

AGENDA REFERENCE NUMBER	
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DATE OF BOARD MEETING	June 22nd 2021
SUMMARY OF REPORT	UKPHR Equality and Diversity Policy
ACTION REQUIRED	Board to review the draft policy and approve

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1.0 Purpose of this document

- 1.1 This document sets out the equality and diversity policy of the UK Public Health Register (UKPHR). It identifies the action plan being put in place to achieve the outcomes intended by the policy to ensure all aspects of UKPHR's work complies with the Equality Act 2010 and any other UK Equality legislation.
- 1.2 The purpose of this policy is to:
 - 1.2.1 prevent, reduce and stop all forms of unlawful discrimination within UKPHR and its services by removing unfair and discriminatory practices within and in relation to any aspects of the organisation
 - 1.2.2 promote equality and diversity and ensure all those engaged in any activity with UKPHR are treated with respect and dignity and free from discrimination and abuse

2.0 Scope and Organisational Context

- 2.1 UKPHR was established in 2003 by the 'tripartite group' – the Multidisciplinary Public Health Forum (MDPHF), the Faculty of Public Health (FPH) and the Royal Institute of Public Health (RIPH). UKPHR's objective is to promote public confidence in public health professionals' practice in all four UK countries through independent regulation. UKPHR is an independent body with its own Board.
- 2.2 This policy covers the promotion of equality and diversity and the prevention of discrimination in relation to:
 - 2.2.1 everyone who works for or acts on behalf of UKPHR - including staff, Board members, Committee members, volunteers and registrants
 - 2.2.2 the development, delivery and evaluation of the UKPHR registers ensuring that those who share a particular characteristic are not disadvantaged by the process to acquiring and maintaining registration, other than by being directly related to the required competence standards

3.0 Key Functions of UKPHR

- 3.1 Public health specialists and practitioners can be employed by a wide range of statutory, voluntary and private organisations and come to the profession through diverse professional and educational routes. The ethnic, cultural and other personal backgrounds of those in public health are also increasingly diverse and likely to be even more so in future years to reflect the UK's increasingly diverse population. UKPHR offers voluntary registration as public health specialists and practitioners to those who may not be registered with other regulatory bodies.

- 3.2** Registration with UKPHR is designed to assure the public and employers that multidisciplinary specialists and practitioners in public health are appropriately qualified and competent. It sets standards for registration that are recognised throughout the United Kingdom and provide significant public protection from unprofessional or unethical behaviour. It seeks to enhance professional recognition of public health practice among employers, other professionals and the public.
- 3.3** The work of UKPHR is overseen by a Board and its Committees offer their services on an unpaid voluntary basis, including the Registrar. Day-to-day responsibility for delivering the strategy and objectives of UKPHR rests with the Chief Executive supported by a small staff group. These are the only paid employees of UKPHR.
- 3.4** This equality and diversity policy applies to the organisation as a whole and all those associated with UKPHR, whether paid or acting in a voluntary capacity, and the execution of its key functions.

4.0 Legislative Framework for Equality and Diversity

4.1 Legislation

UKHPR wholly endorses both the moral and the business case for promoting equal opportunities and eliminating discrimination, as well as for ensuring that it operates in a fair and transparent manner with staff, volunteers, registrants and all other stakeholders. It actively seeks to ensure best practice in the area of equality and diversity as well as compliance with legal requirements. The legislation which underpins this policy is set out below.

4.2 The Equality Act 2010

The Equality Act came into force on 1 October 2010. It brought together over 116 separate pieces of legislation into one Act. Combined, they provide a legal framework to protect the rights of individuals and advance equality of opportunity for all. Appendix 1 sets out the legislation which the Act replaces. The Act requires public bodies to consider all individuals when carrying out their day-to-day work in shaping policy, service delivery and in relation to UKPHR's employees. It replaces the three previous public sector duties for race, disability and gender and covers the protected characteristics that are recognised within the Equality Act.

