

# Equality policy

## 1 Introduction

This document sets out the Company's policy on equality and equal opportunities. This policy does not form part of your contract of employment but is a policy statement describing the way in which equal opportunities issues are dealt with in the Company.

The Company has introduced this equal opportunities policy as a commitment to make full use of the talents and resources of all its employees and to provide a healthy environment which will encourage good and productive working operations within the organisation. This document describes how the policy is to be applied throughout the Company.

The Company is particularly concerned that equality of opportunity is maintained in the following areas:

- a. recruitment and selection;
- b. promotion, appraisal, transfer and training;
- c. terms of employment, benefits, facilities and services;
- d. grievance and disciplinary procedures; and
- e. dismissals, resignations and redundancies.

Staff may also be required to attend equal opportunities training. Attendance at training will be compulsory if you are notified that you should attend a course.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

## 2 Statement of principle

An equality policy statement will be given to you.

The Company's statement of principle on equality and equal opportunities is:

"The Company is committed to a policy of treating all its employees, workers and job applicants equally. No employee or potential employee will receive less favourable treatment because of any 'protected characteristic', namely:

- a. age (or perceived age)
- b. disability (past or present)
- c. gender reassignment
- d. marriage or civil partnership status
- e. race, colour, nationality, ethnic or national origins
- f. religion or belief
- g. sex
- h. sexual orientation

- i. trade union membership (or non-membership)
- j. part-time or fixed term status
- k. No employee or potential employee will be disadvantaged by any conditions of employment that cannot be justified as necessary on operational grounds.

These principles of equality of opportunity and non-discrimination also apply to the manner in which our staff treats our clients or customers, our business partner, suppliers and visitors.”

Employees are expected to work with the Company towards these aims. In certain circumstances, an employee can be personally liable for discrimination against a fellow employee or a job applicant.

### **3 Equality principles**

There should be no discrimination, whether direct or indirect, because of any of the protected characteristics set out in the Company’s statement of principle on equal opportunities contained in the paragraph above. The types of discrimination that are prohibited are explained in the paragraph below.

Discrimination may occur in the following forms:

- a. Direct discrimination - this is treating someone less favourably because of a protected characteristic. An example of this is paying someone less because of their sex or because they belong to a particular racial group. 'Because of' is very wide and includes less favourable treatment based on a perception of another person, for example that the person is gay, or is disabled, whether or not this perception is correct and even if the perpetrator knows that their perception is, in fact, wrong. It also includes less favourable treatment because someone is associated with another person who has a protected characteristic.
- b. Indirect discrimination - this is treating people in the same way but in a way which adversely affects those with a protected characteristic. An example of this is telling all employees that they have to work late at night—although applied to everyone, it will adversely affect those employees with childcare responsibilities and these tend to be women.
- c. Victimization - this is treating someone less favourably because they have asserted their right not to be discriminated against because of a protected characteristic. An example of this would be an employee claiming that they had been discriminated on the grounds of their disability and then their manager deciding when they left not to give them a reference because they had claimed disability discrimination.
- d. Harassment -this is unwanted conduct, related to a protected characteristic, which has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for someone or violating their dignity. Harassment may also be of a sexual nature or may occur because someone has harassed the victim and the victim either rejects or submits to it and, because of that rejection or submission, that person treats the victim less favourably.

The Company will appoint, train, develop, reward and promote on the basis of merit and ability.

All employees have personal responsibility for the practical application of the Company's equality policy, which extends to the treatment of job applicants, employees (including former employees), customers or clients, suppliers and visitors

The principles set out in this policy apply:

- a. in the workplace; and
- b. outside the workplace in a work-related context, such as on business trips, customer or supplier events or work-related social events.

Special responsibility for the practical application of the Company's equality policy falls upon managers, members of the Global and Local Management Teams, senior employees and the Company's HR Department involved in the recruitment, selection, appraisal, promotion and training of employees and the way their terms of employment are fixed.

