

## Equality & Diversity Policy

E G Carter & Co Ltd is committed to eliminating discrimination from all its employment practices. The Company will aim to influence individual behaviour as well as to create a structure and environment that combats discrimination in all its forms. Such an approach will include:-

- a) Ensuring that the obligations imposed under relevant legislation and Codes of Practice are met and complied with;
- b) Ensuring that policies, procedures and practices on employment matters (e.g. relating to selection, promotion, training and transfer) are sensitive to equal opportunities;
- c) Ensuring that employees are aware of these policies and given appropriate guidance and training in their implementation.

The Company will actively monitor and review this policy to ensure that it is effective in line with the Equality Act 2010.

### Outline of Legal Position

The key Acts which provide the framework for equal opportunities are:-

#### The Equality Act 2010

This act outlines the main provision cover for protected characteristics, protecting everyone against unfair treatment. Characteristics include:

- Disability
- Gender reassignment
- Pregnancy and maternity
- Race – includes ethnic or national origins, coloured and nationality
- Religion or belief
- Sex and sexual Orientation

#### The Equal Pay Act 1970 (Amended 1984)

This Act makes it unlawful to pay one sex less than the other if the work being carried out by both employees is like work or work regarded as equivalent. Regular equal pay audits will be carried out.

#### The Rehabilitation of Offenders Act (1974)

This Act laid down the rehabilitation periods for when a sentence is regarded as spent.

Sentence	Over 17 yrs old	Under 17 yrs old
Less than 6 months	7 years	3 – 5 years
Between 6 months and 2.5 years	10 years	5 years

#### The Sex Discrimination Act 1975 and 1986

It is unlawful to discriminate against a person in relation to employment on grounds of sex or marital status.

#### The Race Relations Act 1976

This Act made it unlawful to discriminate against a person in relation to employment on grounds of race, colour, ethnic origin, nationality or national origin.

There are three main bodies which enforce this legislation in the United Kingdom:-

The Equal Opportunities Commission (EOC)  
 The Commission for Racial Equality (CRE)  
 The Fair Employment Agency (FEA) Northern Ireland

#### Forms of Discrimination

Discrimination can occur to both actual and potential employees.

##### Direct Discrimination

This occurs when a person is treated less favourably than another person on the grounds of sex, race, age etc. For example, a man is not given a job, despite having the appropriate qualifications and experience, because he is black. It is also illegal to favour a particular group, which can be called positive discrimination.

##### Indirect Discrimination

This is when a condition is applied with which fewer people of one group can comply than another group, and that such a condition is not justifiable for the job involved. For example, a rule about clothing (where such a rule cannot be justified) could impact disproportionately on another group; like not

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allowing women to wear trousers to work, which specially affects Asian women.

### By Way of Victimisation

This is when a person is given less favourable treatment than others because it is known that they are taking proceedings under a particular Act e.g. a woman makes a complaint under the Sex Discrimination Act and experiences taunts and hostility for doing so.

### In Recruitment

The Company is opposed to the following forms of Discrimination:-

- Where only word-of-mouth is used to advertise a position.
- In incorrect wording of adverts and definition of criteria e.g. an unnecessary or unjustifiable age limit.
- By using membership of a Society or Club to allow favouritism towards an applicant e.g. Masonic involvement, Rotary etc.
- By encouraging a Recruitment Agency to discriminate against certain groups.
- By the questions asked at interview e.g. asking about features of a disability that have no relevance to the position.
- By offering different terms and conditions for a post when that decision is based upon factors linked to Gender, Race etc.
- In the use of tests or procedures which do not comply with the Company's policy on psychometric testing.

### In Treatment of Employees

Discrimination can occur:-

- When deciding which staff have access to promotion, training facilities, allowances or services. Departments need to set clear criteria e.g. Childcare Allowance could be received for a year and then the position reviewed or a first come first served basis could be used.

- Between colleagues, and harassment can often take place leading to behaviour which is unwanted and offensive.
- By abusing procedures, e.g. Disciplinary procedure, and inconsistently applying it, the operation of the Staff Development Interview scheme.

