

Document Name	Equality, Discrimination and Racism policy
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1.0 Document Purpose

1.1 To give practical guidance to the organisation, employees, learners and contractors on company policy for Equality, Discrimination and Racism.

1.2 To ensure all employees, learners, contractors and visitors enjoy Equality, free from Discrimination of all types and free from Racism while at work, attending organisation training courses and attending official organisation functions.

1.3 This details how issues relating to Equality, Discrimination and Racism may be prevented. Outline steps to take if issues or problems occur. We aim to ensure that adequate procedures are readily available to deal with these issues and prevent recurrence. We promote the development and implementation of policies and procedures which, establish working and learning environments free from Discrimination/Racism and encourage Equality ensuring that everyone's dignity is respected

2.0 The Hibernian Healthcare Ltd Policy Statement Objectives

- 2.1 Ensure compliance with Equality Acts 1998-2008
- 2.2 Take all reasonably practicable steps to prevent Discrimination/Racism from occurring, reverse the effects of it and prevent its recurrence
- 2.3 Ensure that a policy on Equality and Discrimination/Racism at work and in the learning environment is an integral part of equal opportunities strategies in the workplace and the learning environment
- 2.4 Ensure the effectiveness of such policies by operating them in conjunction with similar policies on Bullying, Harassment and Sexual Harassment and Health and Safety.
- 2.5 Communicate this policy to all employees, learners, contractors and visitors so as to avoid any doubt that instances of Discrimination/Racism will not be tolerated at any time from any source.
- 2.6 Ensure that all employees, learners, contractors and visitors to the place of work and the learning environment, attending organisation training courses and official organisation functions will be free from Discrimination/Racism at any time from any source.
- 2.7 Clearly state that, precautionary measures are in place both to prevent the occurrence of Discrimination/Racism and to deal appropriately with any cases that might arise.
- 2.8 Ensure that the issue of Discrimination/Racism will be openly discussed on the agenda at the Health and Safety Committee meetings.
- 2.9 Ensure through their Health and Safety Policy that the organisation policy, procedure and code of practice relating to Equality and Discrimination/Racism will be reviewed at regular intervals and altered when necessary to ensure that it is completely up to date with the most recent legislative requirements.
- 2.10 Ensure that training takes place to raise the levels of awareness of the contents of the policy/procedure within the organisation as it relates to all employees, learners, contractors and visitors.

3.0 The Hibernian Healthcare Ltd Policy Declaration

- 3.1 The organisation is committed to ensuring that the workplace, learning environment, organisation training courses and organisation social events are free from Discrimination/Racism
- 3.2 All employees, learners, visitors and contractors have the right to be treated with dignity and respect
- 3.3 Complaints by employees, learners, visitors and contractors will be treated with fairness and sensitivity and in as confidential a manner as possible
- 3.4 Discrimination/Racism by the organisation, employees, learners and non-employees such as clients, customers and business contacts will not be tolerated and will lead to disciplinary action (in the case of employees and learners) and other sanctions for example the suspension of contracts or services or exclusions from premises (in the case of non-employees or contractors).
- 3.5 It acknowledges that this policy in no way interferes with the persons rights within the Equality Acts 1998-2008
- 3.6 The policy is to ensure organisation compliance with the Equality Acts 1998-2008
- 3.7 The Organisation actively complies with the Equality Acts 1998-2008 in relation to the nine grounds for discrimination

4.0 Scope

- 4.1 This policy covers all organisation employees, learners, contractors, customers and visitors at all organisation premises, organisation training courses and official organisation functions

5.0 Customer policy

- 5.1 Hibernian Healthcare Ltd also promote the principles of the Equality Act for their Employees and Learners and prohibit any form of harassment, bullying, racism, sexual harassment, and discrimination in relation to the nine grounds for discrimination for persons who buy or receive services from the Organisation.

6.0 Management responsibilities

- 6.1 Development of a Preventive and Remedial procedural system
- 6.2 Discrimination does not occur
- 6.3 Complaints are addressed speedily
- 6.4 Provision of good example by treating all in the workplace and the learning environment with courtesy and respect
- 6.5 Promotion of awareness of the organisation's policy and complaints procedures
- 6.6 Vigilance for signs of Discrimination and take action before a problem escalates
- 6.7 Sensitive response to any person who makes a complaint of Discrimination
- 6.8 Explanation of the procedures to be followed if a complaint of Discrimination is made
- 6.9 An employee or any other person making a complaint is not victimised for doing so
- 6.10 Monitoring of and following up the situation after a complaint is made so that the discrimination does not recur.

