



CC_HR03_Equal Opportunities Policy

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1. Policy Statement

- Communitas Clinics recognises that we live in a society where discrimination still operates to the disadvantage of many groups in society
- Communitas Clinics believes that all persons should have equal rights to recognition of their human dignity, and to have equal opportunities to be educated, to work, receive services and to participate in society
- Communitas Clinics is committed to the promotion of equal opportunities within the organisation, and affiliated organisations, through the way we manage the organisation and provide services to the community. In order to express this commitment, we develop, promote and maintain policies that will be conducive to the principles of fairness and equality in the workplace
- The objective of this policy is that no person should suffer or experience less favourable treatment, discrimination or lack of opportunities on the grounds of gender, race, colour, nationality, ethnic origin, religious or philosophical beliefs, health status, HIV status, age, marital status, parental status, sexual orientation, political beliefs or trade union membership, class, responsibility for dependents, physical attributes, ex-offender status as defined by the Rehabilitation of Offenders Act 1974, lack of formal qualifications where such qualifications are not formally required, or any other grounds which cannot be shown to be justifiable within the context of this policy
- This policy will influence and affect every aspect of activities carried out within Communitas Clinics i.e. promotional work, patient services and all other functions linked to the health services we provide
- In the provision of services and the employment of staff, Communitas Clinics is committed to promoting equal opportunities for everyone. Throughout its activities, Communitas Clinics will treat all people equally whether they are:
 - Seeking or using our services.
 - Applying for a job or already employed by us.
 - Trainee workers and students on work experience or placements.
 - Volunteer workers.



Vicky Bernard
HR Director

Dated: 10/09/2016

2. General Principles

- to state the importance of equal opportunities within the Practice;
- to recognise the value of and necessity for diversity amongst our employees;
- to explain the legal framework in relation to equal opportunities;
- to outline the practical application of the policy;
- to clarify responsibilities with regard to equal opportunities.

3. What is meant by Equal Opportunities?

- treating everyone fairly and without bias;
- utilising and developing the talents and resources of all employees, irrespective of race, colour, nationality, ethnic or national origins, religious beliefs, gender, marital status, age, sexual orientation or disability;
- creating a workplace where all staff are confident of fair access to opportunities;
- creating a workplace free from victimisation, harassment and bullying;
- ensuring working and employment practices reflect the equal opportunities policy.

EQUAL OPPORTUNITY IS NOT:

- giving certain groups an unfair advantage in the workplace;
- ignoring or devaluing diversity by pretending that everyone is the same;
- lowering standards in any way.
- pretending that individuals are receiving opportunities by the unfair application of procedures and practices.

4. The Legal Framework

4.1 The Acts

The following laws govern equal opportunities in the U.K.;

- Equality Act 2010
- The Sex Discrimination Act 1975 and 1986
- The Race Relations Act 1976, 2000, (amendment) regulations 2003
- The Equal Pay Act 1970 (amended 1983)
- Rehabilitation of Offenders Act 1974
- Disabled Persons Act 1944 and 1958
- Disability Discrimination Act 1995
- Disability Discrimination Act Regulations 2003
- European Law Framework
- The Employment Equality (Age) Regulations 2006
- National Minimum Wage Act 1998
- Working Time Regulations Act 1998
- Employment Rights Act 1996
- Transfer of Undertakings (Protection of Employment) Regulations 2006
- Health & Safety at Work Act 1974
- Maternity & Parental Leave Regulations 1999
- Paternity and Adoption Leave Regulations 2002
- Additional Paternity Leave Regulations 2010
- Pensions Act 2008
- Regulation of Investigatory Powers Act 2000
- Data Protection Act 1998
- Protection from Harassment Act 1997

- Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000

No employee has a choice about complying with the legislation - it is unlawful not to do so. The Practice's equal opportunities policy has been developed within the framework of existing legislation.

4.2 Implications of the legislation

If these legal requirements are contravened, both the Practice and the individual concerned will be rendered liable to legal proceedings. However, the individual may be held solely responsible in cases where the Practice can prove that it has taken the necessary steps to prevent acts of discrimination. This applies primarily to the Race Relations Act 1975 and 1986. It is essential that everyone bound by this policy is aware of their obligations under the law, as ignorance is not a defence.

