



## **Dolphin Healthcare Services**

Sheldon Community Centre, Sheldon Heath Road,  
Birmingham, West Midlands, B26 2RU  
Phone: 01212433384

# **Equality and Diversity Policy and Procedure**

## **Purpose**

- The purpose of the Equality and Diversity Policy and Procedure is to ensure that the principles of the Equality Act 2010 are understood and embedded into practice within Dolphin Healthcare Services. In addition the policy will promote and formalise how the Dolphin Healthcare Services will ensure that our practice treats people fairly, and will ensure that dignity and respect is at the heart of what we do.

## **The Aims of the Equality and Diversity Policy are:**

- To encourage, promote and celebrate diversity in all our activities and services;
- To ensure equal access to jobs and volunteer opportunities;
- To create environments free from harassment and discrimination;
- To confront and challenge discrimination where and whenever it arises, whether it is between colleagues, or in any other area relating to Dolphin Healthcare Services's work;
- To ensure acceptance and implementation of this policy is mandatory for all positions in Dolphin Healthcare Services;
- To ensure, through positive action and as far as is practicable, that all Dolphin Healthcare Services's premises and services are accessible to all;
- To ensure that employment and advancement within the organisation is not restricted because of any protected characteristics or for any other discriminatory reason.

## **Scope**

- All employees, job applicants, volunteers, trustees, members and Service Users.

**See next page for contents.**



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# **Equality and Diversity Policy and Procedure**

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## **Policy**

### **Statement**

- Dolphin Healthcare Services strives for high standards both as an employer and as a provider of services. We recognise the need to promote diversity and wholeheartedly support a policy of equal opportunities and uphold human rights in all areas of our work and responsibilities.
- This policy will define and formalise our approach to Equality and Diversity and will recognise and publicise our commitment and our responsibilities under the Equality Act 2010.
- We will address these principles in all areas and particularly the following:
  - Communicating our expectations;
  - Recruitment and promotion;
  - Interviews and selection;
  - Training, including induction training;
  - Benefits and terms and conditions of employment;
  - Service User delivery;
  - Furthermore, the organisation will monitor the composition of its workforce and Service User base and take appropriate action if it appears that this policy is not fully effective in all areas of its operation.
- This policy provides clear guidelines for all who work with or for Dolphin Healthcare Services to understand their responsibilities with regard to Equality and Diversity.
- Failure to follow the policy and associated procedures will lead to disciplinary or other appropriate action.
- Dolphin Healthcare Services's aims and objectives as set out in this policy, will be achieved through training, effective monitoring, and a willingness to promote Equality and Diversity, addressing issues where they arise.
- Our training, publications, interaction with stakeholders, and other activities, Dolphin Healthcare Services will ensure that those we work with know our statements of policy and understand our commitment to promote Equality and Diversity.
- Dolphin Healthcare Services will review, on an annual basis the content and implementation of its Equality and Diversity Policy and strategy. Where evidence is found of ineffectiveness, lessons will be learnt and action taken to ensure improvements are made.



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- Definition of protected characteristics and what we understand by discrimination.
- The Equality Act 2010 makes it unlawful to discriminate against people with a 'protected characteristic'. These are:
  - Race, including colour, nationality, ethnic or national origin;
  - Sex;
  - Pregnancy or Maternity;
  - Disability, including physical, sensory, HIV, cancer, mental health or learning disability;
  - Age;
  - Religion or belief;
  - Sexual orientation;
  - Gender re-assignment;
  - Married or civil partnership status.
- In addition, if Dolphin Healthcare Services provides services for Service User that are commissioned by the Local Authority or other Public Body there is a requirement under the Equality Act 2010 that there is an additional 'Public Sector Equality Duty'. This means that {Client\_Name\_Official} must foster good relations between people with protected characteristics and those that do not, have due regard to eliminate discriminatory practice, promote Equality and eliminate unlawful discrimination. The Dolphin Healthcare Services will ensure these duties are met.
- Dolphin Healthcare Services understand Discrimination can take place in a number of ways:
  - Directly; e.g. by not appointing someone because of their skin colour;
  - Indirectly; e.g. by requiring all male staff to be clean shaven (which discriminates against some beliefs);
  - Association; e.g. because an employee's partner has a re-assigned gender;
  - Perception; e.g. because an individual is thought to be disabled when not;
  - Harassment; e.g. Causing distress to a person on the basis of their religion;
  - Victimisation; e.g. treating adversely someone who has complained in the past, such as a whistleblower;
- Dolphin Healthcare Services's Equal Opportunities ensure that policies, procedures and practice within Dolphin Healthcare Services do not discriminate against the people within it and



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those who come into contact with it. It is about treating people fairly and equally.

