



FGH SECURITY QUALITY MANAGEMENT SYSTEM

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# EQUALITY POLICY 2014

REF: PE08

## EQUALITY POLICY

# EQUAL OPPORTUNITIES AND DIVERSITY

## POLICY STATEMENT

It is the company's policy not to discriminate against its workers on the basis of their gender, sexual orientation, marital or civil partner status, gender reassignment, race, religion or belief, colour, nationality, ethnic or national origin, disability or age, pregnancy or trade union membership or the fact that they are a part-time worker or a fixed-term employee. Our workers and applicants for employment shall not be disadvantaged by any policies or conditions of service which cannot be justified as necessary for operational purposes. The company shall, at all times, strive to work within legislative requirements as well as promoting best practice.

We are committed to a programme of action to make this policy effective and to bring it to the attention of all workers. The principle of non-discrimination and equality of opportunity applies equally to the treatment of visitors, clients, customers and suppliers by members of our workforce and also, in some circumstances, ex-employees.

The following paragraphs deal with the specific categories of workers and areas of work which we have identified as potentially giving rise to equal opportunities issues and provides more specific guidance on the parameters of our policy and approach to equal opportunities.

**This policy is for guidance only and shall be provided to all workers, but does not form part of your contract of employment.**

## WHO DOES THIS POLICY APPLY TO?

This policy applies to all employees, whether permanent, temporary, casual, part-time or on fixed-term contracts, to ex-employees, to job applicants and to individuals such as agency staff and consultants and volunteers who are not our employees, but who work at the company (collectively **workers**).

**All workers have a duty to act in accordance with this policy, and therefore to treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, whether junior or senior to them. In some situations, the company may be at risk of being held responsible for the acts of individual members of staff and will not therefore tolerate any discriminatory practices or behaviour.**

The policy statement above applies equally to the treatment of our visitors, clients, customers and suppliers by our workers and the treatment of our workers by these third parties.

## PERSONNEL RESPONSIBLE FOR IMPLEMENTATION OF POLICY

The Managing Director has overall responsibility for the effective operation of this equal opportunities policy (**EOP**) and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Managing Director has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Operations Manager.

Those working at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the company with regard to equal opportunities.

All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives. If you have any questions about the content or application of this policy, you should contact the Managing Director.

## SCOPE AND PURPOSE OF POLICY

The company will not unlawfully discriminate on grounds of gender, sexual orientation, marital or civil partner status, gender reassignment, race, religion or belief, colour, nationality, ethnic or national origin, disability or age, pregnancy, trade union membership, or part-time or fixed-term status.

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This policy applies to the advertising of jobs and recruitment and selection, to training and development, opportunities for promotion, to conditions of service, benefits and facilities and pay; to health and safety and to conduct at work, to grievance and disciplinary procedures and to termination of employment, including redundancy.

The company will take appropriate steps to accommodate the requirements of workers' religions, cultures, and domestic responsibilities. Our various family friendly policies in the Employee Handbook should be consulted for specific guidance on our approach to these issues and your entitlements.

## FORMS OF DISCRIMINATION

Discrimination may be direct or indirect and it may occur intentionally or unintentionally. Direct discrimination occurs where someone is put at a disadvantage for a reason related to one or more of the grounds set out above, for example, rejecting an applicant of one race because it is considered they would not "fit in" on the grounds of their race could be direct discrimination. Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of, for example, their sex or race. For example, a height requirement would be likely to eliminate proportionately more women than men. If the requirement cannot be objectively justified for a reason unconnected with sex, it would be indirectly discriminatory on the grounds of sex. Discrimination also includes victimisation (less favourable treatment because of action taken to assert legal rights against discrimination or to assist a colleague in that regard) and harassment (see the company's anti-harassment policy in the Employee Handbook).

## RECRUITMENT AND SELECTION

The company aims to ensure that no job applicant receives less favourable treatment on any of the unlawful grounds listed above. Recruitment procedures will be reviewed regularly to ensure that applicants are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

The company may monitor applicants' racial origins, gender, disability, sexual orientation and religion and age as part of the recruitment procedure.

## STAFF TRAINING AND PROMOTION AND CONDITIONS OF SERVICE

Staff training needs will be identified through regular staff reviews. All workers will be given appropriate access to training to enable them to progress within the organisation. All promotion decisions will be made on the basis of merit.

Our conditions of service, benefits and facilities will be reviewed regularly to ensure that they are available to all workers who should have access to them and that there are no unlawful obstacles to accessing them. This includes pay, bonus criteria, policies and all benefits offered.

## TERMINATION OF EMPLOYMENT

We will monitor redundancy criteria and procedures to ensure that they are fair and objective and do not directly or indirectly discriminate against employees.

We will also ensure that disciplinary procedures are carried out fairly and uniformly for all workers, whether they result in the giving of disciplinary warnings, dismissal or other disciplinary action.

## DISABILITY DISCRIMINATION

If you are disabled, or become disabled in the course of your employment with us, you are encouraged to tell us about your condition. This is to enable us to support you as much as possible. You may also wish to advise your Line Manager of any reasonable adjustments to your working conditions or the duties of your job which you consider to be necessary, or which would assist you in the performance of your duties.

