

<b>GP Care Group Policy Equal Opportunities</b>	
<b>Category</b>	Corporate Governance
<b>Policy drafted by</b>	Lisa Henschen
<b>Policy Approved by Operational Lead and date</b>	Chris Ley, HR Dean O'Callaghan, Governance
<b>Policy approved by Board Lead and date</b>	Debbie Russell, Board HR Lead Ayesha Lulat, Governance Lead Nicola Hagdrup, Lead for Access and Clinical Pathways
<b>Date for review</b>	01/08/2015
<b>Introduction</b>	
<p>The GP Care Group recognises that discrimination and victimisation is unacceptable.</p> <p>The GP Care Group seeks to champion dignity, compassion and respect, putting the individual at the heart of all decisions, striving to get it right for every person, every time. It is the responsibility of all of our Board Directors and employees of the GP Care Group to champion this commitment to equality, diversity and humans rights, and to ensure the principals an uphold our core values, through the implementation of this policy.</p> <p>This policy formalises the equality, diversity and human rights approach of the GP Care Group.</p>	
<b>Applicability</b>	
<p>This policy applies to:</p> <ul style="list-style-type: none"> <li>• All employees of the GP Care Group.</li> <li>• Service users, their families and their carers, throughout their relationship with the GP Care Group.</li> <li>• The implementation of all other Policies of the GP Care Group.</li> </ul> <p>This is not an exhaustive list as the policy applies to anyone that has dealings with the GP Care Group.</p>	
<b>Definitions</b>	
Bullying	Is offensive, intimidating, malicious or insulting behaviour, an

	<p>abuse or misuse of power through means <b>intended</b> to undermine, humiliate, denigrate or injure the recipient. It can also be described as the unwanted behaviour, one to another, which is based upon the unwarranted use of authority or power.</p>
<p>Discrimination (Discrimination can be Direct or Indirect)</p>	<p>Direct Discrimination is where a person or a group of people are treated less favourably than another on the grounds of their protected characteristic.</p> <p>Indirect Discrimination is when conditions or requirements are set out that exclude or disadvantage people of a particular protected characteristic unless it can be justified as a means of achieving a legitimate aim.</p>
<p>Equality Act 2010</p>	<p>Replaces previous discrimination law (e.g. Disability Discrimination Act 1995) and includes the following:</p> <ul style="list-style-type: none"> <li>• Extends the groups protected (protected characteristics)</li> <li>• Removal of health questionnaires</li> <li>• Bans discrimination by association</li> <li>• Bans direct and indirect discrimination</li> <li>• Bans harassment, victimisation and failure to make reasonable adjustments</li> <li>• Replaces all previous discrimination law</li> <li>• Introduces harassment by third parties</li> <li>• Also relates to provision of services to patients, not just employment</li> </ul>
<p>Equality Analysis</p>	<p>Equality Analysis is the process of systematically analysing a policy or service function to identify what effect or likely effect will follow from the implementation and/or operation of the policy or service function on the people from the different protected characteristic.</p>
<p>Equality Delivery System</p>	<p>The Equality Delivery System (EDS) is a tool that supports the NHS to deliver better outcomes for patients and communities and better working environments for staff, which are personal, fair and diverse.</p>
<p>Harassment</p>	<p>Unwanted conduct related to any of the 9 protected characteristics or other characteristic such as political belief, trade union membership or other belief, social origin, association with a minority, domestic circumstances, property, birth or other status, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.</p> <p>The key is that the actions or comments are reasonably <b>viewed as demeaning, hostile and unacceptable to the recipient</b>. The conduct is unreciprocated or unwanted and affects the dignity of employees at work.</p> <p>Note that an employee can claim harassment even if the harassment was not actually directed at them, e.g. where an</p>

	employee overhears a colleague being verbally harassed by another colleague and they feel that it violates their own dignity.
Monitoring	Equality Monitoring is the process by which we ask for and gather personal information from our patients, service users and staff.
Protected Characteristics (part of the Equality Act 2010)	<ul style="list-style-type: none"> <li>• Age</li> <li>• Disability</li> <li>• Gender Reassignment</li> <li>• Marriage and Civil Partnership</li> <li>• Race</li> <li>• Religion or Belief</li> <li>• Sex</li> <li>• Sexual Orientation</li> <li>• (Pregnancy and Maternity – only some elements apply)</li> </ul>
Reasonable Adjustments (part of the Equality Act 2010)	<p>An adjustment“ is a change. This can be a physical change or a change in the way something is done. Reasonable“ will depend on a number of circumstances but the tests include:</p> <ul style="list-style-type: none"> <li>• How much will a reasonable adjustment reduce the disadvantage?</li> <li>• The practicality of the change.</li> <li>• The financial (and other costs) and the extent of any disruption caused.</li> <li>• The extent of the GP Care Group’s financial &amp; other resources.</li> </ul> <p>Although the GP Care Group must consider reasonable adjustments for employees who have a disability or are pregnant, it is best practice for them to be considered for all employees to facilitate attendance and implemented where service delivery allows.</p>
Victimisation	Victimisation is when an individual is treated less favourably because they have complained about discrimination or have supported someone else to make a complaint.
<p><b>Policy</b></p> <p>The GP Care Group is committed to the principles of equality, diversity and human rights for all employment and service delivery. This commitment will ensure the delivery of positive health outcomes, for all of our diverse community. Our intention is to create and deliver services that meet everyone’s needs irrespective of their protected characteristics as defined by the Equalities Act 2010.</p> <p>We will promote and monitor our approach to delivery services that promote equal opportunities to all by:</p> <ul style="list-style-type: none"> <li>• Keeping up to date on, and build on good practice</li> <li>• Consulting meaningfully with all of our service users and staff, ensuring that the people involved in our consultations reflect the profile of our staff and service users groups. We will support this by provide a range of avenues that people can</li> </ul>	