4.3 The Enforcing Body

A single equality body, called the Equality and Human Rights Commission, was introduced in October 2007. This body merged the previous Commission for Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission, and it took responsibility for the changes in legislation (Equality Act 2010) outlawing workplace discrimination on grounds of age, religion or belief and sexual orientation. It is also responsible for promoting human rights. The Commission also issues codes of practice, investigates complaints, helps individuals with grievances, and advise Practices on how to promote equal opportunities. The Commission has the legal and financial backing of the government. www.equalityhumanrights.com

5. What is Discrimination?

There are a number of recognised forms of discrimination, however not all forms of discrimination are a result of a direct or deliberate act. It is possible to discriminate by following systems, practices or long-standing habits that act in a discriminatory way by their very nature.

6. Conduct and general standards of behaviour

All staff and volunteers are expected to conduct themselves in a professional and considerate manner at all times. Communitas Clinics will not tolerate behaviour such as:

- making threats

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- physical violence
- shouting
- swearing at others
- persistent rudeness
- isolating, ignoring or refusing to work with certain people
- telling offensive jokes or name calling
- displaying offensive material such as pornography or sexist / racist cartoons, or the distribution of such material via email / text message or any other format.
- any other forms of harassment or victimisation.

The items on the above list of unacceptable behaviours are considered to be disciplinary offences within Communitas Clinics and can lead to disciplinary action being taken. Communitas Clinics does, however, encourage staff to resolve misunderstandings and problems informally wherever possible, depending on the circumstances. However, whether dealt with informally or formally, it is important for staff who may have caused offence to understand that it is no defence to say that they did not intend to do so, or to blame individuals for being over sensitive. It is the impact of the behaviour, rather than the intent, that counts, and that should shape the solution found both to the immediate problem and to preventing further similar problems in the future.

6. Recruitment & Selection

6.1 RECRUITMENT

Job vacancies are open to all applicants and everyone is given equal consideration, except in the case of a job covered by a genuine occupational qualification or where members from a particular racial group or of one sex are underrepresented (refer to Appendix 1).

A persons suitability for the job will be determined in the light of their experience and qualifications.

No assumptions or pre-judgements will be made by appointing person about the suitability of any sex or race for a particular job and no decision will be made, or preference stated, in advance regarding the outcome of the recruitment process.

No-one will be discriminated against, either directly or indirectly on the grounds of race, colour, nationality, ethnic or national origins, religious beliefs, gender, marital status, age, sexual orientation or disability at any stage of the recruitment process.

6.2. RECRUITMENT ADVERTISING

No post will be advertised without a job description and person specification which candidates can be assessed on

No requirements or criteria will be included in job advertisements other than those which are necessary for the post.

Job titles and job content will be presented free from bias, either of gender or race.

Jobs advertisement must not be restricted in terms of age criteria – i.e. identifying years of experience, etc.

6.3 SELECTION PROCESS

The selection process will be carried out consistently for all jobs at all levels within the Practice.

Application forms will include only those questions that are relevant at the initial stage of selection.

Shortlisting and interviewing will be carried out by at least two people.

The criteria for shortlisting will be clearly established and applied equally to all candidates.

Subject to legislative requirements overseas qualifications, degrees, diplomas which are comparable with UK qualifications will be accepted as equivalents.

In cases where selection tests are used, their use will be based solely on testing skills and abilities necessary to the job. All tests used will be relevant to the particular post and will be free from bias with respect to gender, race and disability.

All selection tests used will be valid and reliable and carried out by trained personnel.

Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.

No questions will be asked about personal or domestic circumstances or plans. Questions concerning candidate's ability i.e. to work unsocialable hours will be discussed objectively and will be asked of all candidates if this is a genuine requirement of the post.

Questions should be designed to test knowledge and skills contained in the person specification.

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Applicants with disabilities must not be discriminated against, because of the lack of facilities. Assistance with facilities, etc must be referred to the Practice Manager. The interview letter should ask that the candidate inform you of any adjustments which may need to be made at the interview, on the account of disability.

7. Conditions of Employment

All staff regardless of race, colour, nationality, ethnic or national origins, religious beliefs, gender, marital status, age, sexual orientation or disability will be treated equally in respect of pay and other conditions of employment.

Salary reviews and performance appraisal will be monitored to ensure they are consistent and without bias.