Your Line Manager may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be

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reasonable for us to accommodate the suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments.

### FIXED-TERM EMPLOYEES AND AGENCY AND TEMPORARY WORKERS

We will 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.

### PART-TIME WORKERS

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

### BREACHES OF THE POLICY

If you believe that you may have been disadvantaged on any of the unlawful grounds listed above, you may raise the matter through the company's grievance procedure. If you believe that you may have been harassed on any of the unlawful grounds you are encouraged to raise the matter through our anti-harassment policy. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Workers who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach in this policy which are found to have been made in bad faith will, however, be dealt with under our disciplinary procedure.

If, after investigation, you are proven to have harassed any other worker on the grounds of sex, marital status, sexual orientation, religion or belief, race, disability or age or otherwise act in breach of this policy, you will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The company will take a strict approach to serious breaches of this policy.

As this policy applies equally to the company workers' relations with visitors, clients, customers and suppliers, if, after investigation, you are proven to have discriminated against or harassed a client or supplier you will also be subject to disciplinary action.

### MONITORING AND REVISION OF POLICY

This policy is reviewed regularly by the company.

The company will regularly monitor the effectiveness of this policy to ensure it is achieving the objectives stated in the EOP statement by monitoring the composition of job applicants and the benefits and career progression of its workers.

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## DISABILITY

### WHY BOTHER?

In line with our Equality Policy, the company is anxious to ensure that no employee is discriminated against on the grounds of a disability. As such, we have introduced a policy outlining the main implications of the Equality Act 2010 ("the Act") and how the company complies with its obligations under the Act.

### DEFINITION OF DISABILITY

An employee who is disabled within the meaning of the Equality Act 2010 is someone who has:-

- A physical or mental impairment
- Resulting in an adverse effect on the employee's ability to carry out normal day to day activities
- With substantial adverse effect (meaning more than trivial or minor)
- Which must be long term (meaning likely to last for at least 12 months)

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There are also special rules covering recurring or fluctuating conditions and there are additional provisions relating to people with progressive conditions. People with cancer, HIV and multiple sclerosis are protected from the point of diagnosis and people with some visual impairments are automatically deemed to be disabled.

Normal day to day activities can be defined as:-

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or move objects
- Speech, hearing or eyesight
- Memory
- Ability to concentrate, learn or understand
- Perception of risk or physical danger

The company asks that if you believe that you are or may be disabled within this definition, that you discuss this with your Line Manager, and in particular if this has any impact on your ability to undertake your job. All employees should inform the company if their health status changes during the course of their employment. This will enable us to ensure that the company complies with any obligations it may have to you.

There are certain conditions that may appear to come within this definition, but are in fact excluded by the Act, and these include:-

- Addiction to alcohol
- Addiction to nicotine
- Addiction to other substances
- Certain emotional/sexual disorders/propensity to violence
- Severe hay fever
- Tattoos
- Body piercing

## DISCRIMINATION

Discrimination may occur if an employee who is disabled is treated less favourably as a result of this disability, and the company is not able to justify this treatment.

If you feel that you may have been subjected to less favourable treatment and that this treatment may be based on a disability, you should use the grievance procedure to bring this to the company's attention. It is very important that you do alert the company in any such situation, to enable prompt action to be taken. No employee will be subject to any detrimental treatment as a result of any such request, whether or not the employee is in fact disabled. The company would encourage its employees to seek advice if they have any concerns, either from their Line Manager or a director.

## REASONABLE ADJUSTMENTS

Where an employee alerts the company to possible less favourable treatment, we will investigate the situation carefully. Such investigation may include obtaining a specialist medical report from an expert on your condition and the restrictions which it may or may not place on the employee's ability to carry out his or her tasks. The employee must agree to such medical evidence being obtained in order for a full and proper investigation to take place. We will seek your input to any ideas that you have which you believe might assist in avoiding the employee being treated less favourably.

If the medical evidence confirms that the employee may be disabled, and that this may place him or her in a less favourable position because of his or her disability, the employee will be asked to a meeting to discuss both his or her own condition, and any reasonable adjustments which could be considered in order to enable him or her to carry out their tasks or whether there is any other role that they might reasonably do instead.

Adjustments can include the provision of specialist equipment, or simply allowing a more flexible schedule, or additional training or supervision. Adjustments should be considered creatively, and will not always involve an

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extra cost or the provision of new equipment. If you are disabled, you are in one of the best positions to consider what adjustments would help you with your job, and you should ensure that these are fully communicated to the company. You will be asked to give your own suggestions, and comment on any suggestions that have been put forward by the company or any expert.

### Justification

Not every adjustment suggested will be feasible, or acceptable. The company has a duty both to you and to other employees to protect health and safety, and also to its customers and business. We will carefully assess all suggestions. During this process you will either be suspended from work on full pay or will be assigned different duties at work away from those causing concern. Whilst we will do everything in its power to complete such investigations quickly, it is very important that they are not rushed, and the company will not allow you to place yourself or others in danger during them.

