

Equal Opportunities Policy

Introduction

The Company is committed to supporting the principle of equal opportunities, and opposes all forms of unlawful or unfair discrimination on the grounds of colour, race, nationality, ethnic origin, sex, marital or civil partner status, disability, part-time or fixed term status, pregnancy or maternity, age, religion/belief, gender reassignment or sexual orientation. These are called “protected characteristics”.

Our aim is to recruit, train and promote the best person for the job, to make full use of the talents and resources of all our employees and to create a working environment free from unlawful discrimination, victimisation and harassment, in which all employees are treated with dignity and respect.

All employees will be made aware of the requirements of this policy and will be obliged to co-operate to ensure that the policy is carried out effectively.

Actions or omissions which amount to either a breach of this policy or to unlawful discrimination will be treated as a disciplinary offence resulting, if appropriate, in disciplinary action.

Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. If you are involved in management or recruitment or if you have any questions about this policy, please contact your Line Manager.

Definitions

“Discrimination” means less favourable or detrimental treatment on grounds of any of the protected characteristics.

The law recognises three forms of discrimination:

Direct discrimination. This occurs when an individual is treated less favourably than another in relation to employment on grounds of a protected characteristic.

Indirect discrimination. This occurs when a job requirement is applied equally to all but it has a disproportionate and detrimental effect on one section of the workforce (a section that shares a protected characteristic), because fewer of that group can comply with it, and the requirement cannot be justified in relation to that job.

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Failure to make adjustments. In a case of disability if the Company's premises or equipment, materials or working arrangements put a disabled person at a substantial disadvantage, then it is unlawful discrimination not to make any reasonable adjustments which remove or minimise that effect.

Harassment is defined as unwanted conduct relating to a protected characteristic which causes discomfort or upset to an individual and which has an adverse effect on working relationships. It creates an intimidating, hostile or humiliating work environment for the individual. Please refer to the Company's separate policy on harassment.

Victimisation is where a person is treated less favourably than another when they have made allegations, brought proceedings, given evidence or complained about the behaviour of someone who has been harassing or discriminating against them or others.

Scope of Policy

This policy applies to the recruitment, terms and conditions of employment, training, career development, promotion, grievance and disciplinary procedures and all other aspects of employment and of the working environment.

All employees are required to comply with this policy when dealing with other employees (including temporary or agency staff and consultants), job applicants, clients, suppliers, customers and contacts of the Company, and anyone else with whom they come into contact during the course of their employment.

Recruitment

The Company will place information about job opportunities on its website. Unfortunately, it is not practical to inform all employees of all vacancies on an individual basis. Therefore, if you would like to apply for a different job within the Company, please check the website regularly.

All applicants will be welcomed and will be considered on the relative merits of the applicant against the job and/or person specification for the position regardless of protected characteristics.

Terms and Conditions of Employment

The Company will ensure that terms and conditions of employment are free from direct and indirect discrimination and apply equally regardless of protected characteristics.

Grievance and disciplinary procedures will be operated without discrimination on the grounds of protected characteristics.

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Training, Career Developments and Promotion

All employees will be provided with the appropriate training (according to business need) to enable them to improve their performance and to achieve the performance standards and targets set for them by the Company, regardless of protected characteristics.

The Company will also ensure that opportunities for training and career development are made equally available to all employees.

Promotion within the Company is based on personal merit and the reasonable requirements of the job regardless of colour, race, nationality, ethnic origin, sex, marital status, disability, part-time or fixed term status, parental responsibilities, age, religion/belief or sexual orientation.

Responsibilities

Failure to comply with the Company's equal opportunities policy or to co-operate with it operating effectively is a disciplinary offence, which may lead to disciplinary action (including dismissal).

All complaints relating to equal opportunities including harassment are to be dealt with under this procedure:

Complaints

The complaints procedure is as follows:

- It is the Company's aim to resolve any complaints as quickly as possible. All complaints will be treated seriously and will appropriate confidentiality.
- Employees who believe they have experienced or are experiencing any form of discrimination, harassment, or victimisation should speak in the first instance to their Line Manager.
- If an employee feels unable to discuss the matter with the Line Manager then they should contact the next level of management.
- Following initial discussions with the appropriate Line Manager, an employee will be asked to choose one of the following options:

(i) to decide that no further action is necessary (please note that in cases of serious discrimination or harassment, the Company retains the discretion to pursue a formal investigation);

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- (ii) to discuss the complaint with the individual who is alleged to have acted in a discriminatory way or caused offence (either directly or, in appropriate circumstances with the assistance of trained mediator);
- (iii) to ask an Area Manager to help resolve the matter through informal and/or discreet approaches; or
- (iv) to make a formal written complaint, setting out the details of the complaint, to an Area Manager.

Where a formal written complaint is made, a full investigation will be conducted by a manager and a full record of the progress and outcome of the investigation and any steps taken will be reported in writing to the employee at the earliest opportunity. Those conducting the investigation will not be parties directly involved in the allegation.

The person investigating the complaint will firstly discuss the situation with the employee concerned. The employee will be invited to attend a meeting with the investigating manager to discuss the complaint within 5 working days of receiving the written complaint. The person investigating will then make arrangements to interview any individual(s) against whom the complaint has been made and any other people who can provide relevant evidence or other information, details of the complaint will be provided in writing, prior to any investigatory interview. It may be necessary to place anyone accused of harassment on suspension while the investigation is carried out, depending on the nature of the allegations.

Following the meetings the person investigating will prepare a summary of the employee's complaint, their decision and the solution(s) proposed(if any). A copy of this document will be provided to all concerned within 5 working days of the meeting, a copy will be placed on the individual's personal file. The employee shall be notified of the right to appeal against the decision, if he/she is not satisfied.

Where a formal investigation has been conducted and it appears that some form of discrimination, harassment or victimisation has taken place, those responsible for such acts will be subject to disciplinary procedures, which will be conducted in accordance with the Company's disciplinary procedure. Serious acts of discrimination, harassment or victimisation will be regarded as gross misconduct and may lead to instant dismissal (i.e. dismissal without notice or payment in lieu of notice). An employee who is not satisfied with the outcome of a formal complaint may ask for the matter to be reviewed by a more senior manager. This request should be lodged in writing within 5 working days of the employee receiving written notification of the original decision. The employee will be invited to attend a further appeal meeting to discuss the complaint within 10 working days of receiving notice of the employee's wish to appeal. The manager who hears the appeal will inform the employee in writing of the Company's decision within 5 working days of the meeting.

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The employee will have no further right of appeal. These timescales may need to be extended if necessary, for example, if further investigation is required or if staff absences makes the original timescale impractical.

Employees will be protected from harassment, victimisation or discrimination for making a complaint or assisting in an investigation. Any acts of retaliation or intimidation against an employee will be treated as a disciplinary offence.

Any employee who maliciously makes an unfounded complaint will be subject to disciplinary action.

Monitoring

The Company is committed to monitoring the effectiveness of this equal opportunities policy. The Company will undertake regular reviews and make changes where necessary.



Charles Chisholm
Chief Executive

1st February 2019

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