- Diversity means that all people are valued as individuals and are able to maximise their potential and contribution to Dolphin Healthcare Services and to the community. It recognises that people from different backgrounds, can bring fresh ideas, and a different approach to the services we provide.
- Positive Action refers to measures taken in order to assist employees or learners who have been under-represented in specific areas, to reach a level of workplace knowledge and competencies that is comparable with 'representative' employees.
- We recognise that part-time workers and workers on zero hours contracts are to be treated no less favourably than full time workers.
- We also recognise that agency workers acquire basic rights after 12 weeks employment, meaning they are entitled to comparable terms and conditions as comparable "permanent" workers, and the same rights relating to unfair dismissal and redundancy.
- Where employees are being recruited to or promoted to any position that is exempt from the Rehabilitation of Offenders Act we may ask the following question of applicants:
  - "Do you have any convictions, cautions, reprimands or final warnings that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)?"
- Applicants to exempted positions will be subject to a Disclosure and Barring Service (DBS) check. Risk assessments will be undertaken where relevant information is revealed either at interview or from a subsequent check.
- Dolphin Healthcare Services recognise that it is unlawful to discriminate against anyone because they are either a member of a trade union or religious group.

### **Implementation**

#### **Expectations**

- The Registered Provider has responsibility for implementing and developing the policy. The overall coordinating responsibility for equal opportunities and management of diversity is delegated to the Registered Manager (Mrs Ngozi Akpara).
- However, Dolphin Healthcare Services believes that all who work with or for the organisation have an individual responsibility to understand and use the policy and ensure a personal involvement in its application and to promote Equality and Diversity.
- Therefore, Dolphin Healthcare Services expects individuals:
  - To have formally recorded that they have read and understood the policy.



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- To have undertaken training in Equality and Diversity and to understand their individual responsibilities as defined by this policy and the Equality Act 2010.
  - To cooperate with measures introduced by Dolphin Healthcare Services to ensure equality of opportunity, diversity, non-discrimination and positive reinforcement.
  - Not to harass, abuse or intimidate any other employee, job applicant, volunteer, trustee, member, Service User, contractor/agency, stakeholder or participant in relation to any of the characteristics described in the Definition section above or for any reason whatsoever.
  - To inform the Registered Manager if they suspect discrimination is taking place in any shape or form. Or if they suspect the Registered Manager of discrimination in any shape or form they should inform the line manager of the Registered Manager.
  - To raise matters through the grievance procedure if they are the subject of discrimination.
  - To follow the Whistleblowing Policy and Procedure if they have a reasonable belief that the matter relates to (and only if it relates to) the public interest No employee or other person covered by the scope of this policy will suffer detriment where matters are raised in good faith or reasonable belief.
- Dolphin Healthcare Services expects Line Managers:
    - To ensure that proper records of employment decisions are maintained that are consistent with this policy and regular reviews of employment practices are carried out.
    - To ensure that grievances are dealt with in a fair and consistent manner and in line with our Grievance Policy and Procedure.
    - To ensure that within their area of responsibility individuals are aware of their legal obligations under the Equality Act 2010, and of the organisation's Equality and Diversity Policy and Procedure.
    - To ensure that the highest standards of Equality of Opportunities practice are observed in the delivery of Dolphin Healthcare Services services and to undertake training and development opportunities to ensure that their competence is maintained at all times.
    - To provide or arrange training for staff that they are directly responsible for in Equality and Diversity and to monitor the understanding of staff, and if shortfalls in understanding are identified additional training to be provided.
  - The person with responsibility for Equality and Diversity will:
    - Actively promote the benefits of employee and participant diversity, in employment, services, training and all other activities associated with the Dolphin Healthcare Services.
    - Maintain a full awareness and understanding of the legal framework for Equalities and



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Diversity and ensure that all staff are aware of the implication of any changes on policies, procedures and practice.

