

# Monitor

Making the health sector  
work for patients

## Equality and Diversity Policy

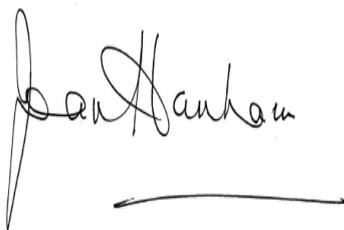


## Diversity & inclusion statement

Individuals with different cultures, perspectives and experiences are at the heart of the way Monitor works. We want to recruit, develop and retain the most talented people, regardless of their background<sup>1</sup> and make best use of their talents. At Monitor we are guided by our values in everything we do, and recognise that being a diverse and inclusive employer helps us fulfil our responsibility to make a difference for patients.

We seek to develop a work environment where we treat all employees as individuals, fairly and in a consistent way. We work within the spirit and the practice of the Equality Act 2010 by promoting a culture of respect and dignity and actively challenging discrimination, should it ever arise. We will remove unnecessary barriers for our employees seeking opportunities through training and development, promotion and career planning.

We will continue to support our leaders, managers and employees to demonstrate the principles of diversity and inclusion in their everyday activities, roles and functions.



**Baroness Joan Hanham**  
**Chairman**



**David Bennett**  
**Chief Executive**

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<sup>1</sup> This refers to the protected characteristics of sex, gender reassignment, race, disability, age, sexual orientation, religion or belief, marriage and civil partnership and pregnancy and maternity.

# Equality and Diversity Policy

## 1. Purpose

This policy sets out Monitor's approach to equality and diversity. Monitor is committed to promoting equality and diversity and promoting a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work.

Monitor aims to be an inclusive organisation, committed to providing equal opportunities throughout employment including in the recruitment, training and development of employees, and to pro-actively tackling and eliminating discrimination.

## 2. Equality and diversity at Monitor

At Monitor, we consider that equality means breaking down barriers, eliminating discrimination and ensuring equal opportunities and access for all groups both in employment, and to goods and services.

We consider diversity to mean celebrating difference and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for Monitor too.

We acknowledge that equality and diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued and harnessed.

## 3. Scope

The rights and obligations set out in this policy apply equally to all employees, whether part time or full time on a substantive or fixed-term contract, and also to associated persons such as secondees, agency staff, contractors and others employed under a contract of service.

You have personal responsibility for the application of this policy. As part of your employee induction, you are expected to read and familiarise yourself with this policy, ensure that this policy is properly observed and fully complied with and to complete the declaration below (Page 5).

This policy is also of particular relevance to directors, line managers and other employees concerned with recruitment, training and promotion procedures and employment decisions which affect others.

## 4. Monitor's commitment

Every employee is entitled to a working environment that promotes dignity, equality and respect for all. Monitor will not tolerate any acts of unlawful or unfair discrimination (including harassment) committed against an employee, contractor, job applicant or visitor because of a protected characteristic:

- sex;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race (including ethnic origin, colour, nationality and national origin);
- disability;
- sexual orientation;
- religion and or belief; and
- age.

Discrimination on the basis of work pattern (part-time working, fixed term contract, flexible working) which is unjustifiable will also not be tolerated.

All employees will be encouraged to develop their skills and fulfil their potential and to take advantage of training, development and progression opportunities in Monitor. Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability.

No form of intimidation, bullying or harassment will be tolerated. If you believe that you may have suffered discrimination because of any of the above protected characteristics, you should consider the appropriateness and feasibility of attempted informal resolution by discussion in the first instance with your line manager or another colleague in a relevant position of seniority. You may decide in the alternative to raise the matter through Monitor's **Harassment Policy** or **Grievance Policy**. For types of discrimination see the **Annex** to this policy.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the appropriate procedure. Monitor will ensure that individuals who make such allegations in good faith will not be victimised or treated less favourably by Monitor as a result. However, false allegations of a breach of this policy which are found to have been made in bad faith will be dealt with under Monitor's **Discipline Policy**.

