



## **Equality & Diversity Policy for Members**

**July 2011**

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## **1. MDDUS Commitment**

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The Medical and Dental Defence Union of Scotland is committed to equality and diversity in offering membership and in providing services that do not discriminate against members because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief, or because you are married or in a civil partnership.

## **2. Equality & Diversity Policy**

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Unlawful discrimination of members because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief, or because you are married or in a civil partnership will not be tolerated by MDDUS. We will take any concerns raised extremely seriously.

## **3. What can I expect to receive from MDDUS?**

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### **3.1 General**

3.1.1 It is unlawful for the MDDUS to discriminate against a person who has applied for membership because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief, or because you are married or in a civil partnership in the terms on which it will admit him or her to membership, or by refusing, or deliberately omitting to accept the membership application.

3.1.2 It is also unlawful for the MDDUS to discriminate against a member because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief, or because you are married or in a civil partnership, in access to any benefits, facilities or services, (on the grounds of age in relation to benefits only), or by refusing or deliberately omitting to give the member access to them or by depriving

the member of membership or varying the terms of his or her membership, or by subjecting him or her to any other detriment.

3.1.3 It is also unlawful for the MDDUS to subject members or those who have applied for membership to harassment because of their age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief, or because you are married or in a civil partnership.

## 3.2 **Sex Discrimination**

3.2.1 Sex discrimination can be less favourable treatment because of sex or alternatively it can be the application of a provision, criterion or practice equally to men and women but which puts or would put one sex at a particular disadvantage when compared with the other, and which puts you at that disadvantage and is not a proportionate means of achieving a legitimate aim.

3.2.2 Sex discrimination may also be because of gender reassignment, against married persons, because of pregnancy or maternity leave or by way of victimisation or harassment (including sexual harassment).

## 3.3 **Disability Discrimination**

3.3.1 A person discriminates against a disabled person if, because of something arising in consequence of the person's disability, he treats him unfavourably, and the treatment is not justified as a proportionate means of achieving a legitimate aim.

3.3.2 Less favourable treatment of a disabled person cannot be justified if it amounts to direct discrimination, i.e., because of the disabled person's disability, the disabled person is treated less favourably than a person not having that particular disability is or would be treated.

3.3.3 Where a provision, criterion or practice applied by or on behalf of the MDDUS, or any physical feature of premises occupied by the MDDUS, places the disabled person concerned at a substantial disadvantage in comparison with persons who are not disabled, the MDDUS must take

reasonable steps to prevent it having that effect unless the MDDUS do not know the person has a disability and is likely to be affected.

3.3.4 Disability discrimination can also take the form of harassment or victimisation.

### 3.4 **Race Discrimination**

3.4.1 A person discriminates against you if he treats you less favourably because of race than he treats or would treat other persons. Alternatively he will discriminate if he applies a provision, criterion or practice equally to members but which puts or would put persons of the same race or ethnic or national origins as you at a particular disadvantage when compared with other persons, it puts you at that disadvantage and it is not a proportionate means of achieving a legitimate aim.

3.4.2 Discrimination can also be by way of victimisation where the individual is treated less favourably because he has been involved with a complaint of unlawful discrimination. Discrimination may also take the form of harassment.

### 3.5 **Discrimination because of sexual orientation / religion**

Discrimination because of sexual orientation or religion or belief can be direct or indirect discrimination, by victimisation or by harassment.

### 3.6 **Age Discrimination**

Discrimination because of age can be direct, indirect, by victimisation or by harassment.

## 4. **To whom should I make a complaint if I believe I have been discriminated against?**

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4.1 If you consider you have been discriminated against because of your age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief, or because you are married or in a civil partnership either because you have been refused membership or because of the terms on which you have been offered membership or because of the provision of access to any benefits, facilities or

services, the variation of your membership terms, the deprivation of your membership or any other detriment, you will be entitled to make a complaint.

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5. Your complaint should be made to Paul Gray, Head of Human Resources, and the designated member of senior staff responsible.
  6. Any complaints will be rigorously investigated and where necessary working practices will be amended in order to ensure compliance. Members will be advised in writing of the outcome of any investigation.
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