



## Equal Opportunities, Diversity and Anti-Harassment Policy

The Company is committed to eliminating discrimination and encouraging equality of opportunity amongst our colleagues. Our aims are that each worker feels respected and able to give their best and that, where possible, our workforce will be truly representative of all sections of society. This policy sets out key practices and procedures to achieve these aims.

Discrimination could have a serious adverse effect on the quality of working life in the Company and the efficient management of the business. Discrimination could mean that the Company does not make the best use of the most able people. A workplace free from discrimination benefits the Company by helping to generate a variety of ideas and perspectives and by reinforcing respect for individual qualities and aspirations. Discrimination can be harmful not only to the victim of discrimination, but also to people who witness it or know about it. It could damage our brand and business relationships.

As well as being wholly unacceptable, discrimination is usually unlawful. The Company has a zero tolerance approach to discrimination and a breach of this policy is likely to lead to disciplinary proceedings.

This policy applies to the whole workforce at all levels of the Company, including employees, consultants, applicants, temporary workers, casual workers, agency staff and workers. The principles of non-discrimination apply to dealings with people outside the workforce such as suppliers, clients and visitors to Company premises.

### 1. Scope of policy

This policy applies to every aspect of employment with the Company, including the advertising of jobs and recruitment and selection, to training and development, opportunities for promotion and career development, to conditions of service, terms and conditions of employment, benefits and pay, to health and safety and to conduct at work, to grievance and disciplinary procedures and to termination of employment.

### 2. What is discrimination

This policy covers discrimination on the grounds of sex, marriage or civil partnership, gender re-assignment, pregnancy and maternity, race (including racial group, ethnic origin, colour, nationality and national origin), disability, sexual orientation, religion or belief, and age ("**protected characteristics**").

Discrimination can take a number of forms and it is usually irrelevant whether it is intentional or unintentional. The forms of discrimination set out below are not only considered unacceptable by the Company but they are unlawful.

### 3. Direct discrimination

It is unlawful for employers to treat a person less favourably than others because of any protected characteristic they possess. Except in the case of marriage and civil partnership, or pregnancy and maternity, it is also unlawful to directly discriminate against a person because either they

are perceived to possess a protected characteristic, or they associate with another person who possesses any protected characteristic. Unlike other forms of direct discrimination, direct discrimination because of age may be permitted if it can be shown to be for a good reason.

An example would be the Company rejecting an applicant because of his nationality because it is feared he would not "fit in", or because he is married to a woman of a particular religion.

#### **4. Indirect discrimination**

Indirect discrimination takes place where a provision, criterion or practice which applies to all employees but disadvantages those with a particular protected characteristic (except pregnancy and maternity) – for example, the exclusion of part-time workers from pension schemes, which would be likely to have a disproportionate effect on women. Such a rule will be indirectly discriminatory unless it can be objectively justified as a proportionate means of achieving a legitimate aim.

An example would be the Company refusing to allow a woman to work part-time due to childcare commitments because it is feared others would want to do the same.

#### **5. Victimisation**

It is also unlawful to treat someone less favourably because they have made or supported a complaint or grievance relating to an instance of discrimination because of a protected characteristic.

#### **6. Disability**

Special rules apply to discrimination against disabled people. In addition to the other forms of discrimination above, it is also unlawful to discriminate against a disabled person because of something arising in consequence of their disability (for example, a tendency to make spelling mistakes arising from dyslexia) unless that less favourable treatment can be objectively justified.

If you are disabled, or if you become disabled whilst employed you are encouraged to tell the Company about your condition and any adjustments to your working arrangements which would help you to do your job, so that the proper support can be provided. If appropriate, the Company may seek medical advice and further information from or about you on these issues.

