

Limedale House

EQUALITY AND DIVERSITY POLICY

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Limedale House

EQUALITY & DIVERSITY POLICY

1. Statement of Intent

Limedale House is committed to equality and valuing diversity and actively supports practices that promote genuine equality of opportunity for all potential employees, current staff and children.

Limedale House will not discriminate against any job applicant, employee or child because of any protected characteristic, namely:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex and
- sexual orientation

Compliance with the Equality Act 2010 is the responsibility of all members of staff. Limedale House does not condone any act of direct discrimination, indirect discrimination, harassment or victimisation.

Discriminatory treatment, bullying or harassment of staff or children by visitors will also not be tolerated.

For further information on **types of prohibited discrimination**, see Appendix 1.

2. Introduction

Limedale House is committed to creating and promoting a positive and diverse culture in which all staff and children are valued and supported to fulfil their potential irrespective of their age, disability, race, religion, belief, sex or sexual orientation.

In addition, all members of Limedale House's community have a right to live, learn and work in a safe, secure and positive environment. Discriminatory treatment, victimisation, bullying or harassment of any kind is wholly unacceptable and will not be tolerated.

We recognise our obligations under the Equality Act 2010 and are committed to promoting the equality and diversity of all those we work with especially our employees, children and visitors. We oppose all forms of unlawful and unfair discrimination, bullying and harassment and will make every effort to comply with the requirements of the Act and its subsequent provisions.

This policy and all associated procedures apply to all staff (including all members of the Rockhopper Children's Services (Limedale House's parent company) Senior Management Team, Limedale House's Leadership Team, consultants, agency staff, volunteers, students on placement and any other

individual working for, or on behalf of Limedale House), children and visitors and should be read in conjunction with other safeguarding and employment policies.

Failure to comply with these policies and procedures may result in disciplinary action, which might include summary dismissal (and referral to the [Disclosure and Barring Service](#) where appropriate) or termination of agreement or contract.

3. Roles and responsibilities

The Managing Director of Rockhopper Children's Services (Limedale House's parent company) endorses this policy and has delegated responsibility for its effective operation to the Registered Manager. For further information on the **roles and responsibilities** of the Designated Person, see Appendix 2.

It is the responsibility of all staff to:

- treat colleagues, children and visitors with dignity and respect; and avoid behaving in any manner that may give rise to claims of discrimination, harassment or victimisation.
- support and participate in any measures introduced to promote equality and diversity.
- Actively challenge discrimination, victimisation, harassment and disadvantage both at Limedale House and in other work-related circumstances, in accordance with their responsibilities.
- report any issues associated with equality and diversity, in accordance with this policy.

Staff are responsible and accountable for their own conduct at all times, and this includes when attending work-related meetings, functions and events. Employees' behaviour must always conform to the setting's high expectations, irrespective of the day, time or location of the engagement. You must not behave in a way that could lead a reasonable person to question your conduct, intentions or suitability to care for other people's children; or bring Limedale House into disrepute, whether in front of colleagues, clients or members of the public.

It is important to appreciate that employees are **personally responsible** for their own acts of discrimination, harassment or victimisation carried out during their employment, whether or not the employer is also liable.

Any attempt to instruct, cause or induce another person to discriminate, harass or victimise a third person will also amount to unlawful discrimination and any employee doing so will be subject to disciplinary action.

4. Duty to make reasonable adjustments

We will actively seek to make reasonable adjustments, where there is a need to ensure that a disabled person has the same access to everything as a non-disabled person, as far as is reasonable.

We will take positive and proactive steps to remove, reduce or prevent the obstacles faced by a disabled individual, as far as is reasonable.

For further information, visit the Equality and Human Rights Commission website at www.equalityhumanrights.com

5. Admissions policy

Our admissions criteria are defined under the admissions policy and are applied consistently to every child, irrespective of any protected characteristic.

6. Education and support

Education is crucial to tackling inequalities for children including gender stereotyping, preventing bullying and raising attainment for certain groups.

Positive and proactive steps will be taken to prevent discrimination against, or victimisation of, any child in the provision of education, care or access to any benefit, facility or service, including educational trips, work experience and leisure activities.

7. Recruitment and selection

Limedale House will carry out recruitment and selection processes, in accordance with our Recruitment and Selection Policy, which adheres to the principles of the Equality Act 2010.

Where recruitment and selection are carried out by a third party, on behalf of Limedale House, we will take all reasonable steps to ensure they adhere to the principles of this policy.

8. Staff induction and training

All staff are required to undertake a basic equality and diversity course, as part of their induction and before working with children. Advanced training is made available to those with specific roles associated with equality and diversity. For example, all managers and supervisors are provided with more detailed training, on how to manage equality and diversity issues in the workplace.

