

## 3.16 Equal Opportunities Policy

### 3.16.1 Introduction

The company is an equal opportunity employer. We are committed to ensuring that our workplace is free from unlawful or unfair discrimination on the grounds of age, race, colour, nationality, ethnic or national origins, sex (including gender reassignment), marital status, disability, sexual orientation, religion, religious or philosophical belief or any other criteria not specifically related to the effectiveness of an individual's work performance.

The company aims to ensure that all staff achieve their full potential and that all employment decisions are taken without reference to irrelevant or discriminatory criteria. It is the policy of the company to assess staff and to take employment decisions based only on merit. We have adopted this equal opportunity policy as a means of helping to achieve these aims.

This policy applies to all directors, managers and staff of the company together with applicants, consultants and contractors working for the company and individuals such as external suppliers, not directly employed by the company but who have dealings with company personnel during the course of business.

Every member of staff, irrespective of seniority, is required to assist the company by protecting the integrity of this policy and upholding the company's values of equal opportunity and non-discrimination.

If you become aware of any breach of this policy, you are obliged to report it immediately to the Human Resources Manager. In so far as it is practicable to do so your report will be treated in the utmost confidence. Any recriminations arising from a report made in good faith will be treated as a serious disciplinary offence.

### 3.16.2 Responsibilities

**Managers:** All managers have a direct responsibility towards all employees to uphold the company's policy and maintain the required standard of professional conduct between colleagues working in their area. Managers are responsible for ensuring that employees reporting to them are aware of the company's policy. Complaints to a Manager must be dealt with quickly and sensitively and it is the Manager's responsibility to ensure that staff are protected from any retaliation or victimisation for making or being involved in a complaint.

**Employees:** Every employee is responsible for his own behaviour and is expected and required to behave in an acceptable manner and in accordance with this policy, this extends to the treatment of job applicants, fellow employees, customers and visitors. If you believe that you have been subject to any harassment or other violation of this policy, you must make it plain at an early stage that the behaviour is unacceptable. You should also invoke the complaints procedure set out below promptly. Without this, the company cannot take the necessary steps to rectify the problem.

### **3.16.3 Discrimination**

“Discrimination” occurs when decisions regarding employment, advancement and/or remuneration are wholly or partly based on age, race, colour, nationality, ethnic or national origins, sex (including gender reassignment), marital status, disability, sexual orientation, religion, religious or philosophical belief (Discriminatory Grounds).

#### **Direct discrimination**

Direct discrimination occurs where someone is put at a disadvantage or suffers less favourable treatment on Discriminatory Grounds in relation to his or her employment. Direct discrimination may even occur unintentionally.

#### **Indirect discrimination**

Indirect discrimination occurs where an apparently neutral policy, condition or requirement is applied to everyone, but which in practice has a disproportionately adverse effect on one group of staff on Discriminatory Grounds.

### **3.16.4 Victimisation**

Victimisation occurs where an individual is treated less favourably or suffers a detriment because he has made a complaint or assisted someone else in making a complaint of discrimination or harassment on Discriminatory Grounds.

### **3.16.5 Harassment**

Harassment is any unwanted conduct, based on Discriminatory Grounds, affecting the dignity of a person or creating a humiliating, hostile or intimidating environment for that person. This does not include occasional compliments, traditional politeness and socially acceptable behaviour.

### **3.16.6 Equal opportunities code of practice**

The company’s recruitment and employment decisions will be made based on fair and objective criteria. Our selection procedures are reviewed from time to time to ensure that they are appropriate for achieving the company’s objectives and for avoiding unlawful discrimination.

### **3.16.7 Recruitment and selection**

The following principles will apply whenever recruitment or selection for positions takes place:

- job specifications will be limited to those requirements, which are necessary for the effective performance of the job
- you will be assessed according to your personal capability to carry out a given job;
- no assumptions will be made that only certain types of person will be able to perform certain types of work;
- any qualifications or requirements applied to a job which have or may have the effect of discouraging applications from certain types of person will only be kept in place if they can be justified in terms of the job to be done;
- selection tests will be related specifically to job requirements and will measure the individual's actual or inherent ability to do or train for the job;
- selection tests will be reviewed regularly to ensure they remain relevant and free from any unjustifiable bias, either in content or in scoring mechanism;
- applications from different types of individuals will be processed in the same way;

- written records of interviews and reasons for appointment and non-appointment will be kept for a period of 6 months;
- interviews will be conducted on an objective basis and interview questions will relate to the requirements of the job;
- where the company's arrangements for recruitment and selection put disabled people at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments to the arrangements will be made to eliminate, or if that is not reasonably practicable, reduce the disadvantage unless this can be objectively justified;
- no final decisions regarding recruitment or selection will be made by a person who has not read and understood this policy; and
- in accordance with recommended practice, the ethnic, gender and age composition of our staff and applicants for jobs will be monitored on an anonymous basis at all levels.

