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EQUAL OPPORTUNITIES & DIGNITY AT WORK

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EQUAL OPPORTUNITIES AND DIGNITY AT WORK POLICY

PURPOSE

The purpose of this policy is to assist the Company in putting their commitment to equal opportunities and fair treatment in the workplace into practice. The policy is applicable to all employees; and outlines the responsibilities of all staff in relation to equal opportunities, unlawful discrimination and harassment. Should you have any questions in relation to this document please speak to your Line Manager.

GENERAL PRINCIPLES

It is the Company's approach that all employees have a working environment that promotes dignity and respect, and where individual differences and the contributions made by individuals are recognised and valued.

OUR APPROACH IS THAT:

- The Company values the differences that a diverse workforce brings to the organisation.
- The Company will not tolerate, or engage in any practices that may be found to be treating employees, customers or visitors unfairly.
- The Company will deal with discrimination, or actions that affect equality, in a robust manner viewing such issues as gross misconduct where appropriate.
- The Company is committed to providing equal opportunities in recruitment and employment, and will work towards the elimination of unlawful and unfair discrimination.

LEGISLATION

It is unlawful to discriminate directly or indirectly, in recruitment or employment, because of the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Pregnancy
- Marriage or civil partnership
- Maternity and pregnancy
- Race (including colour, nationality and ethnic or national origins)
- Religion or belief
- Sex
- Sexual orientation

Discrimination after employment may also be unlawful, for example refusing to give a reference for a reason related to one of the protected characteristics. Legislation also exists to prevent less favourable treatment of workers, and less favourable treatment of fixed term and part time workers.

TYPES OF DISCRIMINATION

The following are brief explanations of the types of discrimination:

DIRECT DISCRIMINATION

This is where a person is treated less favourably because of a protected characteristic, for example withdrawing a job offer because the applicant is soon undergoing gender reassignment treatment.

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 to recruit someone with a particular characteristic.

INDIRECT DISCRIMINATION

This is where a rule or policy (known as a provision, criterion or practice) negatively impacts someone with a protected characteristic. For example, operating an attendance-based bonus, meaning those who are absent due to their disability are less likely to receive the bonus.

HARASSMENT

This is unwanted conduct related to a protected characteristic (other than pregnancy and maternity, and marriage or civil partnership) 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. Examples include: abusive, insulting or threatening language, deliberate exclusion, display of offensive materials and unwanted contact.

VICTIMISATION

Treating someone unfairly because, for example, they made, supported or are suspected of planning to raise a discrimination-related grievance or complaint. An employee is not protected from victimisation if they acted maliciously, made or supported an untrue complaint.

ASSOCIATED DISCRIMINATION

This is where an individual is directly discriminated against or harassed due to their association with someone who has a protected characteristic (other than pregnancy and maternity, and marriage or civil partnership). For example, treating an employee less favourably because they are the carer of a spouse who is disabled.

PERCEIVED DISCRIMINATION

This is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic, when they do not in fact have that protected characteristic.

THIRD-PARTY HARASSMENT

This occurs where an employee is harassed by a third party such as a client or customer.

FAILURE TO MAKE REASONABLE ADJUSTMENTS

This is where the employer has failed to make reasonable adjustments to enable a disabled person to overcome a particular disadvantage caused by the workplace or role.

EQUALITY OF OPPORTUNITY

The Company is determined to ensure that no applicant or employee receives less favourable treatment on the grounds of a protected characteristic, or is disadvantaged by requirements which cannot be shown to be justifiable.

In particular:

- The Company will ensure that person and job specifications are limited to requirements that are necessary for the performance of the job.
- Applicants for employment or promotion will be assessed objectively against the criterion for the job and, recruiting managers will not take account of disabilities when making employment decisions, except where necessary due to the nature of the job.
- The Company will implement reasonable adjustments that may be required for applicants or employees with a disability.
- The Company will consider the impact of its working procedures to ensure they do not negatively impact those with a protected characteristic.
- The Company will train and develop on the basis of skills and qualifications.
- The Company may monitor the composition of its existing workforce and job applicants, for example age, gender, ethnicity and those with a disability. Where monitoring occurs, the Company will take any appropriate action necessary to address examples of less favourable treatment that may arise from the monitoring process.

REPORTING HARASSMENT AND BULLYING

In the first instance, employees are encouraged to speak informally with the person whom they believe is harassing or bullying them or causing them offence, to explain how they feel and request that the behaviour stops.

It may be that the person causing offence is genuinely unaware of how their behaviour has been perceived, and they may change their behaviour to avoid a re-occurrence. If, however, the employee feels uncomfortable taking such approach, or they have previously tried this technique without achieving a resolution, the employee can report their concerns to their Line Manager or a Senior Manager if the concerns relate to the conduct of the Line Manager.

Ultimately, the employee could choose to raise a formal complaint which would be heard in accordance with the Grievance Procedure.

The matter would be dealt with in a discreet and confidential manner and appropriate action taken. Employees who raise a genuine complaint will, under no circumstances, be subjected to any unfavourable treatment or victimisation as a result of making a complaint.

If however an employee makes a malicious complaint, disciplinary action will be taken against that employee.

RESPONSIBILITIES

EMPLOYEES

Employees are required to:

- Refrain from behaving in a manner that could be perceived as bullying, harassment or discrimination.
- Cooperate with any investigations undertaken by the Company in relation to bullying, harassment or discrimination.
- Inform their Line Manager of any instances whereby they consider there has been a breach of this policy.

MANAGERS

Managers will:

- Ensure employees are aware of the standards that are expected of them.
- Promote a harassment-free workplace, and set a good example by their own behaviour.
- Encourage employees to raise concerns where they feel they have been subjected to bullying, harassment or discrimination.
- Ensure compliance with Company policies and procedures and attend training as required.
- The Company will implement reasonable adjustments that may be required for applicants or employees with a disability.
- Take complaints seriously and implement corrective actions quickly.