

# Equal Opportunities at Work

Policy Document

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## Table of Contents

<b>1</b>	<b>EQUAL OPPORTUNITIES POLICY</b> .....	<b>3</b>
1.1	General .....	3
1.2	Grounds of Discrimination.....	3
1.3	Relevant Legislation.....	4
1.4	Types of Discrimination .....	4
1.5	Recruitment.....	5
1.6	Promotions .....	6
1.7	Appraisals .....	7
1.8	Equal Pay .....	7
1.9	Human Rights .....	7
1.10	Harassment.....	8
1.11	Staff Responsibilities .....	9
1.12	Monitoring.....	9
1.13	Equal Opportunities Monitoring Form .....	10

# 1 EQUAL OPPORTUNITIES POLICY

## 1.1 General

The Company is committed to equal opportunities for all employees, workers and job applicants. The Company shall adhere to this equal opportunities policy at all times and will review this policy on an on-going basis to ensure that everyone can enjoy an environment that is free from discrimination, harassment, bullying and victimisation.

The Company's equal opportunities policy is applicable in all aspects of work including recruitment, selection, training, promotion, grievance procedures and disciplinary and dismissal procedures. The Company's equal opportunities policy is also applicable in its provision of goods, works and services.

Any behaviour which contravenes this policy will be viewed very seriously and may result in disciplinary action, including dismissal in appropriate cases.

This policy and any related documentation are available to all employees, recognised trade unions and/or other representative groups.

Consideration will be given to developing action programmes to promote equality of opportunity. This will include, where appropriate, a programme of positive action to encourage the development of those who are comparatively underrepresented in certain positions so that they can benefit from employment opportunities on equal terms.

James Landau will have ultimate responsibility for implementation of this policy. James Landau will coordinate the policy's implementation and can deal with any queries relating to it. He will also provide access to and enable use of services by different groups who may have particular needs or be otherwise excluded.

## 1.2 Grounds of Discrimination

We aim to provide equal opportunities for all without discrimination on the grounds of:

- race, ethnic origin, colour or nationality
- religion or belief
- sex or sexual orientation
- gender reassignment
- marital and civil partnership status
- age
- disability
- membership or non-membership of a trade union
- part time work
- human rights

We aim to ensure that no-one in the Company or seeking employment with us or any person dealing with us receives less favourable treatment on the above grounds or is disadvantaged by requirements or conditions which cannot be shown to be justifiable.

### 1.3 Relevant Legislation

The Company will comply with the following statutes and regulations together with any relevant re-enactments, statutory instruments and/or subordinate legislation:-

- Sex Discrimination Act 1975
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Race Relations Act 1976 and Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995
- Equal Pay Act 1970
- Working Time Regulations 1998
- Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Human Rights Act 1998
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006

### 1.4 Types of Discrimination

1. **Direct Discrimination** - (race, ethnic origin, colour or nationality, sex, sexual orientation, gender reassignment, marital status, age, disability and religion or belief).

It is unlawful to treat a person less favourably, on one of the above mentioned grounds, than another to whom the ground does not apply.

2. **Indirect Discrimination** - (race, ethnic origin, colour or nationality, sex, sexual orientation, gender reassignment, marital status, age and religion or belief)

It is unlawful to apply a provision, criterion or practice to all employees that would put a person to whom one of the above grounds applies to a disadvantage when it cannot be shown that the provision, criterion or practice is a proportionate way of achieving a legitimate aim.

3. **Victimisation**

Victimisation occurs where an individual is treated less favourably than colleagues because he/she has taken action, in good faith, to assert their statutory rights or assisted a colleague with information in that regard.

4. **Disability Discrimination**

It is unlawful to discriminate against an employee for a reason which relates to their disability. The Company will not therefore treat a disabled employee less favourably than it treats, or would treat others to whom that reason does not or would not apply, unless it can show that the treatment in question is justified.

If any provision, criterion or practice or physical feature of the Company's premises places a disabled person at a substantial disadvantage it is under a duty to make reasonable adjustments to prevent that effect taking place.

#### 5. **Age Discrimination**

Direct and indirect discrimination and retirement ages under 65 are illegal unless they can be objectively justified. The Company is to give proper consideration to an employee's request to continue working beyond retirement and written notice to employees at least 6 months in advance of their intended retirement date.

#### 6. **Part-Time Workers**

It is unlawful to treat a part-time worker less favourably than a comparable full-time worker.

### 1.5 Recruitment

#### **Applications**

It is the company's policy to deal with all applications within 7 days of receipt with courtesy, respect and sensitivity. Applicants will be properly informed at all stages of the progress of their application.

#### **Selection**

No candidate will be appointed without first having been interviewed by a person with the authority to select.

The purpose of the interview is to:

- a) assess the skills and knowledge of the applicant
- b) assess the attitude of the applicant
- c) identify the strengths and weaknesses not apparent from the application form
- d) question inconsistencies and details submitted by the applicant
- e) give information about the job

All interviewers will be trained in interview skills and be aware of legal requirements and of this policy.