7.0 Employees and learner responsibilities

- 7.1 To contribute to achieving a discrimination/racism free environment
- 7.2 Through co-operating with management and trade union strategies to eliminate discrimination/racism
- 7.3 That discrimination/racism by employees and learners will constitute misconduct and may lead to disciplinary action

8.0 Non-employee or non-learner responsibilities

- 8.1 That discrimination/racism by non-employees or non-learners such as clients, customers and business contacts will not be tolerated
- 8.2 That such behavior may lead to termination of contracts or suspension of services, or exclusion from a premises

9.0 Communication of the Hibernian Healthcare Ltd policy

9.1 Hibernian Healthcare Ltd management commits to ensuring an effective means of communication of the policy to the following

- 9.1.1 Management
- 9.1.2 Employees
- 9.1.3 Learners
- 9.1.4 Customers
- 9.1.5 Clients
- 9.1.6 Other business contacts, including those who supply and receive goods and services

9.2 Methodology to be used

- 9.2.1 Training Manuals
- 9.2.2 Training courses
- 9.2.3 Websites
- 9.2.4 E-mails
- 9.2.5 Notice boards

10.0 Monitoring of incidents of Discrimination/Racism

- 10.1 All incidents of discrimination/racism
- 10.2 The methods of resolution of these incidents
- 10.3 The evaluation of this information
- 10.4 The policy and procedure at regular intervals
- 10.5 Make recommendations when areas of the system are not working well
- 10.6 The actions of the Hibernian Healthcare Ltd in relation to this issue

11.0 Training

11.1 The organisation policy states that Hibernian Healthcare Ltd management deems training to be a major way to ensure that the workplace, learning environments, organisation training courses and organisation social events are free from discrimination/racism.

11.2 Methodology to be used

- 11.2.1 Induction and general Staff Training
- 11.2.2 Health and Safety Awareness Training
- 11.2.3 Security and Fire Awareness Training
- 11.2.4 Supervisory Management Training
- 11.2.5 Awareness for Non-Employees

12.0 Specific Learning Outcomes will give the employees, learners and visitors a working knowledge of

- 12.1 Organisation Policy
- 12.2 Explanation of definitions and terms within the policy
- 12.3 Management responsibilities
- 12.4 Staff responsibilities
- 12.5 Learner responsibilities
- 12.6 Non-Employee responsibilities
- 12.7 Trade Union responsibilities
- 12.8 How to make a complaint
- 12.9 Investigation of a complaint
- 12.10 Confidentiality
- 12.11 Communications skills
- 12.12 Development of a safe and equal environment for all

12.0 Complaints procedure

- 12.1 The Organisation has a complaints procedure specific to Discrimination and racism
There is an Informal Procedure and formal Procedure for Raising Complaints of Equality, Discrimination, Racism, At work and learning environments, At organisation training courses, At organisation functions
- 12.2 The organisation complaints procedure is applicable to all management, staff, learners and non-employee personnel visiting the premises or centre, organisation training courses or organisation social events. The organisation procedure for dealing with complaints is as follows:
 - 12.2.1 Complaints informal
 - 12.2.2 Complaints formal
 - 12.2.3 Investigation
 - 12.2.4 Outcome
 - 12.2.5 Confidentiality
 - 12.2.6 Use of Competent Person

13.0 Informal procedure

- 13.1 An informal approach can often resolve matters. An attempt should be made to address an allegation of discrimination/racism as informally as possible by means of an agreed informal procedure.
- 13.2 The objective of this approach is to resolve the difficulty with the minimum of conflict and stress for the individuals involved.
- 13.3 Any employee or learner who believes he or she is being discriminated against or is subjected to racism should explain clearly to the alleged perpetrator(s) that the behavior in question is unacceptable
- 13.4 In circumstances where the complainant finds it difficult to approach the alleged perpetrator(s) directly, he or she should seek help and advice, on a strictly confidential basis, from a contact person, who could be
 - 13.4.1 Organisation manager
 - 13.4.2 Any manager in the workplace
 - 13.4.3 Course Tutor
 - 13.4.4 Human resource/personnel officer
 - 13.4.5 Employee/trade union representative
- 13.5 The contact person should listen patiently, be supportive and discuss the various options open to the employee or learner concerned.
- 13.6 The complainant may request the assistance of the contact person in raising the issue with the alleged perpetrator(s)
- 13.7 The approach of the contact person should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low-key manner
- 13.8 A complainant may decide, for whatever reason, to bypass the informal procedure
- 13.9 Choosing not to use the informal procedure should not reflect negatively on a complainant in the formal procedure

