

1 Equal Opportunities Policy

- 1.1 We are an equal opportunities employer.
- 1.2 The aim of the policy is to draw attention to, and thereby prevent, all forms of offensive behaviour.
- 1.3 All employees and job applicants will be treated equally.
- 1.4 No employee or potential employee will receive less favourable treatment on the grounds of gender, sexual orientation, race, colour, religious belief, nationality, ethnic origin, political affiliation, union membership, age, disability or on the basis of gender re-assignment.
- 1.5 No employee or potential employee will be disadvantaged by any conditions of employment or requirements that cannot be justified as necessary on operational grounds.
- 1.6 Decisions about appointments, training, developments and promotion will be made on the basis of merit or ability and business requirements.
- 1.7 All employees have a personal responsibility for the application of this equal opportunity policy, which extends to the treatment of both fellow employees and customers.
- 1.8 Managers and staff involved in recruiting, selecting, promoting and training employees have a special responsibility for the practical application of this equal opportunity policy.
- 1.9 Any employee who believes he or she may have been unfairly discriminated against is encouraged to use our grievance procedure.
- 1.10 Any employee who conducts himself in a discriminatory manner (whether on the grounds of gender, sexual orientation, race, colour, religious belief, nationality, ethnic origin, political affiliation, union membership, age, disability or on the basis of gender re-assignment) towards another employee, customer, supplier or member of the public will be guilty of gross misconduct and will be subject to disciplinary action.
- 1.11 Definitions
 - 1.11.1 "**Harassment**" means misconduct of a physical, verbal or non-verbal nature, which is unwanted and personally offensive to the recipient. Harassment does not refer to behaviour of a mutually acceptable nature: it refers to behaviour that is unsolicited, that is personally offensive and that fails to respect the rights of others or fails to recognise the impact that such behaviour may have on others.
 - 1.11.2 "**Direct Discrimination**" means where a person is treated less favourably because of, for example: sex, pregnancy, marital status, race, colour, ethnic or national origins or disability (i.e. where an employee is refused promotion on the grounds that he or she is black, disabled, male or female, and so on).

- 1.11.3 **"Indirect Discrimination"** means where a requirement or condition which cannot be justified is applied equally to all groups but has a disproportionately adverse effect on one particular group (for example, where an age limit is applied to applicants for a job, this could exclude some women who are qualified to do the job but who exceed the age limit because their family commitments mean that they qualified later than men). A further example is a requirement which is nonessential to the job description which may exclude a disabled person (such as the requirement for a driving licence for a job which is mainly office-based).
- 1.11.4 **"Victimisation"** means where an individual is given less favourable treatment than others in the same circumstances because he has made allegations or complaints of discrimination or provided information about such allegations or complaints.
- 1.12 The following are examples of inappropriate and unacceptable behaviour covered by the Policy. They do not form an exhaustive list:
- 1.12.1 Unwanted physical contact including unnecessary touching and bodily contact, insulting or abusive behaviour or gestures, physical threats, assault and rape.
- 1.12.2 Unwanted verbal conduct including the deliberate articulation of insulting or abusive jokes, banter, offensive language, gossip and slander, songs and threats.
- 1.12.3 Unwanted non-verbal conduct including written harassment through circulation of notes, letters, email, faxes or graffiti referring to an individual's characteristics or private life; abusive or offensive gestures, leering, whistling, intrusion by pestering, spying, following or stalking, display of offensive literature, pictures or films, or inappropriate use of computer equipment or network systems for this purpose.
- 1.12.4 Unlawful victimisation including treating an individual less favourably than others are being, or would be, treated in the same or similar circumstances, because they have made a complaint or allegation of discrimination or have acted as a witness or informant in connection with allegations of harassment or discrimination.
- 1.12.5 **"Other conduct"** means conduct which denigrates, ridicules, intimidates or is physically abusive of an individual or group.
- 1.13 Harassment may constitute direct or indirect discrimination under the applicable laws of the land and, accordingly, may be unlawful. The harasser may be held personally liable for such conduct. In addition, where harassment constitutes a criminal offence, it could render the harasser liable to prosecution.
- 1.14 **Procedure**
- 1.14.1 This Policy has been introduced to enable employees who believe they have been the subject of harassment to take action. The nature of such complaints are such that it is recognised that you may not wish to discuss the matter directly with your Manager. The policy therefore seeks to enable complaints to be dealt with by an independent person, while giving you the option of pursuing a complaint under the established grievance procedure.