We recognise the importance of relationships between staff and children being based on mutual respect, dignity, tolerance and understanding, and there being clear boundaries regarding acceptable behaviour on both sides.

Staff are required to read and sign the following documents, as part of their basic equality and diversity training, to ensure they have understood our expectations:

- Limedale House's 'Equality and Diversity Policy', which includes information regarding the roles and responsibilities of staff.
- Limedale House's 'Safe Working Practice Policy (Code of Conduct)'.

All staff receive high-quality support, advice and individual supervision meetings with a member of senior staff. In addition, all staff receive regular equality and diversity updates (for example, via email and staff meetings), as required, but at least annually, to provide them with relevant skills and knowledge to promote equality and diversity effectively.

Staff knowledge and understanding of equality and diversity matters are regularly monitored and assessed through a combination of observation, questioning and reflections on practice issues.

Temporary staff, including agency workers, volunteers and students on placement must read and countersign Limedale House's Safe Working Practice Policy (Code of Conduct), before working directly with children.

For further information on **HR-related matters associated with equality and diversity**, see Appendix 3.

9. Reporting and recording incidents of discrimination and harassment

All incidents of discriminatory treatment, bullying and harassment must be reported to senior staff and recorded as soon as is reasonably possible (and normally within 24 hours of the incident).

All bullying-related incidents (confirmed or otherwise) will be addressed in accordance with our Anti-Bullying Policy.

10. Seeking the views of children, parents, carers, local authorities and staff

Regular enquires are made of all children as to how safe they feel at Limesdale House and ways in which services and outcomes can be improved. The views of parents, carers, local authorities and staff are also sought through existing mechanisms for consultation and feedback. Records are kept of these enquiries as well as any associated actions.

11. Staff concerns about practice

If you have any concerns about practice at Limesdale House which you feel may compromise equality and diversity you should raise these with your supervisor or line manager. If you are unwilling or unable to discuss the situation with your supervisor or line manager, you should approach the Registered Manager.

Any concern regarding the Registered Manager must be referred to the Managing Director, Rockhopper Children's Services, Fay Shelton via email fay.shelton@rockhoppercs.com or telephone 07870 176654.

If as a member of staff, you are not satisfied with our response and feel it is right to take the matter outside of Limesdale House, the following are possible contact points, some or all of which may be appropriate:

- Directors of Rockhopper Children's Services (Limesdale House's parent company)
Unit 7, Brook Business Centre, Cowley Mill Road, Uxbridge. UB8 2FX
Telephone: 0203 823 3033 Fax: 020 7681 2153 Email: info@rockhoppercs.com
- 'Safecall' (an independent whistle blowing company) can be contacted on **0800 915 1571** or online at <https://www.safecall.co.uk/file-a-report/>, where an anonymous report can be made detailing any concerns raised.
- the Office for Standards in Education, Children's Services and Skills (Ofsted) at Piccadilly Gate, Store Street. Manchester. M1 2WD. Telephone 0300 123 1231 Email enquiries@ofsted.gov.uk
- relevant professional bodies or trade unions

12. Police involvement

We are committed to minimising the criminalisation of children's behaviour and endorse the view that children should not be charged with offences resulting from behaviour within a children's home that would not similarly lead to police involvement if it occurred in a family home.

Careful, child-centred decision-making is made about reporting their behaviour to the police, though appropriate notifications are always made and clearly documented.

If the behaviour could be criminal or poses a serious threat to a member of the public, the police should always be informed.

A decision whether or not to involve the police in an equality and diversity-related incident will be made by the Registered Manager.

13. Complaints and grievances

If any individual, including a child, parent, carer, visitor or member of staff, believes that they have been discriminated against, harassed or victimised, they are asked to follow our 'Compliments and Complaints Policy' or 'Grievance Procedure'.

14. Implementation, monitoring, evaluation and review

The designated senior member of staff with overall responsibility for the implementation, monitoring and evaluation of the 'Equality and Diversity Policy' is the Registered Manager.

The designated member of staff is also responsible for ensuring that all children, staff, parents, carers and placing local authorities are aware of our policy. Additional support would also be provided to any parent or significant person, wishing to know more about the policy and procedures outlined above. A copy of this policy document is available for inspection on the premises during office hours or on request from Limesdale House.

This policy document will be reviewed and publicised in writing, at least annually and, if necessary, more frequently in response to any significant incidents or new developments in national, local and organisational policy, guidance and practice.

