

Key Change From Previous Revision:

This policy has been reformatted.

1 STATEMENT

It is the policy of the Northern Ireland Blood Transfusion Service Special Agency that all persons will have equality of opportunity regardless of sex, marital status, whether or not they have dependants, perceived religious affiliation, political opinion, race, disability, sexual orientation or age. Selection for employment and advancement will be on the basis of ability, qualifications and aptitude for the work. The Agency will positively promote and rigorously observe the objectives and principles set out in the statement and is committed to implementing policies to promote equality of opportunity and fair participation within the Agency.

2 OVERVIEW

- 2.1 This policy is concerned with the promotion of equality of opportunity and the prevention of unlawful discrimination. However the existence of the law cannot itself ensure that any policy of non-discrimination will work effectively. This will only be achieved if management and staff at all levels examine critically their attitudes to people and ensure that no trace of discrimination is allowed to affect their judgement. They should be aware of the forms which unfair discrimination can take, guard against them and avoid any action, which might influence others to discriminate unfairly. The Agency recognises its obligations under the Fair Employment Acts [NI] 1976 and 1989, the Sex Discrimination [NI] Orders 1976 and 1988, the Equal Pay Act [NI] 1970 [as amended], the Disability Discrimination Act 1995 (Amendment) Regulations [NI] 2004, the Race Relations [NI] Order 1997, the Employment Equality (Age) Regulations (NI) 2006, and the Employment Equality (Sexual Orientation) Regulations [NI] 2003, The Human Rights Act 1998 and the NI Act 1998. It is the Agency's intention to comply with the spirit as well as the letter of the legislation.
- 2.2 Section 75 of the Northern Ireland Act (1998) placed new duties on public authorities to promote equality of opportunity and good relations between different groups. The NIBTS must have due regard to the need to promote equality of opportunity between nine categories of people. The NIBTS must also have regard to the desirability to promote good relations between persons of different religious belief, political opinion and racial group. The NIBTS's Equality Scheme shows how the Agency will fulfil its statutory duties as stated by the Northern Ireland Act 1998.

- 2.3 The Agency will promote a supportive, neutral and harmonious work environment free from material or behaviour likely to be offensive, provocative or intimidating or in any way likely to cause apprehension to any employee. In accordance with this principle a Joint Declaration of Protection has been agreed with the Trade Unions and Staff Organisations. In addition the Agency has established a policy on harassment and outlined the procedures to be adopted following a complaint. Training has also been provided.
- 2.4 This policy will be publicised throughout the Agency and distributed to existing staff and issued to new recruits. It can be accessed via Q-pulse, the BTS intranet site, Line Managers and the Personnel & Training Office. It will be reflected as appropriate in training courses and included as guidance to selection and appointment panels. An equal opportunities statement will be included in careers literature, job trawls/advertisements and application forms.
- 2.5 This policy has been agreed by the Agency and staffside and in so doing we affirm our full support for the principle of equality of opportunity, and are concerned that there should be a practical and generally accepted programme for action. The Agency is determined that everything possible will be done to ensure its full and effective implementation.

This policy has been drawn up and will be reviewed in consultation with Trade Unions and Staff Organisations.

The Agency recognises the support of Trade Unions and Staff Organisations for the principle of equality of opportunity and their commitment to the content and implementation of this policy statement.

3 RESPONSIBILITY

The Head of HR & Corporate Services is responsible for monitoring, co-ordinating and developing the Equal Opportunities Policy under the direction of the Chief Executive. Line Managers, will ensure that staff for whom they are responsible are aware of, and abide by this policy. The policy will be adopted at all levels of management. All staff employed by the Agency have a responsibility to accept their personal involvement in the application of the Equal Opportunities Policy. The Agency will ensure that adequate resources are made available to fulfil the objectives of the policy.

Managers and Supervisors must be seen to be impartial in dealing with staff and ensure their conduct at all times accords with this policy. They must take appropriate action to deal with any difficulties arising from a lack of impartiality by any member of their staff and any other breaches of this policy within their area of responsibility.

All employees are bound by this policy. All employees must ensure that their behaviour at all times accords with the principles set out in this policy and in the Joint Declaration of Protection. Breaches will be dealt with under the disciplinary procedure.

4 POLICY

- 4.1 There must be no direct or indirect discrimination or victimisation against any applicant, potential applicant or employee on grounds of their sex, marital status, perceived religious affiliation, political opinion, race, disability, sexual orientation, whether or not they have dependants or age.

Direct discrimination: - means treating an individual less favourably on any of the above grounds.

Indirect Discrimination: - means placing an individual or group at a disadvantage through applying a condition or requirement which cannot be justified and with which considerably fewer of that group can comply.

Victimisation: - means treating a person less favourably because they have or may take a complaint or may have helped another person to assert their rights under the Fair Employment, Sex Discrimination, Disability Discrimination, Race Relations or Equal Pay legislation. Individuals have a legal right to make a complaint without prejudice to their existing, potential or future employment opportunities.

- 4.2 Care must be taken to guard against more subtle and unconscious forms of discrimination, which may not be immediately obvious. This may result from generalisations about the capabilities, characteristics or interests of particular groups which influence the treatment of individuals or groups, e.g. preconceptions about their suitability for a particular post, level of management, location, training course or other development opportunity etc.
- 4.3 There must be no discrimination in the form of harassment of any individual or group. This may constitute unlawful discrimination.

