



Tallaght
University
Hospital

Ospidéal
Ollscoile
Thamhlachta

An Academic Partner of Trinity College Dublin

Employment Equality & Diversity Human Resources Policy

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1.0 Purpose

1.1 The purpose of this policy is to provide guidance to employees and line management in relation to employment equality and diversity in line with the Employment Equality Acts 1998-2015.

2.0 Review History

Date	Review No.	Change	Ref. Section	Reviewed by
2014	1	Revision of May 02 policy including to approved policy format/update to reflect current legislation/best practice	All sections	All stakeholders as listed in Appendix 1
November 2016	2	Review & amendments	Section 8 & 9	All stakeholders as listed in Appendix 1
December 2020	3	Review & amendments, Approved at EMT 15/2/2017	All sections	All stakeholders as listed in Appendix 1
December 2020	3	Review & amendments	All sections	All stakeholders as listed in Appendix 1
October 2023	4	Full Review & amendments	Section 5.1 and 7.12.2 and 7.12.3	All stakeholders as listed in Appendix 1

3.0 Persons Affected

3.1 All employees.

3.2 All candidates applying for vacancies within the Hospital.

4.0 Policy Statement

4.1 The Hospital strives to create a supportive environment in which all employees can flourish and reach their full potential, regardless of differences, experiences or education. Harnessing the wide range of perspectives, this diversity promotes innovation and helps make the Hospital more creative and effective.

5.0 Definitions

For the purposes of this policy and procedure the following definitions apply.

5.1 **Direct Discrimination:** Occurs where a person is treated less favorably on one of the nine grounds; gender, marital status, family status, age, disability, sexual orientation, race, religion and membership of the Traveller community.

5.2 **Indirect Discrimination:** Is defined as occurring where an apparently neutral provision puts a person who is a member of one of the nine groups at a particular disadvantage because of being a member of that group, unless the provision is objectively justified by a legitimate aim, and the means of achieving the aim are appropriate and necessary.

5.3 **Discrimination by Association** Discrimination by association occurs where a person has been treated less favorably by their association with another person, and similar treatment towards the other person would be considered discrimination.

5.4 **Disability:** The definition of disability is set out in the Disability Act 2005 is as follows: "Disability in relation to a person, means a substantial restriction in the capability of the person to carry on a profession, business or occupation in the

State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment”.

6.0 Responsibilities

6.1 Employees

It is the responsibility of employees to;

- 6.1.1** Co-operate and comply with the policy to ensure equality and diversity in the workplace.
- 6.1.2** Not discriminate in the course of their duties nor induce or attempt to induce others to do so.
- 6.1.3** Not victimise, harass or intimidate anyone.
- 6.1.4** Inform their line manager if they suspect that discrimination is taking place

6.2 Line Management

It is the responsibility of line managers to;

- 6.2.1** Ensure that employees are aware of this policy and its procedure.
- 6.2.2** Lead by example by promoting equality and diversity and challenging any discriminatory conduct.
- 6.2.3** Expect their employees to do their best to promote equality and diversity
- 6.2.4** Deal with breaches to this policy promptly, sensitively and confidentially in consultation with their HR Business Partner.
- 6.2.5** In so far as is practicable, ensure that all employees have access to relevant training, promotional opportunities and work experience to enable them to progress within their career

6.3 Human Resources Department

It is the responsibility of the Human Resources Department to;

- 6.3.1 Ensure that all employees are aware of legislative requirements in relation to equality in the workplace.
- 6.3.2 Provide advice and guidance to employees and line managers and employees in relation to equality matters.
- 6.3.3 Ensure that all complaints and alleged breaches of this policy are dealt with seriously, sensitively, confidentially and in a timely manner.