4.3 Protected characteristics

The Act covers nine protected characteristics (details included in Appendix 2) on the grounds upon which discrimination is unlawful

- Age
- Disability

- Gender reassignment - the process of transitioning from one gender to another
- Marriage and civil partnership
- Pregnancy
- Race, referring to a group of people defined by their race, colour, and nationality including citizenship, ethnic or national origins
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

4.4 Although UKPHR needs to be mindful of all of these protected characteristics, some of the factors such as age, disability, sex, race and gender are likely to be more immediately relevant to the work of UKPHR.

4.5 Other relevant sections of the Act

4.5.1 There are some specific sections of the 2010 Act that apply to the work of UKPHR. Access to a professional body is covered by section 57, which makes special reference to the behaviour expected of a 'trade organisation'. A trade organisation includes an organisation of workers whose members carry out a particular trade or profession. Section 57 makes it unlawful for a trade organisation to discriminate against, harass or victimise a person who is, or is applying to be, a member.

4.5.2 Section 53 applies to 'Qualification bodies' and makes it unlawful for a qualifications body to discriminate against, harass or victimise a person when conferring relevant qualifications (which includes renewing or extending a relevant qualification). Section 54 explains the meaning of various terms used in section 53. In particular, it defines a qualifications body as a body which can confer any academic, medical, technical or other standard which is required to carry out a particular trade or profession, or which better enables a person to do so by, for example, determining whether the person has a particular level of competence or ability.

4.6 It is unlawful for UKPHR to fail to make reasonable adjustments to its requirements, working practices or the physical features of the workplace where these put anyone at a substantial disadvantage. It is also unlawful discrimination where a disabled employee is at a substantial disadvantage due to the employer's unreasonable failure to provide an auxiliary aid or service to the disabled employee.

4.7 Public Sector Equality Duty

On 6 April 2011 a new Public Sector Equality Duty (PSED) came into force under the authority of the 2010 Act.

4.7.1 General Equality Duty requires public bodies, in the exercise of their functions, to have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between those who share or have different protected characteristics. The duty explains that having due regard for advancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics, taking steps to meet the needs of people from protected groups where these are different from the needs of other people and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

4.7.2 Specific Public Sector Equality Duties set out the specific public sector equality duties that certain public bodies must comply with. The aim of the specific duties is to help public bodies comply with the general duty to promote equality in the workplace contained in the Equality Act 2010, which has been in force since 5 April 2011.

4.8 UKPHR commitment

UKPHR are committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment and against volunteers/stakeholders/registrants. This policy is intended to assist UKPHR to put this commitment into practice. Compliance with this policy should also ensure that employees or volunteers do not commit unlawful acts of discrimination.

5.0 Equality and Diversity Policy and Objectives

5.1 Definitions

5.1.1 Equality is about creating a fairer society/organisation where everyone can participate and has the same opportunity to fulfil their potential and make their fullest contribution.

5.1.2 Diversity is about recognising that everyone is different in a variety of visible and non-visible ways. It is about creating a culture and practices that recognise, respect and value difference. It is about harnessing this potential to create a productive environment for those within the organisation and those with whom the organisation comes into contact.

5.2 UKPHR has well established policies and practices to ensure fairness and objectivity in the actions of those involved in the discharge of its functions, not least its commitment and adherence to the Nolan principles. The following equality and diversity policy and its constituent objectives

complement and underpin the existing UKPHR commitment to objectivity and transparency in all its work.

5.3 Overarching Policy

It is the policy of UKPHR to be proactive in the pursuit of equality and diversity across the whole range of its organization and functions, and to aspire to become an exemplar of fairness and transparency to those with protected characteristics and those without. UKPHR recognises that 'Equality and Diversity' is not an 'initiative' or a 'project'; it is an ongoing core aim and a core process.