The Company's Grievance Procedure is available to any employee who believes that they may have been unfairly discriminated against. Employees will not be victimised in any way for making such a complaint in good faith. Complaints of this nature will be dealt with seriously, in confidence and as soon as possible.

Disciplinary action will be taken against any employee who is found to have committed an act of unlawful discrimination. Serious breaches of this policy and serious incidents of harassment and bullying will be treated as gross misconduct. Unwarranted allegations that are not made in good faith may also be considered a disciplinary matter. Confidential records of ongoing matters dealt with in accordance with this policy will be kept.

In the case of any doubt or concern about the application of this policy in any particular instance or situation, please consult the Company's HR Department as soon as possible.

The Company will keep its policy, procedures and practices on equality and equal opportunities under review.

## **4 Recruitment and selection**

The following principles should apply whenever recruitment or selection for positions takes place, whether externally or internally:

- a. individuals will be assessed according to their personal capability to carry out a given job;
- b. assumptions that only certain types of person will be able to perform certain types of work must not be made;
- c. any qualifications or requirements applied to a job which have or may have the effect of inhibiting applications from certain types of person should only be retained if they can be justified in terms of the job to be done;
- d. any age limits applied to a job should only be retained if they can be objectively justified in terms of the job to be done—in most cases this will not be the case and managers should consult the Company's HR Department if considering an age limit for a particular post;
- e. the use of years of experience as a criterion for a particular role will need to be objectively justified;

- f. recruitment solely or primarily by word of mouth should be avoided as its effect is or may be to prevent certain types of people from applying;
- g. selection tests should be specifically related to job requirements and should measure the person's actual or inherent ability to do or train for the work;
- h. selection tests should be reviewed regularly to ensure they remain relevant and free from any unjustifiable bias, either in content or in scoring mechanism;
- i. applications from different types of people should be processed in the same way and the same questions asked at interview;
- j. written records of interviews and reasons for appointment and non-appointment should be kept;
- k. questions at interview should relate to the requirements of the job;
- l. where any provision, criterion or practice for recruitment and selection puts disabled people at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments should be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage. This could, for example, be making different interview arrangements for an applicant with mobility problems or arranging for facilities for applicants with sight or hearing impairments; and
- m. decisions regarding the method of recruitment or selection or who is recruited or selected should only be made by a person who has read and understood this policy.

## **5 Promotion, transfer and training**

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

- a. assessment criteria and appraisal schemes should be carefully examined to ensure that they are not discriminatory, whether directly or indirectly;
- b. assessment criteria and appraisal schemes should be monitored on a regular basis and, where such criteria or schemes result in predominantly one group of workers gaining access to promotion, transfer or training or being awarded a particular appraisal grade, they should be checked to make sure this is not due to any hidden or indirect discrimination;
- c. traditional qualifications and requirements for promotion, transfer and training, such as length of service, years of experience or age may discriminate against certain workers and will need to be objectively justified by reference to the job requirements;
- d. where any provision, criterion or practice relating to promotion, appraisal, transfer or training puts disabled workers at a substantial disadvantage for a reason connected with their disability, reasonable adjustments will be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage. For example, this could be making training available for a disabled worker in a different way, in a different location or at a different time.

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

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

- a. the terms of employment, benefits, facilities and services available to workers should be reviewed regularly to ensure that they are provided in a way which is free from unlawful discrimination;
- b. part-time workers should receive pay, benefits, facilities and services on a pro rata basis to their full-time comparator unless otherwise objectively justified—managers who are responsible for part-time workers should, in particular, take advice from the Company's HR Department when assessing pay (including any bonus) and benefits for part-time workers;
- c. where any provision, criterion or practice relating to terms of employment, benefits, facilities and services puts disabled workers at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments will be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage. Managers responsible for disabled workers should, in particular, take advice from the Company's HR Department when assessing pay (including any bonus) and benefits for disabled workers; and
- d. pay and bonus criteria, policies and practices should be carefully examined and regularly monitored, and if it appears that any group of workers is disadvantaged by them they will be checked to make sure that this is not due to any hidden or indirect discrimination.

