



EQUAL OPPORTUNITY, DIVERSITY AND INCLUSION POLICY

Introduction

It is Employ My Ability's (EMA) aim that all people should have equal chance and opportunity in life. This means that our policy is to ensure that no unlawful discrimination occurs, either directly or indirectly, against any person on the grounds of age, gender, gender reassignment, colour, sexual orientation, disability, marital status, race, religion, religious beliefs, ethnic or national origin.

Policy Aims

The aim of this policy is to ensure all employees receive fair treatment and equal opportunities at work and are not subjected to prejudicial practice as a result of the Company's activities. This will ensure equality of opportunity for all potential employees, employees, contractors and customers.

Policy key goals:

- Everyone will be treated reasonably, equally, and, with fairness.
- The Company will ensure its actions are justified.
- EMA will provide a workplace free of discrimination, bullying, harassment and victimisation.
- EMA will promote equality and endeavour to eliminate all forms of unlawful and unfair discrimination.
- The policy is intended to assist EMA put its commitment into practice.
- This policy will aim to give guidance to employees to help them understand acts of discrimination.

Policy Statement

This policy applies to any person's discrimination, but is not limited to the following protected characteristic pregnancy and maternity, marriage and civil partnership, sexual orientation, sex, religion or belief, race gender reassignment, disability, and age.

EMA will:

- Work to eliminate unlawful discrimination and harassment against individuals.
- Make a commitment to treat employees and customers with dignity and respect.
- Promote equality and opportunity.
- Promote positive attitudes and good relations between people.
- Encourage participation by all.
- Take steps to account for disabilities.
- Promote different minority groups.
- Support equal opportunities in employment and recruitment.

- Provide and maintain adequate arrangements to enable employees to raise issues.
- Provide employees with equality and opportunities training as part of the induction process.

The Law

Equality Act which became law in October 2010 harmonises and replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995). The Equality Act provides a structure to prevent discrimination and promote equality, fairness and uniformity in employment. It is unlawful to treat someone less favourably or discriminate directly or indirectly in recruitment or employment on grounds of a protected characteristic i.e. pregnancy and maternity, marriage and civil partnership, sexual orientation, sex, religion or belief, race gender reassignment, disability, and age.

Definitions

Equal Opportunity

A descriptive term for an approach intended not to exclude but to ensure fairness. To entitle all to be treated equally and fairly and to provide with the same opportunities as colleagues, irrespective of your sex, marital status, disability, race, colour, nationality, ethnic or national origins, age, pregnancy, sexual orientation, health, political opinion, gender assignment, religion, belief, union membership, or part-time or fixed-term status.

Diversity

Diversity is a concept that focuses on a broader set of qualities. Diversity refers to human qualities that are different from our own and those of groups to which we belong but that are present in other individuals and groups. Diversity in regard to employment may include but is not limited to age, ethnicity, gender, physical abilities, educational background, experience. EMA respects and includes differences, recognising the unique contributions that individuals can make, EMA aims to make sure that employees come from as diverse backgrounds as the people we provide our services/products to.

Inclusion

The term inclusion in regard to the work environment is a practice of ensuring that everyone in EMA feels connected. People are encouraged to feel they belong, are engaged, and associated through the common goals and objectives of the Company.

Direct Discrimination

Where, a person is treated less favourably than another one. For example, if EMA did not employ a woman because she might have children or where EMA did not consider an Asian employee because of their nationality. It would also be direct discrimination If EMA did not give the same training to a disabled person because of the lack of wheelchair access.

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perception Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination

Where the effect of a requirement or condition imposed by EMA cannot be justified and where that has an unfavourable or unreasonable impact on a group of people.

An example of indirect discrimination is where a Company might place an unnecessary condition or requirement on a particular job to prevent certain people from applying. e.g. that only people who speak fluent English should apply where the job does not clearly require great verbal skills, can be seen as indirectly placing prejudicial conditions on a job.

Harassment

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees can complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association harassment.

Harassment can also include third party harassment of employees by people that are not employees such as customers and clients. It is important to note that it is not the intention of the harasser, but how the recipient perceives their behaviour which determines whether harassment has occurred

Victimisation

A situation, where a person or group of people are targeted with abuse or suffer disadvantage to their employment conditions.

Complaints

An individual can deal with policy complaints in various ways, ranging from asking the person to stop their behaviour or discussing a particular problem, to informal discussions with their manager or making a formal complaint.

