

Diversity & Equality in Human Resourcing Policy

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VERSION CONTROL

Version 1	22/08/18	Policy created
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GENERAL

This policy has been written to comply with Equality Act 2010. It specifically relates to Human Resources matters.

An additional policy "**Diversity & Equality in the Healthcare Environment Policy**" deals specifically with equality in the clinical setting.

Southern Ultrasound embraces diversity and will seek to promote the benefits of diversity in all of our business activities. We will seek to develop a business culture that reflects that belief. We will seek to widen the mediums in which we recruit to ensure as diverse as possible employee and candidate base. We will strive to help our clients meet their own diversity targets.

Southern Ultrasound is committed to diversity and will promote diversity for all employees, workers and applicants and shall adhere to such a policy at all times. We will review, on an on-going basis, all aspects of recruitment to avoid unlawful or undesirable discrimination. **Southern Ultrasound** will treat everyone equally; irrespective of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or membership or non-membership of a Trade Union or spent convictions, and places an obligation upon all staff to respect and act in accordance with the policy. **Southern Ultrasound** is committed to providing training for its entire staff in equal opportunities practice.

DISCRIMINATION

Unlawful discrimination occurs in the following circumstances:

Direct Discrimination

Direct discrimination occurs where an individual is treated less favourably on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs ("the protected categories").

It is unlawful for a business or individual to discriminate against a person on the grounds that they are members of a protected category. -

- in the terms on which the company or individual offers to provide any of its services;
- by refusing or deliberately omitting to provide any of its services;
- in the way it provides any of its services.

Indirect Discrimination

A claim of indirect discrimination arises when an employer applies a provision, criterion or practice generally, but which is such that a proportion of persons in a protected category who can comply with it are considerably smaller than the proportion of persons who are not in that protected category.

DISABLED PERSONS

Direct Discrimination

Direct discrimination against a person occurs where, if for a reason which relates to the disabled person's disability, an individual:

- treats him less favourably than he treats, or would treat others to whom that reason does not or would not apply, and,
- the employer cannot show that the treatment in question is justified. Or
- If on the ground of a disabled person's disability, he treats the disabled person less favourably than he treats or would treat a person not having that particular disability, whose relevant circumstances, including his abilities, are the same as, or not materially different from, those of the disabled person. This type of direct discrimination can never be justified.

Duty to make reasonable adjustments and to provide auxiliary aids and services

This is a similar protection to indirect discrimination in the other protected categories.

Where a provision, criterion or practice applied by or on behalf of an employer, or any physical feature of the employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled, it will be the duty of an employer to take such steps as are reasonable, to remove the provision, criterion, practice or physical feature.

Businesses must take reasonable steps to provide auxiliary aids or services if this would make it easier for the disabled person to use their services. For instance, an appropriate auxiliary aid or service can include the provision of information on audiotape or provision of a sign language interpreter.

Southern Ultrasound will not discriminate against a disabled practitioner on the grounds of disability -

- in the arrangements i.e. application form, interview and arrangements for selection for determining to whom a job should be offered; or
- in the terms on which employment or engagement of a Practitioner is offered; or
- by refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability; or
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or
- by subjecting him or her to any other detriment (detriment will include refusal of training, transfer, demotion, reduction of wage, or harassment).

Wherever possible **Southern Ultrasound** will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled individuals.

AGE DISCRIMINATION

Southern Ultrasound is committed to recruiting and retaining employees whose skills, experience, and attitude are appropriate to the requirements of the various positions regardless of age.

No age requirements will be stated in any job advertisements on behalf of the company. And **Southern Ultrasound** will ensure its procedures do not act against members of any age segment of the population.

HUMAN RIGHTS

Southern Ultrasound recognises that every individual has Human Rights that can never be removed or disregarded. Most of these rights are constant however, there are additional rights that will be specific to particular groups as a result of their sex or religion etc.

Southern Ultrasound will ensure that as a company it takes these rights in to account in all its activities and that all staff and practitioners working through the company understand these rights and act accordingly.

HARASSMENT POLICY

Southern Ultrasound is committed to providing a service provision environment free from unlawful harassment.

Harassment on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or any other basis protected by legislation is unlawful and will not be tolerated by **Southern Ultrasound**.

This policy prohibits unlawful harassment by any employee or contractor of **Southern Ultrasound**.

Examples of prohibited harassment are: -

- Verbal or written conduct containing derogatory jokes or comments,
- Slurs or unwanted sexual advances
- Visual conduct such as derogatory or sexually orientated posters,
- Photographs, cartoons, drawings or gestures,
- Physical conduct such as assault, unwanted touching, or interference because of any protected basis,
- Threats and demands to submit to sexual requests as a condition of service provision or to avoid some other loss, and offers of employment benefits in return for sexual favours

Reporting harassment.