- Seek the views and opinions of employees, volunteers, customers and clients on the operation of the policy in his/ her locality/area of responsibility, in particular to meet the diverse needs of the users of the service.
- Offer advice and guidance to members of staff, volunteers and organisations in Dolphin Healthcare Services's equality and diversity policy and procedures.
- Ensure that Managers are supported in their roles with regard to the Equality and Diversity Policy and Procedure.
- Ensure that Managers, including Registered Managers, are appraised regularly on the understanding and implementation of equal opportunities and diversity within Dolphin Healthcare Services and the public domain.
- Ensure that the Equality and Diversity Policy and associated documents are reviewed on an annual basis and any amendments or additions are cascaded to all employees, agencies and those who have a business relationship with Dolphin Healthcare Services.
- Review and approve policies, procedures and practices that impact on equal opportunities and diversity in practice.
- Coordinate the delivery of an equality and diversity strategy and action plan to be monitored and reviewed on a regular basis.
- Facilitate training and open discussion on equal opportunities and diversity issues as appropriate.
- Ensure reasonable adjustments are made to working practices, equipment and premises and offer, where appropriate, additional support to trustees, staff and volunteers to ensure that they are able to play a full and active part in Dolphin Healthcare Services's work.
- Where new processes are planned, ensure that an Equality Impact Assessment is carried out to establish if any discrimination is likely to occur as a result of the change, and to plan any remedial actions.

### **Recruitment and Publicity**

- Dolphin Healthcare Services strives to ensure that all our employees, job applicants, volunteers, trustees, members and Service Users reflect the wider community.
- We will provide accessible and accurate information on vacant posts through advertisement, covering job descriptions, person specifications and interview arrangements. Wherever appropriate, vacancies will be advertised sufficiently to reach the widest possible range of candidates, either internal and/or external with positive action used where needed.



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- Applicants will be informed through all recruitment material of Dolphin Healthcare Services's commitment to equal opportunities and diversity and the existence of this policy.
- Care will be taken to ensure that 'essential' and 'desirable' requirements in Person Specifications are not discriminatory.
- Job titles will be non-discriminatory.

### **Interviews and Selection**

- So far as reasonably possible, short-listing and interview panels will reflect the diverse makeup of Dolphin Healthcare Services.
- Staff involved in recruitment will have appropriate equality and diversity training to ensure that they understand the implications for recruitment.

### **Training**

- In line with this policy, Dolphin Healthcare Services will not discriminate in the provision of training courses, promotion, mentoring, secondment or other opportunities.
- Appropriate training will be provided to enable staff and volunteers to perform their jobs effectively. The training offered will take into account the needs of all people and their 'protected characteristics'.
- Briefing on this policy will form part of the first day Induction Procedure for all staff, including senior staff and volunteers.
- Staff and volunteers are encouraged to discuss their development and training needs, through a process of regular support and annual appraisals, to include an annual skills audit of employees.

### **Services Users**

- Dolphin Healthcare Services will endeavour to deliver services in a way that genuinely recognise the importance of an inclusive society that brings opportunities and access, not barriers and disempowerment, to individuals.
- Dolphin Healthcare Services will strive to ensure that our Service Users' reflect the community which Dolphin Healthcare Services serves.
- The Dolphin Healthcare Services contract for the delivery of the service will ensure Service Users are aware of their responsibilities to comply with the equality and diversity policy.
- All advertising or information directed to Dolphin Healthcare Services will not imply any preferred group, unless a genuine qualification exists limiting a vacancy, such as a condition of registration or the specialism of the service or Service User Guide.



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- All promotional material and information of Dolphin Healthcare Services's will display text relating to Dolphin Healthcare Services's commitment to equality and diversity.
- Guidelines for admission are not discriminatory and are in line with the Equality and Diversity Policy and Procedure.

### **Grievances**

- Any staff member or volunteer who feels that they have been a victim of unlawful discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through Dolphin Healthcare Services's established Grievance Policy and Procedure.
- Any Service User who feels that they have been unfairly treated in a way contrary to the intention of this policy should make a complaint through Dolphin Healthcare Services's Registered Manager, who must report any such complaint to the Registered Provider. If the complaint is about the Registered Manager, this should be made directly to the Registered Provider.
- All incidents of discrimination by Service Users should be raised with the Registered Manager, and in the event of a failure to agree satisfactory remedies, will be dealt with under the terms of the Service User agreement/contract.
- Any job applicant who believes that they have been treated unfairly and contrary to the intention of this policy should raise the issue with the Registered Manager or the Registered Provider.

### **Breach of Policy**

- Where it appears that there may have been, or there is, a breach of the policy, the Manager will investigate the circumstances and action will be taken.
- If the breach involves the Registered Manager, the Registered Provider will carry out the investigation. This may be a delegated responsibility (delete as appropriate).
- Any member of staff found to be in breach of this policy will be subject to disciplinary action.
- Any volunteer found to be in breach of this policy will be counselled on their actions and may, where necessary, be removed from Dolphin Healthcare Services's volunteer register.
- Any Service User found in breach of this policy will, where appropriate, be counselled on their actions and may, where necessary, be refused future services from Dolphin Healthcare Services.

