



EQUAL OPPORTUNITIES POLICY

1 Introduction

- 1.1 We are committed to providing a working environment in which everyone feels valued and respected and is able to pursue a rewarding career whilst contributing to the success of our business. We believe that there are benefits to having a diverse workforce and aim to ensure that everyone can enjoy equal opportunities in an environment, which is free from discrimination, harassment, bullying and victimisation. We oppose all forms of unlawful or unfair discrimination on the grounds of colour, race, nationality, ethnic origin, sex, marital status, disability, part-time or fixed term status, parental responsibilities, age, religion/belief or sexual orientation.
- 1.2 All staff have a duty to act in accordance with this policy, and therefore to treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, whether junior or senior to them. In some situations, we may be at risk of being held responsible for the acts of individual members of staff and will not therefore tolerate any discriminatory practices or behaviour.

2 Scope

- 2.1 This policy covers all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, casual and agency staff and volunteers (collectively referred to as **staff** in this policy).
- 2.2 The policy statement in paragraph 1.2 applies equally to the treatment of our visitors, clients, customers and suppliers by our staff and the treatment of our staff by these third parties.
- 2.3 This policy also applies to workplace functions, which take place both in the workplace and in settings outside the workplace whether or not these fall outside of normal working hours and in certain circumstances "off duty" conduct. However, no policy can properly accommodate all possible circumstances and this policy should be seen as creating guidelines only and not contractual obligations on our part.

3 Responsibilities

- 3.1 All staff are expected to familiarise themselves with the policy and act in accordance with its aims and objectives. In particular, all staff are also expected to report any incident or behaviour which contravenes this policy to avoid indirectly supporting unfair treatment by ignoring what is happening around them.
- 3.2 Failure to comply with our equal opportunities policy or to co-operate with it operating effectively is a disciplinary offence, which may lead to disciplinary action being taken against the perpetrator including dismissal.

4 Forms of discrimination

- 4.1 Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 4.2 Direct discrimination occurs where someone is put at a disadvantage for a reason related to one or more of the grounds set out in paragraph 3.1. For example, rejecting an applicant on the grounds of their race because it is considered they would not 'fit in' could be direct discrimination.
- 4.3 Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of one of the grounds set out in paragraph 3.1. For example, a height requirement would be likely to eliminate proportionately more women than men. Using this example, if this criteria cannot be objectively justified for a reason unconnected with sex, it would be indirectly discriminatory on the grounds of sex.
- 4.4 Discrimination also includes victimisation (less favourable treatment because of action taken to assert legal rights against discrimination or to assist a colleague in that regard) and harassment (which is set out below).

5 Harassment

- 5.1 For the purposes of this policy, harassment occurs when someone engages in unwanted conduct, which has the purpose or effect of violating someone else's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It is not the intention of the perpetrator, which defines whether a particular type of conduct is harassment but the effect it has on the recipient. Accordingly, it will not necessarily be a defence that such incidents consist of words or behaviour which might be claimed to be "common place" or which were intended as a joke or were not intended to be offensive. Bullying is just as unacceptable as any other form of harassment.
- 5.2 Bullying is offensive, intimidating, malicious or insulting behaviour, which makes the recipient feel vulnerable, upset, humiliated or threatened. Bullying is often a form of harassment and can undermine an individual's self-confidence, competence or self-esteem.
- 5.3 Harassment/bullying may be open or covert, direct or indirect, an isolated incident or a series of repeated actions. It may also include, in certain circumstances, off-duty conduct.

