

Equality and Diversity Policy

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Version History

V.	Date	Status and/ or amendments
V1.0		First draft

Equality statement

Surrey Downs Clinical Commissioning Group (Surrey Downs CCG) aims to design and implement services, policies and measures that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the Human Rights Act 1998 and promotes equal opportunities for all. This document has been assessed to ensure that no-one receives less favourable treatment on grounds of their gender, sexual orientation, marital status, race, religion, age, ethnic origin, nationality, or disability. Members of staff, volunteers or members of the public may request assistance with this policy if they have particular needs. If the person requesting has language difficulties and difficulty in understanding this policy, the use of an interpreter will be considered.

Surrey Downs CCG embraces the six staff pledges in the NHS Constitution. This policy is consistent with these pledges.

Equality analysis

This policy has been subject to an Equality Analysis, the outcome of which is recorded below.

		Yes, No or N/A	Comments
1.	Does the document/guidance affect one group less or more favourably than another on the basis of:		
	Age Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).		
	Disability A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term		

	adverse effect on that person's ability to carry out normal day-to-day activities.		
	<p>Gender reassignment</p> <p>The process of transitioning from one gender to another.</p>		
	<p>Marriage and civil partnership</p> <p>In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple.</p> <p>Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).</p>		
	<p>Pregnancy and maternity</p> <p>Pregnancy is the condition of being pregnant or expecting a baby.</p> <p>Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</p>		
	<p>Race</p> <p>Refers to the protected characteristic of Race. It refers to a group of people</p>		

	defined by their race, colour, and nationality (including citizenship) ethnic or national origins		
	<p>Religion and belief</p> <p>Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition</p>		
	<p>Sexual orientation</p> <p>Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes</p>		
2.	Is there any evidence that some groups are affected differently?		
3.	If you have identified potential discrimination, are there any exceptions valid, legal and/or justifiable?		
4.	Is the impact of the document/guidance likely to be negative?		
5.	If so, can the impact be avoided?		
6.	What alternative is there to achieving the document/guidance without the impact?		
7.	Can we reduce the impact by taking different action?		

For advice in respect of answering the above questions, please contact the Corporate Office, Surrey Downs CCG. If you have identified a potential discriminatory impact of this procedural document, please contact as above.

Names and Organisation of Individuals who carried out the Assessment	Date of the Assessment

1. INTRODUCTION

Surrey Downs Clinical Commissioning Group(CCG) has a duty and responsibility to ensure that their staff operates in an environment that embraces and encourages equality and diversity. Equality of opportunity means that an individual's diversity is viewed positively. In recognising that everyone is different, equality values the unique contribution that individual experience, knowledge and skills can make. The principles of this policy will be appropriately considered during the development and review of other staffing policies.

2. SCOPE

This policy applies to all staff employed within the CCG, contractors and agency staff.

3. POLICY STATEMENT

- The CCG has a legal obligation to comply with anti-discrimination legislation. The Equality Act [2010] defines the following as 'protected characteristics':

Age

Disability

Sex

Sexual Orientation

Race

Religion or Belief Gender

reassignment Marriage or

Civil Partnership Pregnancy

and Maternity

- The CCG is committed to and strives to ensure that every individual who works for it, or who applies for work, will be treated fairly and be valued equally, regardless of their protected characteristics or other circumstances,

including, social and employment status, HIV status, or trade union/non trade union membership.

- This policy relates to all aspects of employment including individual policies, standards of behaviour, the advertisement of jobs, recruitment and selection, training and development, pay, promotion and transfer, provision of benefits, occupational pensions and exiting the organisation.
- The CCG will work to protect staff against unlawful treatment based on protected characteristics, by ensuring that all staff are aware of their responsibilities in relation to equality and diversity.
- It is mandatory for all new starters to the CCG to complete their training on equality and diversity within their first week of employment.
- Breaches to this policy will be dealt with appropriately and may lead to disciplinary action, which could result in dismissal.

4. RESPONSIBILITIES

4.1 HUMAN RESOURCES DEPARTMENT

The HR Department is responsible for:

- Reviewing and monitoring the effectiveness of this policy following feedback from heads of service, annual staff surveys etc.
- Provide advice and guidance to staff and managers;
- Ensure that all complaints and alleged breaches of this policy are dealt with seriously, sensitively, confidentially and in a timely manner.

4.2 LINE MANAGERS RESPONSIBILITIES

The line managers should:

- Lead by example by promoting equality of opportunity and challenging discriminatory conduct;
- Ensure the policy is implemented in their area of delivery;
- Expect their staff to do their best to promote equality of opportunity;

- Identify and highlight any examples of actual or potential unjustifiable discrimination to the HR department;
- Deal with breaches to this policy promptly, sensitively and confidentially.

4.3 RESPONSIBILITY OF STAFF

All staff have the responsibility for adhering to and practicing this policy and should:

- Co-operate and comply with the policy to ensure equality of opportunity;
- Not discriminate in the course of their duties nor induce or attempt to induce others to do so;
- Not victimise, harass or intimidate anyone on account of their protected characteristic or other circumstances, including, social and employment status, HIV status, or trade union/non trade union membership;
- Inform their manager or a member of the HR team if they suspect that discrimination is taking place.

5. TYPES OF DISCRIMINATION

- Under the Equality Act, there are four main types of discrimination:
 - a) Direct discrimination
 - b) Indirect discrimination
 - c) Harassment
 - d) Victimisation

5.1 Direct discrimination

Direct discrimination occurs where someone is treated less favourably directly because of:

- a) a protected characteristic they possess – this is direct discrimination; and/or
- b) a protected characteristic of someone they are associated with, such as a friend, family member or colleague – this is direct discrimination by association; and/or

- c) a protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not – this is direct discrimination by perception.
- d) Direct discrimination in all its forms could involve a decision not to employ someone, to dismiss them, withhold promotion or training, offer poorer terms and conditions or deny contractual benefits because of a protected characteristic.

5.2 Indirect discrimination

This type of discrimination is usually less obvious than direct discrimination.

Indirect discrimination takes place where an unjustifiable condition is applied to a group of employees/job applicants, which has a discriminatory effect.

5.3 Harassment

Harassment means unwanted conduct relating to a protected characteristic or of a sexual nature. They are actions or effects that violate a person's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

5.4 Victimisation

- Victimisation is when an employee is treated less favourably than others for:
 - a) making an allegation of discrimination, and/or
 - b) supporting a complaint of discrimination, and/or
 - c) giving evidence relating to a complaint about discrimination, and/or
 - d) raising a grievance concerning equality or discrimination, and/or
 - e) doing anything else for the purposes of (or in connection to) the Equality Act 2010
- Victimisation may also occur because an employee is suspected of doing one or more of these things.

6 COMPLAINTS

- Any individual who believes that an act in breach of this policy has taken place, should raise the issue as soon as possible with their line manager or a member of the HR team.
- If the complaint is against an individual's line manager then the individual should raise the issue as soon as possible with a member of the HR team.
- Any complaints will be dealt with seriously, in line with the grievance and/or disciplinary procedure and may lead to disciplinary action, which could result in dismissal.