

HRA Equality Policy

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Date of Release: 1 December 2011
Version No. & Status: Final version 1.1
Approved By: HRA Board
Supersedes Version:
Review Date: 1 year from approval
Owner: Sandra Holley

1. Background

The Health Research Authority (HRA) is a newly formed NHS organisation established on 1 December 2011. The HRA is made up of a number of independent organisations that will be brought together under the Authority to provide a service to researchers seeking advice and approval for their research proposals. The HRA employs staff and also recruits volunteers to make up the membership of their research ethics committees (RECs).

As a public sector organisation the HRA recognises our general and our specific public duty identified in section 149(1) of the Equality Act 2010 towards people with characteristics protected by the Act.

The public duty covers:

- Eliminating unlawful discrimination(both direct and indirect), harassment and victimisation
- Advancing equality of opportunity between different groups
- Fostering good relations between different groups

The nine protected characteristics are:

- Age including specific ages and age groups
- Disability including cancer, HIV, multiple sclerosis, and physical or mental impairment where the impairment has a substantial and long-term adverse effect on the ability to carry out day-to-day activities
- Gender re-assignment where people are proposing to undergo, are undergoing or have undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attribute of sex
- Marriage and civil partnership.
- Pregnancy and maternity
- Race including colour, nationality and ethnic or national origins
- Religion or belief, including a lack of religion or belief, and where belief includes any religious or philosophical belief
- Sex
- Sexual orientation, meaning a person's sexual orientation towards persons of the same sex, persons of the opposite sex and persons of either sex.

2. Purpose

This policy sets the culture and working practices the Authority wishes to develop to address equality and how the HRA will take forward our public duty under the Equality Act 2010 It is acknowledged that the appropriateness of the provisions and approach within this policy must be considered and discussed through engagement with our staff, REC members and other interested groups and the suggestions within the policy are seen as a reasonable start point for discussion..

As a newly formed organisation the Authority will prioritise establishing engagement arrangements, gathering data, establishing objectives and writing processes and guidance information to provide baseline information so that an assessment of our response towards our public duty can be undertaken.

It is chosen to set out our approach within this policy under a selection of headings that reflect the scope of our business e.g. as a public sector organisation, an employer, an organisation that recruits volunteers and as a service provider and help identify issues for engagement.

The headings are as follows:

- The commitment of our Senior management
- The behaviour of our staff and REC members
- The service to our users
- Our approach to our business and how we plan to integrate our responsibilities towards protected groups
- The suitability of our offices, meeting and training venues
- The contractors we used
- The recruitment, of and working environment for staff and members
- Written material developed including our website and other facilities available for our users and the public
- Our approach to dealing with discrimination

3. Scope

This applies to all HRA staff including temporary staff, those seconded, interns, REC members and officers, our users and those undertaking work under contract with the HRA and all our activities including those provided to our users.

4. Reference Documents

- The Equality Act 2010
- The Equality Delivery System for the NHS 29 July 2011

5. Responsibilities

The HRA Senior Management is responsible for creating a culture and establishing working practices that integrate equality issues into our established way of working. Senior management is also responsible for ensuring the governance structure and resources are available to enable the Authority to meet our public duty under the Equality Act 2010 in the best possible way. In doing this it is recognised that all staff play a part in achieving this aim. In particular:

Heads of Department should ensure this policy and other equality guidance is given to their staff and that staff are made aware of the nine protected groups and how to support the needs of these groups through the functions taken forward by the Department. Heads of Department should ensure Equality Impact Assessments (EIAs) are conducted as required particularly when developing new activities so that the needs of protected groups are integrated into new developments. Heads of Department must be accessible to those reporting issues of discrimination or concern and must ensure these are addressed appropriately and quickly.

Line Managers are required to be aware of and support the HRA approach to equality issues and take the first steps to address any issues that they may become aware of in the course of their work

Individual members of staff are responsible for making themselves aware of and supporting the HRA approach to equality and notifying their line manager of any concerns they may have in the course of their work

6. How the HRA will take forward their responsibilities across key areas of their responsibility

6.1 The commitment of our Senior management

The HRA acknowledges the critical role our senior managers will play in providing the leadership and resources to meet our public duty. In particular senior managers need to confirm our governance arrangements and partnership working and approach for taking forward the implementation plan suggested in the Equality Delivery System for the NHS 29 July 2011.