#### **7. Harassment**

Harassment is any form of unwanted conduct which occurs with the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating, or offensive environment for the recipient. The intention behind the conduct is irrelevant. If conduct should reasonably be considered to have the effect described, it will be harassment. An alleged harasser might not always realise that his or her behaviour is found offensive, and it is important for everyone to recognise that what is acceptable to one colleague may not be acceptable to another, or may not be acceptable behaviour on other occasions or from a different colleague. Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past. The following is a non-exhaustive list of examples of harassment:

- (a) racist, sexist, ageist or homophobic jokes, derogatory banter or stereotypical remarks about a particular group;
- (b) suggestive or overly personal comments about appearance;

- (c) unnecessary body contact;
- (d) looking at, sharing or displaying sexually offensive material, e.g. pin-ups or material that may offend another on discriminatory grounds. Looking at these things on screen, mobile phone or in other ways can be harassment, even if the content is not circulated or displayed;
- (e) any unwelcome sexual attention;
- (f) any insult or ridicule;
- (g) any threatened or actual physical or sexual violence;
- (h) use of email or other technology to harass;
- (i) isolation or non-co-operation at work, including the deliberate exclusion from conversations at work;
- (j) demeaning a colleague in their own or others' eyes;
- (k) intrusion by pestering, spying, following and so on;
- (l) suggestion that engaging in sexual conduct may further someone's career, or that refusal may damage it, or basing decisions affecting a colleague's job on such factors;
- (m) mimicking, mocking or belittling a person's disability; or
- (n) threatening to out someone as gay or lesbian.

A person can complain of offensive behaviour even if it is not directed at them. For example, a person may be harassed by racist jokes about a different ethnic group if they create an offensive working environment for him.

## **8. Bullying**

Bullying is intimidating or offensive behaviour or an abuse of power which makes the victim upset or threatened or which undermines them. All forms of bullying are unacceptable under this policy, not just those on the discriminatory grounds set out at paragraph 4.2(a).

Examples of bullying are:

- (a) inappropriately criticising or deriding workers in front of colleagues;
- (b) setting someone up to fail;
- (c) excluding a colleague from groups or social events intending to cause distress;
- (d) misuse of power, such as overbearing supervision;
- (e) making threats or comments about job security without foundation; and
- (f) wrongly preventing individuals progressing by intentionally blocking their career.

The Company and its managers need to maintain an appropriate level of control and be able to make appropriate demands of colleagues in order to do their jobs. Not all behaviour which

upsets a worker will amount to bullying. For example, it is not bullying for a manager to give reasonable and justified feedback on performance.

## **9. Religious festivals etc.**

If you wish to request changes to your working arrangements to allow you to practice your religion or belief, such as shorter working days at certain periods or time off to celebrate religious festivals, you should raise this with human resources. The Company will try to ensure that you will be able to take time off related to religious festivals that are important to you, but please note that there is no entitlement to extra leave for this purpose in addition to your annual holiday entitlement.

## **10. Fixed-term employees and part-time workers**

The Company monitors its use of fixed-term employees and part-time workers and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities.

## **11. Breaches of this policy**

If you believe you have been subject to discrimination, harassment or bullying, there are three main options available to you under this policy to resolve the problem – (11.1) an informal procedure where the worker approaches the person causing concern, (11.2) an informal procedure using your line manager or human resources, and (11.3) a formal procedure. It is best to take action as soon as possible after the incident and to keep your own written record of dates, times, witnesses, and what was said or done. This will help in the event of a formal complaint or a repeat of the behaviour.

Please also be aware that there may be facts of which you are unaware which may influence how the Company chooses to deal with a complaint, for example, if the Company knows that the behaviour complained of forms part of an alleged pattern of behaviour involving others. Other factors may also affect how the Company chooses to deal with a complaint, including the seriousness of the allegations and the risks involved.

### *11.1 Informal procedure where colleague approaches source of concern*

- (a) If you feel comfortable doing so, you should explain the impact of and ask the person to stop the behaviour and, in cases of harassment if appropriate, make it clear that the attention is unwelcome.
- (b) This approach may be enough to resolve the problem because the person complained about might not previously have realised how his or her behaviour affects others or how it may offend them.
- (c) This approach will not result in any formal internal investigation or disciplinary action but it is intended to allow you to resolve the matter yourself without it going any further.

