



## Equality & Diversity Policy

### PURPOSE

The company is fully committed to the principles of Equality and Diversity in employment and seeks to adhere to the provisions of the Equality Act 2010, by opposing discrimination, victimisation and harassment on the grounds of all recognised protected characteristics.

The practical application is reflected in the Company's recruitment and employment policies and procedures which are designed to embrace diversity and provide fair and equitable treatment for individuals, ensuring no misuse or waste of human resources alongside fairness and opportunity for all.

### AWARENESS

All employees and applicants are made aware of our commitment to equal opportunities. This forms part of the induction process and updates will be provided to all employees as appropriate.

### SCOPE

This procedure applies to all the employees of the company. However, the principles of non-discrimination also apply to the way in which other individuals such as visitors, clients, customers and suppliers are treated.

### PROTECTED CHARACTERISTICS

The protected characteristics that are covered by the Equality Act 2010 are as follows: - age, disability gender, reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity. Some brief information about each characteristic is outlined below:

**Age-** people of all ages are protected under the Equality Act 2010. Some acts of direct or indirect discrimination can be justified if it is 'a proportionate means of achieving a legitimate aim'

**Disability** –a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. There is a duty to make reasonable adjustments to assist in overcoming the disadvantages of the impairment. Individuals are also protected from discrimination arising from something connected with their disability where it could be reasonably expected that the employer would know that the person has a disability. It is also unlawful in most circumstances to request information about the health of job candidates prior to making a job offer. Employees who are disabled or become disabled are encouraged to inform the Company accordingly so that appropriate support can be explored.

**Gender reassignment-**transsexual people who propose to, start to complete a process to change gender regardless of whether or not this involves medical procedures are protected under the Equality Act 2010. An employee who is absent due to such procedures cannot be treated less favourably than if the absence was due to sickness, injury or some other reason.

**Marriage or civil partnership-**The Equality Act 2010 protects employees who are married or in civil partnerships from discrimination on account of this status.

**Pregnancy and maternity-** female employees and applicants are protected against discrimination on the grounds of pregnancy and maternity during the period of pregnancy and any statutory maternity leave.

**Race-** individuals are protected against discrimination on the grounds of colour, nationality

**Religion or belief-** individuals are protected against discrimination on the grounds of their religion and belief or lack of belief. A religion can be any religion that has a clear structure and belief system. A



belief can be a religious or philosophical belief that affects a substantial aspect of human life and behaviour Political beliefs are not protected.

Sex-refers to both men and women.

Sexual orientation- refers to bisexual, gay heterosexual and lesbian people. In some cases, there may be a genuine occupational requirement to select employees on the basis of certain protected characteristics because of the nature of organisation or role.

## **DEFINITIONS OF TYPES OF DISCRIMINATION**

**Direct Discrimination** constitutes less favourable treatment of one person than another, would be treated, because of one or more of the protected characteristics outlined above. Equally direct discrimination can occur where there is less favourable treatment of an individual because they have or are thought to have protected characteristic (perceptive discrimination) or because they associated with someone who has a protected characteristic (associative discrimination)

**Associative- Discrimination** is direct discrimination involving less favourable treatment of a person because they are associated with someone who possesses one or more of the following protected characteristics; age disability, gender, reassignment, race, religion or belief, sex and/or sexual orientation.

**Perceptive Discrimination** is direct discrimination involving less favourable treatment of a person because it is perceived that they have one or more of the following protected characteristics even if they do not; age, disability, gender, reassignment, race, religion or belief, sex and/or sexual orientation.

**Indirect Discrimination** is when a provision, criterion, rule, policy or practice of the employer which is applicable to all staff or applicants equally, is applied but has a disproportionate effect on an individual group or individual who share one or more of the following protected characteristics; age disability, gender reassignment, race, religion or belief, sex, sexual orientation and/or marriage and civil partnership, and cannot be shown by the employer to be a proportionate means of achieving a legitimate aim.

**Victimisation** is when a person is treated less favourably than other employee or candidate because the individual has made or supported a complaint or raised a grievance under the Equality Act 2010 or are suspected of doing so;

**Harassment** is `unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.` Relevant protected characteristics are as follows; age, disability, gender reassignment, race, religion or belief, sex and /or sexual orientation. Employees can complain of harassment even if the behaviour is not directed at them and even if they do not have the protected characteristic themselves.

**Third party harassment** is harassment as described above, of employees by other individuals who are not employees of the organisation; e.g. clients, suppliers or customers. The organisation may be liable when harassment has occurred on at least two previous occasions, the employer is aware of the incidents and yet, steps have not been taken to resolve the matter.

## **RESPONSIBILITIES**

The Safety Director has overall responsibility for putting this policy into practice. Every manager and employee have a personal responsibility to conduct himself or herself in a suitable manner, without involving or supporting any discrimination as outlined in this procedure. Employers may have vicarious liability for anything done by an employee I the course of their employment which could be treated as done by the employer or with the authority of the employer. Therefore everyone's attitudes are important, and employees are reminded that the following actions are unlawful when applied during the course of their employment whether or not this takes place within the immediate workplace.



Discriminating against fellow employees, including new recruits, or job applicants as outlined above.

Persuading, or trying to persuade, other employees or management to practice unlawful discrimination;

Failing to act upon information regarding discriminatory behaviour;  
Harassment of individuals as outlined above;

Equally the company will endeavour to ensure the following for all employees;

- A safe working environment where differences are recognised and valued by the company.
- Treatment that reflects dignity and respect in all aspect of the company`s work
- Access to training, development and promotion opportunities without discrimination.
- Equal terms and conditions of employment, including procedures leading to termination of employment.

## **GRIEVANCES**

Any complaints or discrimination (direct, indirect, associative or perceptive), victimisation or harassment in respect of this procedure should be dealt with through the com-any`s established Grievance Procedure, which can be found in the company policy rules and procedures documents, of which all employees have a copy. The information brought to the company`s attention will be treated in strictest confidence. No individuals will be penalised in any way for raising such a grievance. However, the com-any may undertake a disciplinary investigation and invoke the disciplinary procedures if a complaint is found to be untrue, vindictive and/or made in bad faith.

## **DISCIPLINE**

Any employee who discriminates against, victimises or harasses another employee (or candidate for employment) for any reason included in this procedure will be subject to the company`s disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct and as such may result in instant or summary dismissal.

## **MONITORING**

The company conducts equal opportunities monitoring, which includes information regarding protected characteristics of employees in post and applicants applying for positions within the company. This is in order to ensure no direct or indirect discrimination is taking placed, or takes place, with regard to employment within the company. Should any under representation be found, positive action will be undertaken to address any such imbalances.

## **TRAINING**

All managers and staff responsible for recruitment and selection will be trained on areas relating to equal opportunities, to ensure current legislation is adhered to and best practice methods are followed.



**This policy has been approved & authorised by:**

**Name:** Niall J.M. Miller  
**Position:** Managing Director  
**Date:** August 2020

**Signature:**

A handwritten signature in black ink, appearing to be "Niall", written over the printed name.