8. Employment Practices

The following will be regarded as gross misconduct if substantiated through formal investigation:

Racial or sexual abuse.

Racial, sexual harassment or bullying.

Victimisation on any grounds listed above.

Particular care will be taken to deal with all complaints of discrimination, harassment or victimisation in both a serious and effective manner. No individual will be disadvantaged in any way as a result of raising a genuine grievance.

Promotion will be on merit irrespective of race, gender, marital status, age, sexual orientation or disability.

All staff will be made aware by the Practice Manager of the potential flexible working patterns available to them.

Equipment in the workplace will be adapted, wherever reasonable and practicable to suit the requirements of disabled staff in order that they may carry out the job effectively.

The assistance from appropriate charities will be sought to ensure disabled staff have equal opportunity of continued employment and promotion.

Staff who become disabled will, wherever possible be retained in the same job or with the aid of training or other practical help, be redeployed into an alternative job.

9. Training Opportunities

Training opportunities will be made available to all employees.

Part-Time employees will be given the same opportunity for training as full time employees, relative to their hours of employment.

Access to training for managerial, specialised or technical positions will be made available to all employees.

Consideration will be given to the training needs of the new employee with disabilities or the employee who becomes disabled.

10. Complaints of discrimination

Communitas Clinics will treat seriously all complaints of unlawful discrimination on any forbidden grounds made by employees, trustees, clients or other third parties and will take action where appropriate.

All complaints will be investigated in accordance with the organisation's grievance, complaints or disciplinary procedure, as appropriate and the complainant will be informed of the outcome in line with these procedures.

11. Promotion of the Policy

All potential and existing staff will be made aware of the Equal Opportunities policy.

All appropriate communication methods will be used to ensure the widest possible understanding of the policy.

New employees will be made aware of the provisions of the policy and their own responsibilities within it during induction.

All staff involved in the recruitment and selection process including those who are likely to come into contact with prospective job applicants will also receive training in the Policy.

12. Responsibilities

The success of the Equal Opportunities Policy depends on the commitment of staff at all levels.

The Practice Manager is responsible for the overall effective application of the Practice's Equal Opportunity Policy.

Every member of staff is responsible for effective implementation and fair application of the Equal Opportunities Policy by ensuring that they themselves do

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not discriminate or induce others to discriminate, on any of the grounds listed, in the selection, promotion, training or treatment of other employees.

It is the responsibility of every member of staff to ensure the practical application of this policy.

13. Monitoring

To be effective, an equal opportunity policy must be properly monitored and it is therefore necessary to keep accurate and up to date records on the composition of; applicants for posts, shortlisted candidates, successful and unsuccessful interviewees.

Recruitment records, detailing information concerning applications received, shortlisting, interviews analysed by racial group, gender and disability will be maintained by the Practice Manager.

Analysis of equal opportunity data should be conducted on a regular basis to identify significant under representation of any minority group. Where this is found to be the case the reasons for such under-representation will be examined and appropriate remedial action taken.

14. Review period

The Policy and Code of Practice will be reviewed in the light of new legislation.

APPENDIX 1 - GENUINE OCCUPATIONAL QUALIFICATIONS (G O Q)

Race Relations Act (Section 5)

Selection, transfer or promotion to or training for on racial grounds is allowed in certain jobs where being of a particular racial group is a genuine occupational qualification.

Sex Discrimination Act (Section 7)

Selection, transfer or promotion to or training for on the grounds of sex is allowed in certain jobs where being a man or woman is a genuine occupational qualification.

Criteria for obtaining exemptions and verification of exemptions as this is required to be sought from the Commission for Racial Equality and the Equal Opportunities Commission.

POSITIVE ACTION

Although they are not legally required, positive measures are allowed by the law to encourage applications from and provide training for members of a particular racial group or of one sex which have been underrepresented over the previous twelve months in particular work.

This should not be confused with Positive Discrimination at the point of selection as this is unlawful.

VERSION HISTORY TABLE

VERSION	DATE UPDATED	UPDATED BY	REASONS
08. HR Policy	10.09.2016	AB	Separated from 08.HR Policy. Update to introduction to Policy statement by AB and subsequent review/ sign off by VB. Addition of Conduct and general standards of behaviour. Re- issued as V1.0
08. HR Policy	15.12.2017	JH	4.1 – page 5 Added to list of Acts