### **Monitoring**

- Dolphin Healthcare Services recognises the need for a continuing commitment to genuine equal opportunities and diversity within the organisation. The effectiveness of the policy's aims and objectives can only be judged by how the policy operates in practice.



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- If the Dolphin Healthcare Services provides services for Service User that are commissioned by the Local authority or other public body there is an expectation under the Equality Act 2010 'Public Sector Equality Duty' {Client\_Name\_Official) should be transparent and share information about how well Equality is being promoted.
- As such the {Client\_Name\_Official) will establish objectives with regard to Equality and will monitor the success of these objectives and establish plans to improve the delivery of these objectives.
- The collection/analysis of data is vital in informing change and improving performance. Where appropriate, statistics on Dolphin Healthcare Services's services will be collected and analysed in relation to Equality and Diversity.
- We will review employee turnover and seek information on reasons for leaving through exit interviews. Local and national data or statistics will be used to benchmark our performance.
- The Registered Provider and Registered Manager will annually review equality of opportunity relating to Dolphin Healthcare Services services. Recruitment and selection procedures will be monitored and reviewed annually by the relevant Manager who will report to the Registered Provider. All aspects of personnel policies and procedures shall be kept under review in order to ensure that they align with this policy.
- In order to determine the impact of this policy it is important that a monitoring system is developed, which will measure commitment, progress and effectiveness and good practice. The Equality and Diversity Policy will be monitored and reviewed as follows:
  - The policy will be an annual agenda item at Dolphin Healthcare Services's quality team meetings.
  - The relevant manager will undertake an annual policy review for Dolphin Healthcare Services. All relevant parties will be encouraged to submit comments for consideration.
- If it is found that the policy is excluding or discouraging the development of staff or volunteers or restricting Service Users, the Registered Manager will take steps to amend the policy.



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### Equality Impact Assessment

Generic Equality Impact Assessment											
<b>STAGE 1</b> <b>Screening to establish if the function has any relevance to any equality issue and /or minority group. i.e.</b> <b>Could the function affect one or more equality group in a different way to another group?</b> <b>Establish whether different equality groups have different needs?</b> <b>Establish whether the function contributes to/or hinders equality of opportunity?</b>											
<b>1a</b>	<b>Please give a brief description of the function and its purpose*</b> <b>* Function can mean a process, a service, a policy or a project.</b>										
<b>1b</b>	<b>Tick the box for each group to whom the function is <u>not accessible</u> or for whom there may be needs or considerations accommodated</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><input type="checkbox"/> Age</td> <td style="width: 50%;"><input type="checkbox"/> Disability</td> </tr> <tr> <td><input type="checkbox"/> Race</td> <td><input type="checkbox"/> Gender</td> </tr> <tr> <td><input type="checkbox"/> Sexual orientation</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td><input type="checkbox"/> Religious belief</td> <td><input type="checkbox"/> * Equality neutral</td> </tr> <tr> <td><input type="checkbox"/> Transgender or Transsexual</td> <td></td> </tr> </table>	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Race	<input type="checkbox"/> Gender	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Other	<input type="checkbox"/> Religious belief	<input type="checkbox"/> * Equality neutral	<input type="checkbox"/> Transgender or Transsexual	
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<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Other										
<input type="checkbox"/> Religious belief	<input type="checkbox"/> * Equality neutral										
<input type="checkbox"/> Transgender or Transsexual											
* Provide relevant evidence											
<b>1c</b>	<b>What are the negative impacts associated with this function? Please list and give details, then go to question 1d.</b>										
<b>1d</b>	<b>Are there positive impacts associated with this function? If yes, please list and give details.</b>										



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<p><b>1e</b></p>	<p><b>At this stage, what plans could be made to address any negative impact, and/or to add measures which promote a positive impact, or could you consider an alternative function which may better achieve the promotion of equality?</b></p> <p><b>(Mention here what you have considered you could do to amend or change the function due to the likely adverse impact, whilst still delivering the function objective. It may be possible to consider a different function, which still achieves your aims, but avoids any adverse impact on equalities).</b></p> <p><b>(Put these plans in the action plan at the end of the template)</b></p>
<p><b>1f</b></p>	<p><b>As part of the Disability Duty, we will consider the needs of people with a disability, promote disability equality and promote positive attitudes towards people with a disability in public life.</b></p> <p><b>Have the needs of people with a disability been taken into account in the application of the function and in particular to encourage participation by people with a disability where applicable? If yes, please give examples.</b></p>
<p><b>1g</b></p>	<p><b>Are there any Human Rights issues? If so what are they?</b></p>



