

Title: Equal Opportunities Policy

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Policy Sponsor: Associate Director of Human Resources
Ratified and Approved by: JNCC, LNC and Equality and Diversity Steering Group

Distribution: All staff

Compliance: Mandatory for all permanent & temporary employees

Equality Statement:

CHANGE RECORD			
DATE	AUTHOR	NATURE OF CHANGE	VERSION No
22/11/07	Christine Brown Equality and Diversity Employment Lead	New Policy	0.001
29/11/07	Christine Brown	Amendments made - Approval at SMT	0.002
29/01/08	Christine Brown	Amendments made – Approval at LNC	0.003



EQUAL OPPORTUNITIES

PREAMBLE

This Policy is made between NYYPCT and the recognised staff side organisations, using the mechanisms of the JNCC and LNC. It will remain in force until superseded by a replacement Policy, or until terminated by either management or staff side, giving no less than six months notice. The purpose of the notice to terminate the Policy is to provide the opportunity to for both parties to renegotiate a replacement Policy. Withdrawal by one party, giving no less than six months notice, will not of itself invalidate the agreement. If agreement cannot be reached on a revised policy, then the matter will be dealt with through the PCT's Grievance Procedure.

INTRODUCTION

The PCT is committed to equality of opportunity for all employees and is committed to employment practices, policies and procedures which ensure that no employee, or potential employee, receives less favourable treatment on the grounds of race, colour, nationality, ethnic origin, gender, sexual orientation, marital status, age, disability, religion, beliefs, employment status or trade union membership.

The promotion of equal opportunities will be actively pursued through policies which value diversity and ensure that employees receive fair, equitable and consistent treatment and ensure that employees, and potential employees, are not subject to direct or indirect discrimination.

This policy is complementary to the NHS Terms and Conditions of Service Handbook.

SCOPE

This policy applies to all employees of the Trust in all locations including, temporary employees, locums and contracted staff.

DEFINITIONS

Direct discrimination occurs when an individual is treated less favourably because of their race, colour, nationality, ethnic origin, gender, sexual orientation, marital status, age, disability, religion, beliefs, employment status or trade union membership. An example of direct discrimination is disallowing flexible working practices to a male employee on the assumption that he is not the main carer.

Indirect discrimination occurs when an unjustifiable condition or requirement is applied which has a discriminatory effect, as the number of people who can comply with the condition or requirement is smaller among a particular group.

An example of this would be not allowing women to wear trousers as this might prevent women with certain religious beliefs from pursuing employment in the PCT.

RESPONSIBILITIES

It is a condition of employment that all employees respect and act in accordance with the Equal Opportunities Policy. Failure to do so will result in the disciplinary procedure being instigated, which could result in dismissal.

The Chief Executive has ultimate responsibility for monitoring the operation and implementation of the Equal Opportunities Policy.

Responsibilities of Directors

Directors will adopt appropriate strategies to support equal opportunities and to demonstrate commitment to Equality and Diversity. They should exercise leadership in this field by discouraging prejudice and by modelling appropriate behaviour.

They must ensure that the policy is clearly communicated to staff and take speedy and appropriate action to deal with any breaches of the policy, or behaviour that could lead to a breach of the policy.

Responsibilities of Managers

Managers are required to exercise leadership in this field by discouraging prejudice and by modelling appropriate behaviour. They must ensure that the policy is clearly communicated to their employees and take speedy and appropriate action to deal with any breaches of the policy, or behaviour that could lead to a breach of the policy.

Any identified breaches of the Equal Opportunities Policy should be dealt with using the Disciplinary, Grievance or Harassment policies.

Managers are responsible for applying employment practices, policies and procedures fairly and consistently, and for highlighting and addressing any practices which could lead to discrimination.

Responsibility of Employees

It is expected that staff will treat their colleagues with dignity and respect.

All employees are responsible for complying with the Equal Opportunities Policy.

Staff should ensure they are aware of the PCT's disciplinary rules and standards of behaviour towards colleagues. Any breaches of these rules or the Equal Opportunities Policy may lead to disciplinary action.

IMPLEMENTATION

The PCT will promote, through the provision of training and guidance, the impartial application of all employment policies and procedures, and will take action to deal with all inappropriate behaviour. Courses will be developed to meet specific training needs in relation to equal opportunities and appropriate training events will be provided for all employees involved in selection for recruitment or training. The responsibilities of the employer and employee for equal opportunities will be positively incorporated into employee training at all levels from induction courses to Senior Management workshops.

EQUALITY STATEMENT

The Trust recognises the diversity of the local community and those in its employ. Our aim is therefore to provide a safe environment free from discrimination and a place where all individuals are treated fairly, with dignity and appropriately to their need.

PROCEDURE FOR DEALING WITH COMPLAINTS OF DISCRIMINATION

Any employee who feels that they have been discriminated against on any of the grounds set out in this policy should initially raise their concerns in accordance with the Grievance or Bullying and Harassment Procedure. At all stages of the procedure, employees can be accompanied by a Trade Union representative or work colleague.

OTHER RELATED DOCUMENTS

This Policy should form part of the PCT's Equality and Diversity arrangements. Other documents supporting the Equality and Diversity agenda are the Equality and Human Rights Strategy and the Race, Disability and Gender Equality Schemes. In addition a list of relevant Human Resources Policies and Procedures is attached in Appendix 1.

MONITORING

The Human Resources Department will maintain records of gender, ethnic origin, age and disability for all employees and for internal and external job applicants. This information will be collected and stored in line with the Data Protection Act and will only be used to monitor compliance to the Equal Opportunities Policy. The information will be analysed regularly.

REVIEW

The policy and procedure will be reviewed every three years by the Equality and Diversity Steering Group, the Joint Negotiating and Consultative Committee and the Local Negotiating Committee.

HUMAN RESOURCES POLICIES AND PROCEDURES

Flexible Retirement Policy
Protection Arrangements
Staff Involvement and Recognition Policy
Exit Questionnaire Guidance
Whistleblowing Policy
Redeployment Policy
Organisational Change Policy
Employment Break Policy
Relocation Policy
Managing Sickness Absence Policy
Bullying and Harassment Policy
Grievance Procedure
Maternity/Adoption Policy
Disciplinary Procedure
Recruitment and Selection Policy
Family, Carer and Special Leave Policy
Flexible Working
Annual Leave
Work Experience
Working Time Directive
Staff Performance/Capability
Induction
Stress Management
Staff Wellbeing