The proprietor, Rockhopper Children's Services, is represented by a board of executive and non-executive directors who include the Chief Executive Officer, Finance Director and Chief Operating Officer. The Board has direct responsibility for all aspects of operations in all Rockhopper settings including health, safety and child protection. The Board is supported by a Senior Management Team.

The proprietor, Rockhopper Children's Services, will also undertake an annual review of the home's policies and procedures relating to safeguarding, and ensure that all duties have been discharged in accordance with current legislation, regulations and statutory guidance; as well as local authority procedures and practice, including the relevant Local Safeguarding Children Partnership(s).

The proprietor stringently holds senior leaders to account for all aspects of the children's home's performance through robust systems of governance, reporting and monitoring.



If you have any comments, questions, concerns or suggestions about the content of this policy document please speak to the Registered Manager. Alternatively, you can contact:

Group Safeguarding Lead, Rockhopper Children's Services, Kimberley Taylor via email kimberley.taylor@rockhoppercs.com or telephone **07837 348576**

APPENDIX 1

Types of prohibited discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic e.g., age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

An example of this would be paying someone less because of their sex or because they belong to a particular racial group. 'Because of' is very wide; and will cover behaviour that takes place, for example, because of sexual orientation, even if the person is not, in fact, gay, and even if the perpetrator knows that they are not gay. It also includes less favourable treatment because someone is associated with another person who has a protected characteristic, e.g. because a worker is the primary carer for a disabled child. Such treatment is unlawful unless, in relation to age only, it can be objectively justified, i.e. the employer can show that it is a proportionate means of achieving a legitimate aim.

Indirect Discrimination occurs when a condition, provision, policy or practice applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim.

An example of this would be telling all employees that they have to work late at night—although applied to everyone, it will adversely affect those employees with childcare responsibilities, and these tend to be women. Such treatment is unlawful unless it can be objectively justified.

Discrimination arising from disability occurs when you treat a disabled person unfavourably because of something connected with their disability and cannot justify such treatment objectively. Discrimination arising from disability is different from direct and indirect discrimination.

In the case of discrimination arising from disability, the duty to make reasonable adjustments consists of three requirements:

- where a provision, criterion or practice puts a disabled person at a substantial disadvantage in relation to a relevant matter, in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take, to avoid the disadvantage.
- where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter, in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take, to avoid the disadvantage; and
- where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter, in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take, to provide the auxiliary aid.

Harassment occurs when a person is subject to “unwanted conduct related to a relevant 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”.

Harassment may be of a sexual nature. It may also occur where someone harasses the victim, the victim either rejects or submits to the harassment and, because of that rejection or submission, that person then treats the victim, less favourably.

Third-party harassment occurs where, during the course of their duties, an employee is harassed by an individual or individuals who are not under the direct control of Limesdale House, and the harassment relates to a protected characteristic.

Victimisation occurs when an individual is subject to a detriment (treated less favourably) because they have made an allegation of, or given evidence about, the treatment of any individual (including themselves) who has been subject to any of the above. Victimisation may also occur when an individual asserts their right not to be discriminated against because of a protected characteristic.

An example of this would be a disabled employee claiming that they had been discriminated against, who is then refused a reference by their manager because of that claim.

APPENDIX 2

Roles and responsibilities

The designated senior member of staff with overall responsibility for all equality and diversity matters at Limesdale House is the Registered Manager.

The role of the Designated Person is to:

- create an environment in which all members of the community are expected to treat one another with mutual respect, dignity and tolerance.
- ensure that Limesdale House complies with equality legislation.
- ensure all policies, procedures and practices, associated with equality and diversity, including admissions, education, recruitment and selection are implemented effectively.
- make effective and reasonable adjustments where appropriate to meet the individual needs of staff, children and others who may have business with Limesdale House.
- ensure that all staff are aware of and follow Limesdale House's policy; and receive appropriate equality and diversity training, in accordance with their roles and responsibilities.
- take 'all reasonable steps' to prevent discrimination, harassment and victimisation from taking place.
- take responsibility for recording, managing and analysing incidents of discrimination, harassment and victimisation in accordance with Limesdale House's policies, procedures and guidance.

APPENDIX 3

HR-related matters associated with equality and diversity

The HR team will regularly monitor the effectiveness of this Equality and Diversity Policy, to ensure it is working in practice and that the aims set out in this policy are being met. Monitoring will include key areas of

- recruitment and promotion, including the range of people applying for work.
- pay and benefits.
- training.
- appraisals.
- disciplinary and grievance matters; and
- dismissals, resignations and redundancies.

An annual report, including information about the achievement of objectives and targets, will be produced by the HR team and shared with the Proprietor, Rockhopper Children's Services.