All interviews will be conducted in private and in a place without distractions. Where appropriate, the candidates should be shown the environment in which he/she will work.

The interview will reflect company philosophy, observe legal requirements, be conducted courteously and give full details of terms and conditions of employment and benefits.

The applicant will be told the result of the interview within 7 days.

Reimbursement of reasonable travelling expenses is at the discretion of the interviewer.

#### **Equal Opportunities Policy**

The recruitment process will aim to select the most suitable person for the job in respect of experience and qualifications and the company will comply with this policy. No assumptions or prejudgements must be made by those recruiting about the suitability of the candidate on the grounds of race, ethnic origin, colour or nationality, sex, sexual orientation, gender reassignment, marital status, age, disability and religion or belief.

All recruitment publicity will positively encourage applications from suitably qualified experienced people and should avoid any stereotyping of any roles.

All vacancies will be advertised in a wide variety of ways to ensure that a fair cross section of potential applicants have access to the advertisement. This policy will be implemented in every recruitment practice used by the Company including but not limited to job centres, careers services and press advertisements.

Application forms will only include those questions which are necessary at the initial stages of selection. All questions on the application form will be relevant and non-discriminatory.

At interview, no questions will be asked or assumptions made about a candidate's personal and domestic circumstances. Where the requirements of the job affect the candidates personal life (e.g. unsocial hours or travel) this should be discussed objectively.

### **Selection Criteria**

Only those qualifications and skills which are important to the job are to be established as criteria for selection. These may include education and professional qualifications, experience and physical abilities, subject to being able to demonstrate that they are highly desirable and relevant attributes for the position. However, such formal academic or professional qualification requirements may be waived if candidates can demonstrate their suitability for the job by other means, including previous experience, and a willingness to undergo further training.

No candidate will be rejected on the basis of Trade Union membership or non-membership.

No candidate will be rejected on the basis of a spent conviction.

### **Selection Tests**

Selection tests are used to ensure that applicants have the skills and aptitude required for the job, all such tests will be valid and reliable and free from gender or race bias and non-discriminatory. No decision will be made solely by automatic processing of data from selection tests.

### **Other Criteria**

Any requirements in relation to age, ability, experience, qualifications etc. will only be applied if necessary for the particular vacancy and will be applied in a non-discriminatory way.

## **1.6 Promotions**

It is the company's policy to fill any vacancies which arise by promotion and/or internal transfers wherever possible. External recruitment will only be undertaken where vacancies cannot be filled satisfactorily from within, either due to availability of necessary skills internally or due to the numbers required.

In accordance with this policy all applicants for promotion will be assessed objectively.

If you wish to discuss your career prospects, this can be raised in the course of the performance appraisal process or at any time through your line manager.

## 1.7 Appraisals

Your performance will be reviewed on a regular basis throughout your employment. However, in each year you will have a meeting with your manager to formally consider your performance during the preceding year and to agree on future work objectives and/or any training plans to assist both you and the business to improve work performance and to assist the business to achieve its objectives.

You will be given a copy of the appraisal form prior to the meeting with your manager and you are encouraged to complete section one and then discuss in an open and honest manner any issues which you believe need to be discussed.

One further objective of the appraisal interview is to identify any particular training needs you may have to assist your future development. At your meeting section two of the appraisal form will be completed by your manager. You will be shown a copy which you should review and sign if you are satisfied that it accurately reflects the discussions with your manager.

You will retain a copy and a completed copy will be placed on your personnel file.

## 1.8 Equal Pay

The Company is committed to the principle of equal pay for men and women. In this context “pay” includes not only remuneration but also other benefits of employment such as promotion and training opportunities and access to facilities provided with the employment package from time to time.

We are committed to introducing and maintaining pay systems which are transparent, based on objective criteria and free from sex bias.

Women and men employed by us are entitled to equal pay if they are undertaking work which is substantially similar or is of equal value to the organisation unless there are specific and clear reasons unconnected with their sex which explain and justify any differential in pay. In some cases individuals carrying out similar work may receive different salaries because of seniority, incremental points, qualifications and other such factors.

Pay policies and practices will be reviewed on a regular basis and particular attention will be paid to employees who may be in non-standard employment in jobs where one or other gender predominates or who are absent on pregnancy and maternity leave.

Managers who are responsible for setting performance related pay rates through the appraisal system or other similar mechanism will receive specific training to ensure, as far as possible, that they understand and apply the equal pay principle in approaching their tasks.

## 1.9 Human Rights

Individuals have a right not to be treated differently because of their race, religion, sex, political views or any other status in relation to basic human rights which include:

- right to life and freedom from arbitrary arrest/detention;
- right to freedom from capital punishment, torture and degrading treatment;
- right not to be required to perform forced or compulsory labour;

- right to a fair trial;
- right to no punishment without law;
- right to respect for private and family life;
- right to freedom of thought, conscience and religion;
- right to freedom of expression (including freedom of the press);
- right to freedom of assembly and association (including trade union membership);
- right to freedom from unfair discrimination in the enjoyment of the above.