Harassment:- means any action or behaviour which is offensive and threatening to another and which is unreciprocated and unwanted. Harassment can be verbal, non-verbal, written including electronic mail or physical. Harassment takes many forms and may be based on any of the following:

- (a) Gender/marital status or domestic responsibility
- (b) Race or ethnic origin
- (c) Religious belief or political opinion
- (d) Age
- (e) Disability
- (f) Sexual orientation
- (g) Trans-sexualism
- (h) Power

- (i) Trade Union Membership

This list is not exhaustive.

4.4 MONITORING AND AFFIRMATIVE ACTION

The composition of employees, applicants for employment and appointees will be monitored annually on the basis of sex, perceived religious affiliation and disability. The purpose of regular monitoring is to provide the information required to measure the effectiveness of this policy and provide an objective view on the existence and progress of equality of opportunity.

- 4.5 Policies and procedures in respect of employment and advancement will be periodically reviewed to maintain a system where individuals are treated solely on the basis of their merits and abilities.
- 4.6 The Agency will take such affirmative action as is deemed lawful, appropriate and necessary to ensure equality of opportunity. Goals and timetables, where appropriate, will be set to measure progress which can reasonably be expected as a result of affirmative action.

4.7 RECRUITMENT AND PROMOTION

The Agency will ensure that advertisements do not indicate, or appear to indicate an intention to discriminate in selection for recruitment, promotion or training. Advertisements must not be confined unjustifiably to areas or publications, which would exclude or disproportionately reduce the numbers of applicants of a particular group. Advertisements will include an Equal Opportunities Statement.

Opportunities to obtain information on careers in the Agency must be available to existing and potential employees and all interested parties.

Eligibility criteria for recruitment or advancement must be related to ability to do the job and will be non-discriminatory. The minimum criteria will be made known to prospective candidates and additional criteria [if appropriate] will be made available on request.

Applications must be submitted on official application forms and appointments will be made following a selection process, which provides for short-listing and interview panels.

Tests used in selection, recruitment, promotion or training will be regularly reviewed to ensure they are related to job performance and do not unlawfully discriminate.

Staff involved in the selection process should be vigilant of the Agency's Selection and Recruitment Procedure (PP009). Decisions relating to the selection process and the reasons for such decisions will be recorded at each stage of the selection and recruitment process. These will be kept for a minimum of 12 months after appointments have been made. However, information required for Fair Employment monitoring purposes should be retained for 3 years.

4.8 TRAINING

Staff involved in selection and appointment panels should be trained in the Selection and Appointments Procedure and the Equal Opportunities Policy including the current legislation and guidance on avoiding discrimination. This aspect should also be included as appropriate in all management and supervisory development programmes so that those with managerial and supervisory responsibility perform their duties with a full knowledge of the implications of the Equal Opportunities Legislation.

All staff will be encouraged to take advantage of the training and career development opportunities available to enable them to develop the necessary skills and provide the opportunity for them to achieve their full potential.

4.9 STAFF DEVELOPMENT REVIEW

Staff Development Review within the Agency will be based solely on an objective assessment of the individual's capabilities, performance and potential against agreed objectives which are linked to the Agency's Corporate Objectives. Staff will also be developed in line with PP021 against the Knowledge and Skills Framework with all staff being required to have a Personal Development Plan (PDP). Reviews must not reflect an assumption or prejudice of the reviewer about the individual being reviewed. This could be discriminatory and as such must not be tolerated.

4.10 DOMESTIC RESPONSIBILITIES

It is in the interests of the Agency that it retains trained staff. Management in consultation with staff representatives should consider what steps could be taken, consistent with the justifiable needs of the service, to enable staff to reconcile their work with their domestic responsibilities. Staff should be made aware of existing provisions for such matters as maternity leave, job sharing, part-time working, flexible working hours and employment breaks.

4.11 COMPLAINTS OF DISCRIMINATION

The Agency will treat seriously and take prompt action on any grievance concerning discrimination, harassment or mal-administration. Where complaints arise relating to unacceptable conduct of a harassment, the procedures are laid down in the General Harassment in the Workplace Policy.

Those who think they have been discriminated against may seek help and advice from the Equality Commission for Northern Ireland. Those who think they may have been discriminated against on grounds of religious belief and/or political opinion may make a complaint to the Fair Employment Tribunal. Those who feel they have suffered injustice as a result of mal-administration have access to the Commissioner for Complaints. Individuals should check with the statutory agencies regarding time limits within which complaints should be made.

Staff who make a complaint in respect of alleged discrimination or harassment will be protected from victimisation. Acts of discrimination, victimisation or harassment perpetrated by an employee of the Agency against any other employee will result in disciplinary action.

5 EQUALITY SCREENING OUTCOME

The Northern Ireland Blood Transfusion Service is committed to the promotion of equality of opportunity for its staff, donors and service users. We strive to ensure that everyone is treated fairly and that their rights are respected at all times. We believe that it is important that our policy is understood by all including those whose literacy is limited, those who do not speak English as a first language or those who face communication barriers because of a disability.

This policy has been drawn up and reviewed in light of the statutory obligations contained within Section 75 of the Northern Ireland Act (1998). In line with this statutory duty of equality this policy has been screened against particular criteria. If at any stage of the life of the policy there are any issues within the policy which are perceived by any party as creating adverse impacts on any of the groups under Section 75 that party should bring these to the attention of the Head of HR & Corporate Services.

6 TRAINING REQUIREMENTS

All staff are required to make themselves familiar with this policy.