

HADLOW MEDICAL CENTRE
EQUALITY AND DIVERSITY POLICY

1. General

- 1.1. The Practice is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a working environment in which all individuals are able to make the best use of their skills, free from discrimination or harassment and in which all decisions are based on merit.
- 1.2. We do not discriminate against staff on the basis of their gender, sexual orientation, pregnancy or maternity, marital or civil partner status, gender reassignment, race, religion or belief, colour, nationality, ethnic or national origin, disability or age (“the Protected Characteristics”). It is the Practice’s policy also not to discriminate on the basis of trade union membership or part-time worker or a fixed-term status. Our staff and applicants for employment shall not be disadvantaged by any policies or conditions of service which cannot be justified as necessary for operational purposes. The Practice shall, at all times, strive to work within legislative requirements as well as promoting best practice.
- 1.3. The principles of non-discrimination and equality of opportunity also apply to the way in which members of staff treat patients, visitors, customers, suppliers, colleagues and, in some circumstances, former staff members.
- 1.4. This policy does not form part of your contract of employment and the Practice may amend it at any time

2. To whom does this policy apply?

- 2.1. This policy applies to all individuals working at all levels and grades, whether permanent, temporary, casual, part-time or on fixed-term contracts, to ex-employees, to job applicants and to individuals such as agency staff and consultants and volunteers who are not our employees, but who work at the Practice.
- 2.2. All staff have a duty to act in accordance with this policy, and therefore to treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, whether junior or senior to them. In some situations, the Practice may be at risk of being held responsible for the acts of individual members of staff and will not, therefore, tolerate any discriminatory practices or behaviour. This applies equally to the treatment of our visitors, patients and suppliers by our staff and the treatment of our staff by third parties. This applies in the workplace, outside the workplace (for instance, when dealing with patients or other work-related contacts or when wearing a work uniform) and on work-related trips or events including social events. [Your attention is drawn to our separate Anti-harassment and Bullying Policy.]

3. Personnel responsible for implementation of policy

- 3.1. The Partners have overall responsibility for the effective operation of the Practice’s Equal Opportunities Policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Partners have delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Practice Manager.

- 3.2. The Practice Manager and Partners have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that adhere to the policy and promote the aims and objectives of the Practice with regard to equal opportunities. To facilitate this process, senior level staffs are aware of equal opportunities awareness and equal opportunities recruitment and selection best practice.
- 3.3. All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives. If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Practice Manager to request training or further information.

4. Scope and purpose of policy

- 4.1. This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. This includes, job advertisements and recruitment and selection, training and development, opportunities for promotion, conditions of service, benefits and facilities and pay, health and safety and to conduct at work, grievance and disciplinary procedures and termination of employment, including redundancy.
- 4.2. The Practice will take appropriate steps to accommodate the requirements of workers' religions, cultures, and domestic responsibilities. Our [Flexible Working/ Parental Leave/ Dependent Emergency/ Maternity leave/ Adoption leave/ Paternity leave] policies should be consulted for specific guidance on our approach to family issues and your entitlements.

5. Forms of discrimination

- 5.1. The following forms of discrimination are prohibited under this policy and are unlawful:
 - 5.1.1. Direct discrimination occurs where someone is treated less favourably because of one or more of the Protected Characteristics set out at Clause 1.2. For example, rejecting a job applicant on the grounds of their race because it is considered they would not "fit in" would be direct discrimination.
 - 5.1.2. Indirect discrimination occurs where someone is disadvantaged by an unjustified "provision, criterion or practice" (for instance, a policy, rule or requirement) that also puts other people with the same Protected Characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified. If not, it would be indirectly discriminatory on the grounds of sex.
 - 5.1.3. Harassment is unwanted conduct relating to a Protected Characteristic that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with in detail in our Anti-harassment and Bullying Policy.
 - 5.1.4. Victimisation is retaliation against someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