### Circumstances when discrimination can legally take place

**In Recruitment:** the following areas are lawful:-

- For employment in a private household.
- Special provisions e.g. ministers of religion, prison officers, armed forces.
- When there is a Genuine Occupational Qualification e.g. authenticity in restaurants, acting or modelling.
- Welfare provision and single sex establishments.
- Allocation of various posts for disabled people.
- For those working outside of this country.

### In Training:

- Courses can be designed and run for specific groups because it can be shown that that group has been previously neglected or underprivileged. This is called positive action and should not be confused with positive discrimination, which is illegal.

### Policy Statement & Application

The Company's commitment is to policies, procedures and practices which do not discriminate on grounds of sex, marital status, sexual orientation, religion, political beliefs, trade union activities, HIV Aids, race, colour, nationality, ethnic origin, disability, age or against people who may be ex-offenders. Some areas are protected by legislation or Codes of Practice, others are difficult to define precisely or are sensitive. However, the Company intends that no employee (or

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potential employee) shall receive less favourable treatment because of the above aspects or be disadvantaged by any other condition or requirement which cannot be shown to be justifiable.

The principles and policies set out in the following sections are equally applicable and all members of staff are required to comply with them and ensure their effective implementation.

The primary responsibility for providing equal opportunities lies with the Company and its managers, but individual employees at all levels and of all racial groups have responsibilities too.

### Equal Opportunities : Gender

The Company's workforce has a minority of women but is committed to providing an environment free from sex discrimination and harassment for either sex. The areas that specifically address this are as follows:-

#### A. Recruitment

1. All literature should describe jobs without sex bias with all applications being processed in the same way, regardless of sex or marital status.
2. Questions at interview cannot legally be directed at childcare or family provision unless all candidates are asked this in line with a specific requirement of the job. All questions must be directly suited to the purpose of the interview.
3. There should always be at least two people interviewing.

#### B. Training and Development

1. Access training facilities must be fairly provided for all. Any consideration given to career development, training etc. should be based upon the individual's capabilities, performance and potential and not upon gender. All individuals should be encouraged and assisted in developing the skills necessary for promotion.

#### C. Sexual Harassment

1. To experience sexual harassment can be both stressful and embarrassing. This Company believes that everyone has a right to seek, obtain and hold employment without discrimination or harassment. The Company aims to make every effort to provide a working environment that is free of sexual harassment and intimidation.
2. Under the Sex Discrimination Act it is illegal to take employment-based retaliation if sexual advances are refused, or is harassment interferes with an individual's work performance, or when a hostile or offensive working environment is created.
3. Each Department has contacts who are there to provide information or support if an incident occurs. The perpetration of sexual harassment will be regarded as a disciplinary offence and employees who believe that they have been subject to harassment may raise the matter at an appropriate level under the Grievance procedure.

#### Equal Opportunities : Harassment

The provision of the Companies goods and services offered will not allow our clients to be subject to harassment.

The two main harassment classifications will be abided by as set out in the Equality Act 2010.

1. Unwanted conduct related to a protected characteristic
2. Unwanted conduct that is sexual in nature

In each case the conduct must have the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. It is also harassment to treat a customer less favourably because they have rejected or submitted to sexual harassment or harassment related to gender reassignment.

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### Equal Opportunities

#### : Race or Ethical Origin

The Company aims to eliminate racial discrimination and to promote equality of opportunity. The areas directly addressing this include:-

#### A. Recruitment

1. To remove discrimination from the interviewing process, the use of good recruitment and selection practice is stressed in policy and training. All literature must be free from ethnic or cultural bias.
2. At interview, interviewers should be aware of possible misunderstandings that can occur between persons of different cultural backgrounds. Interviewers should not base their decision upon generalised assumptions or prejudices. Selection criteria must be related to job requirements.
3. Individuals should not be rejected if they have completed an application form with assistance, unless the job requirement is that of a specific level in the standard of English.
4. It is important that Equal Opportunities extends beyond initial appointment into induction and covers continuing career progression.