6.2 The behaviour of staff and REC members

The HRA acknowledges it is responsible for how staff and voluntary members behave when working on behalf of the Authority. The Authority recognises it has an essential role in ensuring staff and members are made aware of the approach of the Authority towards equality issues and our public duty and how this will be taken forward. The Authority aims to support staff and members through the provision of training, advice and guidance. As a new NHS organisation the Authority will prioritise the development of policies, guidance and training so that our approach is clearly delivered across all staff and members.

It is suggested equality training is mandatory for all staff on appointment and every three years thereafter and for members and officers, equality training will be provided but it recognised that equality training for members can also be gained through their own employment in the NHS or other organisations.

6.3 The service to our users

The HRA is committed to a high quality of service for all users. The Authority currently seeks feedback from REC users within the final decision letter from the REC. These views are collated and reviewed and appropriate action is taken to address concerns expressed through any comments received.

The HRA aims to work collaboratively with all users. Applicants are invited to attend REC meetings to discuss their research directly with committee members and nominated members of the committee are available to give further advice about their application as well as the coordinator. Advice can be sought in writing or by telephone. Every effort is made to enable applicants to attend and those having difficulties through disability are asked within the invitation letter to request any practical support to make attendance possible. Telephone facilities are also provided where available if attendance is difficult. Feedback is sought from any disabled users who have attended a REC meeting to ensure they are happy with the provision made.

Users are also invited to use our e-mail based queries line for general advice or e-mail or telephone the local REC. Our guidance is available via our website where the print size can be adjusted if needed.

The Authority is committed to extending feedback as the functions conducted by the Authority expand. The appropriateness of the current way of accessing views should be considered through engagement.

6.4 Our approach to our business and how we plan to integrate our responsibilities towards protected groups

The HRA acknowledges as a public sector organisation it has a responsibility to take forward the implementation plan referenced in Section 4 and to integrate these requirements into our business planning in the future so that an annual cycle of engagement, collection of data, analysis and improvement is achieved along with the development of specific, measurable objectives at least every four years. In addition Equality Impact Assessments should be undertaken when taking forward any new activities or initiatives so that the needs of protected groups are integrated into our business Activity.

6.4 HRA offices, meeting and training venues

The HRA undertakes to make reasonable adjustments to enable staff and members enter and work within our offices, any meeting rooms or training venues selected. The needs of members are checked when training is booked and venues are selected with appropriate disabled access, special diets are also catered for and days selected for training to avoid religious days where possible.

The HRA also undertakes to make reasonable provision for any research applicants who may need to visit any premises provided by the HRA e.g. to attend a REC meeting (see 6.3 above).

6.5 Contractors used by the HRA

The HRA acknowledges we have a responsibility to ensure any contractor working on behalf of the Authority meet the requirements of equality legislation and do not behave in a discriminately way. This requirement will be made clear within any contract signed by the Authority. In return the Authority undertakes to ensure there is no prejudice or discrimination when contracts are awarded. The process for awarding contracts will be made public so that a consistent, clear approach is always taken and the criteria for selection made clear.

6.6 The recruitment of and working environment for staff and members

The HRA will take forward a consistent approach to recruiting staff either through NHS Jobs or a temporary agency that is recommended for our use as a NHS organisation. A national approach will be taken towards the recruitment of voluntary members so that a fair and open process can be achieved.

Through our HR and Operational Teams processes will be taken forward to promote equality and deal with any discrimination, victimisation or bullying. The views of staff and members will be sought on a regular basis to check how successful these approaches are.

In this way the HRA undertakes:

- Not treat any job applicant, employee, existing or potential voluntary members worse than another because of a protected characteristic.
- Not do anything that has (or would have) a worse impact on an applicant, employee existing or potential voluntary members than another who does not have that characteristic.
- Not to treat a disabled job applicant, employee, existing or potential voluntary members unfavourably because of something connected to their disability.
- Not treat a job applicant, employee, existing or potential voluntary members worse than another because they are associated with a person who has a protected characteristic.

