



POSITIVE ACTION STRATEGY

1 – INTRODUCTION

On October 1 2010 the general Positive Action provisions of the Equality Act 2010 came into effect. These measures allow employers to implement measures such as targeted training and development to protected characteristic groups who are under-represented in the workforce. The Positive Action measures apply to all the protected characteristic groups as defined by the Equality Act 2010:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race, including ethnic or national origins, colour and nationality
- Religion or belief, including no belief
- Sex
- Sexual orientation

The Positive Action provisions mean that it is lawful to take action to lessen the disadvantage or under-representation experienced by people with any of these protected characteristics.

The 2010 Equality Act's Positive Action provisions specifically relating to recruitment and promotion came into force on April 6 2011. These provisions mean that it is not unlawful to recruit or promote a candidate who is of equal merit to another candidate if the employer considers either that the candidate has a protected characteristic which is under-represented in their workforce or that people with that protected characteristic face disadvantage as a result of that characteristic. (*It is important to note that the Equality Act 2010 retains the principle that it is not unlawful to treat a disabled person more favourably than someone who is not disabled.)

2 – AIMS

In line with the Equality Act 2010 and the commitment given in the Trust's Equality & Inclusion Strategy to address under-representation and achieve a workforce truly reflective of the diverse communities it serves, the Trust will implement Positive Action, wherever appropriate.

The Trust will ensure that due consideration is given to the appointment of a candidate from a protected characteristic group, when faced with candidates of equal merit applying for a post or promotion. The Trust will also implement, wherever possible, the following Positive Action measures. The Trust will ensure that staff from under-represented groups are developed and valued and wherever possible the Trust will:

- offer pre-application training/awareness sessions to people from protected characteristic groups to assist them in preparing to apply for any posts within the Trust;
- hold taster sessions exclusively for protected characteristic groups;
- offer work placement opportunities to people from protected characteristic groups to encourage people from these groups to apply for posts within the Trust;
- continue to profile itself and advertise in equalities media, with reference to the Trust's Flexible Working Policy, including through the annual Stonewall "Starting Out" guide;
- continue to maintain a Trust profile and/or be represented at key equality events, such as the annual Stonewall Diversity Recruitment Fair;
- build in regular sessions into the Community Road shows to attract people from protected characteristic groups to a career in the Trust;
- ensure the Equality Employers' Forums logos are displayed on relevant advertisements and external literature, to send out positive signals to people from protected characteristic groups potentially interested in a career with the Trust;
- ensure every advertisement carries the Trust's "positive about diversity" statement;
- actively welcome and encourage staff from protected characteristic groups to take up the Trust's new career development initiatives, such as the Talent Management and Coaching and Mentoring programmes;
- involve the Trust's Staff Equality Forums and Community Involvement Officers in relevant public-facing engagement and profiling initiatives;
- consider the appointment of SMG-level Equality Champions to promote the interests of staff from the protected characteristic groups;
- encourage and promote diversity in all its decision making bodies;
- engage with staff from protected characteristic groups to ensure our Positive Action Strategy remains up-to-date and fit for purpose.

3 - MONITORING & REVIEW

The Annual Equality Report will track the career development of the protected characteristic groups within its workforce and to better identify and address any gaps in representation.

This strategy will be monitored annually as part of the annual review of the Trust's Equality & Inclusion Strategy through the Equality & Inclusion Steering Group, SMG and the Trust Board, in consultation with key stakeholders, including Staff Diversity Forums and staffside partners. The strategy will be formally reviewed after three years.

4 – LEGAL CONSIDERATIONS

This strategy is in line with the Equality Act 2010 and will be updated in line with any relevant changes in legislation.

5 – EQUALITY CONSIDERATIONS

This strategy will be subject to Equality Analysis. This will be formally revisited within three years, or earlier if there any relevant legislative or other changes which would have an impact on any of the protected characteristic groups or on the fostering of good relations, in line with the requirements of the Equality Act 2010.

Background information: Government Equalities Office Guide to using Positive Action
(http://www.equalities.gov.uk/equality_act_2010/equality_act_2010_what_do_i_n.aspx)