

EQUAL OPPORTUNITIES AND DISCRIMINATION POLICY - STAFF

The British Veterinary Nursing Association is an equal opportunities employer and is committed both to the principles of equal opportunities and to the implementation of equal opportunities legislation and codes of practice.

The aim of this policy is to ensure that job applicants are recruited according to their competence and that they progress within the Association as opportunities occur on the same basis.

Definitions

Direct Discrimination occurs when a person is treated less favourably than others in similar circumstances on the grounds of race, colour, national or ethnic origins, sex, marital status, sexuality, disability, membership or non-membership of trade union, "spent convictions" of ex-offenders, class, age, political or religious belief.

Indirect Discrimination occurs when a condition or requirement is imposed which adversely affects one particular group considerably more than another and cannot be strictly justified in terms of requirements for performing the job.

Harassment is defined as unwanted, unreciprocated and/or uninvited comments, looks, actions, suggestions or physical contact that is found objectionable and offensive and that might threaten an employee's job security, or create an intimidating working environment. Harassment is particularly liable to occur as part of sexual or racial discrimination.

Implementation

No job applicant or employee will be treated less favourably on the grounds of his or her sex, marital status, colour, race, religion, ethnic origin, disability or age

Any employment requirements or conditions will be justifiable

All employment policies, procedures and practices, including this one, will be reviewed regularly to ensure that they are, and remain, non-discriminatory

All managers and others involved in the implementation of our employment policies will receive appropriate training

Employees will receive training during induction and at other appropriate times during their employment to ensure awareness and understanding of this policy

The application and effectiveness of the policy will be confidentially monitored

Responsibilities

The Association Manager will have overall responsibility for ensuring the correct application and implementation of the policy.

The Association Manager will have responsibility for:

- Ensuring the non-discriminatory treatment of all job applicants and employees
- Identifying and reducing or removing discriminatory attitudes and practices within the organisation
- Raising the level of employee awareness of the policy's existence
- Dealing fairly and speedily with any discriminatory issue raised in the course of employment
- Supporting and contributing to the monitoring and review process

It is, however, the responsibility of each Manager and all other supervisory staff actively to promote equality of opportunity within their own programmes and spheres of responsibility. It should not be overlooked that harassment can take many forms e.g. age, religion, skin colour, sexual preference, disability - even dialect or accent - can all form the basis for unwanted aggression and attention. Victimisation in the widest sense of the word is also a form of harassment and those exposed to or subject to such action need protection.

What the Association expects from its Employees

While the main responsibility for providing equal opportunity lies with the Association Managers, individual employees at all levels have responsibilities too. Eradicating discrimination depends on everyone's collaboration.

Employees should not harass abuse or intimidate other employees on any grounds.

Employees should co-operate with measures introduced by the Association Managers to make sure there is equal opportunity and non-discrimination. Employees must not victimise individuals on the grounds that they have made complaints or provided information about discrimination or harassment.

Harassment at Work

The Association believes that the dignity of every person must be respected. Harassment of colleagues or visitors is unacceptable and will be regarded as gross misconduct with regards to the disciplinary process.

The highest standards of conduct are required of everyone, regardless of seniority. The Association recognises that harassment may take many forms. It may be directed towards persons of either sex. It may relate to a person's ethnic origin, religion, age, sex, sexual orientation, physical or mental attributes or some other personal characteristic.

Harassment may involve action or inaction, behaviour, exclusion, comment or physical contact that the recipient finds objectionable or offensive. It may result in the recipient feeling threatened, humiliated, intimidated, patronised, demoralised or less confident in their ability. Condoning such conduct may be harassment in itself. The test of harassment is, at least in part, subjective.

Examples of unacceptable conduct include:

- Verbal abuse or insulting behaviour
- Sexist or racist jokes, jokes about an individual's sexual orientation or jokes about an individual's physical or mental attributes
- The display or circulation of sexually suggestive or racially abusive material
- Bullying, coercive or threatening behaviour
- The ridicule or exclusion of an individual for cultural or religious differences, on the grounds of sex or sexual orientation or on the grounds of disability
- Unsolicited or unwelcome sexual advances, including touching, staring and commenting
- Comments of a sexual nature about a person's appearance or dress

Harassment and particularly sexual, racial or disability harassment, will be regarded as gross misconduct for disciplinary purposes. Accordingly employees guilty of harassment run a serious risk of summary dismissal. Equally, an allegation of harassment must not be made lightly. If it is found that an allegation of harassment has been made without foundation and maliciously, then this will also be regarded as gross misconduct for disciplinary purposes.

All complaints of harassment should be made to their Line Manager in the first instance unless the complaint is regarding this person when the employee should complain to the Association Managers.

Managers should:

- Encourage genuine concerns to be raised rather than be hidden
- Endeavour to eradicate victimisation and/or retaliation
- Make employees aware that under the Criminal Justice Act 1994, harassment was made a criminal offence punishable by a substantial fine and/or a prison sentence of up to six months and under the Protection from Harassment Act 1997 to unlimited fines and imprisonment of up to five years

Procedure

If an incident is reported the following procedure should be followed:

- Make a note of the time, date, place and any other relevant data
- Make a note of any witnesses, or persons in the immediate neighbourhood who may not have witnessed the event but may at least be able to corroborate that the persons involved were at the location at the time stated
- If the person generating the alleged harassment is:

1. An employee of the same or junior status: the matter should be reported to the superior of the employee suffering the harassment, with an indication of required action.
2. Or Senior to, but not the immediate superior of the employee suffering the harassment: the matter should be reported to that immediate superior, with an indication of required action.
3. The immediate superior of the employee suffering the harassment: the matter should be reported to an officer of the BVNA with an indication of required action.

Whenever possible, the anonymity of the employee complaining of harassment should be maintained.

The person to whom the complaint is made should record in writing as many details as possible regarding the complaint, including details of any witnesses, etc.

Within no later than five working days and sooner if possible, the person receiving the complaint must report back to the complainant with details of action taken and any resolution achieved. A resume of the action taken and any resolution must be given to the complainant in writing and a copy held with the notes regarding the complaint. If the solution is satisfactory to the complainant, the matter should end there and the notes of the case be held under confidential control.

If the solution is not satisfactory to the complainant, the matter should be discussed further and an alternative solution attempted to be agreed. This may require the person receiving the complaint to make further investigations and to take the matter to a higher authority.

If the matter is referred to a higher authority (i.e. someone not involved in any way with the matter previously), then the investigation by that person and subsequent decision will be made known to the complainant within five working days. This decision will be binding and conclude the enquiry internally.

If, in the course of the investigations at whatever level, it is proved, or it is admitted that harassment did take place, the matter must be referred to the superior of the person responsible for the harassment. Since harassment is regarded as gross misconduct, it is mandatory that the person responsible is given a formal warning: depending upon the seriousness of the act this may also be a final written warning, that is that should it be repeated dismissal could follow. In extreme cases dismissal may be the only solution.

If victim and harasser normally work in close proximity, consideration should be given to relocating one or the other.