



## **A6 – EQUAL OPPORTUNITIES & DIVERSITY POLICY**

### **Policy Statement**

At Jackson Jackson & Sons Limited we make every effort to ensure that a working environment exists where all employees are treated with courtesy, dignity and respect irrespective of gender, race, colour or sexual orientation. All efforts are geared to eliminating all bias and unlawful discrimination in relation to job applicants, employees, our business partners and members of the public.

This policy is integral with our values, in particular the following:

#### **Openness**

- Listening to each other and sharing ideas, issues, problems and opportunities. Building trust with our customers, suppliers and all of our stakeholders, working with integrity and transparency.
- Use common sense to share what we know, both good and bad.

#### **Collaboration**

- Working together to deliver the best possible solution for all concerned. This involves using, sharing and respecting the different skills, knowledge and experience of everyone involved.
- Working together to deliver the best solution.

#### **Mutual dependency**

- Understanding each others objectives, looking after each others health and safety and striving to achieve the best for all by working with customers and suppliers so that risks and rewards are shared.
- We stand or fall together.

It is a subject and way of working that goes beyond immediate colleagues encompassing;

- All existing employees
- All potential employees
- Sub-contractors
- Workers (as defined by employment legislation, and to include agency temps)
- Partners
- Self-employed people.

Everyone has a role to play and each holds a responsibility for challenging questionable behaviour and practises, which are not in line with our values and culture.

#### **Objectives**

- To have a workforce that represents and responds to the diversity of our customers and today's society.
- Improved health and safety and quality provided by a balanced and productive workforce.
- Lower staff turnover, absenteeism and sickness levels leading to cost savings.
- Provide a fair working environment in which discrimination will not be tolerated.
- Creating a working environment free from discrimination, harassment, victimisation and bullying.
- To work towards finding ways for under represented groups to fully realise their potential within the organisation and to take reasonable steps to help such groups.
- Ensure that all employees are aware of the Equal Opportunities and Diversity Policy and provide any necessary ongoing training to enable them to meet their responsibilities.
- We also recognise the merit of developing a workforce that incorporates the many diverse skills and backgrounds available from within the total population and accordingly, will strive to become

an organisation that will recognise, value and understand diversity and to provide its employees with genuine opportunities to improve and reach their full potential.

- Ensure that all applicants are treated fairly during recruitment processes and in accordance with legislation and the Codes of Practice covering all 'grounds for discrimination'.
- Regularly review procedures and selection criteria for promotion to ensure that individuals are selected and treated accordingly to their relevant individual abilities and merits.

**Principles**

By implementing this policy we will improve individual and organisational performance.

It is unacceptable for any applicant, employee, sub-contractor, agency worker, supplier, or member of the public to be discriminated against, either directly or indirectly, on such grounds as race, colour, ethnic or national origin, sex, marital status, pregnancy, age, disability, part-time or fixed term status, responsibility for children or dependants, sexual orientation, gender re-assignment, religious or political beliefs, trade union membership and irrelevant criminal convictions (future reference will be referred to as “**all grounds for discrimination**”).

All breaches of this policy will be taken seriously by the Company and could lead to formal disciplinary action being taken, which in some cases could lead to dismissal.

By addressing these issues the Company will adhere and comply with a number of legislative laws:

- Employment Relations Act 1996
- Employment Rights Act 1996
- Disability Discrimination Act 1995
- Race Relations Act 1976
- Sex Discrimination Act 1975
- The Rehabilitation of Offenders Act 1974
- Race Relations Amendment Act 2000
- Equal Pay Act
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Religion or belief) Regulations 2003
- The Employment Equality (Age) Regulations 2006

**EQUAL OPPORTUNITIES & DIVERSITY POLICY APPROVED:**

*Graham Jackson*

*22/02/10*

GRAHAM JACKSON ..... Date: .....

Managing Director

**Revision Record**

Issue No.	1	2	3	4	5	6	7	8
Date:	01/12/05	01/02/07	01/02/08	06/02/09	19/11/09	22/02/10		

**SECTION 1 - GUIDELINES**

## **Recruitment and Selection**

To ensure that all decisions made within Recruitment and Selection adheres to the specific legislation, the following guidelines should be followed:

- Advertise in a manner that enables the widest possible pool of applicants to be reached.
- Ensure procedures and decisions are backed up with documentation based on job requirements.
- Design role profiles/job descriptions, person specifications that are job specific.
- Ensure that interviews and other selection methods are conducted fairly and consistently and outcomes recorded.
- Monitor all applications and employees for sex, ethnic origin, nationality, age and disability.

Ensure that Managers do the following:

- Take all reasonable steps to employ employees based on their abilities and qualifications without regard to all 'grounds for discrimination'.
- Ensure that all decisions are based on job requirements and are backed up with full documentation.
- All records must be kept on file.
- Follow the guidelines in respect to all aspects of the employment cycle.
- Be aware of cultural differences, for example it is important to realise that for some ethnic minority groupings, eye contact may not be usual behaviour.

