



# Equal Opportunities Policy

## Our commitment

We are committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

This policy is intended to assist in putting this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. We have a separate dignity at work policy, which deals with these issues.

## The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of:

- age
- disability
- sex
- gender reassignment
- pregnancy
- maternity
- race (which includes colour, nationality and ethnic or national origins)
- sexual orientation
- religion or belief
- being married or in a civil partnership.

These are known as "protected characteristics".

## Types of unlawful discrimination

**a) Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

**b) Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**c) Harassment** is where there is unwanted conduct, related to one of the protected characteristics that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

**d) Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

**e) Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

**f) Victimisation** occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

**g) Failure to make reasonable adjustments** is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

### **Equal opportunities in employment**

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability.

We will consider any possible indirectly discriminatory effect of our standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. We will make reasonable adjustments to standard working practices to overcome barriers caused by disability.

We will monitor the ethnic, gender and age composition of our staff and of applicants for jobs and the number of people with disabilities within these groups, and will take appropriate action to address any identified issues.

### **Dignity at work**

We have a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

### **Customers, suppliers and other people not employed by us**

We will not discriminate unlawfully against those who use services provided by us. You should report any bullying or harassment by customers, suppliers, visitors or others to your manager or the HR Team who will take appropriate action.

### **Training**

We will provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

### **Your responsibilities**

Everyone in our organisation needs to help us meet our commitment to provide equal opportunities in employment and avoid unlawful discrimination. You could be held personally liable as well as, or

instead of, the organisation for any act of unlawful discrimination. Those who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation are disciplinary offences and will be dealt with under our disciplinary procedure. Such acts may constitute gross misconduct and could lead to dismissal without notice.

**If you have been discriminated against**

If you consider that you may have been unlawfully discriminated against, you should use our grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

We will take any complaint seriously and will seek to resolve any grievance that is upheld. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is found to be both untrue and made in bad faith.

Approved by PCC  
15<sup>th</sup> June 2021