5.4 Specific Policy Objectives

- 5.4.1 UKPHR's commitment to equality of opportunity is not just about staff and employment: it affects every aspect of UKPHR activity and the way in which it runs its business.
- 5.4.2 UKPHR is committed to policies that will promote equal opportunities in all aspects of its employment and business, covering all the protected characteristics as defined by the Equality Act 2010 and its accompanying regulations.
- 5.4.3 The aim is to ensure that no job applicants, employees, applicants for registration, Board and committee members, assessors, moderators, advisors, contractors, suppliers or visitors receive less favourable treatment or are disadvantaged by conditions or requirements which cannot be shown to be justifiable.
- 5.4.4 The recruitment and selection of all those carrying out the functions of UKPHR, including the Board and its Committees, Assessors, and the Registration Panel, Fitness to Practise Panel etc., will follow best practice in ensuring the elimination of discrimination.
- 5.4.5 UKPHR is committed to providing a working and business environment which upholds the rights and dignity of all those who work for it and/or have business relationships with it, and which is free from discrimination, prejudice, intimidation and all forms of harassment including bullying.
- 5.4.6 UKPHR will ensure that information required from applicants for initial registration on any UKPHR register, for renewal of registration or for other regulatory purposes, does not disadvantage anyone, whilst safeguarding the integrity of the register/s.
- 5.4.7 UKPHR is committed to a programme of action to ensure that this policy is implemented and monitored at an organisational and individual level.

5.5 Policy Review

This policy is intended to accord with current legislation and will be regularly reviewed annually and updated as necessary.

6.0 Action Plan: Implementing the Equality and Diversity Policy

6.1 There are three main strands in ensuring that UKPHR implements this policy systematically and achieves exemplar status in its adherence to the requirements of the Equalities Act 2010. These three strands are Equality Analysis, Training and Monitoring and the key tasks are identified in the following sections:

6.1.1 Equality Analysis

UKPHR will regularly review all of its policies and key documents to ensure that they accord with this policy, and appropriate amendments will be made wherever appropriate. This review will include the information requirements from those applying for registration; the guidelines issued to those assessing submitted portfolios; the criteria for assessing portfolios; and communications with actual and potential applicants.

6.1.2 Training

UKPHR will ensure that all employees and everyone associated with it, whether they be members of its Board and Committees, Assessors or advisors, are fully trained to carry out their tasks in accordance with the law and with best practice in ensuring transparency and equality of opportunity.

6.1.3 Monitoring

Given that most of those working on behalf of UKPHR are essentially working in an unpaid voluntary capacity, UKPHR needs to provide training itself in equality and diversity; or be assured that they have received training elsewhere which incorporates the latest changes in the law as well as best practice in delivering equality and diversity). In any event, UKPHR will remain accountable for the behaviours and actions of all its employees and associates who carry out its functions.

6.2 Evaluation

6.2.1 The Board of UKPHR will require regular assurance that the organisation is operating within the law and in accordance with best practice in delivering equality and diversity. This will be achieved by regular reports to the Board on performance against agreed indicators.

6.2.2 Analysis is of how people from different ethnicities, or from any of the protected groups, progress through the registration process is crucial. It will enable the Board to determine whether the outcomes sought through implementing this policy are being achieved, and whether action needs to be taken to change

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policies, procedures and behaviours to achieve more equitable outcomes.

- 6.2.3** Equally, information will need to be collected on the protected characteristics of Assessors, Moderators, Verifiers and other associates, including on how and why they are appointed to these roles within UKPHR. Even though these are unpaid roles, all recruitment, selection and appointment processes of UKPHR need to demonstrate transparency and best practice in offering equal opportunity to all, whether they have protected characteristics or not.

Appendix 1

Protected characteristics

Age

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment

The process of transitioning from one gender to another.

Marriage and civil partnership

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

Male or female.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Appendix 2: Definitions

The Equality Act 2010 harmonised and replaced previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995). The Equality Act ensures consistency in making workplaces fair environments, providing education and training that is fair and complies with the law.

The Equality Act 2010 covers the same groups that were protected by previous equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

The Act refers to these as ‘protected characteristics’. Some protected characteristics are given extended protection under the Equality Act. The detail of the protected characteristics and the different forms of discrimination are set out below for ease of reference.

