

## EQUAL OPPORTUNITIES POLICY

### Policy

It is the policy of this company to provide equal opportunities in employment irrespective of their age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race (which includes colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation (“the Protected Characteristics”).

All employees are entitled to be treated with respect and dignity and the company will not tolerate the victimisation, bullying or harassment of employees on the grounds of the protected characteristics.

The Company is therefore committed to providing equality of opportunity for all employees by:

- Preventing any form of direct or indirect discrimination or victimisation or bullying.
- Promoting a good and harmonious working environment where all individuals are treated with respect and dignity and in which no form of intimidation or harassment from colleagues, customers or clients will be tolerated.
- Fulfilling all legal obligations under relevant national and European Union legislation and associated Codes of Practice where they apply.

This policy covers discrimination, harassment, bullying and victimisation which occurs both in and out of the workplace, such as on business trips or at events or work-related social functions. It covers harassment, bullying and victimisation by employees and also by third parties such as customers, suppliers or visitors to our premises. Unintentional harassment, bullying and victimisation are also unacceptable.

All employees have a personal responsibility for the implementation of this policy.

### Application of Policy

This policy applies to the advertisement of jobs, recruitment and appointment, promotion, training and development, terms and conditions of work, pay, termination of employment, any references issued and to every other aspect of employment. All terms and conditions of employment and related benefits shall be non-discriminatory, other than where there are legal grounds for discriminating in the case of specific jobs with particular requirements i.e. that an individual of a particular sex, race or religion is required to carry out the job. Applicants for employment will be assessed according to their skills, experience and suitability for the job.

All employees must be aware of the importance which the Company attaches to its Equal Opportunities Policy, and must ensure that they do not, by their own actions, behaviour or attitudes, directly or indirectly or unintentionally discriminate against any job applicants, employees, customers or clients.

Any act of discrimination will be treated as a disciplinary offence; these will include for example, discrimination in selecting, promoting or training, refusing to work with or for a person because of any of the reasons stated in paragraph one of this policy and harassment of any employee, customer or client.

If employees have any doubts as to the applicability of this policy, advice should be sought from a Director or senior manager.

### Types of Unlawful Discrimination

Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

- **Direct discrimination** occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. Direct discrimination, for example, can occur where a person is refused a job, training or promotion in any of these circumstances.
- **Indirect discrimination** occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. Some practices may look fair but have an unintended discriminatory effect. For example if the Company made a Higher English qualification a requirement as selection criteria. This

would have a disproportionate adverse impact on people educated overseas and may not be justified if all that is required for the job is to demonstrate a level of literacy or the ability to communicate with others. The necessary level of literacy can be tested or checked in other ways that are more relevant to the job.

- **Associative discrimination** is where someone is directly discriminated against or harassed for association with another person who has a protected characteristic.
- **Perceptive discrimination** is where someone is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

### Time off for religious observance

The Company will consider any request made for time off to observe particular religious commitments with sensitivity and sympathetically. For example, if an employee needs to be home by a certain time on Friday or Saturday to observe the requirements of their faith, the Company will review the duties of that employee to see if it is feasible to accommodate this request. Where possible, such requests will be agreed and time may be taken as unpaid time off or made up at a different time which suits the Company.

If the work simply cannot be done at another time, then the Company will be unable to agree to the request as it would mean that the business operation would suffer. The same type of consideration will be given to practising Christians who may not wish to work on Sunday or to refrain from working at Christmas or Easter.

Consideration will also be given to the locations and the timings of meetings and functions. The Company will treat employees' beliefs and religion with sensitivity. For example, locations for business meetings will be checked regarding alcohol if one of the people required to attend the meeting follows a doctrine which prevents him or her from attending meetings at such a place. The timing of routine meetings will, as far as possible, not be arranged when employees who follow a particular religion would be unable to attend due to that religion.

Some religions require their followers to pray at specific times during the day. The Company will allow time off for quiet prayer which can be taken at times convenient to the business and in a convenient place. This time will be unpaid unless it can be made up at a time which is convenient to the Company.

If employees request time off for religious practices, such requests will be treated with sensitivity, and the employee's duties and the impact on the business considered carefully.

Any employee who wishes to make a request under this section of the policy should talk to their line manager who will discuss their requirements to see if these can be accommodated.

