

THE MORRIS HOUSE GROUP PRACTICE

Equality and Diversity Policy

Classification	Human Resources & Employment
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Policy approved/reviewed by	R Hearn
Date approved/reviewed	April 2024

Staff and Patients

The Practice is committed to ensuring that, as far as is reasonably practicable, the way in which we provide services to the public and the way in which we treat our staff reflects their individual needs and does not discriminate against individuals or groups on any grounds.

Equality and Diversity

The Practice aims to promote equality and diversity and values the benefits this brings. It is our aim to ensure that all staff feel valued and have a fair and equitable quality of working life.

Human Rights

The Practice is committed to the principles contained in the Human Rights Act. We aim to ensure that our employment policies protect the rights and interests of our staff and ensure that they are treated in a fair, dignified and equitable way when employed at the Practice.

Information Governance

Any Practice policy which impacts on or involves the use and disclosure of personal information (patient or employee) must make reference to and ensure that the content of the policy is comparable with the relevant statutory or legal requirement and ethical standards.

Data Protection Act 1998 and the NHS Confidentiality Code of Practice

The Data Protection Act (DPA) provides a framework which governs the processing of information that identifies living individuals.

Processing includes holding, obtaining, recording, using and disclosing of information and the Act applies to all forms of media, including paper and images.

It applies to confidential patient information but is far wider in its scope, e.g. it also covers personnel records.

The DPA provides a legal gateway and timetable for the disclosure of personal information to the data subject (e.g. Health Record to a patient, personal file to an employee).

Whilst the DPA applies to both patient and employee information, the Confidentiality Code of Practice (COP) applies only to patient information.

The COP incorporates the requirements of the DPA and other relevant legislation together with the recommendations of the Caldicott report and medical ethical considerations, in some cases extending statutory requirements and provides detailed specific guidance.

Equal Opportunities and Diversity Policy

Introduction

The Practice is committed to equal opportunities and to building a valued and diverse workforce.

Our Equality and Diversity Policy takes into account all current UK and EU legislation and guidelines, including codes of practice from the Equality and Human Rights Commission.

This Equality and Diversity Policy has been written in accordance with current best practice and has been updated in line with the Equality Act 2010.

Practice Statement

Under the Equality Act 2010, it is against the law for a company to discriminate against anyone on the grounds of colour, age, sex, race / nationality - including citizenship - ethnic or national origins, marital status, civil partnership, disability, sexual orientation, gender reassignment, any religion, or religious or philosophical belief.

It is also possible for employees to claim for discrimination on a combination of two of these grounds. Similarly if employees discriminate against a colleague or patient, the Practice could be held vicariously liable for their acts, and be responsible for paying the compensation or damages to the victim of the discrimination.

If the Practice can prove that it has done all that was reasonable to prevent the discriminatory acts from occurring then its liability can be reduced or entirely eliminated. Having an equal opportunities policy, and apprising all staff of its existence is one of the things that a reasonable employer should do.

The Practice has the following policies in place which need to be read along with this Equality and Diversity policy:

- Equality Act: Operational Procedures & Policy
- Culture & Religious policy
- Grievance Procedures
- Bullying and Harassment
- Age Discrimination
- Equal Opportunities policy
- Recruitment and Selection Policy
- Training and Development policy
- Dignity at work
- Being Open Policy
- Information Governance Policy i.e. confidentiality / consent.

Recruitment and Selection

The Practice has implemented a Recruitment & Selection policy. The objective of this policy is to recruit the best person for a role and outlines the responsibilities of the recruiting managers in complying with legal and locally agreed requirements.

At every stage of the recruitment process, Managers will treat all applicants equally, showing no discrimination on the grounds of their ethnic origin or nationality, disability, gender, gender reassignment, marital status, age, sexual orientation, race, trade union activity or political or religious beliefs.

Applicants will be selected against criteria based solely on objective, job related criteria and their ability to do the job applied for. The Practice will consider providing appropriate assistance to ensure equality for all.

Relevant educational, training and development opportunities are open to all staff and all staff have a personal development plan in place, which must be reviewed annually. Information on education, training and development opportunities is widely publicised, and attendance monitored for.

Monitoring information is gathered periodically to ensure there are no inequalities in opportunities for promotion.

Employee Relations

The Practice has developed a number of 'Employee Friendly' Policies and also has in place Disciplinary, Dignity at Work and Grievance Policies to process employee relations issues.

As with any Practice Policy these are fair and consistent in their manner. Practice policies do not discriminate against anyone on the grounds of colour, age, sex, race / nationality - including

citizenship - ethnic or national origins, marital status, civil partnership, disability, sexual orientation, any religion, or religious or philosophical belief.

Instances of harassment under any of the above are treated very seriously and are addressed under the Dignity at Work and Disciplinary Policies.

Zero Tolerance

The Practice is committed to developing and maintaining a safe and secure environment by operating a zero-tolerance policy towards harassment and abuse of staff, patients, or other visitors, and has a duty to take all reasonable steps to protect and support its staff.

Violent and abusive behaviour includes (but is not limited to) sexism, racism, homophobia, biphobia, transphobia, and ageism, or harassment or abuse on the basis of disability, marriage or civil partnership, pregnancy or maternity, religion or belief, bullying and harassment of any description. Violent or abusive behaviour by patients, visitors or staff is not tolerated and decisive action will be taken to protect staff, patients and visitors, including combating behaviour contrary to the principles outlined in this Policy on the grounds outlined in the Policy Statement.

All violent adverse incidents are reported, investigated and appropriate remedial action is taken. When a clinical risk/incident is reported, a risk assessment may be appropriate to identify the need for change. On-going follow up and review of progress may also be appropriate.

Gender Recognition Act 2004

The Gender Recognition Act 2004 is applicable to our employees, patients and visitors. Being trans is a protected characteristic; this means that trans people are protected against discrimination, harassment or victimisation and includes both binary and non-binary individuals.

The Gender Recognition Act 2004 (GRA 2004) enables a trans adult (over 18) to apply for legal recognition of their acquired gender. The applicant must provide medical evidence of gender dysphoria, have lived in their gender for two or more years and provide a statutory declaration that they intend to do so for the rest of their life. There is no requirement for applicant to have undergone gender reassignment surgery or hormone treatment. The legal recognition takes the form of a gender recognition certificate (GRC). This changes their legal gender and entitles the individual to a new birth certificate with their acquired gender.

Under section 22 of the GRA 2004, it is a strict liability criminal offence for an employer, prospective employer or employee to disclose a person's protected information regarding their gender identity if they have applied for or obtained a GRC.

Under this Act, trans people are able to apply to the Gender Recognition Panel for legal recognition of their acquired gender, following which they will, for example:

- be given a birth certificate that recognises the acquired gender

- obtain the right to marry in their acquired gender
- be able to obtain benefits and state pension in their acquired gender
- gain specific protection against disclosure of their gender history

It is particularly important to note that it is not permitted to ask to see or request a copy of a person's Gender Recognition Certificate. The GRC, if one is held, must be offered unprompted by the holder of the certificate of their own volition.

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