

POLICY

Ormandy Rycroft, incorporating Ormandy Newade [hereafter called the Company] is committed to the equality of opportunity in all its employment practices, policies, and procedures. The Company promotes, equal treatment for all employees or potential employees, irrespective of gender, gender reassignment, sex, sexual orientation, age, race, religion, belief, ethnic origin, disability, trade union membership and marital or parental status.

In the formulation of this policy, due cognisance has been taken of the Sex Discrimination Act 1975 and any relevant amendments, the Employment Equality (Sex Discrimination) Regulations, Race Relations Act, the Equal Pay Act, the Disability Discrimination Act, the Sex Discrimination (Gender Reassignment) Regulations, the Employment Equality (Religion or Belief) Regulations, the Employment Equality (Sexual Orientation) Regulations, the Part-time Workers (Prevention of Less Favourable Treatment) Regulations and the Employment Equality (Age) Regulations. The relevant Codes of Practice have also been adopted.

The Company acknowledges that employees and potential employees have the right to be treated with dignity and therefore, will not tolerate discrimination based on gender, gender reassignment, sex, sexual orientation, age, race, religion, belief, ethnic origin, disability, trade union membership and marital or parental status. Any act of discrimination, which breaches this policy, will be treated as a disciplinary offence and action may be taken under the Company Disciplinary policy.

Employees or potential employees who feel they have not been treated with dignity should follow the complaints procedure laid down in the Harassment, Bullying and Offensive Behaviour at Work Policy.

A retirement policy and procedure has been implemented in line with the requirements of the Employment Equality (Age) Regulations 2006. This policy is available from the Human Resources Department.

The purpose of this policy is to provide management and employees with guidance. It should be noted that:

- Every member of management and in particular employees involved in recruitment, selection, promotion or transferring of employees must be aware of and trained in the application of this policy.
- Every employee has personal responsibility for the implementation of this policy.

APPLICABILITY

This policy applies to all employees, potential employees, ex-employees, temporary staff, or agency workers, irrespective of service or employment status e.g., part-time.

This policy and procedure are based on the principle that is unlawful to discriminate, in any way, in:

- Advertising positions.
- The recruitment process e.g., selection methods, application forms, interviews, tests.
- Offering positions.
- Promoting or transferring current employees.
- Training.
- Terms and conditions, benefits, facilities, and services.

- Victimisation of an individual for a complaint made in good faith about discrimination or giving evidence about such a complaint.
- Failing to make reasonable adjustments.
- Dismissals.
- Post termination e.g., references; or
- Treating a person unfavourably in any other way.

1. DISCRIMINATION

There are 3 types of discrimination:

1. Direct
2. Indirect; and
3. Victimisation.

1.1 Direct Discrimination

Any person to whom this policy applies will **not** be treated less favourably than another person on the grounds of gender, gender reassignment, sex, sexual orientation, age, race, religion, belief, ethnic origin, disability, trade union membership and marital or parental status.

e.g., Direct sex discrimination would occur if a woman has not been promoted whilst a male colleague has, purely because of gender.

Direct disability discrimination would occur if the Company failed to comply with the duty imposed upon it under Section 6, i.e., to make Reasonable Adjustments and the failure to comply cannot be justified.

N.B. Sexual or racial harassment can also amount to direct discrimination.

1.2 Indirect Discrimination

Any person to whom this policy applies will not be disadvantaged because they cannot comply with an unjustifiable provision, criterion or practice which, on the face of it, applies equally to all individuals but in practice can only be met by a considerably smaller proportion of one sex or group.

e.g. A criterion to be over 6 feet tall is likely to disadvantage women and some individuals of Eastern origin.

1.3 Victimisation

Any person to whom this policy applies will not be treated less favourably than other persons because they have brought proceedings or given evidence in proceedings under any of the relevant legislation or have made allegations regarding breaches of the Acts.

e.g. Not promoting an employee because they have brought a claim of discrimination against the Company.

2 RESPONSIBILITIES

2.1 Managing Director

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The Managing Director bears ultimate responsibility for Equal Opportunity matters, including discrimination, within the Company.

In implementing this policy, the Managing Director will make provision for:

- a. Clear lines of management responsibility and accountability.
- b. Effective communication, education and training in the policy and procedures at all levels.
- c. Initiation of improvement programmes, where necessary.
- d. The notification and extension as appropriate, of the policy to visitors, contractors, and others.

2.2 Managers

Managers have a personal responsibility to adopt this policy and they will:

- a. Ensure that conduct leading to discrimination of any kind does not occur in areas for which they are responsible.
- b. Treat all cases of alleged discrimination whether formal or informal with confidentiality, promptness, and sensitivity.
- c. Where appropriate, implement formal grievance and/or disciplinary procedures within acceptable timescales.
- d. Ensure that offensive or potentially offensive material is not displayed in the workplace where it may cause concern.

2.3 Employees

Whilst at work each employee has personal responsibility to adopt this policy and to:

- a. Observe the policy, procedure and practices and encourage their observance by colleagues.
- b. Consider the impact of issues the policy raises in their activities in respect of people, products, or facilities.
- c. Draw matters of concern to the attention of the appropriate level of management.

Any employee who discriminates against any other employee on the grounds of gender, gender reassignment, sex, sexual orientation, age, race, religion, belief, ethnic origin, disability, trade union membership and marital or parental status will be subject to the Company's disciplinary procedure. In serious cases, such behaviour will be deemed to constitute gross misconduct and, as such, will result in summary dismissal in the absence of mitigating circumstances.

3. PROCEDURE

If an individual feels they have been discriminated against they should raise the matter in the first instance with their immediate supervisor or the most appropriate manager. The Company grievance procedure should be followed wherever possible.

Any report of discrimination will be investigated thoroughly and will be kept confidential. The principles and provisions of the Data Protection Act 1998 should be always followed by those who have access to the documents and detailed knowledge of the proceedings.

If after an investigation it is determined that an employee has engaged in conduct prohibited by this policy, appropriate disciplinary action will be taken against the offender, up to and including dismissal.

4. REVIEWING

The effectiveness of this policy will be reviewed periodically by the Managing Director & the Board of Directors

David Dzimitrowicz
Managing Director
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