- Not treat a job applicant, employee, existing or potential voluntary members worse than another because it is incorrectly thought they have a protected characteristic.
- Not treat a job applicant, employee existing or potential voluntary members badly or victimise them because they have complained about discrimination or helped someone else complain or have done anything to uphold their own or someone else's equality law rights.
- Not harass any job applicant, employee existing or potential voluntary members or fail to provide reasonable adjustment to enable them to attend an interview or do a job.
- To consider all requests for flexible working, time off and changes to working hours without discrimination or indirect discrimination.

6.7 Written material developed including our website and other facilities available for our users and the public

The HRA will largely publish our written material on our website so that it can easily be accessed and version control can be maintained. In doing so it is acknowledged Equality Act 2010 is 'anticipatory' e.g. we cannot wait until a disabled person wants to use our services, and we must think in advance (and on an ongoing basis) about what disabled people with a range of impairments might reasonably need from our website.

In particular it is acknowledged it may be unlawful to:

- have links on that are not accessible to a screen reader
- have application forms (for instance, for bank accounts or job application forms) in a PDF format that cannot be read by a screen reader
- have core service information (for instance, timetables on a public transport website) that is not in a format accessible to screen readers.
- use text, colour contrasting and formatting that make the website inaccessible to a partially sighted service user
- change security procedures (for instance, on an e-commerce website) without considering the impact of blind and partially sighted customers that use screen readers.

It is suggested our website is manually checked and automated testing is also undertaken using initially the free testing tool Wave found on the on the RNIB website

http://www.rnib.org.uk/professionals/webaccessibility/testingtips/Pages/automated_testing.aspx

. Consideration should also be given to an accreditation audit by the RNIB.

6.8 Our approach to dealing with discrimination

The HRA acknowledges that discrimination can come in different forms and recognises it is important to be aware of the definitions of discrimination within the Act and by doing so wishes to avoid discrimination where possible and act upon any discrimination found or reported effectively and quickly.

Definitions of Discrimination within the Act

Direct discrimination

Direct discrimination occurs when you treat a person less favourably than you treat (or would treat) another because of a protected characteristic. Racial segregation is deliberately separating people by race or colour or ethnic or national origin and will always be unlawful direct discrimination.

Direct discrimination can also occur as:

Discrimination based on association

Direct discrimination also occurs when you treat a person less favourably because of their association with another person who has a protected characteristic (other than pregnancy and maternity).

Discrimination based on perception

Direct discrimination also occurs when you treat a person less favourably because you mistakenly think that they have a protected characteristic (other than pregnancy and maternity).

Indirect discrimination

Indirect discrimination occurs when you apply a provision, criteria or practice in the same way for all, but this has the effect of putting person sharing a protected characteristic within the group at a particular disadvantage.

Note: 'Disadvantage' is not defined in the Act but a rule of thumb is that a reasonable person would consider that disadvantage had occurred. It can take many different forms, such as denial of an opportunity or choice, deterrence, rejection or exclusion.

It doesn't matter that you did not intend to disadvantage the person with a particular protected characteristic in this way. What does matter is whether your action does or would disadvantage such a person compared with people who do not share that characteristic. Indirect discrimination applies to all the protected groups other than pregnancy and maternity, although something that disadvantages someone who is pregnant or new mothers may be indirect sex discrimination. It may be not discriminatory if the aim of the provision, criteria or practice is legal and non-discriminatory and represents a real objective consideration but even if the aim is legitimate the means of achieving it must be proportionate. Proportionate means 'appropriate and necessary', but 'necessary' does not mean that the provision, criterion or practice is the only possible way of achieving the legitimate aim.

The HRA plans to include the management of discrimination routinely in HR procedures, processes and policies as well as within our user feedback and member management.

7. Monitoring of activities covered by the process

Monitoring the activities set out in this policy will initially be done by the steps undertaken within our action plan established to address our public duty and there after annually as part of the business cycle.

8. How lessons are learnt and incorporated into the Policy

This policy will be assessed and monitored in the light of engagement with interested groups, data collected and through the general assessment of the delivery of our duty of care and annually on the review date.

Document Control

Change Record

Version Status	Date of Change	Reason for Change
1.1	2012 02 09	To update information on discrimination

Reviewers

Name	Position	Version Reviewed
Sandra Holley	Head of QA	

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