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# Equal Opportunities Policy

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# Equal Opportunities Policy

## 1. Overview

1.1 This policy covers all aspects of how you are treated by the Company and everybody we employ. It covers (but isn't limited) to:

- recruitment;
- pay and conditions of employment;
- training and continuing professional development;
- promotion;
- appraisals;
- grievances and disciplinary matters;
- ending employment;
- giving references;
- how visitors are treated;
- how clients and suppliers are treated; and
- how any other business contacts and associates are treated.

1.2 This policy applies to all employees, apprentices, consultants, officers, contractors, interns, volunteers, job applicants, agency and casual workers.

1.3 If you are an employee, this policy does not form part of your contract of employment and we may amend it at any time.

1.4 You should read this policy in conjunction with our other policies, including Harassment and Bullying, Recruitment, and our Grievance Policy.

## 2. Our equal opportunities commitment and aims

2.1 We will not tolerate discrimination or harassment, and are committed to promoting equal opportunities in employment. Those who work for us, and anyone applying for a job with us, will receive fair and equal treatment.

2.2 We ensure, where possible, full access for everyone applying for a vacancy. Decisions about transfers and internal promotions are made, so far as possible, using only objective criteria.

2.3 We will never victimise anyone who makes a legitimate complaint to us about harassment or discrimination, or who supports a colleague in their complaint.

## 3. How the law defines discrimination

3.1 The following list gives you a general description of the types of acts that may both breach this policy and be unlawful. Sometimes actions can be intentional, and sometimes unintentional. We include examples of both types in this list:

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**Direct discrimination:** this is when somebody is treated less favourably because of a protected characteristic than somebody else has been, or would have been, in identical circumstances.

Examples: rejecting a job applicant because of their race, or refusing to promote someone because they are pregnant.

**Indirect discrimination:** this is when a group of people with one of the protected characteristics (subject to a couple of exceptions) is put at a disadvantage by a provision, criterion or practice applied to all staff unless the treatment is justified for a good business reason.

Examples: refusing a request to work part-time without a good business reason (which indirectly discriminates against women, who are more likely to have childcare responsibilities); insisting all staff work Saturdays without a good business reason (which indirectly discriminates against Jewish employees, who may not be able to work on the Jewish Sabbath).

**Associative discrimination:** this is where somebody is treated less favourably because of the personal characteristics of somebody else.

Example: treating an employee less favourably because their parents are Jehovah's Witnesses.

**Perceived discrimination:** this occurs where someone is treated less favourably because someone wrongly believes they have a particular protected characteristic.

Example: treating an employee less favourably because someone thinks he is gay, when in fact he isn't gay.

**Harassment:** this is when a hostile, humiliating, degrading, intimidating or similarly offensive environment is created in relation to a protected characteristic. We also consider it harassment for a worker to be subjected to uninvited conduct related to a protected characteristic that, as an intended or unintended consequence, violates their dignity.

Examples: name calling, lewd comments, excluding colleagues, making insensitive jokes, and displaying pornographic material are all examples of harassment. We deal in detail with this under our separate policy on Harassment and Bullying.

**Victimisation:** in a legal context, 'victimisation' has a much more restricted meaning than in real life. It happens when a worker has complained about harassment or discrimination, or has supported a colleague in their complaint, and is then treated less favourably as a result.

Examples: an employee who is 'sent to Coventry' because they spoke up on behalf of one of their colleagues in a harassment investigation, or an employee who is dismissed under a pretext because they have complained of discrimination.

3.2 The 'protected characteristics' are:

- age;
- race (which includes colour and ethnic/national origin);
- disability;

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- religion or belief;
- sex;
- gender reassignment;
- pregnancy or maternity;
- sexual orientation; and
- marital or civil partnership status.

3.3 There are other actions which can be unlawful under the equal opportunities legislation. Examples include:

- failure to make reasonable adjustments to minimise certain disadvantages suffered by a disabled employee (or job applicant);
- instructing another person (or applying pressure on them) to discriminate;
- knowingly assisting somebody else when they carry out a discriminatory act;
- discriminating against somebody believed to have a protected characteristic, whether or not they actually do, or because they associate with a third party who does.

## 4. How we carry out our responsibilities and duties

4.1 Management and the wider workforce are essential to ensuring the success of this policy. We all have a legal responsibility to comply with it, and any of us, however senior or junior we are, may be personally liable for unlawful discrimination if we breach its terms,

4.2 Overall responsibility for the effective implementation and operation of the policy lies with management, specifically with the board of directors. Everyone working at managerial level is expected to act in full accordance with this policy, lead by example, and attain and maintain appropriate standards of behaviour within the teams they manage.

4.3 The ethos and standards covered by this policy can only be achieved and maintained if everyone in our workforce cooperates fully. It is important to understand that you have a legal responsibility to comply. If you breach this policy, you may also make the Company liable for your actions and we may both have to pay compensation to anyone who claims against us. We expect you to take personal responsibility for adhering to this policy's aims and commitments and for drawing any actual or potential breaches to our attention.

4.4 We also encourage everyone who works for us to help promote equal opportunities across the Company. Please contact your manager if you have any ideas about how we could do this better, or you would like to be more involved in achieving this policy's aims.

## 5. How we recruit, promote, and make other selections

5.1 We carry out all recruitment, promotion and other types of selection procedures, such as redundancy selection processes, on the basis of merit, using non-discriminatory and, as far as possible, objective criteria.

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5.2 Advertisements for vacancies must not include wording that may discourage some groups of people from applying, or stereotype in any way, and they must be placed where they can reach as wide and diverse a pool of potential candidates as possible.

5.3 Nobody applying for a job with the Company may be asked about their health, attendance record, or whether they have a disability, before a job offer is made - except in very limited situations. It may, for example, be justifiable to ask whether the applicant needs any disability-related measures put in place for the interview, or to check that they are capable of carrying out a key part of the job. It is acceptable to make some job offers dependent on a medical examination.

5.4 It is unlawful to ask job applicants anything that might suggest an intention to discriminate on the grounds of a protected characteristic. Asking an applicant about their religion when they are applying for a job that involves weekend working would not, for example, be allowed. Nor would asking an applicant whether they have childcare responsibilities be allowed, as that suggests you might be intending to indirectly discriminate on grounds of sex or marital status.

5.5 It is fine to include certain health or disability questions in equal opportunities monitoring exercises, but the data gathered must not be used for selecting someone for a role, or in making other employment-related decisions.

## 6. How we enforce this policy and handle breaches

6.1 We will investigate any complaint or allegation you raise regarding a potential breach of this policy. If you believe you have been harassed or discriminated against you should contact your manager as soon as possible. If you want to take formal action, you will need to follow our grievance procedure (see our Grievance Policy) and read our policy on Harassment and Bullying.

6.2 You will face disciplinary action if we find you have harassed or discriminated against anyone else in breach of this policy. Sometimes this type of behaviour may amount to gross misconduct, in which case you may be dismissed without notice.

6.3 Occasionally, people make complaints knowing they're not true. They might do this to avoid or deflect disciplinary action. We view any complaint made in bad faith as an act of misconduct and this will normally lead to disciplinary action. In some cases, bad faith complaints may lead to summary dismissal for gross misconduct.

## 7. How we monitor whether this policy is working

7.1 We may record and analyse information about equal opportunities within the workplace, and when you join the Company you give us consent to gather and process this data about you. We use the information to make sure this policy is working properly and to refine it where that's needed. We also use the information to review the composition of our workforce, and to promote workplace equality.