#### B. Training and Development

1. Any consideration about an individual's career development, access to training or secondments, etc. will be based upon individual capabilities, performance or potential. Assumptions which relate solely to race, ethnic origin or religion must not be made.
2. All employees should be encouraged to participate in opportunities for training and advancement as appropriate.

#### C. Cultural and Religious Needs

Particular racial groups may have cultural and religious needs which may appear to conflict with existing work requirements.

Consideration should be given to accommodating such needs, e.g. allowing

flexibility in attendance for cultural or religious practices like Ramadam.

#### D. Extended Leave Arrangements

Where requests are made for extended leave to visit relatives in other countries, annual leave should have been accumulated to take account of this and employees should also be prepared to draw from future leave.

#### E. Racial Harassment

In connection with the previous section on Sexual Harassment, the Company does not condone any discrimination or harassment based upon factors of Race. The Race Relations Act protects individuals from harassment and makes it illegal for the employment environment to become hostile or offensive to ethnic groups.

#### F. Migrant Workers

In order to ensure we fully engage with all potential employee groups we recognise the value of migrant workers. However we need to comply with the Immigration Asylum and Nationality Act 2008. This places a statutory duty on employers to establish that if there is any possibility that someone is an immigrant or migrant worker that they have the necessary documentation and permission to work legally in this country. In order to establish the legitimacy of such a potential employee we will follow the guidance as set out in the UK Border Agency Summary Guidance for Employers on preventing illegal working (December 2010). Full training will also be provided for any employee recruiting migrant workers.

#### Equal Opportunities : Disabilities

Disability means a total or partial loss of a functional ability (whether physical, intellectual or sensory) which restricts individuals in obtaining or keeping employment. Disability can be hidden (e.g. deafness, heart trouble, mental illness) or apparent (e.g. blindness, use of a wheelchair). The actual effect of a disability will vary from person to person; some may also improve or deteriorate over time.

The Company's policy to promote equality of opportunity include the following areas:-

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### A. Recruitment

1. Selection criteria must relate to the actual needs of the job e.g. if the ability to drive is used only occasionally, some disabled applicants could be unnecessarily excluded.
2. It must be made clear to applicants that being disabled does not preclude full and fair consideration for the job. The Company guarantees to interview all qualified/experienced disabled applicants and such decisions should be made with reference to the appropriate recruitment documentation.
3. Special arrangements might be needed at interview to meet the needs of disabled applicants. An invitation to interview should ask if anything is required e.g. ensuring that the place of interview is accessible. For certain disabilities a pre-prepared C.V. or taped application is acceptable in preference to the Company's application form.
4. Questions at the interview should not centre on the person's disability, but on their ability.

### B. Training and Development

1. All consideration for career development or training opportunities should be based upon the individual's capabilities, performance and potential and not upon any assumptions.
2. All employees with disabilities should be encouraged to participate in suitable opportunities for training and advancement.

### C. Assisting Employees who become Disabled

1. Some employees can become disabled during their service with the Company as a result of an accident or illness. Each situation will be considered individually as to whether the post-holder can continue in the same job or a different job, what training may be required and what special aids or equipment may be available. All reasonable steps will be taken for an individual to maintain their

service with the Company and an employee should not automatically fear dismissal if disability occurs.

2. Where possible, job sharing or part-time work will be considered to accommodate an individual who becomes disabled. In addition, job restructuring could be considered and the Company will also positively consider - as resources allow - the practical aspects of disability related to, for example, car parking, doors, lifts, toilets and access generally.
3. Managers will, as far as is practicable, be flexible in allowing individuals to adjust to the new circumstances e.g. working at home initially or working part-time and then building up to full-time attendance. (Pay would be on a pro-rata basis).

### Equal Opportunities : Age

At present there is no legislation which makes age discrimination unlawful, but older workers can at times experience barriers to recruitment, training and so on.

The Company's position includes for the following:-

#### A. Recruitment

Age is a poor predictor of job performance and is rarely a genuine employment requirement. Age should therefore not be used as a criterion in recruitment and selection.

