



Peninsula Dental Social Enterprise (PDSE)

Equal Opportunities Version 2.0

Date approved: October 2018

Approved by: The Board

Review due: October 2020

Policy will be updated as required in response to a change in national policy or evidence-based guideline.

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Equal opportunities

1. Purpose and Scope

- 1.1 Peninsula Dental Social Enterprise will deliver its services and provide employment opportunities ensuring compliance with equalities legislation. Clear lines of responsibility are established and mechanisms for raising complaints are given. The policy also sets out the company's approach to assessing the impact of equality of our policies, services and organisational changes.
- 1.2 The Policy covers all directors, employees, potential employees, workers, contractors and volunteers, and reflects the philosophy and attitude of the company. Other individuals accessing PDSE's Services are also covered by this policy as well as the principles set out in the NHS Constitution. Students should also refer to the Plymouth University policy.
- 1.3 The Directors and staff of the company are committed to treating all employees, patients, students, contractors, suppliers and job applicants fairly and equally regardless of any aspects of their diversity, and with dignity and respect. Individuals have a duty to report any circumstance where they observe any colleague or person within the organisation not observing this policy.

PDSE are committed to eliminating all forms of discrimination on the grounds of:

- Age
 - Disability
 - Gender reassignment
 - Marital or Civil Partnership Status
 - Pregnancy or Maternity
 - Race
 - Religion or Belief
 - Sex
 - Sexual Orientation
- 1.4 This policy applies to recruitment and selection and terms and conditions of employment including pay, promotion, training, and every other aspect of employment, as well as delivery of service.
 - 1.5 The directors have a commitment to the operation of this policy and are responsible for ensuring that it is adhered to. Discrimination and harassment is not tolerated by the company and if undertaken deliberately it could result in a disciplinary sanction up to and including dismissal.

Section 5 lists the definitions of discrimination.

2. Principles

- 2.1 Any member of staff who believes that they or any other member of staff are being treated unfairly or in a discriminatory fashion, should report such treatment to their line manager or a director.
- 2.2 When directors, managers or supervisors are making decisions in relation to terms and conditions, selection for jobs, training, or selection for promotion, every individual will be treated with respect. Their skills, experience and attitudes will be used to inform decision making, not aspects of their personality or diversity.
- 2.3 The company recognises its obligations when delivering services to people with a disability or employing someone with a disability. The company will make reasonable adjustments to facilitate the delivery of the service or the new or continued employment of an individual.
- 2.4 The company is aware of its obligations to prevent both third party harassment and discrimination by association or perception.

3. Procedure for Employees

- 3.1 If an individual believes that they are receiving less favourable treatment or that individuals are not observing the Equal Opportunities policy, they have two courses of action:
 - Raise the issue in an informal manner with the aim of a resolution, with the appropriate manager.
 - Invoke the grievance procedure to address the issue.
 - Invoke the Whistleblowing policy by reporting the matter internally in the first instance.
- 3.2 In normal circumstances staff should feel able to raise any issue under this policy in an informal manner with a manager and be confident that it will be dealt with appropriately with a fair outcome. It is intended that the grievance procedure or whistle blowing policy will only be invoked if informal resolution has not been successful, or an individual feels that he or she has no other choice but to invoke it.
- 3.3 If an individual believes that he or she or a colleague is suffering from bullying or harassment, he or she may choose to raise the issue through the grievance procedure to ensure that formal action is taken. Disciplinary action can be taken against a member of staff who is bullying or harassing other staff after an investigation and hearing has taken place. The investigation can be instigated without the use of the grievance procedure in some instances. Please refer to the promoting appropriate behaviour policy.

- 3.4 If a member of staff receives comments that could amount to harassment from a client or supplier, or any person from outside the company, the appropriate manager should explain to the person that the company has a clear code of ethics, and that staff are to be treated with respect. A decision will then be taken in relation to whether the external person will continue the relationship with the company.
- 3.5 All staff may be accompanied by a colleague or Trade Union representative if they wish to discuss a breach of the Equal Opportunities policy or to discuss bullying or harassment.
- 3.6 If the individual is dissatisfied with the actions taken by their manager in relation to a breach of the Equal Opportunities policy or a situation of bullying or harassment, they may appeal in line with the appeal laid out in the grievance procedure policy.

4. Procedure for Patients, Students, Clients or Contractors

- 4.1 If a patient, client or contractor believes that an employee of the company has not adhered to the Equal Opportunities policy, they should follow the appropriate complaints procedure. Any employee receiving a complaint from a patient or student should follow the relevant complaints procedure. Any client or contractor should contact the Governance and Operations Manager and invoke the complaints procedure, outlining the actions that they believe to have been discriminatory, and identifying the resolution that they are seeking.

The complaint will be investigated and a resolution sought to address the concerns to the satisfaction of the client or contractor.

- 4.2 Students must follow the University of Plymouth process.

5. Definitions

Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect.

Direct Discrimination

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy and maternity,

marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

Indirect Discrimination

This is the application of a policy, criterion or practice which the employer applies to all employees but which is such that:

- It is it detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
- The employer cannot justify the need for the application of the policy on a neutral basis; and
- The person to whom the employer is applying it suffers detriment from the application of the policy.

Harassment

This is unwanted conduct related to a relevant protected characteristic, 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

Victimisation

This occurs when a person is treated less favourably because they have brought or intend to bring proceedings or they have given or intend to give evidence (or supported a colleague doing so).