- 5.4 Harassment/bullying or any other form of deliberate discrimination will not be tolerated under any circumstances and a member of staff who harasses or discriminates against another employee, client or customer will be subject to our Disciplinary and Dismissal Procedure. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.
- 5.5 Examples of harassment include:
- 5.5.1 abusive language and jokes;
 - 5.5.2 name calling;
 - 5.5.3 the display or circulation of offensive written or visual material including emails, text messages, video clips and photographs taken or sent using mobile phones or via the internet;
 - 5.5.4 lewd and/or unwelcome comments about own or another's appearance;
 - 5.5.5 physical contact which is unwanted and/or unnecessary;
 - 5.5.6 physical threats, assault and insulting behaviour or gestures;
 - 5.5.7 open hostility towards workers of a particular group including organised hostility in the workplace;
 - 5.5.8 exclusion from normal workplace conversation or social events;
 - 5.5.9 inappropriate assumptions about the capabilities of individuals;
 - 5.5.10 unfair allocation of work and responsibilities;
 - 5.5.11 persistent, unwarranted criticism;
 - 5.5.12 setting impossible deadlines.
- 5.6 This list is not intended to be exhaustive. It is a guide to help all staff to identify behaviour that it not acceptable and each incident of harassment or discrimination will be viewed on its individual facts.
- 5.7 Legitimate and constructive criticism of an employee's performance or behaviour or imposing reasonable pressures to perform to an acceptable level will not constitute bullying or harassment even if this response may cause an employee to feel under threat or otherwise distressed.

6 Recruitment and selection

- 6.1 No vacancy will be advertised or publicised (internally or externally) in a way which discourages viable applications from any sector of the population.

- 6.2 All applications will be considered on merit. Each individual will be assessed so far as practicable against a set of non-discriminatory criteria, which will be directly related to the demands of the particular vacancy.
- 6.3 If there is a genuine and lawful reason for limiting the vacancy to a particular group, this will be clearly stated, together with the grounds for it, on any advertisements. We retain the discretion to invite applications from individuals whose jobs might be at risk of redundancy, or who are being re-deployed for health or disability reasons, before advertising any post more widely.
- 6.4 Application forms will include a detachable anonymous ethnic, disability and age monitoring form to assist in the maintenance of records and for monitoring purposes by the Chief Executive Office/Office Manager. This form will be separated from the application form before the commencement of the selection process.

7 Advertising

- 7.1 The Company will look to attract applicants by using the best recruitment method or methods to reach the identified target group as economically as possible.
- 7.2 Whenever possible, a vacancy should be advertised internally as well as externally to give existing employees an equal opportunity to apply.
- 7.3 The choice of the methods used will be influenced by the type of vacancy, qualification, experience and other requirements of the vacancy specification, but may include the following by illustrative example:
 - 7.3.1 internal recruitment
 - 7.3.2 local schools or colleges
 - 7.3.3 Jobcentres
 - 7.3.4 Job fairs
 - 7.3.5 commercial employment agencies
 - 7.3.6 local newspapers
 - 7.3.7 online recruitment.
- 7.4 The advertisement may ask applicants to apply for the vacancy on a company application form or by sending in a CV (usually with a covering letter).
- 7.5 The advertisement shall show a closing date for submission of applications, the person that the application should be made to, and shall always include text to the effect that the Company will not discriminate on the grounds of race, sex, disability, sexual orientation or religion or belief.

8 Interview

- 8.1 The interview may be carried out by a single or a number of the senior management team, or by a designated interview panel. However, during the interview process, the preferred candidates will be assessed by a more diverse set of individuals. Prior to the interview, the lead interviewer will list the points to be raised and check that they are covered in the interview.
- 8.2 All notes, including any rough jottings made during the interview will be kept for the duration of employment (plus six months) for successful candidates and for three months for rejected candidates.
- 8.3 When interviewing the following principles will be followed:
 - 8.3.1 ensure that the interview is not interrupted by visitors or telephone calls
 - 8.3.2 put the candidate at ease
 - 8.3.3 give the candidate information about your organisation and the job
 - 8.3.4 ask 'open ended' questions that cannot be answered by a 'yes' or a 'no'
 - 8.3.5 do not ask questions which may be considered discriminatory
- 8.4 During the interview the lead interviewer should ensure that documents such as driving licences and educational certificates are verified (as far as is possible) and that the applicant can prove their immigration authorisation to work in the UK (UK passport driving licence, work permit or visa).
- 8.5 It will be made clear to the candidate the time scale expected to make a decision and whether unsuccessful candidates will or will not be notified.

