

## 5.2 Equal Opportunities Policy

### Policy statement

The Company is an equal opportunity employer and is committed to a policy of treating all its employees and job applicants equally. The Company will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, redundancy, and dismissal.

It is the policy of the Company to take all reasonable steps to employ and promote employees based on their abilities and qualifications without regard to age, disability, gender and gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sexual orientation. In this policy, these are known as the 'protected characteristics'

The Company will appoint, train, develop and promote based on merit and ability alone.

Employees have a duty to co-operate with the Company to ensure that this policy is effective to ensure equal opportunities and to prevent discrimination. We will act under the Company's disciplinary procedure against any employee who we find has committed an act of improper or unlawful discrimination. We will treat serious breaches of the equal opportunities policy as potential gross misconduct, which could make the employee liable to summary dismissal. Employees should also bear in mind that the courts can hold them personally liable for any act of unlawful discrimination.

Employees must not harass, bully, or intimidate other employees for reasons related to one or more of the protected characteristics. We will treat such behaviour as potential gross misconduct under the Company's disciplinary procedure. Employees who commit serious acts of harassment may also be guilty of a criminal offence. The Company has a separate dignity at work policy which deals with these issues and sets out how we deal with complaints of this type.

Employees should draw the attention of their line manager to suspected discriminatory acts or practices. Employees must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or who has given information about such discrimination. We will treat such behaviour will as potential gross misconduct under the Company's disciplinary procedure. Employees should support colleagues who suffer such treatment and are making a complaint.

### Direct discrimination

Direct discrimination occurs when a person suffers a direct detriment because of one of the protected characteristics, such as by treating a job applicant or an employee less favourably than other job applicants or employees.

The treatment will still amount to direct discrimination even if it is based on the protected characteristic of a third party with whom the job applicant or employee is associated and not on the job applicant's or employee's own protected characteristic. In addition, it can include cases where someone perceives that a job applicant or an employee has a protected characteristic when in fact they do not.

Discrimination after employment is also unlawful if it arises out of and is closely connected to the employment relationship, for example refusing to give a reference or giving an unfavourable reference for a reason related to one of the protected characteristics.

The Company will take all reasonable steps to end direct discrimination in all aspects of employment.

### Indirect discrimination

Indirect discrimination is treatment that may be equal in the sense that it applies to all job applicants or employees, but which is discriminatory in its effect on, for example, one gender or racial group.

Indirect discrimination occurs when a provision, criterion, or practice (PCP) applies to the job applicant or employee which is discriminatory in relation to a protected characteristic of the job applicant's or employees. A PCP is discriminatory in relation to a protected characteristic of the job applicant's or employees if:

- It applies, or would apply, to persons with whom the job applicant or employee does not share the protected characteristic
- The PCP puts, or would put, persons with whom the job applicant or employee shares the protected characteristic at a disadvantage when compared with persons with whom the job applicant or employee does not share it
- It puts, or would put, the job applicant or employee at that disadvantage
- The Company cannot show it to be a proportionate means of achieving a legitimate aim

The Company will take all reasonable steps to end indirect discrimination in all aspects of employment.

## **Victimisation**

Victimisation occurs when an employee suffers a detriment, when denied a training opportunity or a promotion, because they have raised or supported a grievance or complaint of unlawful discrimination, or because they have issued employment tribunal proceedings for unlawful discrimination or they have given evidence in connection with unlawful discrimination proceedings brought by another employee. However, an employee this protection does not apply if they give false evidence or information, or make a false allegation, and they do so in bad faith. Post-employment victimisation is also unlawful, for example refusing to give a reference or giving an unfavourable reference because the former employee has done one of the protected acts set out above.

The Company will take all reasonable steps to end victimisation in all aspects of employment.

## **Sources of recruitment**

We will undertake recruitment in such a way as to result in the appointment of the most suitable person for the job in respect of abilities and qualifications. The Company is committed to applying its equal opportunities policy at all stages of recruitment.

## **Advertisements**

Advertisements will aim to positively encourage applications from all suitably qualified people. When advertising job vacancies, to attract applications from all sections of the community, the Company will, as far as reasonably practical:

- Not confine advertisements to those areas or publications which would exclude or disproportionately reduce the numbers of applicants with a protected characteristic
- Avoid setting any unnecessary provisions or criteria which would exclude a higher proportion of people with a protected characteristic

Where promotion or transfer fills vacancies, we will publish to all eligible employees in such a way that they do not restrict applications from employees with a protected characteristic.