7.0 Procedure

The Hospital

- 7.1 Is committed to creating an environment that promotes equality and diversity at work. It is committed to treating all employees equally regardless of gender, civil status, family status, sexual orientation, religious belief, age, disability, race or membership of the travelling community.
- 7.2 Any form of discrimination, either direct, indirect or by association, will not be tolerated.
- 7.3 Believes that embracing equality and diversity in the workplace benefits not just the organisation but individual employees, departments, our patients and the general public. All our employees bring their own background, work style, distinct capabilities, experience and characteristics to their work.
- 7.4 Recognises that our talented and diverse workforce reflects the diversity of our patients and we want to utilise the widest range of skills, knowledge and experience within the Hospital while fully complying with legislation.
- 7.5 Will formulate and implement policies and practices that reflect the commitment to treat people fairly, promote an integrated way of working, respecting dignity, providing equality of opportunity and ensure that no job applicant, employee or patient receives less favorable treatment on any of the nine aforementioned grounds.
- 7.6 **Recruitment :**

- 7.6.1** Our Recruitment policy reflects the belief that diversity in all areas, including cultural, generational, language and national backgrounds, is necessary in helping us succeed in delivering services to patients.
- 7.6.2** The Hospital will not discriminate against any prospective employee during the recruitment process. It is Hospital policy that:
- 7.6.3** Interviews will be carried out objectively and individuals will be judged on merit and their ability to do the job.
- 7.6.4** As much accommodation as possible will be carried out to facilitate the participation of individuals with special needs in the recruitment process and in the workplace.
- 7.6.5** All recruitment documentation including job description, application forms and advertisements are to be designed so as to:
 - 7.6.5.1** Encourage applications from all suitably qualified and experienced candidates
 - 7.6.5.2** Exclude any items that may be of a discriminatory nature
 - 7.6.5.3** State explicitly the Hospital's commitment to equality of opportunity.
- 7.7** Candidates will be provided with an equal opportunity of success in all stages of the recruitment process.
- 7.8** The selection committee will, as far as is practicable, be representative of genders.
- 7.9** The selection criteria used should be derived only from the Job Description and be recorded for each competition and line managers must ensure to avoid specifying inessential requirements for the job that could have the effect of excluding people with disabilities.
- 7.10** Selection committees will be briefed to ensure that interview questions are not of a discriminatory nature. The Chairman of the Interview Panel will ensure the process is fair and equitable.

7.11 Selection committees will guard against making assumptions about the suitability of candidates for the types of work, based on personal knowledge of the candidate not relevant to the job.

7.12 Promotion

7.12.1 The Hospital rewards excellence and employees will be promoted on the basis of merit.

7.12.2 Ensuring all employees has equal access to progression and promotional opportunities regardless of any of the nine equality grounds.

7.12.3 Monitoring promotional processes regarding gender (and other equality criteria where appropriate) in order to ensure equality of opportunity in career progression.

7.12.4 Removing any identified barriers to progression for particular groups of employees under the nine grounds and where appropriate implement measures to redress imbalances.

7.13 Training & Development

7.13.1 Ensuring every employee has equal access to training and development opportunities regardless of disability or any other equality ground.

7.13.2 Seeking to ensure that programmes provided designed in accordance with best educational standards to support inclusiveness and accommodate the needs of all staff as feasible.

7.13.3 Mainstreaming diversity and equality issues, where relevant and feasible, in training programmes where relevant

7.14 Work Life Balance

The Hospital aims to have a work environment compatible with work life balance that respects all employees and does not discriminate under any of the stated headings.

7.15 Employment of People with Disabilities

7.15.1 The Hospital is committed to a policy of equal opportunities for people with disabilities and in particular is committed to ensuring that people with

disabilities who are capable of effective performance in the jobs which they hold or to which they aspire to are not disadvantaged by reason of having a disability.

7.15.2 People with disabilities are entitled to apply for any post in the Hospital for which they are qualified and to have their applications considered on the basis of their abilities, qualifications and suitability for the work in question.

7.15.3 The Hospital will ensure that a person selected for appointment are in good health and that the disability does not impede them carrying out the duties of the post. The selection decision is, therefore, based on objective considerations (normally medical advice).

7.15.4 The Hospital aims to fulfill the government objective of achieving a 3% target for employment of persons with a disability, noting that this target level is to increase from 2024.

7.15.5 The Hospital supports employees that acquire a disability or become incapacitated while in employment and every effort is made to facilitate and accommodate their return to work. This is done in consultation with the employee, relevant line manager, the Occupational Health & Wellbeing Department and Human Resource Business Partner.