- 1.14.2 Reference to, and application of, the policy does not deny or inhibit in any way whatsoever either the Company's or your legal rights, responsibilities, obligations and remedies.
- 1.15 **Informal**
- 1.15.1 Wherever possible, if you believe you have been the subject of harassment you should tell the alleged harasser that you find their behaviour offensive and ask them to stop. Your Manager, or where the alleged harasser is your Manager, then your Executive Director, are the individuals to whom you may refer any incident(s) of harassment confidentially. They will listen to your complaint and will provide support and assistance if you do not wish to invoke the formal procedure.
- 1.15.2 It is recommended that if you are the subject of harassment you keep personal notes of all events from the first instance.
- 1.16 **Formal**
- 1.16.1 If the harassment continues, or you are unable or unwilling to confront the alleged harasser then you should report the alleged incident(s) to your Manager. If the Manager is the alleged harasser then you should report the alleged incident(s) to your Executive Director. You may be accompanied and/or represented by a colleague at all times.
- 1.16.2 You will be asked to make a formal complaint to your Manager or your Executive Director if your alleged harasser is the Manager. Where a complaint has been made, an investigation will take place to determine whether or not disciplinary action should be taken in accordance with the disciplinary procedures.
- 1.16.3 Where appropriate, the alleged harasser may be transferred to another work area during the investigation process, or suspended. Where the investigation shows that the complaint is well founded it may be necessary to separate the persons concerned permanently. Where this is the case, every effort will be made to move the alleged harasser and not the person who has been harassed, unless that person has expressed a desire to move.
- 1.16.4 If it is decided that disciplinary action should be taken, the alleged harasser will be entitled to be represented and/or accompanied by a colleague throughout all stages of the investigation and the disciplinary procedure.
- 1.16.5 If your Department Manager or Executive Director decides not to proceed with disciplinary action, he or she will advise the person who has made the complaint accordingly.
- 1.16.6 Appeals against any part of this Policy and/or procedure may be made through the Grievance Procedure to the Managing Director or his designee as appropriate.
- 1.17 **Responsibility of Managers**
- 1.17.1 All Managers and others in charge of groups of staff are responsible for ensuring that harassment does not occur in their work area. In particular, they must ensure that:

- 1.17.2 They fully understand this Policy and are able to offer advice on it and on the Company's disciplinary procedure as it relates to a complaint of harassment when required to do so;
- 1.17.3 They advise and inform their teams to increase awareness and understanding of the Policy;
- 1.17.4 Their work environment is free of visual harassment such as pin-ups and graffiti;
- 1.17.5 They are alert to physical and verbal harassment in their work area and deal with it immediately, whether or not it is brought formally to their attention;
- 1.17.6 They are supportive of individuals who state that they have been harassed and take full account of their feelings in handling any complaint;
- 1.17.7 They maintain complete confidentiality relating to all aspects of cases of harassment at all times and do not mention or discuss the case unnecessarily with any person not involved with its investigation;
- 1.17.8 Following an allegation of harassment, they ensure that there is no further harassment or victimisation; and
- 1.17.9 They attend any training session which may be arranged to increase their awareness of the issues involved in harassment.
- 1.17.10 The Company will not tolerate intimidation, victimisation or unfair discrimination against any employee who makes a complaint of harassment or who assists in an investigation of alleged harassment. Retaliation against an employee who complains of harassment can be expected to lead to disciplinary action including, in appropriate cases, dismissal.