## 7 Grievances, disciplinary procedures, dismissals and redundancies

Workers who, in good faith, bring a grievance (or assist another to do so) either under this policy or otherwise in relation to an equality or equal opportunities matter will not be disciplined, dismissed or otherwise suffer any adverse treatment for having done so.

No member of a particular group of workers will be disciplined or dismissed for performance or behaviour which would be overlooked or condoned in another group, unless there is genuine and lawful justification for different treatment.

Redundancy criteria and procedures will be carefully examined to ensure that they are not applied and do not operate in an unlawfully discriminatory manner.

The provision of any voluntary redundancy benefits will be equally available to all workers unless there is a genuine and lawful justification for doing otherwise.

## 8 Disability policy

It is the Company's policy that disabled people, including job applicants and employees, should be able to participate in all of the Company's activities fully, on an equal basis with people who are not disabled.

Due to the wide variety of potential disabilities and the likelihood of a disability affecting different people in different ways, it would be inappropriate to prescribe rigid rules on how issues concerning disabled people should be dealt with. What is essential, however, is that all managers, supervisors take all reasonably practical steps to ensure that disabled people are not less favourably treated or disadvantaged by comparison to people who are not disabled in relation to their work, working environment, or by any provision, criterion or practice used by the Company. Managers and supervisors need to be aware in particular that an employee on long-term sick leave or with intermittent sickness absence may be disabled.

The Company is particularly concerned that disabled workers are treated equally in the following areas:

- a. recruitment and selection;
- b. promotion, transfer and training;
- c. terms of employment, benefits, facilities and services; and
- d. dismissals, resignations and redundancies.

For the purpose of this policy, disabilities are either physical or mental impairments that have a substantial and long term effect on a person's ability to carry out normal day-to-day activities. Particular conditions such as HIV and some forms of cancer are covered from the point of diagnosis and do not have to already be long term. Please contact the Company's HR department for further information about what is covered by normal day-to-day activities and the status of particular illnesses.

Some disabilities are immediately obvious, for example use of a wheelchair, while other disabilities may not be apparent at all, for example HIV infection. Certain conditions are not considered to be disabilities, for example poor eyesight that is corrected simply by wearing prescription spectacles, or addiction to alcohol or other substances. If you would like further information about whether a particular condition is a disability you should contact the Company's HR Department.

The general equality and equal opportunity principles set out earlier in this policy will apply in relation to disabled people whether they currently have a disability or have had a disability in the past.

The Company will take all reasonably practicable steps to ensure that disabled people are able to participate in its business and activities on an equal basis with people who are not disabled.

The Company will not, for a reason relating to a person's disability, treat disabled people less favourably than it treats, or would treat, others to whom the same reason does not or would not apply, unless that treatment would be justified.

If any provision, criterion or practice used by or on behalf of the Company, or any physical feature of premises occupied by the Company, puts disabled people at a substantial disadvantage compared to people who are not disabled, the Company will take such reasonably practicable steps as it can to prevent this disadvantage. This is known as the duty to make reasonable adjustments.

The following general steps should always be considered where issues concerning disabilities arise or may arise:

- a. Be flexible. There may be many different ways to avoid discrimination or to minimise the effects of discrimination. A small adjustment may be all an employee needs.
- b. Consider any performance or attendance problems in the context of the person's disability and its effect on their ability to meet performance and attendance targets.
- c. Do not make assumptions. Whenever possible talk to the disabled person to find out how their disability affects them and what steps they think might help.
- d. Do not discipline or dismiss a disabled employee for performance or attendance-based reasons without first establishing whether the employee's performance or attendance is affected by the disability and that appropriate adjustments to accommodate the disability have been made.
- e. Seek expert advice. Disability issues can be complex and you may need expert medical advice about a person's disability, or expert technical advice about adjustments to technology or premises that might help the disabled person.
- f. Think ahead. Try to anticipate the effects that practices, policies and procedures may have on disabled people, even if there are no disabled employees at the time, to prevent problems occurring in the future.