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Capmed Diagnostics discourages the retention of hard copies of policies and procedures. The company can only guarantee that the policy in the company website is the most up-to-date version. If, in exceptional circumstances, you need to print a policy off, it is only valid for 24 hours.

Version Control

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Introduction

Capmed Diagnostics Ltd, herein referred to as the company, 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. The company 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.

The Company recognises that everyone has different needs in relation to both the workplace and as service users; it is widely accepted, at times certain individuals/groups can experience unfair and unequal outcomes, therefore we will use new and current legislation in the exercise of daily operations to help eliminate those inequalities. The company aims to ensure that the principles of equality, diversity and inclusion underpin all our employment, service policies and procedures and is committed to effectively resolving any case of discrimination in the organisation and aims to ensure that all company representatives (including those where there is a commercial relationship) are aware of their responsibilities in this area.

This policy aims to eliminate inequalities and barriers enabling the company to:

- Deliver best possible outcomes for all service users.
- Improve patient and staff experience
- Promote an inclusive, diverse workforce.
- Eliminate unlawful discrimination.
- Advance equality of opportunity for all.
- Foster good relations.

Scope

The company believes that all staff should expect to be treated fairly during their employment. No member of staff will be treated less favourably or unlawfully discriminated against when applying for internal jobs, training opportunities, appraisals, nor in disciplinary and grievance procedures and all other aspects of day-to-day management.

Patients and service users (including their partners), carers and visitors are treated with dignity and respect, and do not suffer any level of discrimination, harassment, or victimisation from the company or its representatives.

Definitions

Term	Definition
The Company	Capmed Diagnostics Ltd
Protected Characteristics	Characteristics as defined by the Equality Act 2010 • Age • Disability (including carers) • Gender Reassignment • Marriage & Civil Partnership • Pregnancy & Maternity • Race • Religion or belief • Sex • Sexual Orientation
Diversity	Recognising, respecting, and valuing people's individual differences. These can be along the dimensions of culture, race, ethnicity, sex, sexual orientation, age, gender reassignment, physical abilities, religious beliefs or not, or other ideologies. Valuing people's differences enables individuals to realise their potential and promotes participation.
Equality	The term used to ensure individuals or groups of individuals are treated fairly and no less favourably because of a protected characteristic, therefore providing equal access to opportunities to all who come into contact with the Trust or any of the services provided by the Trust. Promoting equality aims to minimise disadvantage, eliminate discrimination, and maximise individual potential.
Due Regard	To 'have due regard' means that in making decisions and in its other day-to-day activities a body must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations
Reasonable adjustments	Making reasonable adjustments aims to ensure that a disabled person, as far as is reasonable, has the same access to healthcare services or everything that is involved in getting and doing a job as a non-disabled person. When the duty arises, the Company is under a positive and proactive duty to take steps to remove, reduce or prevent the obstacles faced as a disabled patient, service user, employee or job applicant. The Company only has to make adjustments where it is aware, or reasonably aware, that a person has a disability.
Direct Discrimination	A person discriminates against another if they treat a person, (because of a protected characteristic), less favourably than they would treat others. For instance, making jokes at the expense of someone's sexual orientation or faith.
Indirect Discrimination	A person discriminates against another if they apply a provision, criterion or practice which is discriminatory in relation to a relevant

	protected characteristic. For example, if something is applied universally, but its practical effect disproportionately disadvantages one or more specific groups. For instance, having an inflexible dress code or uniform policy that prohibits people wearing headwear, could potentially disadvantage certain religious groups as this is requirement of their religion.
Associative Discrimination	This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For instance, deciding someone is unable to do a job because of their caring responsibilities for someone who is disabled.
Discrimination Arising from Disability	This occurs when a disabled person is treated unfavourably because of something connected with their disability and the unfavourable treatment cannot be justified. For example, a parent seeks admission to a crèche for their child who has a disability which means that they do not have full bowel control. The crèche says that they cannot admit the child because they are not toilet trained and the children at the crèche are required to be. The refusal to admit the child is not because of the disability itself; but due to experiencing detrimental treatment as a consequence of their incontinence.
Perceptive Discrimination	This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that protected characteristic
Health inequalities	differences in access, experience or outcomes between populations and groups. This can be related to protected characteristics.
Harassment	as defined by the Equality Act 2010. This takes place where, for a reason that relates to person's protected characteristic, the harasser engages in unwanted conduct which has the purpose or effect of violating the person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her.
Victimisation	Occurs when an employee is punished or treated unfavourably as a result of complaining or supporting a complaint of discrimination/harassment. For example, an employee raises a grievance about disability discrimination and is dismissed as a result.
Genuine Occupational Requirement	In limited circumstances it can be lawful for an employer to require a job applicant or worker to have a particular protected characteristic. This requirement has to be both intrinsic to the role and has to be a proportionate means of achieving a legitimate aim.
Hate crime	Any criminal activity (for example physical assault, verbal abuse, vandalism, etc.) that is targeted at a person because of prejudice towards a person's Race or Ethnicity, Disability, Sexual Orientation (e.g., biphobia, homophobia, heterophobia), Gender Identity (e.g., transphobia).

