

EQUAL OPPORTUNITIES POLICY

A) STATEMENT OF POLICY

1. The Company recognises that discrimination is unacceptable and, although equality of opportunity has been a long standing feature of our employment practices and procedures, this policy is the Company's official Equal Opportunities policy. The Company will:
 - Treat everyone fairly and without bias or prejudice
 - Recognise, accept and value people's differences
 - Promote a harmonious working environment
 - Encourage and develop all available talent
 - Ensure all employees are valued
2. The aim of the policy is to ensure no job applicant, permanent employee, agency worker, subcontractor or employee who has left the company is discriminated against either directly or indirectly on the grounds of age, pregnancy, race, colour, ethnic or national origin, religious belief, political opinion or affiliation, sex, marital status, sexual orientation, gender reassignment, age or disability.
3. The Company will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.
4. The Company will ensure that the policy is circulated to any agencies responsible for our recruitment and a copy of the policy will be made available for all employees and made known to all applicants for employment.
5. The Company will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Company.
6. The policy will be communicated to all private contractors reminding them of their responsibilities towards the equality of opportunity.
7. The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and in particular any relevant Codes of Practice.
8. Compliance with this policy should ensure that both the Company and its employees to not commit unlawful acts of discrimination. Breaches of the policy will lead to disciplinary proceedings and, if appropriate, disciplinary action.

B) LEGAL REQUIREMENTS

It is unlawful to:

- discriminate directly or indirectly in recruitment or employment on the grounds of the following protected characteristics:
 - Sex
 - Gender reassignment
 - Maternity and pregnancy
 - Colour
 - Race
 - Nationality
 - Ethnic or national origins
 - Sexual orientation
 - Religion or belief
 - Marriage to a civil partner
- treat someone less favourably on the grounds of disability, unless the less favourable treatment can be justified, or fail to make reasonable adjustments to overcome barriers to employment caused by their disability
- discriminate unjustifiably on the grounds of age in relation to employment
- discriminate after employment, e.g. in refusing to give a reference
- discriminate directly or indirectly or harass a member of the public in the provision of goods, facilities or services.
- victimise someone because they have alleged unlawful discrimination or supported someone to make a complaint or given evidence in relation to a complaint

C) TYPES OF UNLAWFUL DISCRIMINATION

1. Direct discrimination

- Where a person is treated less favourably than another in comparable circumstances
- Example: Direct sex discrimination = refusing to employ a woman because she was pregnant
- However, employers can directly discriminate if there is an occupational requirement, as long as it is crucial to the post

2. Indirect discrimination

- where a provision, criteria or practice is applied, to the detriment of a larger proportion of the group to which the individual belongs, which is to the individual's detriment
- Example: Indirect sex discrimination = requiring everyone to work full time unless there is a good reason (unrelated to sex) as to why the job has to be done full-time, as this will adversely affect a higher proportion of women

3. Harassment

- where unwanted conduct has the **purpose** of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person OR is **considered** by that person to have the effect of the above, regardless of whether the person responsible for the conduct intended it to be so

4. Associative discrimination

- where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity)

5. Perceptive discrimination

- where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic, when they in fact do not (other than marriage and civil partnership, and pregnancy and maternity)

6. Third-Party harassment

- where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable:
 - the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
 - it must be aware that the previous harassment has taken place; and
 - it must have failed to take reasonable steps to prevent harassment from happening again

7. Failure to make reasonable adjustments

- where existing arrangements disadvantage a person because of their disability, and reasonable adjustments are not made to overcome the disadvantage

8. Victimisation

- where someone is treated less favourably because they have alleged unlawful discrimination, or supported someone to make a complaint or given evidence in relation to a complaint, provided they have not acted maliciously or made or supported an untrue complaint

D) RECRUITMENT AND SELECTION

1. The recruitment and selection process is crucially important to any equal opportunities policy. We will endeavour through appropriate training to ensure that employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.

2. Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
3. Job descriptions and person specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements of the job, taking account of any reasonable adjustments that may be required for candidates with a disability.
4. Disability and/or personal or home commitments will not form the basis of employment decisions except where necessary.
5. We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.
6. We will not confine our recruitment to areas or media sources which provide only, or mainly, applicants of a particular group.
7. All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.
8. All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.
9. Short listing and interviewing will be carried out by more than one person where possible.
10. Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.
11. We will not disqualify any applicant because he/she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.
12. Selection decisions will not be influenced by any perceived prejudices of other staff.

E) TRAINING AND PROMOTION

1. Senior staff will receive training in the application of this policy to ensure that they are aware of its contents and provisions. This will also apply to others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.
2. All promotion will be in line with this policy.

F) WORKING PRACTICES

1. The Company will consider any possible indirectly discriminatory effects of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices, and will refuse such requests only if the Company considers it has good reasons, unrelated to any prohibited ground for discrimination, for doing so.
2. The Company will comply with its obligations in relation to statutory requests for contract variations.
3. The Company will make reasonable adjustments to its standard working practices to overcome barriers caused by disability.
4. The Company will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems which may be identified as a result of the monitoring process.
5. The Company cannot lawfully discriminate in the selection of employees for recruitment or promotion, but may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group which the Company identifies as being underrepresented in particular types of job.

G) MONITORING

1. This policy will be monitored periodically by the Company to judge its effectiveness, and will be updated in accordance with changes in relevant legislation.
2. We will maintain and review the employment records of all employees in order to monitor the progress of this policy.
3. Monitoring may involve:-
 - a. the collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applicants and current employees;
 - b. the examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants;
 - c. recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions; and
 - d. the number of people with disabilities within these groups

4. The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff, and to comply with changes in the law.
5. Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

H) YOUR RESPONSIBILITIES

1. Every employee is required to assist the Company to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.
2. Employees can be held personally liable as well as, or instead of, the Company for any act of unlawful discrimination.
3. Acts of discrimination against employees or customers are disciplinary offences and will be dealt with under the Company's disciplinary procedure. Acts of discrimination may constitute gross misconduct and could lead to dismissal without notice.

I) GRIEVANCES

1. If you consider that you may have been unlawfully discriminated against, you may use the Company's grievance procedure to make a complaint.
2. The Company will take any complaint seriously and will seek to resolve any grievance which it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.
3. Use of the Company's grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to a tribunal must normally be made within three months beginning with the act of discrimination complained of.

J) MAKING THIS POLICY WORK

1. The Company will promote the policy and ensure that all employees have access to it.
2. The Company will ensure that all employees understand the policy, and will provide training for those who have particular responsibilities under it, if required.
3. The Chief Executive will review all employment policies, procedures and practices to ensure they are not discriminatory or obstruct equality of opportunity.