If you believe that you have been unlawfully harassed, you should make an immediate report to one of the Company Directors, a Service Manager, or any other individual involved in the service, followed by a written complaint as soon as possible after the incident. Your complaint should include:

- Details of the incident
- The name or names of the individual or individuals involved and that of any witnesses.

Southern Ultrasound will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.

For further information, see our **Equal Opportunities and Harassment policy**

GENDER REASSIGNMENT POLICY

Southern Ultrasound recognises that any employee or worker may wish to change their gender during the course of their employment with the Company.

We shall support any employee or worker through the reassignment provided that the company is satisfied that full medical counselling has been undertaken.

Southern Ultrasound will make every effort to try and protect an employee or worker who has undergone, is undergoing or intends to undergo gender reassignment, from discrimination or harassment within the workplace.

All employees and workers will be expected to comply with **Southern Ultrasound'** policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary sanction.

Where an employee is engaged in work where the gender change imposes genuine problems **Southern Ultrasound** will make every effort to reassign the employee or worker to an alternative role in the Company.

Any employee or worker suffering discrimination as the result of their gender reassignment should make recourse to the Company's grievance procedure.

Southern Ultrasound will ensure that all practitioners understand the importance of respecting the human rights (including gender selection) of both patients and colleagues. No harassment or bias will be tolerated.

Southern Ultrasound will investigate any discrimination complaint fully.

COMPLAINTS AND MONITORING PROCEDURES

Southern Ultrasound has in place procedures for dealing with complaints of discrimination. Complaints can be made through our standard Complaints Procedure, a copy of which is available at every site in which we operate, and will be made available immediately upon request.

Complaints by our staff can be made through the company's Grievance Procedure

SANCTIONS & PROSECUTIONS

Any worker or Employee who **Southern Ultrasound** finds to be responsible for unlawful harassment, of any form, will be subject to the Company Disciplinary Procedure; and any sanction may include termination and reporting to any professional body or state registration board.

[A person who discriminates or harasses may be liable for payment of damages to the person offended, in addition to any damages payable by **Southern Ultrasound** should it have been found to have failed to ensure the practice ceased forthwith. Under the Criminal Justice Act 1994, harassment became a criminal offence, punishable by a fine of up to £5,000 and/or a prison term of up to 6 months. Under the Protection from Harassment Act 1997, the penalties for aggravated harassment are an unlimited fine and/or 5 years imprisonment.]

RELATED POLICIES

This policy should be read in conjunction with the Company's:

- Equal Opportunities and Harassment Statement
- Ethical & Social Policy
- Recruitment & Labour Standards policy
- Diversity and Equality in the Healthcare Environment
- Disciplinary, Dismissal and Grievance Policy

POLICY STANDARDS

Monitoring processes

Monitoring of this policy, together with its implementation, shall be performed by the IG Lead.

Distribution & Awareness Plan

All staff are made aware of the policy as part of their induction training. Any changes to the policy are communicated to them via team briefs and staff meetings.

Promotion of this Policy is provided by Company Directors to Service Leads, particularly at induction. A copy of the policy is available to all staff via the Company's on-line Governance Framework folder, and can be accessed 24/7 from any location with Web Access. A hard copy version is retained at all sites of operation and can be viewed and downloaded from the company website.

Training Requirements

Equality is a standard part of the Company's mandatory training requirement. Staff training and awareness of this and associated policies is undertaken at induction and may be discussed as part of staff appraisals.

References

- Equality Act 2010
- NHS England - Equality and diversity in the NHS

Policy Review

This policy is reviewed annually and any time there is a change in the law or NHS recommendations, by the Company's IG Lead

Policy Created: 24/08/18

Reviewed (Annually):

v1

13/03/19



Kevin Rendell

Director & IG Lead

Appendix 1. - Equality Impact Assessment

An Equality Impact Assessment has been performed on this policy and procedure. The EIA demonstrates the policy is robust; there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.

		Yes/No	Comments
1.	Does the policy/guidance affect one group less or more favourably than another on the basis of:		
	▪ Race	No	Policy designed to ensure equality of treatment for all categories of staff, rather than provide preferential treatment to, or bias against, a particular group(s).
	▪ Ethnic origins (inc. gypsies and travellers)	No	
	▪ Nationality	No	
	▪ Gender	No	
	▪ Culture	No	
	▪ Religion or belief	No	
	▪ Sexual orientation including lesbian, gay and bisexual people	No	
	▪ Age	No	
	▪ Disability - learning disabilities, physical disability, sensory impairment and mental health problems	No	
2.	Is there any evidence that some groups are affected differently?	No	
3.	If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?	NA	
4.	Is the impact of the policy/guidance likely to be negative?	NA	
5.	If so can the impact be avoided?	NA	
6.	What alternatives are there to achieving the policy/guidance without the impact?	NA	
7.	Can we reduce the impact by taking different action?	NA	