Biphobia	The irrational fear, dislike or prejudice against bisexuality or bisexuals, which may include negative stereotyping or denial of the existence of bisexuals.
Heterophobia	The irrational fear, dislike or prejudice against heterosexuality or heterosexuals.
Homophobia	The irrational fear, dislike or prejudice against homosexuality or homosexuals.
Transphobia	The irrational fear, dislike or prejudice against transgender (trans) people

Roles and Responsibilities

Company Directors

The company directors should ensure that in relation to the Equality, Diversity, Inclusion and Human Rights Policy they

- disseminate and implement within the company, including full consideration of any future operational or policy changes in the context of the policy.
- discuss as part of any commercial relationship negotiations with sub-contractors or other organisations providing services or representation on behalf of the company to ensure that the work to the same standards.
- Seek assurance that policy is being adhered to and highlighting issues to be addressed at the earliest opportunity.
- Demonstrate leadership and role modelling of Equality, Diversity, Inclusion and Human Rights and hold those accountable who do not demonstrate the same standards.

Company Employees / Company Representatives

Every employee and representative of the company has a part to play in ensuring that the company provides an environment in which everyone is treated fairly and with respect. Employees and representatives are expected to abide by, adhere to, and support the principles of this policy and must:

- Support the company in promoting equality of opportunity and adhere to this policy;
- Not harass, abuse or intimidate any employee, patient, service user or visitor to the company, on any grounds, but with particular reference to the protected characteristics;
- Not make remarks or commit acts that are likely to cause offence;
- Not induce or coax others to discriminate against any colleague, patient, service user or visitor to the Trust;
- Challenge or draw to the attention of the company directors any concerns regarding incidents, or suspected incidents of discrimination at all times;
- Support patients, their carers and other service users by ensuring that, where possible, reasonable adjustments are made;

- Support colleagues, patients, and service users (including their partners) or carers who make a complaint of discrimination and/or harassment;
- Not to victimise or attempt to victimise people on the grounds that they have made a complaint or provided information about a concern in relation to discrimination and/or harassment;
- Be aware of and act on the need to ensure that patient's demographic information is collected and recorded in an appropriate manner in line with company policies;
- Ensure that any equipment issued by the company (e.g., laptop computers, personal computers, mobile phones etc.) are not used in any way for activities or communications that are discriminatory, harassing or contributing to victimisation. This also includes the use of social media e.g., Twitter, Facebook, etc.

Patients or Service Users (including their partners), Carers and Visitors

The company requires any person who comes into contact with the organisation, whether as a patient, service user (and their partners), carers or visitor, to abide by this policy. The company will not tolerate any discrimination towards its staff or other patients or service users (including their partners), carers or visitors and will take appropriate actions.

The company reserves the right to refuse further provision to patients or service users should they violate the terms of this policy.

If the company decides to refuse further provision within the context of this policy, the company will manage any charges and/or refunds within the context of the most up to date company terms and conditions related to service provision as agreed by the patient or service user.

Procedures and Processes

Values and Behaviours

The company expects values and behaviours demonstrated by all company representatives to be compliant with the standards outlined within this policy at all times.

Recruitment Advertising

The company will ensure that when carrying out recruitment no job applicant will receive less favourable treatment than another, due to any of the protected characteristics. With the exception of posts that may have been specifically 'ring fenced' for at risk or displaced staff, all job vacancies will be open to competition and publicised accordingly.

The company reserves the right to apply a Genuine Occupational Requirement to any vacancy but will ensure that careful consideration will be given to the specifications of the post against the justification for specifying applicants from a particular protected characteristic.

The company will not discriminate directly or indirectly when advertising a post by including any requirement or criteria, which is unnecessary to the post and which may, unintentionally, exclude certain groups of potential applicants from applying.