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1h	<p>Are there any issues where language is a barrier? If the answer is yes, assess the need for translated documents.</p>
1k	<p>Is a Full Impact Assessment required?</p> <p>Yes - If you have established that there may not be equality of opportunity or assessed that there would be a negative impact on an equality group in 1b or 1c go to STAGE 2.</p> <p>No - Please DO NOT CONTINUE: Just date and sign at the end of the form at stage 3 and fill in any actions identified, if any in the action plan.</p> <p>Don't Know i.e. not enough evidence Please go to STAGE 2.</p>
<p><b>Stage 2</b></p> <p><b>Full Impact Assessment</b></p>	
2a	<p>Does the function affect or impact on the public, whether directly or indirectly?</p> <p>Yes                      No                      Don't Know</p> <p>Provide any relevant information here.</p>
2b	<p>Have complaints been received about the function and its effect on different equality groups?</p> <p>Yes                      No                      Don't Know</p> <p>Also provide evidence by documenting all reliable up-to-date information.</p>



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2c	<p><b>Does the function have employment implications for the organisation's staff?</b></p> <p style="text-align: center;">Yes                      No                      Don't Know</p> <p><b>Also provide evidence by documenting all reliable up-to-date information.</b></p>
2d	<p><b>Outsourced Services</b></p> <p><b>If the function is provided (whether partly or wholly) by external organisations/agencies please detail any arrangements you have to ensure that the function promotes equality. Also include any actions in your action plan i.e. conditions in the contract.</b></p> <p><b>Also provide evidence by documenting all reliable up-to-date information.</b></p>
2e	<p><b>If you have established an adverse impact, it could be deemed as unlawful discrimination.</b></p> <p><b>Where adverse impact is unlawful, the function or the element of it that is unlawful must be changed or abandoned. If an adverse impact is unavoidable, then it must be justified and action taken.</b></p> <p><b>Please comment if you are continuing with an impact that is unlawful with the reasons why and any action you are taking to minimise the impact.</b></p>
2f	<p><b>Monitoring</b></p> <p><b>Give details of any monitoring being carried out on existing functions.</b></p>



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2f(1)	<p><b>If this is a new function, or one that is not currently monitored, what arrangements are being made to start monitoring the actual impacts of the function and what will be done to continue to monitor the effects of the function on different equality groups? Add details to the action plan.</b></p>
2g	<p><b>Consultation</b></p> <p><b>If you have not carried out any consultation, or if you need to carry out further consultation, who will you be consulting with and by what methods? Add details to the action plan.</b></p>
2h	<p><b>Evidence</b></p> <p><b>What further evidence do you have about considerations with regard to equality that you have made concerning this function?</b></p> <p><b>e.g. Audit reports, minutes from meetings or survey results.</b></p>
2i	<p><b>Publishing</b></p> <p><b>Where will you publish your findings if applicable?</b></p> <p><b>Further information available from the Manager.</b></p>



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**Action Planning Form**

<b>Equality Impact Assessment Action Plan</b>				Date:	
<b>Function assessed:</b>					
Ref	Details	Who	When	Progress	



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*This action plan to be presented to the next Management Meeting for support and resource allocation, and to be integrated into the overall organisation's Action Plan.*



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### Equal Opportunities Monitoring Form

- The organisation is committed to equal opportunities for all its employees and all prospective employees.
- To ensure that all applicants are dealt with equally, we wish to monitor the recruitment process and would ask for your help by completing the details below by placing an X in the appropriate box. This will allow the organisation to monitor the effectiveness of its policies.

#### PLEASE NOTE

- You do not have to complete this form. The information is given on a voluntary basis and the information provided will only be used for monitoring purposes. Please do not enter any identifying marks on this form, so that the information remains anonymous. This information will be stored securely on a computer.

1 Gender	Male <input type="checkbox"/>	Female <input type="checkbox"/>
2 Do you consider yourself to have a disability?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3 Marital Status	Married <input type="checkbox"/>	Single <input type="checkbox"/> Divorced <input type="checkbox"/>
	Civil Partnership <input type="checkbox"/>	Widowed <input type="checkbox"/>
4 Children	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5 Please indicate your Ethnic background	African <input type="checkbox"/>	
	Asian <input type="checkbox"/>	
	Afro-Caribbean <input type="checkbox"/>	
	UK European <input type="checkbox"/>	
	European <input type="checkbox"/>	
	Other <input type="checkbox"/>	
	(please specify):	

Please tick as appropriate.



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