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

Direct discrimination is where someone is treated less favourably than another because of their protected characteristic

Associative discrimination is where an individual is directly discriminated against or harassed because they associate with another person who possesses a protected characteristic

Perceptive discrimination is where an individual direct discrimination against someone because others think they possess a protected characteristic

Indirect discrimination is where certain policies, requirements, provision, conditions or practices that apply to everyone disadvantages those with a particular protected characteristic

Harassment is where an individual is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Victimisation is where a person is treated less favourably because they have made or supported a complaint or grievance under the Equality Act 2010.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.



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Appendix 3: Nolan principles: The Seven Principles of Public Life

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

Appendix 4: UKPHR Equal Opportunities April 2021

Equal Opportunities

Introduction

UKPHR are an equal opportunities employer, committed to equality of opportunity and to providing a service and following practices which are free from unfair and unlawful discrimination. The aim of this document is to ensure that no applicant, stakeholder, volunteer or member of staff receives less favourable treatment on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, or is disadvantaged by conditions or requirements which cannot be shown to be relevant to performance. It seeks also to ensure that no person is victimised or subjected to any form of bullying or harassment.

UKPHR value people as individuals with diverse opinions, cultures, lifestyles and circumstances. All those involved with UKPHR are covered by this document and it applies to all areas of registration and employment including recruitment, selection, training, deployment, career development and promotion. These areas are monitored and policies and practices are amended if necessary to ensure that no unfair or unlawful discrimination, intentional, unintentional, direct or indirect, overt or latent exists.

The CEO has particular responsibility for implementing and monitoring the Equality and diversity policy and, as part of this process, this document and all personnel policies and procedures are administered with the objective of promoting equality of opportunity and eliminating unfair or unlawful discrimination.

All employees and volunteers, whether part time, full time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of UKPHR.

Equality of opportunity, valuing diversity and compliance with the law is to the benefit of all individuals in UKPHR as it seeks to develop the skills and abilities of its people. While specific responsibility for eliminating discrimination and providing equality of opportunity lies with managers and supervisors, individuals at all levels have a responsibility to treat others with dignity and respect. The personal commitment of every employee to this policy and application of its principles are essential to eliminate discrimination and provide equality throughout UKPHR.

UKPHR's commitment as an employer

UKPHR is committed to:

- creating an environment in which individual differences and the contributions of our staff are recognised and valued

- entitling every employee or volunteer to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
- providing training, development and progression opportunities to all staff and volunteers
- understanding equality in the workplace is good management practice and makes sound business sense
- reviewing all employment practices and procedures to ensure fairness.

UKPHR's commitment as a service provider

UKPHR is committed to:

- providing services to which all those associated with UKPHR are entitled, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, offending past, caring responsibilities or social class
- making sure our services are delivered equally and meet the diverse needs of our registrants by assessing and meeting the diverse needs
- selecting those for employment, promotion, training, or any other benefit purely on the basis of aptitude and ability
- monitoring and reviewing this document annually
- having clear procedures that enable our applicants, registrants, volunteers and candidates and employees to raise a grievance or make a complaint if they feel they have been unfairly treated
- treating breaches of our Equality and Diversity Policy as misconduct which could lead to disciplinary proceedings
- encouraging all staff to come forward with any issues they need UKPHR assistance and understanding with, no matter their background, identity or circumstances, such as if they are victims of domestic abuse or have caring commitments.

Equal Opportunity Statements

Age

UKPHR will:

- ensure that people of all ages are treated with respect and dignity
- ensure that people of working age are given equal access to our employment, training, development and promotion opportunities and
- challenge discriminatory assumptions about younger and older people.

Disability

UKPHR will:

- provide any reasonable adjustments to ensure disabled people have access to our services and employment opportunities
- challenge discriminatory assumptions about disabled people and
- seek to continue to improve access to information by ensuring availability of loop systems, braille facilities, alternative formatting and sign language interpretation.

