



# Equal Opportunities Policy

## **EQUAL OPPORTUNITY POLICY STATEMENT**

declares its opposition to any form of less favourable treatment. The Organisation recognises that it is the duty of it and all Employees to accept their personal responsibility for fostering a fully integrated community at work by adhering to the principles of equal opportunity and maintaining a harmonious working environment.

All employment decisions will be made with regard only to the requirements of the job and the capabilities of the individual to fulfil the core elements of that job and shall not be influenced by any unlawful consideration of discrimination.

### **Types of Discrimination**

There are four types of discrimination: -

#### **Direct discrimination –**

which is treating a person less favourably than others are or would be treated in the same or similar circumstances relating to age, disability, gender reassignment, race (colour, nationality, ethnic or national origin), religion or belief, sex, sexual orientation, marriage & civil partnerships, pregnancy and maternity.

#### **Indirect discrimination –**

which occurs when a provision, criterion or practice, operates to the detriment of people relating to a particular characteristic; - age, disability, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, sex, sexual orientation, marriage & civil partnerships, which cannot be shown to be a proportionate means of achieving a legitimate aim.

#### **Harassment –**

which occurs when unwanted conduct has the purpose or effect of violating the recipient's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient; relating to the recipient's protected characteristic (age, disability, gender reassignment, race, religion or belief, sex and sexual orientation). For example the use of threatening, abusive or insulting behaviour or language which includes the display of pictures or other offensive decoration and the demanding of sexual favours which cause people to feel threatened or intimidated or impact their dignity.

#### **Victimisation –**

which is the taking of action against people who have brought proceedings of alleged discrimination or who give information or evidence in such proceedings.

### **Other types of discrimination**

In addition to the protected characteristics noted above, it is unlawful to discriminate due to trade union membership or non-membership, or being a part time or fixed term worker.

### **Responsibility**

All Employees have a responsibility for their own actions and should ensure that by commission or omission they do not infringe this policy. Specifically the Organisation will ensure that:

Management will: -

- Not discriminate in its decision-making processes.
- Not participate in discriminatory behaviour or behave in a way that is capable of being interpreted as harassment.
- Discourage Employees under their control from participating in discriminatory or harassing behaviour.
- Bring to Employees' attention that any participation in discriminatory or harassing behaviour will be treated as a disciplinary offence which in its most serious forms is considered to be Gross-misconduct.

Employees will: -

- Assist management to uphold the Equal Opportunities Policy.
- Not behave towards their fellow Employees, customers or any other person in a discriminatory or harassing manner.
- Not encourage others to behave in a discriminatory or harassing manner.
- Report any discrimination or harassment to management

### **Standards in Employment**

The Organisation will actively promote equal opportunities throughout the organisation through the application of employment policies that will ensure that individuals will receive treatment that is fair, equitable and consistent with their relevant aptitudes, potential skills, experience and abilities. All managers and supervisors will seek to ensure that all Employees comply with these principles.

The Organisation will ensure that individuals are recruited and selected, promoted and trained on objective criteria having regard to their relevant aptitudes, potential, skills, experience and abilities.

Equally no decisions relating to terms and conditions of employment (including pay), disciplinary, grievances and termination of employment (including selection for redundancy) will be made that have the effect of disadvantaging any Employee on the above grounds.

The Organisation recognises that the detriment a disabled person may endure as a consequence of their disability can, in many cases, be removed by the adoption of reasonable adjustments. The Organisation is committed to ensure that such adjustments will be effected where reasonably practicable and where the detriment is substantial.

### **Harassment**

The Organisation recognise that harassment (as defined above) is disruptive and divisive in the workplace and can be extremely upsetting, seriously offensive and can potentially harm the health and well being of the subject of the harassment

Harassment is behaviour which is not dependent on an intention to cause distress or hurt but is assessed by the impact the behaviour has on the recipient. We recognise, therefore, that it relates essentially to the perceptions and feelings of the recipient.

Harassment can take many forms and may be persistent or an isolated incident. Illustrations of harassment, which is not exhaustive, may include: -

- Unnecessary and unwanted physical contact ranging from touching to serious sexual or physical assault;
- Display, storage or circulation of offensive material;
- Verbal conduct such as sexist, racist and homophobic comments and innuendo; derogatory remarks about disability or age; slogans, insults, comments of a personal nature; suggestive remarks, inappropriate jokes or language;
- Unwanted non-verbal conduct, including sexually suggestive gestures, staring or leering;
- Conduct that denigrates, threatens, ridicules, intimidates or abuses, undermines or undervalues an individual because of characteristics such as age, gender, sexuality, disability, race or religion or belief;
- Suggestions that sexual favours may result in career advancement or other benefit (or that refusal may result in some form of detriment);
- Unfair treatment, which might include deliberate exclusion from conversations or events at work.