5.1.5. Disability discrimination includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

6. Recruitment and selection

- 6.1. The Practice aims to ensure that no job applicant suffers discrimination because of any of the Protected Characteristics listed in paragraph 1.2. The Practice will ensure that recruitment procedures are carried out fairly to ensure that individuals are treated on the basis of their relevant merits and abilities and those sufficiently diverse sectors of the community are reached. The Practice will ensure that job selection criteria are created fairly to ensure that they are relevant to the job and are not disproportionate. Where possible, shortlisting of applicants will be done by more than one person.
- 6.2. The Practice shall take steps to ensure that knowledge of vacancies reaches a wide labour market and, where relevant, groups under-represented in the Practice. Job advertisements should avoid stereotyping or using wording which may discourage groups with a particular Protected Characteristic from applying. Where appropriate, use may be made of lawful exemptions to recruit suitably-qualified people with a particular Protected Characteristic to cater for the special needs of particular groups, for instance where the job can only be done by a woman. Vacancy advertisements shall include an appropriate short statement on our equal opportunities policy and a copy of this policy shall be sent on request to those who enquire about vacancies.
- 6.3. To ensure that this policy is operating effectively, and to identify those sections of the local community which may be under-represented in employment, the Practice monitors applicants' ethnic group, gender, disability, sexual orientation and religion and age as part of the recruitment procedure using an equal opportunities form. Provision of this information is voluntary and will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us to take appropriate steps to eliminate unlawful direct and indirect discrimination and implementing this policy thereby improving equality and diversity.]
- 6.4. Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
- 6.5. Job applicants should not be asked about health or disability before a job offer is made. Where necessary, job offers can be made conditional on a satisfactory medical check. Prior to making the job offer, there are limited questions about health and disability which should only be asked with the Practice Manager's approval. For example:
 - Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
 - Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment stage
 - Positive action to recruit disabled persons

- Equal Opportunities monitoring (which will not form part of the decision making process).

6.6. We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality must be able to produce original documents (such as a passport) before employment starts to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

7. Staff training and promotion and conditions of service

7.1. Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation. All promotion decisions will be made on the basis of merit.

7.2. We will ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unnecessary or unjustifiable barriers and to provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.

7.3. We will ensure that our conditions of service, benefits and facilities are available to all staff that should have access to them and that there are no unlawful obstacles to accessing them.

8. Termination of employment

8.1. We will ensure redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

8.2. We will also ensure that disciplinary procedures and penalties are applied fairly and uniformly for all workers and without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

9. Disability discrimination

9.1. If you are disabled, or become disabled, we encourage you to tell us about your condition. This is to enable us to support you as appropriate.

9.2. If you experience difficulties at work because of your disability, you may wish to contact the [Practice Manager] to discuss any reasonable adjustments to your working conditions or the duties of your job which would help overcome or minimise the difficulty. The Practice Manager may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated within reason and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate the suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments and try to find an alternative solution wherever possible.

9.3. The Practice will continue to monitor the physical features of its premises to consider whether they place disabled staff, job applicants or service users at a substantial disadvantage compared to other members of staff. Where possible and

proportionate, the Practice will take steps to improve access for disabled staff and service users.

10. Fixed-term and part-time employees

- 10.1. Part time and Fixed term staff should be treated the same as comparable full time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.
- 10.2. We will monitor our use of fixed-term and part-time employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress within the Practice to ensure that they are accessing permanent vacancies. We will also ensure requests to alter working hours are dealt with appropriately.

11. Breaches of the policy

- 11.1. We take a strict approach to breaches of this policy.
- 11.2. If you believe that you may have been discriminated against, you are encouraged to raise the matter through the Practice's Grievance Procedure. [If you believe that you may have been subjected to harassment, you are encouraged to raise the matter through our Anti-Harassment and Bullying policy.] Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. If you are uncertain which policy or procedure applies to you, you should speak to the Practice Manager.

There must be no victimisation or retaliation against staff who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. As this policy applies equally to the Practice's workers' relations with third parties, such as visitors, patients and suppliers, if, after investigation, you are proven to have discriminated against or harassed a third party you will also be subject to disciplinary action. As above, such behaviour may constitute gross misconduct and as such may result in summary dismissal.

12. Review

- 12.1. We will continue to review the effectiveness of this policy to ensure that it is achieving its objectives.
- 12.2. Staffs are invited to comment on this policy and suggest ways in which it might be improved by contacting the Practice Manager.

Reviewed: 08.2015

Annie Ghent, Practice Manager