



Appraiser Skills: Dealing with Discrimination

What is Discrimination?

This fact sheet aims to provide Appraisers with the skills and confidence to address and support doctors when discrimination is raised at an appraisal.

Discrimination is when someone is treated unfairly for any of these reasons:

- age
- disability
- gender reassignment
- marriage or civil partnership
- pregnancy and maternity
- race (including colour, nationality, ethnic and national origin)
- religion or belief
- sex
- sexual orientation

These are called 'protected characteristics' under the law (the Equality Act 2010). Discrimination based on any of these protected characteristics is usually against the law.

There are 4 main types of Discrimination under the Equality Act 2010 Indirect, Direct, Harassment and Victimisation.

Further information can be found on the [BMA website](#).



Further Resources:

- **The BMA - [Discrimination advice for doctors \(bma.org.uk\)](https://www.bma.org.uk)**
- **The Commission in Wales - [Commission in Wales | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://www.equalityhumanrights.com)**
- **Citizens Advice - [Discrimination at work - Citizens Advice](https://www.citizensadvice.org.uk)**
- **Equality Advisory & Support Service - [Equality Advisory and Support Service \(equalityadvisoryservice.com\)](https://www.equalityadvisoryservice.com)**
- **The GMC - [Racism in the workplace - GMC \(gmc-uk.org\)](https://www.gmc-uk.org)**

The Role and Responsibility of the Appraiser

To support doctors in delivering good quality patient care through encouragement of focused CPD, efforts to mitigate constraints and planned learning.

Discrimination is a significant constraint and so recognising, acknowledging, and discussing this is an appraisal responsibility.

Acknowledgement and Support

Preparation

- Preparation for the discussion through the doctor's entry, being prepared to listen and encourage the doctor to talk.
- Consider questions to ask as well as experiences to share.
- Consider seeking further advice from your Appraisal Co-ordinator/Lead before the appraisal discussion.

Further reading: [Appraisal preparation \(heiw.wales\)](http://heiw.wales)

The Discussion

Consider a structure that might keep the discussion focused on the doctor, but both the appraiser and doctor will need to work out the answers.

An example could be Cecil Helman, an anthropologist, suggested that a patient with a problem comes to the doctor seeking answers to six questions, this structure could be used for your appraisal discussion with the doctor:

- **What has happened?**
- **Why has it happened?**
- **Why has it happened to me?**
- **Why has it happened now?**
- **What should I do about it or to whom should I turn for further help?**
- **What will happen if I do nothing about it?**

Possible Action

This will be for the doctor to either choose to do nothing or to act, taking into consideration the consequences of either action.

Our concern is the doctor and their patients and not campaigning to right organisational wrongs, but supporting the doctor if they choose this path.

Consider escalating and discussing this with your Appraisal Co-ordinator/Lead.

Further Learning:

There is also a module on discrimination found on ESR that you may also find useful:

000 NHS Wales - Treat Me Fairly (Equality) - Level 1

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If you require any further support with ESR, please contact the ESR helpdesk via esrhub.wales@wales.nhs.uk



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