### **3.16.8 Promotion, transfer and training**

The following principles will apply to appointments for promotion, transfer and training:

- assessment criteria and appraisal schemes will be carefully examined to ensure that they are not unlawfully discriminatory;
- assessment criteria and appraisal schemes will be monitored and, where such criteria or schemes result in predominantly one group of workers gaining access to promotion, transfer or training, they will be checked to make sure this is not due to any hidden or indirect discrimination;
- promotion and career development patterns will be monitored to ensure that access to promotion and career development opportunities in particular groups of workers are not unjustifiably being excluded;
- traditional qualifications and requirements for promotion, transfer and training, such as length of service and age, which may discriminate against certain groups of workers, will be reviewed and will only continue to be applied if genuinely justified;
- policies and practices regarding selection for training, day release and personal development will be followed in such a way to avoid an imbalance in training between groups of workers unless this is objectively justified;
- where the company's arrangements in relation to promotion, transfer or training put disabled workers at a substantial disadvantage for a reason connected with their disability, reasonable adjustments to the arrangements will be made to eliminate or, if that is not reasonably practicable reduce, the disadvantage unless objectively justified.

### **3.16.9 Terms of employment, benefits, facilities and services**

The following principles shall apply to terms of employment, benefits, facilities and services:

- the terms of employment, benefits, facilities and services available to workers will be reviewed regularly to ensure that they are provided in a way which is free from unlawful discrimination.
- part-time workers will receive pay, benefits, facilities and services on a pro-rata basis to their full-time comparator.
- fixed-term workers will receive pay, benefits, facilities and services equal to their full-time comparator.
- pay and bonus criteria, policies and arrangements will be carefully examined and monitored, and if it appears that any group of workers is disadvantaged by them, they will be reviewed.

- working patterns will be regularly reviewed to enable the company to offer flexible working to staff with carer/childcare responsibilities where possible. Where necessary training will be made available to staff returning to work following a career break.
- where the company's arrangements relating to terms of employment, benefits, facilities and services put disabled workers at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments to the arrangements will be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage unless otherwise objectively justified.
- if you have a disability and believe that adjustments to the company's premises, your workstation, your duties and responsibilities or any other aspect of your employment will assist you, you must suggest such adjustments to Human Resources Manager so that these can be considered.
- 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.
- all members of staff have a responsibility to advise the company of any facilities which they believe need to be made accessible or usable by individuals with disabilities. You may contact any member of the HR Department with suggestions at any time.
- appropriate training will be provided to enable staff to implement and uphold our commitment to equality of opportunity.

Breach of this equal opportunity policy will be treated as a serious disciplinary matter. The company will not tolerate standards of behaviour in any member of staff that constitute harassment or discrimination of any kind.

Harassment pollutes the working environment and can have a devastating effect on the health, confidence, morale and performance of those affected by it. It may also have a damaging effect on other employees, not themselves the object of unwanted behaviour but who are witness to it or who have knowledge of the behaviour.

All employees are entitled to a working environment which respects their personal dignity, and which is free from such objectionable conduct. Harassment is a disciplinary offence and will result in disciplinary action up to and including dismissal.

If you believe that you may have been harassed or disadvantaged on discriminatory grounds you should raise the matter under the company's Grievance Procedure or the Anti-harassment Policy and Procedure. The company will treat any such concern seriously and take appropriate action. It is imperative that the act or acts of discrimination are reported promptly, so that a thorough investigation can take place. If an act is not reported promptly the company reserves the right to decide whether a meaningful investigation can be conducted.

### **3.16.10 Counselling and assistance**

As well as investigating complaints of harassment, the company may provide counselling to the complainant. If required, counselling will also be provided to the individual accused of discrimination/harassment, explaining what was unacceptable about their behaviour. The object of such counselling is to help change behaviour and prevent further incidents.

If you consider that you have been subjected to conduct amounting to a criminal offence (such as a sexual assault), you are entitled to seek the assistance of Human Resources to accompany

you to make a formal complaint to a police officer or to provide you with such other assistance as you may require. The Human Resources representative will inform your line manager of the outline circumstances of the case and will liaise with him/her to arrange special discretionary compassionate leave for you as appropriate.