9 Post Selection

- 9.1 The successful candidate will be notified of their success in writing and will be given written confirmation of the basics of the position plus payment and any other pertinent clauses such as starting times, bonus, car allowances etc.
- 9.2 Where applicable the Company staff handbook and details of pension provision will also be issued.
- 9.3 All information gathered during the recruitment process will be forwarded to the Office Manager and filed in the new employee's employment file.
- 9.4 The person making the selection shall ensure that all other company personnel who need to have an input to the new starter is notified of their start date (to enable the payroll to be set up and induction / safety / product training to be planned).
- 9.5 All essential equipment such as safety equipment, computer, car, mobile phone, etc should be ordered ready for the start of employment.

10 Rejection

- 10.1 The lead interviewer should be prepared to give reasons for rejection to unsuccessful candidates who make a request. A considered approach to the reasons for rejection should be taken as unsuccessful candidates can react aggressively towards companies following rejection.

11 Training, career development and promotion

- 11.1 All staff will be provided with the appropriate training (according to business need) to enable them to improve their performance and to achieve the performance standards and targets set for them by us, regardless of colour, race, nationality, ethnic origin, sex, marital status, disability, part-time or fixed term status, age, religion/belief or sexual orientation.
- 11.2 We will also ensure that opportunities for training, career development are based on personal merit and made equally available to all employees.
- 11.3 Promotion is based on personal merit and the reasonable requirements of the job regardless of colour, race, nationality, ethnic origin, sex, marital status, disability, part-time or fixed term status, age, religion/belief or sexual orientation.

12 Complaints and disciplinary action

- 12.1 If you believe that you have been harassed, victimised or discriminated against, you are encouraged to raise the matter through our Grievance Procedure, set out below
- 12.2 Every complaint will be investigated and dealt with sympathetically and without bias and as quickly as is practicable. We recognise that some staff members may prefer not to have their names used in any investigation and/or disciplinary hearing. We will seek to accommodate such requests as far as practicable but staff will appreciate that if we are unable to mention names this may limit its ability to investigate the complaint. This in turn may limit the extent to which we can pursue the complaint and/or take action against the perpetrator.
- 12.3 Please note, that if you raise a grievance about the behaviour of another member of staff, which we consider to be particularly serious, we reserve the right to continue to investigate and deal with your complaint, even if you decide against pursuing it.
- 12.4 Every effort will be made to ensure that individuals who make a complaint in good faith will not suffer any further detriment or be victimised because of making such a complaint.
- 12.5 Any complaint of victimisation will be dealt with seriously, promptly and (so far as practicable) confidentially.

13 Grievance procedure

13.1 Informal procedure

- 13.1.1 Prior to adopting the formal procedure set out below you can if you prefer use an informal approach to try and stop the harassment, discrimination and/or

victimisation. While we recognise that it may not always be appropriate, we recommend in most cases that an informal approach is taken as the first step.

13.1.2 If you wish to use the informal procedure, we recommend that you tell the harasser that their behaviour is unwelcome and must be stopped. If preferred, this may be in writing.

13.1.3 If their behaviour does not stop or you find approaching the harasser difficult or embarrassing, further informal assistance is available from your line manager. All staff who wish to discuss such a complaint in confidence should contact their line manager. Alternatively you may move to the formal procedure.

13.2 **Formal procedure**

13.2.1 Where the informal method fails or is inappropriate, or if you prefer, you are encouraged to bring a formal complaint. The complaint should be made in writing and, where possible, state the following:

- (a) the name of the harasser/discriminator;
- (b) the details of the harassment/discrimination/victimisation;
- (c) the dates and times on which it occurred;
- (d) the names of any witnesses; and
- (e) details of any action which you may already have been taken to stop it from occurring.

13.2.2 The complaint should be sent or given to the Chief Executive Officer or if your complaint is against him/her then to the Chair. Where a complaint is received, consideration will be given to whether it would be helpful and/or practicable to separate you from the alleged harasser. This may involve the temporary transfer to another department or suspension with pay until the complaint has been resolved. This does not amount to a pre-determination of the matter.