No discriminatory language will be included in advertisements

Disability Provisions

The company is committed to providing equal opportunities for those with disabilities both to access services provided by the company and/or working with/for the company. The company recognises that individuals with disabilities have abilities to perform most roles within the company and can contribute a great deal. The company commits to

- interview all disabled applicants who meet the minimum criteria for a job vacancy and to consider them on their abilities.
- discuss with disabled employees, at any time but at least once a year, what both parties can do to make sure disabled employees can develop and use their abilities.
- make every effort when employees become disabled to make sure they stay in employment.
- take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work.

Accessible Information Standards

The company commits to making every effort to comply with the Accessible Information Standards. The Standard sets out a specific, consistent approach to identifying, recording, flagging, sharing and meeting the information and communication support needs of patients, service users, carers and parents with a disability, impairment or sensory loss.

The Standard says that patients, service users, carers and parents with a disability, impairment or sensory loss should:

- Be able to contact, and be contacted by, services in accessible ways, for example via email or text message.
- Receive information and correspondence in formats they can read and understand, for example in audio, braille, easy read or large print.
- Be supported by a communication professional at appointments if this is needed to support conversation, for example a British Sign Language interpreter.
- Get support from health and care staff and organisations to communicate, for example to lip-read or use a hearing aid.

To promote compliance with the standard the company requires patients to disclose any requirements at the earliest opportunity so that appropriate arrangements can be made in advance of any appointment.

Religion and Religious Observance

Religion and Belief (which includes humanistic beliefs) or none is a protected characteristic. The company recognises the importance of religious faith or humanistic belief and seeks to ensure that all staff, service users and carers of all faiths and none receive equal respect and a safe place to work. Staff, service users and carers can expect to be treated with respect, supported in their beliefs, and not experience discrimination with respect to those beliefs. The expression of a belief is not an absolute right, however, and must be set alongside and balanced with other protected characteristics.

With respect to religious beliefs, the company operates a policy of supporting a patient in their own chosen beliefs and ethical values unless these would lead to illegal actions or harm to self or others.

Staff members requiring modifications to their working practice or environment in conformance with their religious or philosophical beliefs may make such a request to their line manager. This could include (but is not limited to): requests for time off, dietary needs, prayer needs and clothing.

The UK provides two religious bank holidays a year Good Friday and Christmas Day. Upon receiving a request, reasonable options and alternatives will be explored in consultation with the individual staff member. The requests will be considered (alongside health and safety considerations) to see if policies or procedures are discriminating or not. Where reasonable the company will try, wherever possible, to accommodate staff needs and avoid adverse impact.

Age Discrimination

No individual or population groups will receive less favourable treatment on the ground of their age or compared with groups of different age. This will apply to employment laws and the delivery of our services. Our services provide provisions to recognise age within our services such as older age.

Employment laws work in conjunction with the Equality Act 2010 to ensure that we do not discriminate against any individual relating to their age in the recruitment process.

Any issues arising from age harassment discrimination are managed in accordance with the company's complaints policy for patients and service users and grievance policy for any employees.

Sexual Orientation Discrimination

The Equality Act 2010 makes it unlawful to discriminate against anyone because of their sexual orientation or perceived sexual orientation. The law applies equally whether someone is a lesbian, gay, heterosexual, or bisexual. The Act defines sexual orientation as:

- orientation towards people of the same sex (lesbians and gay men)
- orientation towards people of the opposite sex (heterosexual)
- orientation towards people of the same sex and the opposite sex(bisexual).

Any company representative will not harass or victimise another individual on the grounds of sexual orientation.

Any issues arising from sexual harassment discrimination are managed in accordance with the company's complaints policy for patients and service users and grievance policy for any employees.

Transgender Discrimination

The Equality Act 2010 protects anyone who proposes to start, starts or has completed a process to change their gender from discrimination. This includes someone who is not currently undergoing medical supervision, or a transgender individual who decides they do not want to have any medical procedures. Any time off an individual needs because of gender reassignment issues, such as counselling, advice or surgery is protected under the Equality Act 2010.

Any issues arising from Transgender harassment discrimination are managed in accordance with the company's complaints policy for patients and service users and grievance policy for any employees.

Pregnancy & Maternity Discrimination

The company will not treat any individual or population group unfairly on the ground of pregnancy, the potential to become pregnant, maternity or breastfeeding status. Under the Equality Act of 2010 the company must not give any unfavourable treatment or victimisation to our staff, service users, patients, carers and members of the public on the grounds of pregnancy or maternity.