#### B. Training and Development

1. Any considerations about a person's career development, access to training or secondments etc. should be based upon capability, performance or potential. No assumptions should be made relating to the age of the individual.
2. Experienced, older staff could be involved in the training or mentoring of other colleagues. It should be stressed that some workers may be interested in a career change and opportunities

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should still be open to them, irrespective of age.

### Equal Opportunities : Ex-Offenders

#### Recruitment

When reading an application form that declares a conviction, the factors to consider are whether the conviction relates to the work of the vacancy, the nature and background to the Offence and whether the applicant's circumstances have changed. Ex-offenders should first be assessed on their ability to do a job, and then the above factors should be taken into account.

#### Equal Opportunities : HIV/Aids

This makes clear that all reasonable steps will be taken to ensure that discrimination does not occur on matters related to HIV/AIDS and employment (e.g. recruitment, selection, redeployment and retirement).

#### Complaints of Discrimination

The Grievance Procedure should be used for anyone who believes that they have been subjected to unfair treatment, harassment or discrimination contrary to this equal opportunity in employment policy.

#### General Provisions

##### A. Flexibility in Working Arrangements

The Company recognises that the flexible working arrangements which are facilitated by job sharing, part-time working etc. can be as advantageous to men as they are to women.

##### B. Monitoring

The Company systems of monitoring to assess the composition of the workforce and the proportions of job applicants etc. This shows the trends in selection decisions for recruitment, promotion and transfer and helps to assess the effectiveness of the Company's policies aimed at eliminating unfair discrimination from employment procedures.

##### C. Responsibilities of Employees

It is the responsibility of all employees to ensure that the Company's policies and procedures relative to equal opportunities in

employment are followed and that they themselves do not discriminate in any way against fellow employees or job applicants.

Employees should be aware that acts of deliberate discrimination and wilful disregard of equal opportunity policies while at work or when attending a business related social event will be treated as disciplinary offences.

##### D. Redundancy/Redeployment

It is recognised that a careful balance on these areas of employment needs to be established with the wider aspects of equal opportunities. However, selection criteria for redundancy and the operation of the redeployment procedures will be free from discrimination.

##### E. "Communicating with Courtesy"

The provisions of the above guidance about acceptable forms of language on equal opportunities aspects will be adopted.

In accordance with the normal monitoring arrangements of this policy, the Company Personnel Officer undertakes to keep abreast of developments in good employment practice and where appropriate bring such matters to the attention of the Company.

##### F. Responsibilities of Employer

E G Carter & Co Ltd will carry out all necessary checks to ensure an applicant's eligible to work in the UK.

E G Carter & Co Ltd and its staff will not discriminate against, harass or provide less favorable treatment (including refusal to provide a service) to any customer, client or member of the public because of any protected characteristic. E G Carter & Co Ltd will consult with the customers about their services and will discuss how they can be made more inclusive. If it brought to attention that staff are being harassed or discriminated against by a customer because of a protected characteristic such as race, E G Carter & Co Ltd will take reasonable action to prevent the action from continuing.

##### Communication

A copy of this policy is contained within the staff handbook presented to each "salaried"

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member of staff on the commencement of their employment with the Company.

The contents of the staff handbook including the section on equality of opportunity are explained and discussed during the induction process for new employees.

An abbreviated copy of this policy is contained within the staff booklet presented to each “waged” member of staff.

As above the contents of the staff booklet including the section on equality of opportunity are explained and discussed during the induction process for new employees.

The Company’s commitment to equality for all is contained within all publicity material and in particular recruitment advertisements.

A review of the policies to obtain feedback on the success or failure of the policy in preventing discrimination and promoting a harmonious environment will be carried out during each employee’s annual review.

### **Responsibility**

The Managing Director is responsible for the effective monitoring and implementation of this policy.



**Dated: 5th January 2021**

**T:** 01452 529194

**E:** michaelcarter@egcarter.co.uk

### **Review**

This policy will be reviewed to ensure that the policy is effective in particular with respect to representation of ethnic groups.