In order to monitor diversity in these areas, the HR team will need to process personal data and special category data (formerly known as 'sensitive personal data'), in accordance with Limedale House's Data Protection Policy and Privacy Notice for staff.

3.1 Promotion, transfer and training

Limedale House will apply the following principles to appointments for promotion, transfer and training:

- examine assessment criteria and appraisal schemes carefully, to ensure that they are not discriminatory, whether directly or indirectly;
- monitor assessment criteria and appraisal schemes regularly and, where such criteria or schemes result in predominantly one group of workers gaining access to promotion, transfer or training or being awarded a particular appraisal grade, check them to make sure this is not due to any hidden or indirect discrimination;
- regularly monitor promotion and career development patterns, to ensure that access to promotion, training and career development opportunities is not denied to particular groups or types of workers;
- avoid traditional qualifications and requirements for promotion, transfer and training, such as length of service, years of experience or age, unless they can be objectively justified by reference to the job requirements;
- ensure that policies and practices regarding selection for training, day release and personal development do not result in an imbalance in training between groups of workers; and
- if any provision, criterion or practice relating to promotion, appraisal, transfer or training puts disabled workers at a substantial disadvantage for a reason connected with their disability, ensure that reasonable adjustments are made to eliminate or, if that is not reasonably practicable, reduce the disadvantage. For example, this could be making training available for a disabled worker in a different way, in a different location or at a different time.

3.2 Terms of employment, benefits, facilities and services

Limedale House will apply the following principles to terms of employment, benefits, facilities and services:

- review regularly the terms of employment, benefits, facilities and services available to workers to ensure that they are provided in a way which is free from unlawful discrimination.

- ensure that part-time workers receive pay, benefits, facilities and services on a pro-rata basis to their full-time comparator, unless otherwise objectively justified.
- if any provision, criterion or practice relating to terms of employment, benefits, facilities and services puts disabled workers at a substantial disadvantage due to a reason connected with their disability, ensure that reasonable adjustments are made to eliminate or, if that is not reasonably practicable, reduce the disadvantage.
- examine carefully and monitor regularly pay and bonus criteria, policies and practices and, if it appears that any group of workers are disadvantaged by them, check them to make sure that this is not due to any hidden or indirect discrimination.

3.3 Grievances, disciplinary procedures, dismissals and redundancies

Workers who, in good faith, bring a grievance (or assist another to do so) either under this policy or otherwise concerning an equality or equal opportunities matter will not be disciplined, dismissed or otherwise suffer any adverse treatment for having done so.

No member of a particular group of workers will be disciplined or dismissed for performance or behaviour, which would be overlooked or condoned in another group unless there is genuine and lawful justification for different treatment.

Redundancy criteria and procedures will be carefully examined to ensure that they are not applied and do not operate in an unlawfully discriminatory manner.

The provision of any voluntary redundancy benefits, if offered, will be equally available to all workers unless there is a genuine and lawful justification for doing otherwise.

3.4 Considerations relating to disability

Disabled people, including job applicants and employees, should be able to participate in all of Limedale House's activities fully, on an equal basis with people who are not disabled.

Due to the wide variety of potential disabilities, and the likelihood of a disability affecting different people in different ways, Limedale House does not prescribe rigid rules on how issues concerning disabled people should be dealt with. What is essential is that all managers and supervisors take all reasonably practical steps to ensure that disabled people are not less favourably treated or disadvantaged by comparison to people who are not disabled in relation to their work, working environment, or by any provision, criterion or practice used by Limedale House. Managers and supervisors need to be aware in particular that an employee on long-term sick leave or with intermittent sickness absence may be disabled.

Limedale House is particularly concerned that disabled workers are treated equally in the following areas:

- recruitment and selection.
- promotion, transfer and training.
- terms of employment, benefits, facilities and services; and
- dismissals, resignations and redundancies.

For the purpose of this policy, a disability is a physical or mental impairment that has a substantial and long-term effect upon a person's ability to carry out normal day-to-day activities. Cancer, HIV infection and multiple sclerosis are disabilities from the point of diagnosis.

Some disabilities are immediately obvious, for example, use of a wheelchair, while other disabilities may not be apparent at all, for example, HIV infection. Certain conditions are not automatically considered disabilities, for example, poor eyesight that is corrected by wearing prescription spectacles, or addiction to alcohol or other substances. If you would like further information, about whether a particular condition is a disability you should contact the HR Department.

Limedale House will take all reasonably practicable steps to ensure that disabled people can participate in its business and activities on an equal basis with people who are not disabled.