feedback on our services.

- Carrying out an equalities impact assessment of new and existing policies of the GP Care Group, the development of new services and proposed service changes to ensure that no protected characteristic group is negatively impacted.
- We will make sure that the services we design and deliver are relevant to the needs of our communities and work to reduce health inequalities.
- We will seek to identify and remove barriers that adversely impact people accessing employment with the GP Care Group or accessing our services.
- We will ensure through contracting mechanisms that any organisation who may be providing services on our behalf adhere with this policy.

Specifically, in relation to the people that the GP Care Group employs:

- Employees will receive equitable treatment in all relevant aspects of their employment with the GP Care Group including: Job Descriptions, recruitment and selection, terms and conditions, induction, maternity and paternity provision, secondment arrangements, appraisal, training and development, flexible working, annual leave, special leave, promotion, sickness absence, retirement, discipline, grievance, redundancy and process for nominations of Directors to the Board.

Breaches of this policy will be regarded as misconduct and could lead to disciplinary proceedings.

## **Process**

Delivery and equal and accessible service for all is at the heart of how we deliver services. To support this, this policy will be delivered through the following mechanisms:

### **Recruitment and selection.**

We want to create a working environment in which all people, including those with a disability, are able to give of their best and there is no bullying, harassment or discrimination. To this end, the GP Care Group is committed to requiring all staff whose role includes recruitment and selection of staff to undertake specific human rights, equality and diversity training. We are also proactively committed to recruiting people from the local community as part of efforts to address Health inequalities in the area.

### **Data monitoring**

To ensure that this policy operates effectively (and for no other purpose) the GP Care Group will maintain a record of employees' and applicants' sex, age, ethnicity, disability, religion or belief, marriage & civil partnership status, pregnancy and maternity status and sexual orientation. Ongoing monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote human rights, equality and diversity.

### **Positive Action**

The result of the monitoring will be analysed and where there is evidence of underrepresentation (proportionally to the size of our organisation), the GP Care Group will produce an action plan. This may include strategies such as target advertising or management development programmes designed to meet specific needs. The Equality Act 2010 allows measures to be taken to encourage members of under-represented communities to take advantage of employment and or training and development opportunities. For example, where following a full and objective assessment of two candidates, they are found to be of equal merit, provisions allow for the appointment of the candidate from an under represented group. Positive Action is lawful and should not be confused with positive discrimination, which is unlawful.

### **Cultural and Religious Needs**

The GP Care Group will accommodate cultural and religious needs of employees wherever they are compatible with the safe and efficient running of the service.

### **Genuine Occupational Requirements (GOR)**

It is **ONLY** lawful to discriminate in recruitment in favour of certain protected characteristics in defined situations. Where the nature of employment means that being of a particular sex, having a particular racial, ethnic or national origin, or being disabled is a genuine and determining occupational requirement - it is lawful to discriminate in these circumstances. Evidence must be provided in all cases where such an occupational requirement is deemed to be applicable and this must be clearly stated in all recruitment activity.

### **Development and Training**

Every new member of staff will undergo an Induction programme which includes training in Human Rights, Equality and Diversity and will be required to undertake refresher training on this every three years. Training and guidance will be available to employees dealing with patients and those with responsibilities for managing staff.

### **Disability**

If a member of staff has a disability or a long-term health condition that places them at a disadvantage then "Reasonable adjustments" can be made.

### **Service Delivery**

The GP Care Group will ensure that its services are non-discriminatory, accessible and the Provision of these services meets the requirements of the Equality Act 2010.

The GP Care Group will ensure that there is a specific, focussed drive *and* a rigorous approach to mainstreaming the principles of Human Rights, Equality and Diversity across all services.

The GP Care Group will ensure that priorities are influenced and set by the health needs of all protected characteristic groups and health inequalities gaps are narrowed.

Positive Action measures may be used to target services at particular communities where there is low usage of service compared to disease profile for those particular Communities.

The GP Care Group will ensure that improved patient experiences are reported by all

protected characteristic groups.

The GP Care Group will actively involve and engage with the community ensuring that all protected characteristic groups have the opportunity to influence and shape services.