The right for women to breastfeed in public is covered by the act and it is unlawful to discriminate or harass an individual from breastfeeding on any of the company's premises or facilities in which the company carries out operations.

The company will comply with the employment law to ensure that employees are able to access the appropriate benefits in respect of maternity, adoption, maternity support (paternity) and additional paternity leave.

Race Discrimination

The Equality Act of 2010 makes it unlawful to discriminate against anyone on the grounds of their race; this includes skin colour, nationality and ethnic or national origin. This will also include the Gypsy Roma and Traveller communities.

All staff, service users, patients and carers have a legal duty not to discriminate between populations who share a race/ethnicity and those who don't share the same race/ethnicity.

Any issues arising from race discrimination should be managed in accordance with the company's complaints policy for patients and service users and grievance policy for any employees.

Sex Discrimination

Men and women have the right not to be discriminated based on their sex under the Equality Act 2010. This applies to all our staff and service users, patients and carers.

The Equality Act however says it is lawful to separate services for men or women if this is a better or more effective way of providing services. e.g., single sex accommodation.

Any issues arising are managed in accordance with the company's complaints policy for patients and service users and grievance policy for any employees.

Marriage & Civil Partnerships Discrimination

The Equality Act 2010 protects individuals from discrimination because of marriage and civil partnership. Neither marriage nor civil partnership is defined in the Act but the legislation is taken to broadly cover

- People who are married in a legally recognised union. Either same sex or opposite sex.
- People who are in a civil partnership, a legally recognised and registered relationship between two people of the same sex.

The protected characteristic of marriage and civil partnership does not cover:

- People living together as a couple (also known as cohabiting) who are not married or registered civil partners.
- Individuals who are engaged to be married, who are intending to marry or enter into a civil partnership.
- People whose civil partnership has been dissolved.
- Divorced people.
- Widows or widowers.
- Single people.

Any issues arising are managed in accordance with the company's complaints policy for patients and service users and grievance policy for any employees.

Recruitment and Selection

The company intention of any Recruitment and Selection process is to ensure the appropriate response to any employment vacancies in the company. This means that candidates for any post within the company will be assessed (where appropriate) solely on qualifications, relevant knowledge, skills, experience and job-related criteria **regardless of** marital status, domestic responsibilities, social background and any of the protected characteristics.

All selection decisions will always be based on the suitability of the candidate for the post. The company recognises that positive discrimination in most cases as opposed to positive action is unlawful. This means, for example, that it is unlawful to discriminate in favour of a female or ethnic minority candidate at the point of selection (under this premise there could be other better qualified candidates). In accordance with the Rehabilitation of Offenders Act 1974, the company will not discriminate against or dismiss the applications of candidates with spent convictions for posts which are not exempt from this legislation.

Training and Development

Every employee will receive appropriate induction training with opportunities for support, supervision, training, promotion and career development available to all staff on the basis of individual and company needs.

For any staff that have a learning difficulty, Learning Disability or health condition that puts them at a disadvantage for training, they should raise this issue at the earliest opportunity with their direct line manager and/or course facilitator for any specific training. This will enable any reasonable adjustments/alternatives to be fully explored. The company will ensure that all staff, especially those involved in the recruitment process, receive Equality, Diversity and Human Rights Awareness and Recruitment and Selection training (if appropriate).

Managing Performance

The company believes in honest feedback at appropriate times. However, any feedback should be given within the spirit of this policy and should be factual, based on evidence and be delivered fairly and objectively. This would apply, but not limited, to appraisal and development conversations, disciplinary procedures.

Grievance & Complaints

All staff should be aware that direct or indirect discrimination, victimisation and instances of harassment or abuse are in contravention of the company policies and/or the law. Such incidents will be treated as disciplinary offences and will be subject to the company's Disciplinary and Grievance Procedure, the outcome of which could be up to and include dismissal. If a staff member believes that the Equality, Diversity, Inclusion and Human Rights Policy has not been applied in a particular case involving themselves or another, they should in the first instance, seek advice from their line manager, a director, Union representative (if a member).

If appropriate, refer to the Disciplinary and Grievance Policy to formally raise any concerns. When a grievance is received by the company there will be prompt acknowledgement of the complaint and will ensure that the complaint is dealt with quickly, effectively and confidentially, that it is fully investigated, and that any necessary action is taken in accordance with the Company's Disciplinary and Grievance Policy.

Complaints received by a patient or service users (including their partners), carer, visitor or member of the public will be processed in accordance with the Company's complaints policy.