It may be necessary to obtain professional advice on the adjustments suggested, to ascertain the cost and feasibility of carrying them out and where possible adjustments will be made. Where this is not possible, the reasons for this will be communicated to you clearly.

When considering making reasonable adjustments, we will take into account the following:-

- The effectiveness or otherwise of the step
- The practicability of taking it
- The financial and other costs of the step
- The disruption to the business
- The extent of the employer's resources
- Any assistance with the cost etc. which may be available to The company

### Where Adjustments cannot be Made

In the event that you are unable to carry out your job, and adjustments cannot be made to enable you to do so, then the company will consider whether there are any alternative positions available which may be suitable for you. If necessary, additional training will be provided to enable you to take up such a post.

Only once we have explored the possibility of making adjustments or relocation or re-assignment without success will termination of your employment be considered. This is always a last resort.

## APPEAL PROCEDURE

In the event that you do not agree with the company's decision not to make reasonable adjustments, or not to move you to alternative duties, you have the right to appeal internally at stage 3 of the grievance procedure. You should do so in writing, within ten days of receipt of the company's communication to you of its decision.

## HARASSMENT AT WORK

### The Policy

It is never acceptable for any employee to be subjected by any other employee to harassment on the basis of race, religious belief, creed, ethnic or regional origin, age, disabilities, physical characteristics, health, personal background, gender, marital status, sexual orientation, political beliefs, trade union membership or any other grounds.

### Definition of Harassment

The company defines harassment as being any conduct, whether physical or verbal, whether persistent, occasional or singular, which is unwarranted by another person and either embarrassing, humiliating, intimidating or offensive to any other employee. Harassment is unwanted conduct of a discriminatory nature affecting the dignity of individuals at work. It can include unwelcome physical, verbal or non-verbal conduct. Such behaviour is unacceptable.

Harassment may include but is not limited to:-

- Making racist, sexually suggestive, offensive or lewd remarks, jokes or banter whether or not these are made directly to the recipient or to a third party)
- Threatening remarks or behaviour

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- Linking opportunities for training, promotion or employment with sexual or other favours
- Displaying of pornographic or sexually suggestive pictures or material
- Writing of racist or sexually suggestive graffiti
- Denigration of the religious beliefs of another employee or less favourable treatment on the basis of those beliefs
- Office bullying
- False or frivolous accusations of sexual or racial harassment, or any other harassment
- Denigration and/or threatening remarks or behaviour or other less favourable treatment on grounds of sexual orientation

For harassment to have occurred, the behaviour complained of need not have been considered offensive by anyone other than the complainant. It is the perception or response of the person affected by such behaviour that is important.

Additionally, the harassment does not need to have been directed at the complainant, they may have merely witnessed it being directed at others. Please note that the remainder of this policy, however, assumes that the complainant is someone who has suffered direct harassment, however, the same policy and procedures will apply to witnessed harassment.

Legitimate action by employees in positions of authority to ensure that other employees perform their duties to the standard required by the company cannot be construed as harassment.

The company will ensure that a complainant alleging harassment will be provided with the opportunity to discuss the allegation with either a male or female member of staff appointed for that purpose. The company will ensure that all complaints of harassment are dealt with as speedily, confidentially and sympathetically as is practicable.

### **Disciplinary Action**

Regardless of his/her position within the company, disciplinary action will be taken against any employee found to be engaging in, inciting or condoning harassment. Depending on the seriousness of the matter, dismissal may result.

Similarly, disciplinary action will be taken against any employee found intimidating, victimising or discriminating against any other employee because he/she has complained about harassment. Depending on the seriousness of the matter, dismissal may result.

### **Procedures for Dealing with Harassment**

Any employee who considers that he/she has been or is being harassed in any way should immediately request the harasser to stop.

If the harassment does not cease, or if it is inappropriate to adopt the course detailed above, the person who is being harassed should report the matter, preferably in writing, to the Managing Director.

Upon receipt of a complaint of harassment, the Managing Director will investigate the complaint, or arrange for it to be investigated, and, where necessary, arrange interviews to collect any evidence.

If there appears to be a case to answer, the evidence will be committed to writing. Members of staff and other persons will be requested to sign statements, which may then be used in any further disciplinary action.

If there appears to be a case to answer by the alleged harasser, that person will be interviewed by the Managing Director or by an independent H.R Consultant if the Managing Director considers that this is more appropriate. The alleged harasser will be informed of the allegation made against him/her and given copies of the statements that have been obtained. Time will then be given for the harasser to answer the allegations. A further interview will be held at which the harasser may be accompanied by a co-employee colleague or trade union representative. The response will be recorded in writing.

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If the designated person considers disciplinary proceedings should be instituted, The Company's Disciplinary Procedure will be initiated without unreasonable delay. A decision to dismiss the allegation will be given in writing to the parties concerned within three working days.

In all reported cases of harassment the parties concerned should be kept apart as much as possible. In serious cases, the employee may be suspended on full pay whilst investigations proceed. The company will respect and comply with any wish by the complainant not to invoke the disciplinary procedures, but where harassment is proved, to speak to and counsel the harasser.