Race

UKPHR will:

- challenge racism wherever it occurs
- respond swiftly and sensitively to racist incidents and
- actively promote race equality in the UKPHR.

Sex

UKPHR will:

- challenge discriminatory assumptions about women and men
- take positive action to redress the negative effects of discrimination against women and men
- offer equal access for women and men to representation, services, employment, training and pay and encourage other organisations to do the same.

Gender reassignment

UKPHR will:

- provide support to prevent discrimination against transsexual people who have or who are about to undergo gender reassignment
- prohibit and respond to all instances of discrimination, both from colleagues and externally.

Sexual orientation

UKPHR will:

- ensure that we take account of the needs of lesbians, gay men and bisexuals and
- promote positive images of lesbians, gay men and bisexuals.

Religion or belief

UKPHR will:

- ensure that employees' religion or beliefs and related observances are respected and accommodated wherever possible and
- respect people's beliefs where the expression of those beliefs does not impinge on the legitimate rights of others.

Pregnancy or maternity

UKPHR will:

- ensure that people are treated with respect and dignity and that a positive image is promoted regardless of pregnancy or maternity
- challenge discriminatory assumptions about the pregnancy or maternity of our employees and
- ensure that no individual is disadvantaged and that we take account of the needs of our employees' pregnancy or maternity.

Marriage or civil partnership

UKPHR will:

- ensure that people are treated with respect and dignity and that a positive image is promoted regardless of marriage or civil partnership;
- challenge discriminatory assumptions about the marriage or civil partnership of our employees and
- ensure that no individual is disadvantaged and that we take account the needs of our employees' marriage or civil partnership.

Ex-offenders

UKPHR will prevent discrimination against our employees regardless of their offending background (except where there is a known risk to children or vulnerable adults).

Equal pay

UKPHR will ensure that all employees, male or female, have the right to the same contractual pay and benefits for carrying out the same work, work rated as equivalent work or work of equal value.

Unconscious bias

UKPHR recognises the dangers of unconscious bias arising at work, which is where an opinion is formed on an individual by a manager or colleague without them necessarily being aware they have formed it. There are many different forms of unconscious bias, ranging from an affinity towards those of a similar background to placing too much significance on what has been identified as a negative trait.

The organisation will work against forms of unconscious bias in all decisions taken for employment, including recruitment, promotion and training opportunities, with a focus on promoting diversity and inclusion. In particular, UKPHR will implement the following:

- Omitting all personal questions from job interviews
- Maintaining a diverse panel to make decisions
- Referring to specific job criteria when making recruitment decisions
- Discounting any favourable personal relationships with staff.
- Making decisions collectively between staff and management.

Appendix 5: UKPHR Business Plan 2021-24: Objectives

A. OUR REGISTER

A1 We will communicate and demonstrate our commitment to public protection including through maintaining a register that is accurate, easily accessible to the public and upholds standards of competence for public health professionals

A2 We will regularly carry out assessment of risks presented by registrants' public health practice to service users and the public, keep our risk register up-to-date and be alert to future changes in risks

A3 We will maintain and develop appropriate education and training standards for applicants for registration and for routes to registration with the aim of maintaining and enhancing public confidence in our register

B. OUR RESOURCES

B1 We will communicate and demonstrate our strong and effective governance and management of our resources, including paid staff, volunteers finances and data, in the delivery of our functions

B2 We will work constantly to maintain and enhance registrants' competence and fitness to practise, promote quality improvement of registrants' services, and take timely action when concerns are raised for the protection of the public

B3 We will manage complaints about our services fairly and effectively and act on our learning from complaints, compliments and comments we receive with the aim of improving our own quality of service

C. OUR RELATIONSHIPS

C1 We will communicate and demonstrate the value of registration to all appropriate audiences with a view to ensuring maximum coverage of registration for the public health workforce

C2 We will, as an organisation, support the public health system's development of an agile, flexible, multidisciplinary public health workforce

C3 We will, as an organisation, behave with integrity, be open and transparent and be accountable to registrants, the public and stakeholders and be socially responsible



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