### **Bullying**

Whilst harassment is often based on factors relating to age, gender, disability, race etc. in a more general form it may occur where it is not clearly related to one identifiable factor. This can be described as bullying or aggressive or intimidatory behaviour by one person to another.

Bullying can be defined in many ways, but is generally behaviour that is identified as a misuse of power. It is usually persistent, offensive, abusive, intimidating and makes the recipient feel upset, threatened, humiliated or vulnerable and undermines their confidence.

Where it occurs in the workplace it can manifest itself in many ways such as stress, poor work performance and absenteeism.

People affected by bullying often feel the matter appears trivial or may have difficulty in describing it, the Organisation recognise that it as a serious management issue that will not be tolerated.

As with examples of harassment, bullying can take many forms and could include: -

- Persistent unnecessary criticism;
- Shouting at colleagues;
- Deliberate isolation by ignoring or excluding a person;
- Withholding information or removing areas of responsibility without justification;
- Spreading malicious rumours;
- Inappropriate personal comments;
- Blocking leave or opportunities for training without objective reasons;
- Setting unachievable targets or deadlines;
- Undermining a person's self respect by condescending, patronising or threatening treatment that humiliates intimidates or demeans.

Extreme forms of bullying may be physical (hitting, pushing etc.) and as such would constitute a gross misconduct matter.

Employees are reminded that notwithstanding the above examples, management have a right to manage and as such, providing matters are handled in a professional manner and follow established procedures, are unlikely to be considered to be bullying. For example: undertaking performance reviews, requests to explain behaviour, actions or performance, being asked to participate in an investigation.

### **How Complaints are Handled**

If you feel you have been treated unfairly or detrimentally or believe you are being subject to harassment bullying or discrimination, you have the right to raise the issue and have it fully investigated.

In some circumstances it may be appropriate for you to raise the issue directly with the individual and if possible, you should ask the person responsible for the harassment or discrimination to stop.

The Organisation recognises this may not always be possible or appropriate. If it is not possible for you to make such a request or the behaviour directed towards them continues the Employee should pursue a complaint through the Grievance Procedure

If your complaint is against your immediate supervisor or manager then you should in the first instance inform a more senior level of management. If appropriate this could be to someone of the same sex or race if available.

A full investigation of the complaint will take place. This may involve a meeting with you to obtain further details of the nature of the complaint and the desired outcome of your grievance. A meeting will also be held with the individual against whom the allegation has been made to ascertain their comments on the matter. The investigation may also require the taking of witness statements where these are deemed necessary. Ultimately, a decision will be taken as to what measures, if any, should be actioned.

At all times you will be accorded the rights contained in the grievance procedure. The choice of who hears the grievance will take into consideration the nature of the complaint and the identity and position of the person the complaint is being made against.

If the complaint is found to be valid, the Organisation will use whatever means are appropriate to put a stop to the behaviour immediately. This may include use of the formal disciplinary procedure. At its most wilful and serious levels, discriminatory behaviour and harassment is a gross-misconduct offence.

Depending on the seriousness of the complaint it may be necessary to suspend either the alleged harasser or Employee raising the complaint on full pay during the investigation.

### **Confidentiality**

Confidentiality is vitally important to provide all parties concerned with a degree of security and to ensure all procedural aspects are dealt with sympathetically, impartially and objectively.

Claims of discrimination, harassment or bullying will always be treated seriously and dealt with in the utmost confidence wherever this is possible. All breaches of confidentiality will be addressed and may result in disciplinary action.

Notwithstanding the right to confidentiality relating to the specific detail of a case, in order to resolve, revise and develop procedures and practices, key information from any cases dealt with under this Policy may be used to assist this process. Only those staff required to know the details of a case will have access to information.

Anonymity cannot be guaranteed, particularly where there may have been a breach of the law or where criminal proceedings may be initiated.


### **Support for those Involved in a Complaint**

The Organisation recognises that all Employees involved in matters (complainant, the person against whom an allegation is made, and any witnesses) of this nature may require support. Management will ensure that all Employees involved will receive a sympathetic and supportive response. This may include: -

- Assistance with integration into the workplace following a complaint in a sensitive manner to establish working relationships. This may involve professional mediation;
- Redeployment where a complaint has been upheld. However where a complaint has been upheld and follows a disciplinary hearing redeployment would normally only be considered for the harasser/bully.

### **Malicious or Unfounded Allegations**

Any Employee who makes unfounded or malicious allegations of discrimination, harassment or bullying may be subject to disciplinary procedures.

	Signed	Date
Rodger Lambert	 .....	<u>31.05.18</u>
	signed on behalf of SCS Building Solutions Ltd	