## **Job Applications and Interviews**

- All interviews must be properly conducted.
- Interviewers will be trained and be equipped with the skills to collect objective evidence.
- Use standards or specific criteria which are consistent for the role.
- The aim is to undertake a process that is consistent and fair to all so as not to unlawfully discriminate against particular applicants.
- Ensure that you have full information on the candidate.
- Adequate and full interview notes must be made to support any decisions.

## **Selection**

- When assessing the suitability of an employee for a particular post, no decision should be taken which cannot be objectively justified.
- Full documentation is needed to support any decision.
- The selection of new staff will be based on the job requirements and the individual's suitability and ability to do, or train for, the job in question. All applicants will be treated equally.
- Disabled applicants may be treated differently in order to enable them to compete at the same level.
- Do not make assumptions about an individual's ability to perform tasks without evidence.
- Treat everyone as you would wish to be treated.

## **SECTION 2 - TRAINING, DEVELOPMENT AND APPRAISALS**

### **Training and Development**

- Everyone must have access to learning and development opportunities.
- Learning and development opportunities will be provided based on individual and organisational need.
- Ensure that all documentation is complete in regards to participation in learning activities.

- If you have responsibility for selecting employees for training, whether induction or promotion training or for transfer to other jobs, you have a duty not to discriminate on the grounds referred to above.
- Employees will be given opportunities for promotion and career progression within the business depending on their job related competencies (as laid down in the agreed role profile) qualifications, abilities, skills training and experience, and in accordance with the future needs of the business.
- Training on Equal Opportunities and Diversity is available.

### Appraisals

- Ensure that all employees have regular appraisals.
- Document all appraisals fully.
- Ensure that no one is treated unfairly due to gender, race, disability or age.

### Discipline and Grievance

Ensure that all disciplinary and grievance cases follow the correct policies and procedures.

## SECTION 3 - ROLES & RESPONSIBILITIES

Role	Responsibilities
Managing Director	Overall responsibility for ensuring compliance with laws regarding equal opportunity and diversity
Directors	Ensuring compliance with laws regarding equal opportunity and diversity
HR Director	Ensuring that all employees are aware of changes in legislation and that the Company observes the Codes of Practice issued by the Commission of Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission.
HR Manager	<ul style="list-style-type: none"> <li>• Record and monitor employees attending training courses and provide feedback to Directors.</li> <li>• Record and monitor equal opportunities data and provide feedback to Directors.</li> <li>• Arrange/hold exit interviews or ensure completion of reason for leaving form.</li> <li>• Review Equal Opportunities and Diversity Policy at regular intervals.</li> </ul>
Managers & Supervisors	<ul style="list-style-type: none"> <li>• Ensure that no unacceptable behaviour takes place in the specific areas of the business for which they are responsible.</li> <li>• Ensure that the employees for whom they are responsible know that such behaviour is unacceptable and what to do if it occurs.</li> <li>• Ensure that they do not ignore, trivialise, or treat lightly grievances or complaints from members of a particular group or any complaint of discrimination on the assumption that the individual is over-sensitive about discrimination. All complaints must be treated seriously.</li> <li>• Failure to carry out their duties in respect of equal opportunities may result in disciplinary action being taken against the Manager or Supervisor concerned. Failure to comply may result in the Company and an individual having legal proceedings taken against them.</li> </ul>
Employees	<ul style="list-style-type: none"> <li>• The duty to co-operate with the Company to ensure that the Equal Opportunities and Diversity Policy is effective and to ensure that they and their colleagues are treated with respect and dignity.</li> <li>• Have a positive duty to report any incidents of bullying, harassment or discrimination of which they become aware.</li> <li>• Support colleagues who suffer harassment; discrimination or who are being bullied and making a complaint.</li> <li>• Make it clear to their colleagues that they find such behaviour unacceptable.</li> </ul>

## SECTION 4 - ACTIVITY DESCRIPTION

## **Business case for Diversity**

- Improved recruitment and retention
- A better understanding of the global markets we operate in enabling us to compete competitively with greater knowledge and cultural awareness.
- The ability to utilise employee's talents to the full.
- Improve and build on relationships with central government, local government, local community by being seen as diverse and aware of the role we play in employing a workforce that reflects today's society.
- Building on a positive image of the Company to potential and existing investors and stakeholders.
- A multi cultural workforce translates into a richer variety of approaches to work related problems and processes, potentially raising performance.
- Regulatory compliance and avoid costs of discrimination.