Disciplinary Action

All allegations of discrimination will be investigated in accordance with the Company's Disciplinary and Grievance policy. Behaviour or action which goes against the essence of the Equality, Diversity, Inclusion and Human Rights Policy will normally constitute serious misconduct liable to disciplinary action, which may include dismissal. All allegations of discrimination, victimisation, bullying or harassment should be dealt with effectively in line with the company policies. It should not be assumed that such allegations arise out of over-sensitivity.

All members of staff can use the grievance procedure (or appeals procedure in relation to disciplinary matters) if they feel that they have been discriminated against.

Terms and Conditions of Employment

The company will ensure that policies covering pay, benefits, and other terms and conditions are formulated and implemented to be free from bias against any group likely to experience discrimination on any of the grounds identified in the policy introduction.

Hours of Work

The company will positively look at opportunities to adjust hours of work where such adjustment would be helpful in promoting equal employment opportunities (e.g., in the case of a member of staff returning to work after maternity leave etc.) but must do so in the context of meeting service delivery needs. For example, upon returning to work an individual could not change working hours to days or times where there is no company activity scheduled to take place. Any requests to change hours of work should be submitted to the directors for discussions as a flexible working request.

Working Environment

The company aims to ensure that employees are provided with an environment where they are able to work free from harassment or intimidation, and where due regard is given for their individual needs. This will include acting where there is bullying, harassment or intimidation regardless of whether that person is a member of staff, a patient, service user or member of the public.

The Equality Act 2010 makes it unlawful to discriminate against current or prospective members of staff, patients or service users (including their partners), carers and visitors with disabilities.

Discrimination includes (but not limited to) treating a disabled person less favourably than other people for reasons relating to their disability, without justification, or for failing to comply with a duty to make reasonable adjustments. In compliance with this, the nominated line manager is responsible for making arrangements for reasonable adjustments to working conditions or the physical environment where that help would overcome the practical effects of disability.

Cultural and Religious Needs

Where a member of staff has cultural and or religious needs which may conflict with existing work requirements such as meetings, training days and other day to day functions, the company will consider whether it is reasonably practical to vary or adapt these requirements to enable such cultural/religious needs to be met.

However, the request will ultimately depend on business/service needs. The company will work closely with the individual to identify where the needs are and explore ways to accommodate those needs.

If a member of staff requests an extended period of annual leave (or unpaid leave) in order to visit relatives or attend religious events overseas, sympathetic consideration will be given. However, the request will ultimately depend on business/service needs.

If a member of staff requests time off for additional religious holidays to the English public holidays that should be regarded as annual leave. However, sympathetic consideration will be given to requests for unpaid leave, or exchanging English public holidays for religious holidays (dependant on service/business needs).

When a patient is receiving treatment from the company, every effort should be made to establish if the patient has any religious or cultural requirements in terms of how treatment would be delivered.

Providing a Fair and Equitable Service

The company is committed to ensuring that no one should receive a negative experience when accessing any services provided by (or on behalf of) the company, especially relating to their protected characteristics.

The company will regularly review patient experience via surveys, interviews, complaints monitoring and other relevant methodology to understand patient experience and will ensure any issues identified are dealt with quickly and appropriately.

Translation and interpreting

The company will endeavour to meet the language and communication needs of patients by making sure that appropriate interpreters, accessible information and/or additional support is provided to meet the patient or service user's individual needs, where the company is made aware of the specific communication need prior to the specific appointment. This includes (but is not limited to):

- Access to interpreters on demand through telephone and/ or video interpretation services for speakers of community foreign languages and people who use British Sign Language (BSL), including to support remote appointments and telephone calls to patients where necessary.
- Access to pre-booked in person interpreters (with sufficient notice) in community foreign languages and BSL.

Commissioning and Procurement

Without exception, any external organisation that supplies or undertakes work on behalf of the company will be required to demonstrate that they are operating in an equitable manner that is compliant with the principles set out in the Equality Act 2010 and those outlined within this policy.

Compliance and Enforcement

1. Recruitment Monitoring

From shortlisting to appointment stage to identify if there is any inequality relating to race, within the recruitment and selection process.

Collate and analyse any recruitment data annually. Discussed annually at the directors meeting as part of the business cycle.

2. Patient Complaints

Monitor and discuss within director's meetings to assess if there is any particular group that is unfairly treated as part of service delivery as outlined in the company complaints policy.

Related Policies

- Complaints Policy
- Quality and Governance Policy