However, where, having regard to the nature and context of the work, having a protected characteristic is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, the Company will apply that requirement to the job role and will specify that in the advertisement.

## **Selection methods**

We will carry out a consistent recruitment process for all jobs at all levels.

The appointment of new staff will be based on the job requirements and the individual's suitability and ability to do, or to train for, the job in question. We will limit person specifications and job descriptions to those requirements that are necessary for the effective performance of the job. We will assess candidates for employment, promotion or transfer objectively against the requirements for the job.

With disabled job applicants, the Company will have regard to its duty to make reasonable adjustments to work provisions, criteria, or practices or to physical features of work premises or to provide auxiliary aids or services to ensure that the disabled person is not placed at a substantial (i.e. more than minor or trivial) disadvantage in comparison with persons who are not disabled.

## **Selection tests**

In any tests we use, we will limit to questions relating to the job and/or career requirements. The tests will measure the individual's actual or inherent ability to do or to train for the work or career. Thus, we will not include questions or exercises on matters which may be unfamiliar to applicants with a protected characteristic if they are unrelated to the requirements of the job. We will review the tests we use from time to time to ensure that they still are relevant and free from any unjustifiable bias, either in content or in scoring mechanism.

## **Applications and interviewing**

We process all applications in the same way. We will inform those responsible for short-listing, interviewing, and selecting candidates of the criteria and of the need for their consistent application.

Wherever possible, at least two interviewers will interview all applicants. All questions put to the applicants will relate to the requirements of the job.

If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel), we will discuss this objectively, without detailed questions based on assumptions about any of the protected characteristics.

## **Training, transfer and promotion**

The Company will take such measures as may be necessary to ensure the proper training, supervision, and instruction for all line managers to familiarise them with the Company's policy on equal opportunities, and to help them find discriminatory acts or practices and to ensure that they promote equal opportunity within the departments for which they are responsible. The training will also enable line managers to deal more effectively with complaints of bullying and harassment.

The Company will also give training to all employees to help them understand their rights and responsibilities under the Company's equal opportunities and dignity at work policies and what they can do to create a work environment that is free from discrimination, bullying and harassment.

We will instruct all persons responsible for selecting new employees, employees for training or employees for transfer or promotion to other jobs not to discriminate because of one or more of the protected characteristics.

Where a promotional system is in operation, we will examine the assessment criteria to ensure that they are not discriminatory. We will check the promotional system from time to time to assess how it is working in practice.

If we identify exclusion of a group of workers who have a protected characteristic from access to promotion, transfer, and training and to other benefits, the Company's will review systems and procedures to ensure there is no unlawful discrimination.

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

The Company will review all terms of employment, benefits, facilities, and services from time to time to ensure that there is no unlawful direct or indirect discrimination because of one or more of the protected characteristics.

## **Equal pay and equality of terms**

The Company is committed to equal pay and equality of terms in employment. It believes its male and female employees should receive equal pay where they are carrying out like work, work rated as equivalent or work of equal value. To achieve this, the Company will endeavour to support a pay system that is transparent, free from bias and based on objective criteria.

## **Grievances and complaints**

The Company will deal with all allegations of discrimination seriously, confidentially, and speedily. The Company will not ignore or treat lightly grievances or complaints about unlawful discrimination from employees. You should raise any such complaints promptly under the terms of the Company's grievance procedure.

If the complaint involves bullying or harassment, the Company will change the grievance procedure as set out in the dignity at work policy.

Even if the Company does not uphold a complaint, employees will not be penalised for raising a grievance, unless the complaint was both untrue and made in bad faith.

## **Monitoring equal opportunity**

The Company will regularly check the effects of recruitment decisions and personnel practices and procedures to assess whether we are achieving equality of opportunity. This will also involve considering any possible indirectly discriminatory effects of its standard working practices. If we need to make changes, the Company will implement them. The Company will also make reasonable adjustments to its standard working practices to overcome any substantial (i.e. more than minor or trivial) disadvantages to colleagues with disabilities.