## **The consequences of not addressing diversity**

Below are some simple examples where the courts have awarded damages to people for being subjected to unwanted remarks. The levels of compensation are constantly increased:

- Occasionally 'mild' racial abuse
- Widespread racial abuse
- Referral as 'you lot'
- Referral 'play the white man'

## **Direct discrimination**

- Making decisions about whether someone should be offered, or not offered, a job because of sex, race, etc.
- Treating colleagues or customers differently because of their sex, race, etc.

## **Indirect discrimination**

- This is less obvious discriminatory practises
- Setting tasks or standards which colleagues may not be able to achieve because of their race, sex, etc.

Examples:

- Setting height restrictions which indirectly discriminate against woman or certain ethnic groupings.
- Segregating colleagues because of their sex, race, etc.
- A Chief Executive applies a 'no headwear' policy to all his staff. The policy, although applied to all employees, disadvantages his Sikh staff who wear turbans for religious reasons. This policy is indirect discrimination.

Although some people may not find the following behaviour offensive or degrading, diversity is about embracing difference and understanding of tolerance.

- Calendars of girls in the office / on site.
- Religious Icons on the desk.
- A male complimenting a female colleague on her appearance.
- Body contact not 'intended' to be intrusive or offensive.
- Jokes about cultures / religions.
- Referring to different segments of society in a derogatory way.

## **Applicants / Employees with a Criminal Record**

- There are important social and business arguments for employers facing up to the challenge of employing people with criminal records in a responsible and balanced way that maintains a duty of care to employees and customers, protect business interests and gives access to the widest pool of talent.
- In making employment decisions, line managers should make objective assessments, adopt an open mind and focus on merit and ability to do the job.
- Consideration should be given to extenuating circumstances, the nature and relevance of the offence, the potential risks involved in employing the offender, if and how these could be sensibly and effectively managed.
- When making decisions we must also consider our duty to provide a safe working environment for all employees.

### **When Leaving the Company**

It is essential that all leavers are given an exit interview when leaving the Company.

### **When things go wrong?**

Managers, Supervisors and employees need to be aware of the correct procedure for handling complaints associated with discrimination or harassment. In addition, managers and Supervisors need to be trained how to handle matters of this nature, which are frequently very sensitive, confidential, and sometimes difficult to substantiate. It is also most important that all concerned appreciate the need to act quickly to deal with allegations of discrimination, harassment or bullying. It is vitally important to ensure such issues are acted upon very quickly.

### **The role of the Manager?**

- Any form of discrimination, harassment or bullying is subject to disciplinary action.
- No colleague will be penalised for bringing a complaint of either unfair treatment or harassment.
- Details of the Grievance and Disciplinary procedures can be found in the Employee handbook.
- If a complaint against an individual is proven, that person will be subject to disciplinary action.
- Remember that it has taken a lot for the individual to raise the concern.
- Create an environment where trust occurs and employees feel that they can come to you for any assistance or support.

### **What happens if you believe you are a victim and make a complaint?**

- You can be assured that your complaint will be taken seriously.
- Whilst your complaint will be treated in confidence, it may be necessary to involve others, if that is the case, your will, of course, be told.
- Speak to your Line Manager, make a note of when you first raised your concerns.
- Take a colleague with you for support if necessary.
- Ask the Line Manager what steps they are going to take and when you can expect to hear from them.
- If you prefer, contact your HR Manager directly.
- If you do not believe that you have been taken seriously then escalate the complaint to the next level.
- Avoid discussion your complaint with others apart from the trusted colleague.
- Be assured that you will not be ignored or suffer victimisation because of your complaint.
- All cases of harassment will be monitored.

### **Action steps**

- In the spirit of our value for openness, in the first instance, all employees are encouraged to resolve any situation of perceived discrimination, harassment or bullying, by talking directly,

politely and unambiguously to the person concerned, which may be unaware that their behaviour is unacceptable.

- However, if this approach is not possible, or does not have the desired effect and the conduct continues, or it is not appropriate to resolve the problem informally, then employees should follow the formal complaints procedure.
- Unfounded complaints, which are not upheld but made in good faith, will not be subject to disciplinary action.
- All parties concerned are obliged not to discuss the matters under investigation either with each other or any other person not directly related to the investigation.

## **Victimisation or Retaliation**

Victimisation is:

“Treating a person less favourably than others in circumstances where the person has, in good faith, made a complaint or initiated proceedings connected with a complaint of discrimination. Victimisation is also in itself a form of unlawful discrimination”.

The Company will take all reasonable steps to ensure that employees are protected against victimisation or retaliation for bringing a complaint on any aspect covered in this policy. It is unlawful and a disciplinary offence to victimise or retaliate against an employee for bringing a complaint in accordance with the policy.

## **Harassment**

Harassment is unwanted conduct that violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment having regard to all the circumstances and the perception of the victim.

The Company will take all reasonable steps to ensure that employees are protected from harassment. It is unlawful and a disciplinary offence to harass an employee.