diversity, inclusion and belonging.
- Contribute to organisational initiatives to promote EDI&B.

8.9. The Staff Engagement Group (SEG) will:

- Support and provide developments within our EDI&B action plans and support the ongoing work of the staff networks.
- Promote EDIB events and updates with their core areas when shared by HR&OD at SEG meetings.

8.10. The staff side representatives (Joint Negotiating Committee) will:

- Provide advice, support, and representation for their members.
- Consult with relevant staff within the organisation e.g. HR&OD and SMT regarding measures needed to promote and champion EDIB and prevent unlawful discrimination within NHSR.

8.11 Staff networks

The staff networks will act as advocates for all policies and procedures to support NHSR's ambition to promote and embed equality, diversity, inclusion and belonging.

9. Recruitment, Selection and Promotion

- 9.1. Recruitment and selection will be undertaken in accordance with the Recruitment and Selection Policy and Procedure or Secondment policy. EDIB will be considered as an integral part of these processes. Individuals will be selected based on merit and ability to perform the role following an open and transparent selection process.
- 9.2. All vacant positions will be advertised internally and/or externally in the relevant media unless the following circumstances exist:

Where a post is considered suitable for employees at risk, in accordance with the guidelines for the redeployment process as outlined in the Organisational Change Policy and Procedure.

Where a post is considered suitable for an existing employee who has become disabled or has a long-term medical condition which is confirmed by the Occupational Health (OH) service and, as a result of their disability or long-term medical condition, is no longer able to carry out the principle duties of their present post.

Person specifications will only include relevant criteria that are required to perform the duties and responsibilities of the post. Where there is a genuine occupational requirement which is justified in accordance with provisions of the Equality Act 2010 e.g. relating to age, sex or race, specific reference will be made to this.

Where employees have needs (e.g. cultural, religious, disability, or gender based) which may require adjustments to existing, workplace practice, consideration will be given to what is reasonably practicable to vary or adapt work requirements and/or practice to enable such needs to be met.

Where applicants declare a long term medical /health condition or disability, then under NHSR's commitment to the Disability Confident Leader Scheme, they will be shortlisted if they meet the minimum (i.e., essential) criteria for the post.

Candidates will be assessed only against clearly identified requirements for the job to avoid judgments based on assumptions, prejudice, or stereotypes as per the shortlisting process.

The Equality Act 2010 contains provisions to allow positive action specifically in the process of recruitment and promotion in limited circumstances. Where NHSR knows, as a result of its monitoring of data under the Public Sector Equality Duty, that the workforce does not represent the diversity of the local population, positive action can be taken to encourage and support applications from under-represented groups.

10. Bullying and Harassment at Work (Dignity at Work)

10.1. If bullying and harassment in the workplace were to occur causing a breach of this policy, it will be treated seriously and may be dealt with under the Employee Resolution (Grievance and Dignity at work policy and procedure).

11. Disciplinary procedure

11.1. Details of NHSR's disciplinary policy and procedures can be found on Connect.

12. Equality Impact Assessments

12.1. The purpose of conducting an Equality Impact Assessment is to examine the main functions, policies, and procedures of NHSR to see whether they have the potential to affect people differently because of their protected characteristics. If the assessment shows there may be a diverse effect on a particular group, then NHSR may need to consider how this could be either mitigated, reduced or eliminated. As part of the process for the approval of Policy and Procedural Documents, all policies and procedures are subject to an Equality Impact Assessment with the aim of designing and implementing policies and procedures that meet the diverse needs of our workforce, service users and population and ensure that they receive good experience, outcome and access. Changes to this policy will be shared with the relevant staff networks and Freedom to Speak Up Guardians to ensure there is no adverse impact on people.

13. Implementation and monitoring

The document may be reviewed for its effectiveness or amended earlier following any statutory or regulatory obligations.

14. Links to related policies

HR02	Employee Resolution (Grievance and Dignity at Work) Policy and Procedure
HR10	Disciplinary policy and procedure
HR16	Recruitment and Selection Policy and Procedure
HR18	Secondment policy
HR22	Flexible working policy and procedure
HR34	Code of Conduct
HR38	Leave from work policy and procedure
CG13	Process for the Approval of Policy and Procedural Documents
	NHS Resolution's values and behaviours framework
	NHS Resolution's Just and Learning Culture Charter

14. Document control

Date	Author	Version	Reason for change
March 2025	Jonathan Nashed and Jane Hubble	8	• Reformatting • Renaming of policy • Inclusion of purpose • Reference to Just and Learning Culture Charter • Updated responsibilities • Inclusion of paragraph on limitations of Equality Act 2010
March 2026	Jane Hubble and Molly Wysocki-Douglas	9	• Renaming of policy to EDIB • Moved to policy template • Minor change to 'related policies' section • Inclusion of additional definitions • Reference to the Workers Protection Act 2023 • Reduced duplication • Staff network wording updated to reflect members as advocates for EDIB

Appendix A - Equality impact assessment

No	Does the document/guidance affect one group less or more favourably than another based on:		Yes/No	Comments
1.	Race		No	
2.	Age		No	
3.	Disability - learning disabilities, physical disability, sensory impairment, and mental health problems		No	
4.	Gender reassignment		No	
5.	Marriage or civil partnership		No	
6.	Pregnancy and maternity		No	
7.	Religion or belief		No	
8.	Sex		No	
9.	Sexual orientation including lesbian, gay and bisexual people		No	
10.	Is there any evidence that some groups are affected differently?		No	
11.	If you have identified potential discrimination, are there any exceptions valid, legal, and/or justifiable?		N/A	
12.	Is the impact of the document/guidance likely to be negative?		No	
13.	If so, can the impact be avoided?		N/A	
14.	What alternative is there to achieving the document/guidance without the impact?		N/A	
15.	Can we reduce the impact by taking different action?		No	
Names and Organisation of Individuals who carried out the Assessment: Please give contact details				Date of the Assessment
Jane Hubble, Head of OD, Education and Learning				April 2026

Appendix B – Definitions of protected characteristics

Age

Refers to a person belonging to (or perceived to be belonging to) a particular age (e.g. 32 year old) or to be within a range of ages (e.g. “18 to 30 year olds” or “over fifties”).

Disability

Somebody who has (or is perceived to have) a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to conduct normal day-to-day activities.

Gender reassignment

A person undergoing, proposing to undergo, or who has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

Marriage and civil partnership

Marriage is defined as any formal union which is legally recognised in the UK as a ‘marriage’ and can be between a man and a woman or between a same-sex couple. Civil partnership can be between same sex partners or opposite sex partners.

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. Protection from unfair treatment applies for both the pregnancy and in respect of any illness arising from the pregnancy.

Race

Refers to the protected characteristic of race or perceived race. It refers to a group of people defined by their race, colour, caste, and nationality (including citizenship) ethnic or national origins.

Religion or belief

Religion or belief (or perceived religion or belief) includes religious and philosophical beliefs and lack of religion or belief (e.g. Atheism). Generally, a belief should affect a person's life choices or the way they live for it to be included in the definition.

Sex

A man or a woman.

Sexual orientation

Whether a person's sexual orientation (or perceived sexual orientation) is towards persons of the same sex, persons of the opposite sex or to persons of any sex.