

# Tarbert Dental Surgery

## Equal Opportunity and Harassment Policy

**This is the policy of Tarbert Dental Surgery in respect of discrimination on grounds of sex, race, disability or religion. This practice is committed to working towards equality of opportunity for every member of the team. This policy is one important way of achieving this objective.**

Please read it carefully. If there is anything you do not understand, please ask Hilary Farrar, Practice Manager, for an explanation.

### THE POLICY

Tarbert Dental Surgery recognises that discrimination on the grounds of sex, race, disability or religion is harmful and in many cases may be illegal. Through this policy, through training and by example, we wish to demonstrate that we do not tolerate discrimination by anyone working at the practice.

### DEFINITIONS

**Discrimination** is any form of unfavourable treatment.

**Policy** is the same as a Code of Conduct and it is how we expect everyone in the practice - partners, associates and employees - to behave. It applies to our dealings with each other, with candidates for job vacancies, with suppliers and with our patients.

**The Dental Practice** is the business owned by Linda Garwood BDS

**Sex discrimination** is any form of treatment which is unfavourable and which is related to gender or marital status. Discrimination according to sex is illegal under the terms of the Sex Discrimination Act 1975. The Act applies equally to men and women.

**Direct sex discrimination** is when one person is treated less favourably on the grounds of their sex than a person of the other sex is or would be treated in similar circumstances. This can occur when a person is refused a position or promotion because of their sex or because of a factor which is sex linked, such as the ability to bear children. For example, it is illegal to refuse to employ a woman because she is of child bearing age and 'judged' likely to have children. A candidate should be treated on merit, irrespective of sex.

**Indirect sex discrimination** is a requirement or condition, which cannot be justified on job related criteria on grounds other than sex, which is applied to men and women equally but has the effect, in practice, of disadvantaging a considerably higher proportion of one sex than the other. For example, requiring employees to be of a minimum height, which cannot be justified in terms of the task, they have to perform.

**Direct marriage discrimination** can occur when a married person is treated less favourably in employment, because they are married, than a single person of the same sex is or would be treated in similar circumstances.

**Indirect marriage discrimination** occurs when a requirement or condition of employment, which cannot be justified on job related criteria on grounds other than marital status, is applied equally to married or single persons (of either sex) but has the effect in practice of disadvantaging a considerably higher proportion of married than single people (of the same sex).

**Race discrimination** is any form of treatment which is unfavourable and which is related to colour, race, nationality (including citizenship), ethnic or national origin. Discrimination according to race is illegal under the terms of the Race Relations Act 1976. As with sex discrimination, race discrimination can be direct or indirect. An example of direct discrimination might be offensive remarks about black people or about a religion or faith where the majority of believers are black. Indirect discrimination might be where an employer requires higher language standards from employees than are needed for the safe and effective performance of the job.

**Victimisation** is when the employer treats an employee (of either sex) less favourably than other employees are or would be treated, because the employee has brought or threatens to bring proceedings, or give evidence or information against an employer with reference to the Sex Discrimination Act, Race Relations Act or Equal Pay Act. These provisions do not apply if the original discrimination allegation was false or was not made in good faith.

**Harassment** is a form of discrimination where a person is made to feel uncomfortable because of sex, race, disability or religion. It may involve action, behaviour, comments or physical contact, which is found objectionable, offensive or intimidating by the recipient. The recipient may feel threatened, humiliated or patronised by the perpetrator. It is not always a conscious or intentional act but it is the recipient's feelings in response, which are important.

**Sexual harassment** is a form of sex discrimination. The practice defines harassment as unwanted conduct of a sexual nature or other conduct based on sex, which affects the dignity of those who work in the practice. This can include unwelcome physical, verbal or nonverbal conduct. Both men and women may be subject to harassment.

**Racial harassment** is a form of race discrimination and might involve racist jokes and banter or insults, taunts and jibes.

**Religious discrimination** is where a person is treated less favourably because of their religious beliefs; for example, promoting a less able person to work rather than a Jewish person using the reason that the Jewish person would not work on Saturdays. The Fair Employment (NI) Act 1989 enables employees who feel that they have been discriminated against on the grounds of religious belief or political opinion to take action against an employer.

**The right to equal pay** provides equality in the terms of an employee's contract where s/he is employed to perform work which is rated equivalent to that performed by a member of the opposite sex or work of equal value to that of a member of the opposite sex.

**Disability discrimination** is where a person is treated less favourably because of disability. Occasionally a disability can limit a person's capability for some forms of employment. Discrimination occurs when the treatment of the individual is unfavourable taking into account the disability; for example, making it a condition of employment that the employee can drive an unmodified car when the job can be performed adequately without driving.

**Do not tolerate** means that we will take disciplinary action in accordance with the practice disciplinary procedure against any employee who breaches this policy. If the allegation involves a self-employed contractor or a partner in the practice, the matter will be dealt with by Linda Garwood.

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The practice undertakes to provide a workplace that is free of victimisation and harassment and to this end the practice will give support to any victim of harassment and will enforce its code of conduct and disciplinary procedure should any member of staff be found to be harassing another.

All staff and contractors acting on behalf of the practice will respect the rights of others and will refrain from:

- Unwelcome behaviour such as bullying, threats or intimidation.
- Unwelcome physical contact such as unwanted touching or invasion of personal space.
- Unwelcome verbal behaviour such as racist or sectarian comments, remarks about disability, unpleasant name calling, slogans, insults, pointed jokes concerning differences or stereotypes, abusive or offensive language, threats or comments of a personal nature.
- Unwelcome non-verbal behaviour such as sexual advances, rude gestures, facial expressions and staring.
- Conduct that ridicules, intimidates or abuses, undermines or undervalues an individual because of characteristics such as sex or sexuality, disability or race, including derogatory or degrading remarks or insults or unjustified offensive comments about appearance or dress.
- The exhibition, transmission or storage of offensive or obscene material.
- Any incitement to commit any of the above behaviour.

Staff members are held personally accountable for their actions and behaviour. If you are in a situation which you interpret as personal harassment, you should not be deterred from making a complaint for fear of further victimisation. The Employee Handbook lays out the guidelines for making complaints of discrimination, harassment or victimisation.

Tarbert Dental Surgery will take every complaint seriously and investigate swiftly and impartially. All records will be kept confidential.