



EQUAL OPPORTUNITIES AND DIGNITY AT WORK POLICY

PURPOSE

This purpose of this policy is to assist the company in putting their commitment to equal opportunities and fair treatment in the workplace into practice.

The policy is applicable to all employees and outlines the responsibilities of all staff in relation to equal opportunities, unlawful discrimination, and harassment.

A summary of areas covered by this policy is detailed below. Should you have any questions in relation to this document, please speak to your line manager:

- General principles
- Legislation
- Right to report harassment/bullying
- Types of discrimination
- Equality of opportunity
- Customers, suppliers and other people not employed by the company
- Training for staff
- Grievances
- Responsibilities

GENERAL PRINCIPLES

It is the company's approach that all employees have a working environment that promotes dignity and respect and where individual differences and the contributions made are recognised and valued.

It is the company's approach that:

- The company values the differences that a diverse workforce brings to the organisation
- The company will not tolerate or engage in any practices that may be found to be treating employees, customers or visitors unfairly
- The company will deal with discrimination or actions that affect equality in a robust manner, viewing such issues as gross misconduct, where appropriate
- The company is committed to providing equal opportunities in employment and will work towards the elimination of unlawful and unfair discrimination

LEGISLATION

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity,

race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as 'protected characteristics'.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics. Legislation also exists to prevent less favourable treatment of workers such as staff on fixed term contracts or those employed as agency workers within the company.

Staff should not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability.

RIGHT TO REPORT HARASSMENT/BULLYING

Employees have a right to complain if they are treated in a manner that they believe constitutes harassment or bullying. This will include behaviour that has caused offence, intimidation, humiliation, embarrassment or distress.

Apart from complaints about the behaviour of colleagues, employees have the right to complain if they believe that they have been bullied or harassed by a third party, for example, a customer, client or supplier.



Employees who raise a genuine complaint under this policy will under no circumstances be subjected to any unfavourable treatment or victimisation as a result of making a complaint.

Examples of harassment or bullying would include:

- Over-demanding requirements
- Sarcastic personal remarks about colleagues
- Sexual, ageist, racial or disability related banter
- The display of material with sexual or racial overtones (even if not directed at the complainant) or which is derogatory about any type of unlawful discrimination
- Unwelcome touching
- Jostling, shoving or other forms of unwanted contact and/or intimidating or threatening postures
- Practical jokes, horseplay, personal insults and name calling, public or private humiliation
- Interference with personal property and/or equipment
- Freezing out or excluding, intimidation and threats in general

However, if it is established that an employee has made a deliberately false or malicious complaint against another person about harassment or bullying, disciplinary action will be taken against

that employee.

Any employee who witnesses an incident that they believe to be the harassment or bullying of another member of staff should report the incident in confidence either to their line manager or to the HR department.

The company will take all such reports seriously and will treat the information in strict confidence as far as it is possible to do so.

TYPES OF DISCRIMINATION

The following are brief explanations of types of discrimination:

DIRECT DISCRIMINATION

This is where a person is treated less favourably than another because of one or more of the protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement.

INDIRECT DISCRIMINATION

This is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic when compared with people who do not, and it cannot be

shown to be a proportionate means of achieving a legitimate aim.

HARASSMENT

This is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity), that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

ASSOCIATIVE DISCRIMINATION

This is 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).

PERCEPTIVE DISCRIMINATION

This is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic.

THIRD-PARTY HARASSMENT

This occurs 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.



VICTIMISATION

This occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.

FAILURE TO MAKE REASONABLE ADJUSTMENTS

This is where:

- A provision, criterion or practice puts a disabled person at a substantial disadvantage in comparison with individuals who are not disabled, for example, corresponding only by email and phone with a person who is deaf, instead of face-to-face
- A physical feature puts a disabled person at a substantial disadvantage in comparison with individuals who are not disabled, for example, a design, building feature or equipment in the premises such as only having stairs and no lifts
- A disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with individuals who are not disabled, for example, providing assistive technologies to help visually impaired staff use computers

The potential discrimination occurs when the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

EQUALITY OF OPPORTUNITY

The company will avoid unlawful discrimination and unjustified less favourable treatment in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Job 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 for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

The company will consider any possible indirectly discriminatory effect 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 protected characteristic, for doing so.

The company will comply with its obligations in relation to statutory

requests for contract variations. The company will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

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 that may be identified as a result of the monitoring process.

The company cannot lawfully discriminate in the selection of employees for recruitment or promotion, but the company may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group that the company identifies as being under-represented in particular types of job.

CUSTOMERS, SUPPLIERS AND OTHER PEOPLE NOT EMPLOYED BY THE COMPANY

The company will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the company.

Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

Agency workers will not be treated less favourably in regard to pay and rights than permanent employees following



the completion of any qualifying criteria specified from time to time by the government.

TRAINING FOR STAFF

The company will aim to provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision-making where equal opportunities issues are likely to arise.

The company will aim to provide training to all existing and new employees and others engaged to work at the company to help them understand their rights and responsibilities and what they can do to help create a working environment free of bullying and harassment. The company will aim to provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

GRIEVANCES

If an employee considers they may have been unlawfully discriminated against or if they feel they have been subject to harassment of any kind, they may use the grievance procedure to make a complaint.

However, before raising a formal complaint, employees are encouraged in the first instance to talk directly and informally to the person whom they believe is harassing them/causing offence and explain clearly what aspect of the person's behaviour is unacceptable and request that it stop. It may be that the person whose conduct is causing offence is genuinely unaware that their behaviour is unwelcome or

objectionable and that a direct approach can resolve the matter without the need for formal action.

Where an employee would like support to make such an approach, they should contact a manager or the HR department.

If, however, an employee feels unable to take this course of action, or if they have already approached the person to no avail, or if the harassment is of a very serious nature, they may elect to raise a formal complaint. Formal complaints may be raised with either the employee's line manager or, if preferred, the HR department.

The company will take any complaint seriously and will seek to resolve any grievance which it upholds. Staff will not be penalised for raising a grievance, even if the grievance is not upheld unless the complaint is both untrue and made in bad faith.

RESPONSIBILITIES

EMPLOYEES

Every employee is required to assist the company to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, the company for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the company's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

MANAGERS

Managers who receive a complaint have a duty to investigate the matter thoroughly and objectively and to take corrective action in order to ensure that the company's policy is complied with. Line managers should be responsive and supportive towards any worker who raises a genuine complaint of discrimination, harassment or bullying.

The company reserves the right, at its discretion, to suspend any employee who is under investigation for alleged acts of discrimination, harassment or bullying for a temporary period whilst investigations are being carried out. Such suspension will be for as short a time as possible and will be on full pay.

Any employee accused of such offences will be informed of the exact nature of the complaint against them and afforded a full opportunity to challenge the allegations and put forward an explanation for their behaviour in a confidential interview, with a companion present if they wish. No employee will be presumed guilty following such an allegation.

The company will maintain records of investigations into alleged incidents of



this nature, the outcome of the investigations and any corrective or disciplinary action taken. These records will be maintained in confidence and in line with the provisions of the Data Protection Act 2018.

FURTHER INFORMATION

The company will review policies and procedures periodically to reflect changes in legislation, good practice, etc.

ADDITIONAL RELEVANT POLICIES

- Recruitment policy
- Grievance policy
- Disciplinary policy
- Data Protection policy

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