**Equality & Diversity Policy**

**OUR BUSINESS**

Carter Ceilings Ltd, (hereinafter referred to as the “Company”) supply and install suspended ceilings and partitioning to non-domestic buildings, working as subcontractors and direct to end user clients throughout Scotland.

**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.

This policy covers all aspects of employment, from vacancy advertising, recruitment, promotion and training to conditions of service and reasons for termination of employment. To ensure this policy is (and for no other purpose) the company shall maintain records of employees’ and applicants’ racial origins, gender and disability. On-going monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote equality of opportunity.

The managing director is responsible for the effective operation of this policy. All employees have a duty and personal responsibility for the practical application of this policy, which extends to the treatment of their colleagues and customers as well as contractors and visitors. We will not wait until an incident occurs before acting. We will anticipate scenarios where harassment is a risk and take action to prevent it from taking place or to prevent it reoccurring.

We will ensure active compliance with the Equality Act 2010 and the Worker Protection (Amendment of Equality Act 2010) Act 2023 as outlined in this document.

**PROTECTED CHARACTERISTICS**

The protected characteristics that are covered by the Equality Act 2010 are as follows: - age, disability gender, 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. It is our policy to endeavour to ensure that discrimination does not occur within the company in terms of age. We recognise that it is unlawful in terms of the provisions of the Equality Act 2010 for an employer to discriminate against a person due to their age. Where appropriate, we will provide the necessary assistance to ensure that people are treated fairly in all aspects of company practices including the provision of opportunities, training and career progression for all.

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. It is unlawful in most circumstances to request information about the health of job candidates prior to making a job offer. It is our policy to ensure that discrimination does not occur on grounds of disability and that equal opportunities are provided. We recognise that it is an offence under the Worker Protection (Amendment of the Equality Act 2010) Act 2023 for an employer of any size to discriminate against a person because of a disability. We have a duty to make reasonable adjustments for disabled job applicants or existing staff if a policy or practice, or a physical feature of their premises places the disabled person at a substantial disadvantage. Where appropriate, we will provide the necessary support and assistance to ensure that people with disabilities are treated equally and fairly, in all aspects of the company practices. Employees who are disabled or become disabled are encouraged to inform the Company accordingly so that appropriate support can be explored. Wherever possible, we will provide opportunities and training for disabled people, including those who become disabled, to make the best possible use of skills and potential.

Gender – The gender you identify with/express as, whether that be male, female, gender fluid or non-binary. It is our policy to ensure that discrimination, due to a person’s gender, does not occur. We shall promote equality of opportunity between all genders/lack thereof within the company and to those applying for work within the company.

Gender reassignment - We acknowledge that a person’s gender (the way they appear to others) may change/be changed due to personal, social or medical reasons and that such persons are protected from discrimination under the Worker Protection (Amendment of Equality Act 2010) Act 2023 ensuring that transgender and non-binary individuals receive appropriate legal protection. An employee who is absent due to any gender reassignment procedures cannot be treated less favourably than if the absence was due to sickness, injury or some other reason.

Marriage or civil partnership - We acknowledge that employees who are married or in a civil partnership are protected under the Equality act 2010.

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

When an employee is expecting or has given birth, we shall conduct a specific risk assessment within 6 months of the birth which considers any advice provided by their GP or midwife on the employee’s health. If the risk cannot be removed, we will adjust the working conditions and/or hours of work; or if that is not possible offer suitable alternative work (at the same rate of pay) if available. If that is not feasible, we will suspend them from work on paid leave if necessary to protect their health and safety and that of the child. However, the Employment Rights Act 1996 and the Worker Protection (Amendment of Equality Act 2010) Act 2023 states that where appropriate, suitable alternative work must be offered, on the same terms and conditions, before considering a suspension from work.

Race - individuals are protected against discrimination on the grounds of colour, nationality and ethnic or national origins. It is our policy to ensure that race discrimination does not occur and we promote equal opportunity for all. Where individuals have cultural and religious needs which may require modification to existing requirements, the company, where practicable, will endeavour to accommodate these needs, within the constraints of operational requirements. Each situation and request will be treated individually,

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. We are committed to ensuring fairness and equal access to all employees no matter what their faith or beliefs.

Sex - refers to your biological sex that you were born with, for example AFAB (assigned female at birth) or AMAB (assigned male at birth), this can be the same or different than your gender identity & expression. It is our policy to ensure that discrimination, due to a person’s sex, does not occur. We shall promote equality of opportunity between all sexes within the company and to those applying for work within the company.

Sexual orientation - Refers to anyone who identifies as heterosexual or anywhere within the LGBTQIA+ community. Employees, acting during their employment, shall be encouraged not to make assumptions or presumptions about a person’s sexual orientation or partner choices.

