

LOCATE
A LOCUM

Equal Opportunities Policy

**Review 1, 1st June 2020
Issued, J. Clarke**

Policy Statement. The Locate a Locum Equality, Diversity and Inclusion Policy statement is set out below. This section also explains the process of Equal Opportunities Monitoring. The Equal Opportunities Monitoring Form is regarded as part of your application and failure to complete and return it will result in disqualification.

Our Equality, Diversity and Inclusion Policy

Locate a Locum has a strong and clear commitment to equality, diversity and inclusion. It is our policy that all eligible persons shall have equal opportunity for employment and advancement on the basis of their ability, qualifications and aptitude for the work. Everyone has a right to equality of opportunity and to a good and harmonious working environment and atmosphere where they are treated with dignity and respect.

We aim to provide opportunities for all sections of the community and continue to strive to create an inclusive working environment in which difference is recognised and valued. Bringing together people from diverse backgrounds and giving each person the opportunity to contribute their skills and experience will help us to respond more effectively to the needs of the people we serve.

We all want to work in a harmonious workplace where we feel valued, respected and included, irrespective of gender, including gender reassignment, marital or civil partnership status, race/ethnic origin, religious belief or political opinion, disability, having or not having dependants, sexual orientation and age.

In order to provide a high quality service, Locate a Locum needs to attract, recruit, develop and retain the very best people at all levels.

Our approach is based on three key principles:

Equality

We promote equality of opportunity by seeking to remove barriers, eliminating discrimination and ensuring equal opportunity and access for all groups of people.

Diversity

We accept each person as an individual. Our success is built on our ability to embrace diversity – and we believe that everyone should feel valued for their contributions. By working together we will deliver the best possible service for our staff, customers and stakeholders.

Inclusion

We create a working culture where differences are not merely accepted, but valued; where everyone has the opportunity to develop in a way that is consistent with, and adheres to Locate a Locum's values of impartiality, honesty, integrity and objectivity. Our aim is to be an organisation where people feel involved, respected and connected to our success.

It is the responsibility of all staff to be aware of and to apply this policy. The Leadership team are fully committed to the policy and will endeavour to ensure its full implementation.

Equal Opportunities monitoring

Equality monitoring is the process of collecting, storing and analysing information that is relevant to and necessary for the purpose of promoting equality of opportunity between different categories of persons. This section sets out what information is collected, the reasons for doing so and what it is used for.

You should note that the Monitoring Form is regarded as part of your application and failure to fully complete and return it will result in disqualification. The Monitoring Form will be processed separately and neither the form nor the details contained in it will be available to those considering your application.

Monitoring equality and diversity in the workforce enables Locate a Locum to examine how our employment policies and processes are working and to identify areas where these appear to be impacting disproportionately on certain groups of staff.

Legislative context

This section explains the reasons for gathering this information by setting out the legislative background.

Gender

The Sex Discrimination (NI) Order 1976 (as amended) makes it unlawful to discriminate against an individual on the grounds of his or her sex. Information on gender is also provided in the annual statutory monitoring, as required by the Fair Employment and Treatment (NI) Order 1998.

Age

The Employment Equality (Age) Regulations (NI) 2006 make it unlawful for employers and others to discriminate on grounds of age.

Community background

The Fair Employment and Treatment (NI) Order 1998 outlaws discrimination on the basis of religious belief or political opinion. The Order also requires Locate a Locum to submit an annual monitoring return to the Equality Commission for Northern Ireland. This takes the form of a statistical return, providing information on the gender and community background composition of all people working in Locate a Locum on 1 January each year.

Disability

The Disability Discrimination Act 1995 (the DDA) provides protection for disabled persons against discrimination on the grounds of disability.

The DDA defines disability as a “physical or mental impairment, which has a substantial and long term adverse effect on a person’s ability to carry out normal day-to-day activities.”

This definition is interpreted as follows:

Physical Impairment: this includes, for instance, a weakening of part of the body (eyes, ears, limbs, internal organs etc) caused through illness by accident or from birth. Examples would be blindness, deafness, paralysis of a leg or heart disease.

Mental Impairment: this includes mental ill health and what is commonly known as learning disability, and social functioning.