The Company acknowledges and abides by any of its duties under the Human Rights Act 1998.

### 1.10 Harassment

The Company is committed to creating a working environment that is free from harassment. Harassment will not be tolerated and will be treated as a disciplinary offence. Serious incidents of harassment could result in a warning that the harasser could be suspended or dismissed without notice or other disciplinary procedures.

Harassment as applied to age, sex, sexual orientation, gender reassignment, religion or belief, race, ethnic and national origin is: "unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment." Sexual harassment is: "unwanted verbal, non-verbal or physical conduct of a sexual nature that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment."

Examples of behaviour that could be considered harassment include:

- spreading malicious rumours
- insulting someone (particularly on the grounds of age, race, sex, disability, sexual orientation, gender reassignment and religion or belief)
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone - picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances - touching, standing too close, display of offensive materials
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities

A single incident can amount to harassment if sufficiently grave. Some incidents, if occurring only once, may cause only mild irritation but if repeated become harassment.

Where possible, incidents of harassment will be dealt with informally. The complainant could conduct an informal discussion with the harasser or write an informal letter to the harasser to reach an agreement that the behaviour will cease. If preferred the complainant can seek assistance from a manager to conduct the informal approach on their behalf. Where an informal resolution is not possible or the outcome has been unsatisfactory, then a formal complaint should be raised using the Company's

grievance procedure. The Company will then implement the Company's disciplinary procedure to investigate the complaint.

All complaints of harassment will be taken seriously and investigated promptly, objectively and confidentially. Both the complainant and the accused harasser have rights of appeal should they be dissatisfied with the outcome of the disciplinary or grievance procedures. Any complainant will be protected from retaliation and will not be penalised for raising a complaint. Where a complainant is found to have made an unfounded allegation of harassment for malicious reasons the matter will be dealt with under the Company's disciplinary procedure. The Company's Harassment Policy will be continually reviewed, monitored and updated.

### **1.11 Staff Responsibilities**

All of the Company's employees have a strict obligation to:

- act in accordance with this policy
- treat fellow staff members with respect and dignity
- ensure that their own behaviour does not cause offence or distress
- report any incident or behaviour which contravenes this policy and not indirectly support unfair treatment by ignoring what is happening around them.

Clear procedures exist which give a number of choices for pursuing complaints, both formally and informally.

In addition, those who manage staff are responsible for:

- ensuring equality in recruitment, selection, training, promotion, grievance procedures and disciplinary and dismissal procedures
- ensuring that the policy is fairly and consistently applied in all areas under their control
- eliminating any unfair practices of which they are aware, whether or not a complaint has been made
- promoting an environment in which people feel comfortable in reporting incidents which are causing them concern
- reacting quickly to complaints, investigating them objectively and thoroughly and taking any required action promptly
- advising the next level of management as soon as a formal complaint has been made

Managers and those involved in recruitment and selection will receive equalities training.

### **1.12 Monitoring**

The Company will monitor the number of job applicants and employees it has from the different groups listed below:

- Ethnic Groups
- Gender
- Disability
- Age

### 1.13 Equal Opportunities Monitoring Form

The Company is committed to eliminating discrimination from employment practices and will take steps to ensure that employees are recruited, developed and promoted on the basis of ability, the requirements of the job and the need to maintain an efficient and effective service. This means that no job applicant or employee receives less favourable treatment on the grounds of race, ethnic origin, colour or nationality, sex, sexual orientation, gender reassignment, marital status, age, disability and religion or belief.

To assist us in monitoring the effectiveness of our policy you are requested to complete this form, which will be detached from your application prior to shortlisting. A statement of our equal opportunity policy is included in the recruitment pack.

Please sign below to indicate your agreement that we may process the information you provide and use it for monitoring purposes only.

Signed:	Date:
Name:	Post applied for:

1. **Ethnic Category** - Please tick the box below which best describes the ethnic category to which you belong

White	<input type="checkbox"/> British	<input type="checkbox"/> Irish	<input type="checkbox"/> Any other white background (please write below) .....
Mixed	<input type="checkbox"/> White and Black Caribbean <input type="checkbox"/> White and Black African	<input type="checkbox"/> White and Asian	<input type="checkbox"/> Any other mixed background (please write below) .....
Asian or Asian British	<input type="checkbox"/> Indian	<input type="checkbox"/> Pakistani	<input type="checkbox"/> Any other Asian background (please write below) .....

Black or Black British	<input type="checkbox"/> Caribbean	<input type="checkbox"/> African	<input type="checkbox"/> Any other Black background (please write below) .....
Chinese or other ethnic group	<input type="checkbox"/> Chinese		<input type="checkbox"/> Any other ethnic background (please write below) .....

2. **Gender** - Please tick appropriate box:

Male  Female

3. **Disability** - Please state if you have any long-term physical or mental condition that affects your ability to carry out day-to-day activities. (Advice can be obtained from the Disability Rights Commission 08457 622 633)

Yes  No

4. **Age** - Please state your date of birth

Date of Birth: ..../..../.... (DD/MM/YY)