**LIABILITY**

We acknowledge that the company has a legal liability for any act of discrimination (including harassment) and shall take all practical steps to prevent such events. We shall act in all circumstances coming to our attention regarding a protected characteristic:

* Direct discrimination – Where someone is treated less favourably because of a protected characteristic
* Discrimination by association – Discrimination against someone because others think they associate with a person with a protected characteristic
* Discrimination by perception – Discrimination against someone because others think they look like a protected characteristic
* Indirect discrimination – When a rule of policy applies to everyone but disadvantages another with a protected characteristic
* Harassment (Unwanted Conduct) – An employee complaint or offensive behaviour even if it is not directed at them which may violate their dignity
* Victimisation – Where someone is treated badly because they have or are perceived to have made/supported a complaint or grievance

**UNWANTED CONDUCT:**

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, 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. Protection from harassment applies not only to employees but also to individuals providing services, such as contractors and volunteers. Sexual harassment is behaviour characterised by the making of unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional social situation. We will take reasonable steps to prevent staff from being subjected to sexual harassment from visitors, customers, clients or other third parties they may have contact with at work. This is not confined to the immediate workplace, it extends beyond the place of work to include, for example, time working offsite, attending a training course, conference or external meeting, and may include time when not actually working but nevertheless connected with work, such as a work social event. We will consider the risks of harassment arising in these contexts as well as the immediate workplace when assessing what steps can be taken to prevent issues arising. This aims to create a safer and more inclusive working environment for all.

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.

Unwanted, unwelcome or uninvited conduct offers a wide range of behaviour. It can include:

* Spoken works
* Written words
* Banter
* Posts or contact on social media
* Imagery
* Graffiti
* Physical gestures
* Facial Expressions
* Mimicry
* Jokes or pranks
* Acts affecting a person’s surroundings
* Aggression
* Physical behaviour towards a person or their property

It is not necessary for the person to say that they object to the conduct for it to be unwanted.

Conduct ‘of a sexual nature’ includes a wide range of behaviour, such as:

* Sexual comments or jokes
* Displaying sexually graphic pictures, posters or photographs
* Suggestive looks, staring or leering
* Propositions and sexual advances
* Making promises in return for sexual favours
* Sexual Gestures
* Intrusive questions about a person’s private or sex life or a person discussing their own sex life
* Sexual posts or contact on social media
* Spreading sexual rumours about a person
* Sending sexually explicit emails or text messages
* Unwelcome touching, hugging, massaging or kissing

An individual can experience unwanted conduct from someone of the same or a different sex. Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcomed in the past can become unwanted.

**RESPONSIBILITIES**

Niall Miller 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.

**RISK ASSESSMENT**

We will consider the risks, decide what steps are needed to reduce those risks, and implement those steps so far as is reasonably practicable. This will involve a detailed and well-considered risk assessment anticipating all potential exposure to discrimination or harassment during the course of employment (including offsite and by third parties) and careful thought as to what can be done. Risk assessments will be revisited and updated regularly.

**EXPECTED BEHAVIOUR**

We aim to create a safer and more inclusive working environment for all and expect the co-operation of everyone. When people act respectfully towards others, they avoid work conflict and can work together peacefully. All staff must act with integrity, objectivity, confidentiality, be competent and behave professionally.

**DISCIPLINARY AND GRIEVANCE**

Disciplinary action will be taken against any employee who is found to have committed an unlawful act of discrimination. Serious breaches will be treated as gross misconduct, as will racial or sexual harassment and as such may result in instant or summary dismissal. The company’s grievance procedure is available to any employee who believes they have been unfairly discriminated against. Any complaints or discrimination (direct, indirect, associative or perceptive), victimisation or harassment in respect of this policy should be dealt with through the company`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 company 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

**REPORTING PROCEDURES**

We have clear guidance and methods for reporting concerns, including anonymously, and will act appropriately on any complaints received. The company will investigate concerns and take appropriate disciplinary action if complaints are founded and will also respect confidentiality and protect the complainant from adverse consequences of raising concerns.

**MONITORING**

We conduct equal opportunities monitoring including information regarding protected characteristics of employees in post and applicants applying for positions within the company. This ensures there is no direct or indirect discrimination taking place. If under representation is found, positive action will be taken to address any such imbalances.

**TRAINING**

Training is provided to ensure management and staff understand what harassment and victimisation is, what is and is not appropriate behaviour, what to do if they experience, witness or receive information about alleged harassment and the potential consequences. It is important that training on the issues and policies and procedures is not a ‘tick-box’ exercise but are tailored specifically to our business and the working environment. For example, issues of harassment may be very different areas of the business and adaptations of the training may be needed across the company so that it can be tailored to different audiences.

**RECRUITMENT**

**Advertising and Selection for Interview:**

Wherever possible, all vacancies will be advertised simultaneously internally and externally. Steps shall be taken to ensure that knowledge of vacancies reaches underrepresented groups internally and externally. Wherever possible, vacancies will be notified to job centres, career’s offices, schools, colleges etc. with significant minority group roles. All vacancy advertisements will include an appropriate short statement on equality.

**Application Forms:**

All application forms will only include relevant and non-discriminatory questions that are essential at the initial stages of the selection process. We will not discriminate based on the postcode or the address of the applicant.

**Interviews:**

All appointments will be based on merit, ability and any role specific requirements. No assumptions or pre-judgments will be made by interviewers about the suitability of a candidate for a role. All questions will be strictly relevant to the role applied for. Where the requirements of the job may affect the candidate’s personal life, this will be discussed objectively and in equal manner with all candidates. All applications will be given equal consideration.

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

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| --- | --- |
| **Name:** | Niall J.M. Miller |
| **Position:** | Managing Director |
| **Date:** | March 2025 |
| **Signature:** |  |