### Using Holidays

Sensitive consideration will be given to requests to take holiday (or unpaid leave or flexitime) to observe religious holidays. Wherever possible, the Company will agree to these requests. However, if the Company has a legitimate business reason for refusing any request then this will be the outcome as the Company is permitted to make these decisions based on the need to operate the business effectively. If requests are made with as much notice as possible being given it may be more likely that these can be accommodated and planned for in the business work schedule.

### Religious and Cultural Dress

Employees may wear appropriate religious and cultural dress (for example, clerical collars, head scarves, skullcaps, turbans, burqa, hijab) unless it creates a health and safety risk to them or any other person, or otherwise breaches this policy.

For operational and health and safety reasons, employees of the Company may have to be flexible in some circumstances. However, the Company's policy is to ensure that any such restrictions regarding clothing to be worn in an operational environment are genuine requirements on grounds of operational effectiveness or health and safety.

Where necessary, management can give further information and guidance on cultural and religious dress in the workplace.

### **Disability**

The Company is committed to ensuring equality of opportunity for those members of staff who are disabled or become disabled for the purposes of the Equality Act 2010 during their employment with the Company. The Company will be as flexible as possible discussing any reasonable adjustments with the employee so that the workplace is comfortable and accommodates their requirements.

This will also include any adjustments to the dress code followed by the Company.

If you are disabled or become disabled, we encourage you to tell us about your condition so that the Company may support you as appropriate. If any employee would like to discuss any adjustments, they should talk to their line manager in the first instance.

If a member of staff is unable to continue in their current role as a result of a disability, the Company will consider any alternative roles and vacancies they may have as a way of retaining the services of that member of Staff.

### **Harassment**

**Harassment** related to any of the protected characteristics is prohibited. Harassment is defined as unwanted conduct which can be physical, verbal or non-verbal that either violates a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. It may be related to gender, gender reassignment, race, disability, sexual orientation, marriage or civil partnership, part time status, age, religion or belief, colour, ethnic origin, nationality or national origin or trade union membership or any personal characteristic of the individual. It may be persistent or an isolated incident. It can take many forms, from relatively mild banter to actual physical violence.

Employees may not always realise that their behaviour constitutes bullying or harassment but they must recognise that what is acceptable to one person may not be acceptable to another.

The Company has a separate Bullying, Harassment & Stalking Policy.

**Victimisation** is also prohibited under this policy. This is less favourable treatment of someone who has raised or supported a complaint or raised a grievance under the Equality Act 2010 for discrimination or harassment, or because they are suspected of doing so. If any employee is victimised because they have supported another employee who has a protected characteristic, that employee will have the same protection as if he or she had that protected characteristic.

For example, one employee gives a statement confirming that they witnessed the other employee being harassed due to his or her race. The witness is then victimised and pressure is brought in an attempt to get him or her to withdraw the statement. The witness will then be protected in the same way as the original employee who was being harassed.

### **Remedies**

If any employee believes that he or she has been discriminated against, harassed, bullied or victimised on any of the grounds referred to above, he or she may raise the matter informally with his or her immediate line manager or a Director.

If the employee wishes to raise the matter formally, he/she should invoke the company's grievance procedure, setting out the basis of their complaint in detail. All such complaints will be taken seriously by the Company. They shall be treated in confidence and investigated fully by an independent member of management.

As part of the investigation, the employee will be given every opportunity to answer the allegation and provide an explanation of their actions.

Once the investigation is complete, if the Company finds that no unlawful discrimination occurred, no further action will be taken. However if an employee is found to have discriminated against, harassed, bullied or

victimised another member of staff they will be subject to disciplinary proceedings and depending on the seriousness of the incident, may be dismissed for Gross Misconduct. In exceptionally serious cases the police may also be involved.

If, after the investigation is complete, it is found that the claim is false or malicious, disciplinary action may be taken against the employee who raised the complaint.

Equal opportunities practice is constantly developing as social attitudes and legislation changes. The Company will keep its policies under review and will implement changes where these could improve equality of opportunity.

### Guidance

General advice on this policy can be obtained from the Human Resource Department.

**Jordan Storrie**

**Date: 24/04/2018**



**Human Resource Director  
Sibcas Ltd.**