

# Manor Surgery

## Equal Opportunities Policy

### Policy Statement

We are an equal opportunities Employer. We are committed to ensuring that all our staff and applicants for employment are protected from unlawful discrimination in employment.

### Types of unlawful discrimination

- **Direct discrimination** is where an employee is treated less favourably than another because of a protected characteristic.
- **Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to employees who has a relevant protected characteristic compared with employees who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.
- **Harassment** is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity which are covered by direct discrimination provisions in the Equality Act 2010) that has the purpose or effect of violating an employee's dignity; or is reasonably considered by that employee to create an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- **Associative discrimination** is where an employee is directly discriminated against or harassed for association with another employee who has a protected characteristic.
- **Perceptive discrimination** is where an employee is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic.
- **Victimisation** occurs where an employee is subjected to a detriment (essentially where the employee is treated badly), such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint in bad faith.
- **Failure to make reasonable adjustments** is where a physical feature or a provision, criterion or practice puts an employee who is disabled at a substantial disadvantage compared with an employee who does not have that disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

### Our Commitment

- All employees and job applicants will be treated equally, fairly and with respect.
- Training, development and progression opportunities are available to all employees.
- No employee or potential employee will receive less favourable treatment or will be discriminated against on the grounds of sex, race, colour, religion, religious or philosophical belief, nationality, ethnic or national origin, age, marital status, civil partnership, disability, sexual orientation, trade union membership or activity or on the basis of gender re-assignment.

## Manor Surgery

- All employees have a personal responsibility for the application of this equal opportunity policy, which extends to the treatment of both fellow employees and patients.
- Any employee who believes they may have been unfairly discriminated against is encouraged to use our grievance procedure.
- Any employee who conducts themselves in a discriminatory manner (whether on the grounds of sex, race, colour, religion, religious or philosophical belief, nationality, age, ethnic origin, marital status, civil partnership, disability, sexual orientation or gender re-assignment) towards another employee, patient or member of the public will be guilty of gross misconduct and will be subject to disciplinary action.
- We will ensure that the policy is circulated to any agencies responsible for our recruitment and a copy of the policy will be made available for all employees and made known to all applicants for employment.
- The policy will be communicated to all private contractors reminding them of their responsibilities towards the equality of opportunity.
- The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and in particular any relevant Codes of Practice.
- We will maintain a neutral working environment in which no employee or worker feels under threat or intimidated.

### Recruitment and Selection

- The recruitment and selection process is crucially important to any equal opportunities policy. We will endeavour, through appropriate training, to ensure that employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.
- Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
- Job descriptions are in line with our equal opportunities policy. Job requirements will be reflected accurately in any personnel specifications.
- We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.
- We will not confine our recruitment to areas or media sources which provide only, or mainly, applicants of a particular group.
- All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job.
- Short listing and interviewing will be carried out by more than one person where possible.
- Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.

## Manor Surgery

- We will not disqualify any applicant because they are unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.
- Selection decisions will not be influenced by any perceived prejudices of other employees.

### Promotion

- All promotions will be in line with this policy.

### Reasonable adjustments

Reasonable adjustments are changes an employer makes to remove or reduce a disadvantage related to someone's disability. For example:

- making changes to the workplace
- changing someone's working arrangements
- finding a different way to do something
- providing equipment, services or support

The Practice may ask employees reasonable questions to help them determine whether they have an illness or condition which requires adjustments. The Practice understands that some disabled people might not need or want adjustments, although this might change over time. Employees are encouraged to engage in open and honest communication regarding their needs so that the appropriate support can be put in place and reviewed.

The Practice will undertake to assess and put in place reasonable adjustments where required. Employees may be required to attend Occupational Health referrals to a provider of the Practice's choice or asked for permission to write to their GP for disclosure of conditions, in order to assist in making reasonable adjustments. Employees may also be required to make Access to Work applications to assist in making reasonable adjustments at work. Employees should not unreasonably refuse to participate in these processes.

What is a reasonable adjustment depends on each situation. The Practice will consider carefully if the adjustment:

- will remove or reduce the disadvantage – the line manager should talk with the person and not make assumptions.
- is practical to make.
- is affordable.
- could harm the health and safety of others.

If the Practice is unable to make the adjustment requested, they will explore other ways to support the disabled person. This could include making other adjustments that are reasonable. Job applicants, employees, workers and contractors may request adjustments at any stage of employment and pre-employment. Employees, Workers and Contractors are encouraged to speak openly to their line manager, or the Practice Manager, or a GP Partner, if they believe that a reasonable adjustment would assist them in attending work or undertaking their work activities.

## Manor Surgery

The disclosure of an illness or long-term condition by an individual to colleagues is normally a matter of personal choice. The Practice will not normally disclose an individual's health conditions, disability or reasonable adjustments to colleagues unless there is a need for them to know in order to maintain health and safety or apply the reasonable adjustments. In which case this will be discussed with the individual so they are aware of who needs to know. Records of reasonable adjustments will be stored securely in line with GDPR.

Employees should be aware that managers may need to make changes for some colleagues as reasonable adjustments and will not be able to disclose the reason why that change has been applied.

### Monitoring

1. We will maintain and review the recruitment and employment records of all employees, workers and contractors in order to monitor the progress of this policy.
2. Monitoring may involve:
  - The collection and classification of information regarding the race in terms of ethnic /national origin, disability and sex of all applicants and current employees.
  - The examination by ethnic / national origin/ disability and sex of the distribution of employees and the success rate of the applicants; and
  - Recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions.
3. The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.