A person found to have breached this policy may be subject to disciplinary action under Monitor's **Discipline Policy**.

Employees may also be personally liable for any acts of discrimination prohibited by this policy that they commit, meaning that they can be sued by the victim.

## 5. When does this policy apply?

This policy applies to all conduct in the workplace and also to conduct outside of the workplace that is related to your work (e.g. at meetings, social events and social interactions with colleagues) or which may impact on Monitor's reputation (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be linked to Monitor).

We set out below some specific areas of application:

### a) Recruitment

Selection for employment at Monitor will be on the basis of aptitude and ability. Further detail is set out in Monitor's **Recruitment and Selection Policy**. Where possible, Monitor will capture applicants' diversity demographics as part of its recruitment processes to promote the elimination of unlawful discrimination.

### b) Training

You may also be required to participate in training and development activities from time to time, to encourage the promotion of the principles of this policy.

### c) Promotion

All promotion decisions will be made on the basis of merit, and will not be influenced by any of the protected characteristics listed above. Promotion opportunities will be monitored to ensure equality of opportunity at all levels. Where appropriate, steps will be taken to identify and remove unnecessary or unjustifiable barriers to promotion.

### d) During employment

The benefits, terms and conditions of employment and facilities available to Monitor employees will be reviewed on a regular basis to ensure that access is not restricted by unlawful means and to provide appropriate conditions to meet the special needs of disadvantaged or under-represented groups.

## 6. Monitor's legal duties

As a public body, Monitor is additionally subject to public sector equality duties under the Equality Act 2010. This policy will be reviewed on an ongoing basis by Monitor to assess its effectiveness and may be amended from time to time.

This policy is for guidance only and does not form part of your contract of employment.

*This policy has been in operation since August 2004 and was reviewed in December 2006, July 2008, May 2010, July 2011 and February 2015.*

**EQUALITY AND DIVERSITY DECLARATION:**

I have read and understood Monitor's **Equality and Diversity Policy** and agree to work to the expected standards. Regardless of my background and circumstances, I agree to treat all colleagues and visitors with respect and dignity while carrying out the duties and responsibilities of my role at Monitor.

Signature.....

Date.....

Print name.....

PLEASE RETURN TO ORGANISATION TRANSFORMATION - HUMAN RESOURCES  
ADVISORY TEAM.

## ANNEX - types of discrimination

There are various types of discrimination prohibited by this policy. The main types are:

### 1) Direct discrimination

Direct discrimination occurs where one person is treated less favourably than another because of a protected characteristic set out in this policy. By way of example, refusing to promote a pregnant employee on the basis that she is shortly due to go on maternity leave would be direct discrimination on the protected characteristic of the employee's sex. Other types of direct discrimination are:

- **Associative discrimination** - this is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For example, an employee is discriminated against because his/her son is disabled.
- **Perceptive discrimination** - this is direct discrimination against an individual because others think they possess a particular protected characteristic. For example, where co-workers believe the individual is gay. It applies even if the person does not actually possess that characteristic.

### 2) Indirect discrimination

Indirect discrimination occurs when an unjustifiable requirement or condition is applied, which appears to be the same for all, but which has a disproportionate, adverse effect on one group of people. This is discrimination even though there was no intention to discriminate. For example, a requirement for UK based qualifications could disadvantage applicants who have obtained their qualifications outside of the UK; this could amount to indirect discrimination on the grounds of race.

### 3) Victimisation

Victimisation is where an employee is treated less favourably than others because they have asserted legal rights against Monitor or assisted a colleague in doing so. For example, victimisation may occur where an employee has raised a genuine grievance against Monitor and is demoted as a result.

### 4) Harassment

Harassment 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.” It is important to remember that it is not the intention of the harasser but how the recipient perceives their behaviour, which determines whether harassment has occurred. Please see Monitor's **Harassment Policy**, for further details of how Monitor will deal with bullying and harassment.



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