### *11.2 Informal procedure using line manager or human resources*

- (a) If you feel unable to raise the issue directly, or if your request or complaint is ignored and the treatment continues, you should discuss this with your line manager or, if you prefer, the human resources manager. He or she will discuss the situation with you and help you to decide how to deal with it – usually either by someone speaking informally to the person complained about or by you making a formal complaint.

- (b) Your line manager or the human resources manager can arrange to speak directly to the person causing concern, or else mediate a discussion between you and the person about the unacceptable behaviour and explain that it must stop. An early informal conversation like this often leads to an immediate apology and enables a frank exchange so that the individuals involved can put the matter behind them.

### 11.3 *Formal procedure*

- (a) If you wish to make a formal complaint, the first stage is to discuss it with the human resources manager. Details of the behaviour causing offence will be taken – including dates, details of the incidents and details of any informal complaints which have already been made. This written account will form the basis of the formal complaint and will be put to the person complained about.
- (b) Confidentiality is often of the utmost importance to both parties. Everyone involved in the formal procedure will observe any request for confidentiality as far as possible. However, note that details may be disclosed to those people who need to know as part of the procedure; for example, for the purpose of investigating the complaint or taking disciplinary measures.
- (c) The procedure will involve a full investigation. This will include interviewing you and the person complained about, plus any other relevant individuals. Both parties will be kept informed of the general progress of the investigation.
- (d) Whilst the Company accepts that this is likely to be a difficult process for the complainant, it must also have regard to the rights of the person complained about during the process.
- (e) It may be necessary to take interim action during the investigation, such as making arrangements to prevent contact. This might include giving alternative duties to you or the person complained about or requiring that one of you or someone else directly involved remains at home during the investigation. If it is not found to be a situation of discrimination or harassment, it may be decided to require the parties to attend a meeting to discuss any outstanding issues.
- (f) You and the person complained about will be informed in writing whether all, part or none of the complaint will result in disciplinary action. Note that once a disciplinary process is commenced, if it seems justified the person complained about has the right to be informed who has made the allegation against him or her, if that has not already happened.
- (g) If the complainant is not satisfied with the outcome of the formal procedure, he or she has a right of appeal. A written appeal should be submitted without unreasonable delay to the line Manager or, if the appeal relates to that individual, to the one of the Directors.
- (h) The Company aims to deal with formal complaints without unreasonable delay.

### 11.4 *Harassment or discrimination by third parties*

The Company takes seriously its responsibility to take steps to ensure that employees are protected from harassment. If you believe you have grounds to complain about the actions of a non-employee (e.g. a contractor, customer, client, supplier or visitor) then you should submit a complaint in writing to your line manager. The Company will consider what action may be appropriate to protect you and anyone involved pending the outcome of an investigation,

bearing in mind the needs of the business and the rights of that person. The Company may contact the third party in the course of that investigation.

## **12. Bad faith**

Any colleague who is, after investigation, found to have provided false information or to have acted in bad faith in relation to a complaint under this policy, whether as complainant, witness or otherwise, will be subject to action under the Company's disciplinary procedure.

## **13. Responsibility for this policy**

All colleagues should act in accordance with this policy, in particular they:

- (a) should be aware that discriminatory practices are unlawful and will not be tolerated;
- (b) have a responsibility under the law and their terms and conditions of employment to co-operate in ensuring the effective operation of this policy;
- (c) must comply in all respects with this policy and ensure that by their own actions they do not discriminate or harass;
- (d) should report any incidents of discrimination or harassment to which they have been subjected or witnessed.

Human resources will implement equal opportunities training for all appropriate colleagues.

## **14. Line managers**

Those working at management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the Company with regard to equal opportunities.