14.0 Formal procedure

- 14.1 If an informal approach is inappropriate or if after the informal stage, the discrimination/racism persists, the following formal procedures should be invoked.
- 14.2 Complainant should make a formal complaint in writing to his/her immediate manager/tutor
- 14.3 Complaint should be precise details of actual incidents of discrimination
- 14.4 Alleged perpetrator(s) should be notified in writing that an allegation of discrimination has been made against him/her
- 14.5 He or she should be given a copy of the complainant's statement and advised that he or she shall be afforded a fair opportunity to respond to the allegation(s)
- 14.6 Complaint should be subject to an initial examination by a designated member of management or the tutorial staff who can be considered impartial with a view to determining an appropriate course of action
- 14.7 Explore a mediated solution with a view that the issue can be resolved informally
- 14.8 Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint should take place with a view to determining the facts and the credibility or otherwise of the allegation(s)

15.0 Investigation

- 15.1 Conducted by either a designated member(s) of management or the tutorial staff or, if deemed appropriate, an agreed third party
- 15.2 Conducted thoroughly, objectively, with sensitivity, utmost confidentiality, and with due respect for the rights of both the complainant and the alleged perpetrator(s)
- 15.3 Governed by terms of reference, preferably agreed between the parties in advance
- 15.4 Investigator(s) should meet with the complainant and alleged perpetrator(s) and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegation(s).
- 15.5 Complainant and alleged perpetrator(s) may be accompanied by a work colleague, fellow learner or employee/trade union representative if so desired
- 15.6 Carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe
- 15.7 On completion of the investigation, the investigator(s) should submit a written report to the organization management containing the findings of the investigation
- 15.8 Both parties should be given the opportunity to comment on the findings before any action is decided upon by the organisation management
- 15.9 Complainant and the alleged perpetrator(s) should be informed in writing of the findings of the investigation

16.0 Outcome

- 16.1 Employee or Learner
- 16.2 Should the organisation's management decide that the complaint is well founded, the alleged perpetrator(s) should be given a formal interview to determine an appropriate course of action
- 16.3 Such action could involve counselling, training and/or monitoring or progressing the issue through the disciplinary and grievance procedure of the employment or of the rules of the learning centre
- 16.4 If either party is unhappy with the outcome of the investigation, the issue may be processed through the normal industrial relations mechanisms or legal avenues
- 16.5 The complainant has the right to make a complaint under the Equality Acts 1998-2008
- 16.6 A complaint must be made within 6 months of the alleged incident of discrimination/racism or the latest incident of such discrimination/racism. This may be extended to up to 12 months where exceptional circumstances prevented the making of the complaint within the 6 months.

17.0 Non-employee and Non Learners

17.1 If following investigation the allegation of discrimination/racism by a non-employee against an employee or learner is upheld then the organization will review the action that it may take and inform the relevant non-employee or his/her company of the result of that decision.

17.2 Types of possible action

17.2.1 Better information of the organisation policy

17.2.2 Re-training of the individual

17.2.3 Exclusion from the premises

17.2.4 Suspension of the contract

17.2.5 Termination of the contract

18.0 Confidentiality

All individuals involved in the procedures referred to above should maintain confidentiality on the subject.

19.0 Review of the policy

19.1 The organisation will take the following actions to review the policy to ensure that it is compliant with all relevant legislation

19.2 Commit to review the policy on a regular basis in line with changes in the law, relevant case law or other developments

19.3 Designate a competent person to ensure that monitoring, training and reviews occur.

19.4 Develop clear and precise procedures to deal with discrimination/racism once it has occurred

19.5 Ensure the resolution of problems in an effective and efficient manner

19.6 Ensure practical guidance for employees, learners and non-employees/non learners on how to deal with discrimination/racism when it occurs and with its aftermath

19.7 Review the complaints procedure

19.8 Adapt and expand the policy to reflect the size and complexity of the employment and the learning environment

19.9 Review preventative measures to prevent occurrences

20.0 Equal Opportunity

20.1 The Organisation complies with the Employment Equality Act, Qualifications Act, and Equality Act and prohibits discrimination on the nine specific grounds set out below in all aspects of a person's employment or education from

- 20.1.1 Access to employment or learning
- 20.1.2 Conditions of employment
- 20.1.3 Conditions of attendance at courses
- 20.1.4 Training or experience
- 20.1.5 Promotion or re-grading
- 20.1.6 Classification of posts
- 20.1.7 Vocational training
- 20.1.8 Equal Pay
- 20.1.9 Relating to references

The organisation states that it will not treat an employee, learner or non-employee/non learner less favourably on any of the nine grounds for discrimination.

These internal procedures do not in any way infringe on the individuals rights under the Equality Acts 1998-2008.

Signed: _____

Date: _____

Managing Director