7.16 Harassment

7.16.1 The Hospital is committed to providing a work environment free from any form of harassment or bullying as outlined in the Dignity at Work Policy and Procedure.

7.16.2 Ensure that all complaints and alleged breaches of this nature are dealt with seriously, sensitively, confidentially and in a timely manner.

7.17 Positive Action

7.17.1 The Hospital, while committed to appointing candidates based solely on merit, where appropriate, will take practical measures to facilitate the integration of particular groups under the nine grounds into employment.

7.18 Retention of Records

7.18.1 All records in relation to the recruitment process are to be kept on file for one year before being securely destroyed except those that are required for pension calculation purposes.

7.19 Reasonable Accommodation

7.19.1 Where the suitability of a particular candidate with a disability is an issue, Directorates should also have regard to any accommodation, which might reasonably be employed to facilitate a person with the disability in question.

7.19.2 The line manager should be fully informed of the appointee's circumstances and should be involved in discussions regarding special provisions which may be required.

7.19.3 Line managers should consult with the Occupational Health Department and Health & Safety about special equipment which may enhance the efficiency and effectiveness of employees with disabilities in performing their duties and adopt a positive approach to reasonable requests for such equipment.

7.19.4 The Line Manager together with the Hospital's Environmental, Health & Safety Manager will identify employees in their areas of responsibility with special problems regarding safety and evacuation procedures and devise means to overcome problems.

7.19.5 The Hospital is designed to promote ease of access for people with disabilities and any significant structural alterations or extensions will, in so far as is practical maintain ease of access for those with disabilities.

7.19.6 While it is appreciated that some employees with disabilities may not be able to undertake all the duties of posts in their grade, every effort should be made

to afford them the same opportunities as other staff to broaden their experience through staff mobility arrangements.

7.19.7 Where the Hospital forms an opinion that a candidate is unable, by virtue of a disability, to properly perform the duties of the post, the candidate will be afforded an opportunity to respond to that opinion before a final decision is made.

7.20 Complaints

7.20.1 All employees should be made aware of their rights under the Employment Equality Act. Further information can be found in the Hospital Dignity at Work policy HR-POL-006.

7.20.2 Where an employee feels they are being discriminated against, they should raise the matter with their line manager under the Grievance Policy.

7.20.3 If the employee still considers their grievance has not been resolved to their satisfaction, they may then bring the matter directly to the next level of Management in accordance with the Hospital's grievance policy.

7.20.4 If the complainant remains dissatisfied with the decision taken, the employee may submit the complaint and send it to the Workplace Relations Commission. Under statute this complaint must be made within six months or in exceptional circumstances up to twelve months of the alleged act of discrimination taking place. Further information in relation to making a complaint is available at www.workplacerelations.ie

8.0 Implementation and Education Plan

8.1 This Policy will be available via Q-Pulse, the electronic repository for TUH PPPG's and can be accessed by all staff

8.2 This policy will be incorporated into relevant education and training programmes for line managers.

9.0 Evaluation

9.1 The Human Resources Business Partners will meet annually to monitor the effectiveness of this policy

9.2 A review of this policy will be carried out on a three year basis unless an audit, serious incident, organisational structural change, scope of practice change, significant changes in international best practice or legislation identified the need to update the policy.

Document Statement

This document has been developed by Tallaght University Hospital* (TUH) to support and improve the care and services provided by the hospital. It has been issued in conjunction with existing hospital policies, procedures, protocols, guidelines, education and training programmes. TUH reserves the rights that no part of this publication may be externally reproduced, stored in a retrieval system, or transmitted in any form or by any means (electronic, mechanical, photocopying, recording or otherwise) without the prior written permission of a member of TUH's Executive Management Team.

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*Tallaght University Hospital is the registered business name of the Adelaide & Meath Hospital, Dublin incorporating the National Children's Hospital

References/Bibliography

Employment Equality Acts 1998 - 2015

Appendices

Appendix 1 – List of Stakeholders

HR Managers