



EQUAL OPPORTUNITIES & DIVERSITY POLICY

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1. Equal Opportunities Statement

- i. Kirkman & Jourdain Limited is committed to promoting equal opportunities in employment for all staff and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.
- ii. We do not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy of maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (**Protected Characteristics**).
- iii. The principals of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, clients, customers, suppliers and former staff members.
- iv. All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. Your attention is drawn to our separate anti-harassment and bullying policy which can be found in our staff handbook.
- v. This policy does not form part of any employee's contract of employment and may be amended at any time.

2 Who is Covered by the Policy

- i. This policy covers all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, casual workers and agency staff (collectively referred to as **staff** in this policy).

3 Who is Responsible for this Policy

- i. The Managing Director has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy has been delegated to Carmel Teoli.
- ii. All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Managing Director has overall responsibility for equal opportunities training.
- iii. All employees, subcontractors and agents of the Company are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

The co-operation of all employees is essential for the success of this Policy. Senior employees are expected to follow this Policy and to try to ensure that all employees, subcontractors and agents do the same.

Employees may be held independently and individually liable for their discriminatory acts by the Company and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

The Company takes responsibility for achieving the objectives of this Policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

4 Objectives of this Policy

- i. To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010.
- ii. To ensure that recruitment, promotion, training, development, assessment, benefits, pay terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

5 Forms of Discrimination

- i. Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- ii. Direct discrimination occurs where someone is treated less favourably because of one of more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not 'fit in' would be direct discrimination.
- iii. Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.
- iv. Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-harassment and Bullying Policy.
- v. Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported some else's complaint.

6 Unlawful Reasons for Discrimination

- i. **Sex.** It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to

undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

- ii. **Age.** It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.
- iii. **Disability.** It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.
- iv. **Race.** It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.
- v. **Sexual Orientation.** It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.
- vi. **Religion or Belief.** It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

7 Recruitment and Selection

- i. We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Shortlisting of applicants should be done by more than one person wherever possible.
- ii. Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying.
- iii. We take steps to ensure that our vacancies are advertised to a diverse labour market.
- iv. Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with Human Resources approval. For example:
 - a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
 - b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
 - c) Positive action to recruit disabled persons.
 - d) Equal opportunities monitoring (which will not form part of the decision-making process).
- v. Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without the approval of Human Resources (who should first consider whether such matters are relevant and may lawfully be taken into account).

- vi. We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the Directors of the UK Border Agency.
- vii. To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect any individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting and kept in an anonymised format solely for the purpose stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

8 Staff Training and Promotion and Conditions of Services

- i. Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decision will be made on the basis of merit.
- ii. Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.
- iii. Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

9 Termination of Employment

- i. We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- ii. We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

10 Disability Discrimination

- i. If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- ii. If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular

adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

- iii. We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

11 Fixed-Term Employees and Agency Workers

- i. We monitor our use of fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

12 Part-Time Work

- i. We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately.

13 Breaches of this Policy

- i. If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter through our Anti-harassment Policy. If you are uncertain which applies or need advice on how to proceed you should speak to the Managing Director.
- ii. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.
- iii. Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

14 Monitoring and Review of the Policy

- i. This policy is reviewed annually by the board of Directors.
- ii. We will continue to review the effectiveness of this policy to ensure it is achieving its objectives.
- iii. Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Managing Director.

15 The Extent of the Policy

- i. The Company seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees. The Company offers goods and services in a fashion that complies with the spirit of this Policy.
- ii. This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.
- iii. The Company reserves the right to amend and update this Policy at any time.

This policy has been approved & authorised by:

Name: Mark Downey

Position: Managing Director

Date: 16 January 2023

Signature:



M. J. DOWNEY