

Equal Opportunities

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SCOPE OF POLICY

The Company is committed to a policy of equal opportunities and its intention is to fully comply in all aspects of appropriate and current legislation. This policy will apply in respect of recruitment and selection procedures, career development, promotion, training, payment practices, and all other terms and conditions of employment.

It is the responsibility of each employee at every level to promote Equal Opportunities and to pursue non-discriminatory policies and practices in employment and through behaviour language, attitude and actions so that no discriminatory practices occur. It is our policy to promote Equal Opportunities throughout the company and to ensure that no employee or job applicant is less fairly treated or suffers any harassment because of discrimination whether directly, indirectly, through victimisation or harassment.

Failure of any employee to observe the principles laid out in this policy will become subject to the company disciplinary procedure and may result in breaches of the law.

EQUALITY ACT

The Equality Act 2010 replaced and harmonised previous legislation and was introduced to ensure that workplace environments were fair and to comply with the law. It covers the same groups that were protected by existing equality legislation – age, disability, race, sex, gender reassignment, religion or belief, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are now called and referred to as ‘protected characteristics’. Additionally, the company shall not discriminate against an employee or worker based on “associative” links for example; where the employee or worker has a son who is disabled.

DEFINITIONS

Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination) or because they associate with someone who has a protected characteristic (see associative discrimination).

Associative Discrimination

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic.

Harassment

Harassment is defined as “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

Third Party Harassment

The Equality Act makes employers potentially liable for harassment of employees by people (third parties) who are not employees of your company, such as customers or clients.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act, or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

DISABILITY DISCRIMINATION

The company will not discriminate against current or prospective employees who have or have had a disability and will ensure adequate adjustments are made where appropriate, in support of this. Where relevant, the company shall also take reasonable steps to ensure the workplace is accessible to persons falling within the scope of the Equality Act that may involve the implementation of physical or structural changes.

The Equality Act defines a disabled person as “someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities which includes things like using a telephone, reading a book or using public transport”.

It will be considered discrimination to treat a disabled person unfavourably because of something connected with their disability (e.g. a tendency to make spelling mistakes arising from dyslexia).

Individuals diagnosed with progressive forms of cancer, HIV and multiple sclerosis also fall within the scope of disability and this protection is relevant from point of diagnosis rather than when the illness started to have an adverse effect on a person’s ability to carry out their day-to-day activities.

Employees are requested to inform the appropriate senior manager within the company if such diagnosis occurs and should note that any such disclosure shall be treated in the strictest confidence.

CRIMINAL OFFENCES

The company shall abide by the guidelines contained within the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013), in that certain old and minor cautions and offences are no longer subject to disclosure.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure.

In addition, employees or prospective candidates to the company are not required to disclose “spent” convictions when applying to work. As a consequence, the company will not dismiss an employee or exclude a person from a role, position, office, department or profession; or prejudice a person or employee in any way; where an employee or applicant fails to notify a “spent” conviction.

SEX DISCRIMINATION

The company will not discriminate on grounds of gender or marriage; because someone intends to undergo, is undergoing or has undergone gender reassignment; or due to an individual’s sexual orientation whether actual or perceived. Same sex marriages are now permissible in law and the company shall not discriminate in any way in respect of couples in a same sex marriage.

All records shall be amended to accommodate such changes in respect of next of kin information.

The company shall not tolerate sexual harassment, which is harassment of a 'sexual nature', nor shall it tolerate 'sex-related harassment' which is unwanted conduct related to an individual's sex or that of another person. This shall therefore include allowing a working environment where sexual banter is commonplace and which, although not directed at an individual or caused by their presence, may nevertheless create an offensive environment for that person.

RACE DISCRIMINATION

The company recognises and will not discriminate on grounds of race, colour, nationality (including citizenship) or ethnic or national origins. The Race Relations Act is concerned with people's actions and the effects of their actions, not their opinions or beliefs. Racial discrimination is not the same as racial prejudice.

AGE DISCRIMINATION

The company shall not discriminate against any employee on grounds of age, whether young or old, which includes by way of job advertising, recruitment, working practices and duties within particular roles. In view of the fact that there is no longer a statutory retirement age under UK legislation, the company shall not automatically retire you, unless it has objective justification to take this action.

RELIGION OR BELIEF

The company will respect an individual's religion, religious belief or similar philosophical belief and will not allow discrimination or harassment of that individual due to those beliefs.

EQUAL PAY

The company will treat both its men and women employees equally, in respect of their terms and conditions of employment, if they are employed on 'like work', work rated as equivalent under a job evaluation study, or work found to be of equal value. This does not just cover remuneration alone, but includes most terms in an employment contract. Variance within rates of pay due to length of service, performance, bonuses or individually agreed terms of contract will not be influenced by the gender of the employee. Terms covering special treatment because of pregnancy or childbirth, or reflecting statutory restrictions on the employment of women are not covered.

BULLYING & HARASSMENT

Even where not covered by the specific aspects stated within this Equal Opportunities policy, the Company shall not tolerate any form of harassment, victimisation or bullying within the workplace of its employees. Bullying and/or harassment can take many forms and all staff should be aware of behaviour of one person to another that may be seen as over-bearing, intimidating, controlling or abusive.

All staff should treat any other employee or work colleague with dignity and respect. Any complaint of bullying or harassment shall be investigated thoroughly and if found to have occurred shall be treated as Gross Misconduct.

Note that bullying and harassment are not determined by the intention of the person causing offence, but rather by the effect it has on the recipient i.e. if it is deemed by them that they find the behaviour unacceptable to them.

BREACH OF POLICY

If you feel that you have been treated inequitably in breach of the above policy, then you must initially raise the complaint through the company Grievance Procedure. The company shall then fully

investigate any such complaint. All employees are required to apply this policy in practice and failure to comply with, or deliberate breaches of, the above legislation will not be tolerated.

Such instances will be investigated and dealt with under the company disciplinary procedure. If carried out deliberately or maliciously this will be regarded as Gross Misconduct and may dependent upon the severity of the breach result in summary dismissal.