13.2.3 At the outset of the investigation, the investigator will meet with you to hear your account of the events leading to your complaint. We will arrange further meetings with you as appropriate throughout the investigation and/or at its conclusion. The investigator will also meet with the alleged harasser.

13.2.4 The investigator will carry out a thorough investigation as quickly as possible, maintaining as much confidentiality as possible at all times. You should be aware, however, that if your complaint is to be properly investigated, other staff may have to be asked for witness statements.

13.2.5 All staff involved in the investigation, are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence.

- 13.2.6 Copies of witness statements taken may be made available to you and the alleged harasser. Witnesses will be encouraged to appear at any hearing if requested by either party. It is acknowledged that some witnesses may be reluctant to do so. In these circumstances, the investigator will, if necessary, adjourn the hearing and ask supplementary questions of witnesses in private.
- 13.2.7 If the offence is proved, the severity of the penalty imposed on the harasser will be consistent with those detailed in the Disciplinary and Dismissal Procedure. Serious harassment or acts of deliberate discrimination or victimisation may result in summary dismissal. Where a lesser penalty is appropriate, for example a written warning, this may be coupled with action to ensure, as far as practicable, that you are able to continue working without embarrassment or anxiety.
- 13.2.8 Even if your complaint is not upheld we will consider how the on-going working relationship between you and the alleged harasser should be managed. This may involve, for example, arranging some form of mediation or counselling or a change in the duties or reporting lines of either party. The result of the hearing will be confirmed in writing to both you and the person you complained about.

14 Appeals

- 14.1 If you are not satisfied about the way your complaint has been handled you may appeal to the Chair. The appeal should be made in writing within 5 working days of the date the decision was sent to you.
- 14.2 We will arrange a date for the appeal hearing to take place. You have the right to be accompanied by your chosen companion. If your chosen companion is unavailable on the proposed date of the hearing you may ask for the hearing to be postponed by up to 5 working days and you must propose an alternative time and date within 5 working days of the original date.
- 14.3 In addition to the Chair who is holding the hearing, we will have another person present who will keep a record of the hearing.
- 14.4 If you do not comply with this procedure, you may lose your right to be represented.

15 Representation

- 15.1 You may be supported throughout the procedure and hearing by a colleague or trade union official (your "chosen companion"). The member of staff accused of harassment or discrimination will have the right to be accompanied at the hearing by a colleague or trade union representative, their "chosen companion".
- 15.2 The chosen companion can act as a witness, take a note of the proceedings, address the hearing, put forward your or the accused or the accused case, sum it up, respond to any views expressed at the hearing and confer with you (or the accused), but cannot answer questions

on your, or the accused, behalf. It is your responsibility to ensure that your chosen companion is available to attend the hearing.

16 Protection for those making complaints or assisting with an investigation

- 16.1 Employees will be protected from harassment, victimisation or discrimination for making a complaint or assisting in an investigation. Any acts of retaliation or intimidation against an employee will be treated as a disciplinary offence.
- 16.2 Any member of staff who considers that they may have been subjected to intimidation or victimisation should seek support from their line manager. They may alternatively or additionally raise a complaint in writing under this procedure or our separate Grievance Procedure.

17 Discipline

- 17.1 Any acts of discrimination or acts, which contravene this policy may result in the Disciplinary and Dismissal Procedure being invoked against the individual(s) responsible or involved. In severe cases, summary dismissal may be justified.
- 17.2 We will treat all breaches of this policy seriously. Therefore where managers see unacceptable behaviour they will take appropriate action to eliminate the particular behaviour, which may lead to disciplinary action taken against the perpetrators.
- 17.3 All members of staff are encouraged to use the procedure outlined in this policy if they believe that they are being harassed, discriminated or victimised. However if an allegation is made, which (after investigation) we believe has been made dishonestly, maliciously or in bad faith, we may invoke the Disciplinary and Dismissal Procedure against that member of staff. Such behaviour may constitute gross misconduct and result in summary dismissal.