Substantial: put simply, this means the effect of the physical or mental impairment on ability to carry out normal day to day activities is more than minor or trivial. It does not have to be a severe effect.

Long-term adverse effect: the effect has to have lasted or be likely to last overall for at least 12 months and the effect must be a detrimental one. A person with a life expectancy of less than 12 months is of course covered if the effect is likely to last for the whole of that time.

A normal day to day activity: this is something which is carried out by most people on a fairly regular and frequent basis such as washing, eating, catching a bus or turning on a television. It does not mean something so individual as playing a musical instrument to a professional standard or doing everything involved in a particular job.

What sort of effect must there be?

The person must be affected in at least one of the respects listed in the DDA: mobility; manual dexterity; physical co-ordination; continence; ability to lift, carry or otherwise move everyday objects; speech; hearing or eyesight; memory or ability to concentrate, learn or understand; ability to take part in normal social interaction and form social relationships; or perception of risk of physical danger.

What happens if the effects are reduced by medication or other treatment?

Broadly speaking, the effects that matter are those that would be present if there was no medication or treatment taking place. The exception is people who wear spectacles or contact lenses when what matters is the effect that remain while the spectacles or contact lenses are being used.

Are there any types of condition covered by special provisions in the DDA?

Yes, because some people with particular conditions might not otherwise be counted as disabled.

These are provisions covering:

Recurring or fluctuating conditions such as arthritis, where the effects can sometimes be less than substantial, which are treated as continuing to have a substantial adverse effect so long as that effect is likely to recur;

Conditions which progressively deteriorate, such as motor neuron disease, which count as having a substantial effect from the first time they have any effect at all on ability to carry out normal day to day activities even if it is not substantial, so long as there is eventually likely to be a substantial adverse effect; and

People with cancer, HIV, or multiple sclerosis are deemed to be disabled people from the point of diagnosis, regardless of whether or not they have any symptoms.

Are any conditions not covered?

Yes, the following conditions specifically do not count as impairments:

- addiction to or dependency on alcohol, nicotine or any other substance (unless resulting from the substance being medically prescribed)
- seasonal allergic rhinitis (eg hay fever) unless it aggravates the effect of another condition
- tendency to set fires, or steal, or physically or sexually abuse other persons
- exhibitionism and voyeurism
- severe disfigurements consisting of tattoos, non-medical body piercing or attachments to such piercing are not treated as having substantial adverse effects

What if someone has recovered from a disability?

Much of the DDA also applies to people who have had a disability in the past (for example, someone who was disabled by mental ill health) but have now fully recovered. People who were registered disabled under the Disabled Persons (Employment) Act (NI) 1945 both on 12 January 1995 and 2 December 1996 will be regarded as having had a disability in the past if they do not in any case fall within the definition of the DDA.

Race

The Race Relations (NI) Order 1997 makes it unlawful to discriminate on grounds of colour, race, nationality or ethnic or national origin.

Sexual orientation

The Employment Equality (Sexual Orientation) Regulations (NI) Order 2003 makes it unlawful for employers and others to discriminate on the grounds of sexual orientation.

Marital status

The Sex Discrimination (NI) Order 1976 (as amended), makes it unlawful to discriminate against married persons and civil partners in employment.

Confidentiality of monitoring information

The following general principles will be applied to all individual monitoring information:

- individual monitoring information will be afforded a high degree of confidentiality
- misuse of monitoring information will be viewed as a disciplinary offence

In addition to the above internal safeguards on the protection of equality monitoring information generally, the confidentiality of community background monitoring information is protected through Regulations made under the Fair Employment and Treatment (Northern Ireland) Order 1998 (FETO). These make it a criminal offence, subject to specific exceptions, for an employer or employee to disclose information on the community background of an individual which has been obtained, or is used, for the purpose of monitoring under FETO.

As with other forms of personal data, the obtaining, use, storage and disclosure of monitoring information is covered by the Data Protection Act 1998 (DPA). Access to this data is restricted to those Locate a Locum staff, whose duties make it necessary for them to have it. Misuse of monitoring information is viewed as a disciplinary offence.