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##### APPENDIX 4 & 5

Updated 24th February 2016  
and August 2019

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|  | EQUAL OPPORTUNITY POLICY &  POSITIVE WORKING ENVIRONMENT POLICY |

4A. Equal Opportunity Policy

* 1. You need to be aware that the organisation is committed to the principle of equal opportunity in employment.
  2. Accordingly, management will ensure that recruitment, selection, training, development and promotion procedures result in no job applicant or employee receiving less favourable treatment because of a protected characteristic i.e. race, colour, nationality, ethnic or national origin, religion or belief, disability, sex, sexual orientation, pregnancy and maternity, gender reassignment, marriage/civil partnership, age,(the Protected Characteristics). Part-time or fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified. The Company’s objective is to ensure that individuals are selected, promoted and otherwise treated solely on the basis of their relevant aptitudes, skills and abilities.
  3. **Occupational Requirement** (previously known as genuine occupational requirement) - in limited circumstances, the Company can directly discriminate against an individual for a reason related to any of the protect characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and be a proportionate means of achieving a legitimate aim.
  4. You must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts), and on work-related trips or events including social events.
  5. The following forms of discrimination are prohibited under this policy and are unlawful:

1. Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.
2. Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.
3. Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them (for more information, see the Positive Work Environment Policy).
4. Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
5. Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.
   1. Management has the primary responsibility for successfully meeting these objectives by:

* Not discriminating in the course of employment against employees or job applicants.
* Not inducing or attempting to induce others to practise unlawful discrimination; and
* Bringing to the attention of employees that they will be subject to action under the Disciplinary Procedure for discrimination of any kind.
  1. You can contribute by:
* Not discriminating against fellow employees, customers, suppliers or members of the public with whom you come into contact during the course of your duties.
* Not inducing or attempting to induce others to practise unlawful discrimination.
* Reporting any discriminatory action to the Director of Regeneration and Community Transformation.
  1. The successful achievement of these objectives necessitates a contribution from everyone and you have an obligation to report any act of discrimination known to you.
  2. We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.
  3. If you consider that you are a victim of unlawful discrimination you may raise the issue through the Grievance Procedure.
  4. You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.

4B. Positive Working Environment Policy

Statement of the policy

* 1. The Company is committed to creating a harmonious working environment, which is free from harassment and bullying and in which every employee is treated with respect and dignity.
  2. It is committed to ensuring that individuals do not feel apprehensive because of their religion or belief, gender, marital/civil partnership status, sexual orientation, race, age, disability (Protected Characteristics) or as a result of being subject to any inappropriate behaviour.
  3. Harassment and bullying are unacceptable behaviour at work and will be treated as misconduct, which may include gross misconduct warranting dismissal. All employees must comply with this policy.

Definition of harassment

* 1. Harassment is unwanted conduct that relates to a Protected Characteristic that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.
  2. Harassment may take many forms. It can range from extreme forms such as violence to less obvious actions such as persistently ignoring someone at work. The following, though not an exhaustive list, may constitute harassment:
* Physical contact ranging from touching to serious assault.
* Verbal and written harassment through jokes, offensive language, gossip and slander, letters.
* Isolation or non-cooperation at work, exclusion from social activities.
* Intrusion by pestering, spying, following etc.

Definition of workplace bullying

* 1. Workplace bullying is repeated inappropriate, offensive behaviour, which is often an abuse of power or position. It can be direct or indirect, either verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual’s right to dignity at work.
  2. The following examples may constitute bullying:
* Threats, abuse, teasing, gossip and practical jokes.
* Humiliation and ridicule either in private, at meetings or in front of customers/clients.
* Name calling, insults, devaluing with reference physical appearance.
* Setting impossible deadlines.
* Imposing excessive workloads.
* Making unjustified criticisms.
* Excessive monitoring.
* Removing responsibilities.
* Allocating menial and pointless tasks.
* Withholding information.
* Refusing requests for leave, holiday or training.
  1. It should be noted that it is the impact of the behaviour which is relevant and not the motive or intent behind it.

Your responsibilities

* 1. All employees have a responsibility to help create and maintain a working environment that respects the dignity of employees. You should be aware of the serious and genuine problems, which harassment and bullying can cause, ensure that your behaviour is beyond question and could not be considered in any way to be harassment or bullying. You should discourage such behaviour by making it clear that you find it unacceptable and by supporting colleagues if they are experiencing harassment or bullying and are considering making a complaint. You should alert a Manager or Supervisor to any incidents to enable the Company to deal with the matter.

Managerial responsibility

* 1. Managers and supervisors have a responsibility to ensure that harassment or bullying does not occur in work areas for which they are responsible.
  2. Managers also have a responsibility to explain the Company's policy to their staff and take steps to promote it positively. They will be responsive and supportive to any member of staff who makes a complaint, provide full and clear advice on the procedure to be adopted, maintain confidentiality in all cases and ensure that there is no further problem or any victimisation after a complaint has been resolved.

Procedure for dealing with alleged harassment or bullying

* 1. If you believe that you have been the subject of harassment or bullying, you should, if it is appropriate to do so, in the first instance, ask the person responsible to stop the behaviour, as it is unacceptable to you. Person to person reproof at an early stage will often be sufficient to stop the behaviour.
  2. You should report the incident to a Manager or Supervisor as soon as possible to enable the Company to deal with the matter.
  3. If you decide to make a formal complaint you should do so through the Grievance Procedure as soon as possible after the incident has occurred. All complaints will be handled in a timely and confidential manner. You will be guaranteed a fair and impartial hearing and the matter will be investigated thoroughly. If the investigation reveals that your complaint is valid, prompt attention and action designed to stop the behaviour immediately and prevent its recurrence will be taken. In such circumstances, if relocation proves necessary, every effort will be made to relocate the harasser or bully rather than you as the victim; however, the Company will endeavour to relocate you if this is your preference.
  4. You will be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against an employee for complaining about harassment or bullying is a disciplinary offence.
  5. Whilst this procedure is designed to assist genuine victims of harassment or bullying, you should be aware that if you raise complaints, which are proven to be deliberately vexatious, you will become subject to proceedings under the Disciplinary Procedure.