In respect of each and every complaint everyone:

- Shall be entitled to be treated with dignity and respect.
- Should receive equality, free from discrimination.

Every employee can be assured that throughout each stage of any complaint, those dealing with it will aim to minimise the anxiety for all those involved in the process.

If an employee feels that they have not been treated in accordance with the policies of EMA the employee is then entitled to raise the matter through EMA Grievance Procedure. Any complaints made will not be taken lightly and will be dealt with promptly and confidentially. If any employee is found to have breached policy then they may be subject to disciplinary action under EMA Disciplinary Procedure.

If an individual or organisation outside the Company, (i.e. not employed by the Company) wishes to make a complaint under this Policy, EMA will investigate and take appropriate action in line with the procedure for dealing with employee complaints.

Informal Complaints

In some circumstances people are unaware that their behaviour or acts are unacceptable; often, if it is clearly pointed out to them, the problem can quickly be resolved. With this in mind, this policy includes action to deal with complaints informally. It is recommended that any attempt to resolve a complaint informally should be recorded by the employee in case the matter has to be addressed with more formal action.

If the employee feels unable to approach the problem directly on their own, they are advised to seek the support of another staff member, an appropriate manager or a Trade Union official.

An employee may speak to a manager in confidence, if they wish; the manager will discuss the complaint and undertake an informal investigation into the matter. The manager will then attempt to resolve the situation informally and will highlight any breach of policy. In the case of inappropriate behaviour, it will be explained why such behaviour is unacceptable and made clear that further behaviour of a similar nature may lead to disciplinary action being taken.

Formal Complaints

In the event that informal resolution of the matter is unsuccessful, or considered inappropriate in the circumstances, the employee may make a formal complaint. Any formal complaint must be made in writing to the complainant's manager. If the manager is the alleged, the complaint should be directed to the senior management.

The complaint will be acknowledged and investigated promptly; the complaint will be investigated impartially and confidentially. EMA will appoint a suitable and appropriate person, of the same sex if the complainant requests this or it is felt appropriate in the circumstances.

If the allegations are of a serious nature, which may constitute gross misconduct, EMA may consider suspending the alleged. Any subsequent disciplinary proceedings will be in line with EMA Disciplinary Procedure. If the complainant and the alleged work in close proximity to each other, it may be appropriate for EMA to consider moving them to another location or suspending the alleged during the investigation. The alleged, if suspended, will receive full pay.

It is important to note that suspension in this case is not intended to be, nor is it in any way, disciplinary. Suspension would purely enable a full, fair and prompt investigation of the complaint.

The complainant, alleged and witnesses will have the right to be accompanied by a work colleague or a Trade Union representative at any interview which forms part any investigation.

The complainant and the alleged will be informed of any progress of the investigation and the complainant will be consulted if a disciplinary hearing is to be arranged.

Where the evidence gathered in the investigation indicates that a disciplinary offence has been committed, a disciplinary hearing will be arranged in line with the Company's Disciplinary Procedure. The alleged will be given a minimum of 5 working days written notice of the hearing, details of the allegations and notification of the right to be accompanied at the hearing by a workplace colleague or a Trade Union representative.

Disciplinary action in the form of a warning or dismissal may be given following the disciplinary hearing, in line with EMA Disciplinary Procedure. If disciplinary action is taken the alleged has the right of appeal in accordance with EMA Grievance Procedure.

Any complaints made are expected to be made responsibly and with dignity and respect. However, EMA take false accusations seriously, as they affect innocent individuals. Therefore, if an investigation shows that a false accusation has been made maliciously or in bad faith then disciplinary action will be taken that could lead to dismissal.

Any individual, be they complainants, alleged or witnesses, shall not be subjected to detrimental treatment or victimisation for being part of an ongoing investigation under this procedure.

A complainant may request to be moved to another position or location following a complaint of harassment. This will be accommodated wherever possible.

A complainant may use EMA Grievance Procedure to ask to have their case reviewed, if they feel that the matter was not considered properly. Wherever possible the review will be arranged and conducted by an appropriate level of manager not previously involved in the case.

Third Party Complaints

Any complaint made against an employee, by an individual not employed by the Company, will be investigated in line with the procedure for dealing with complaints outlined in this policy and the Disciplinary Procedure.

If an employee complains of harassment at work by an individual, who is not employed by the Company, the matter will be raised with the appropriate individual or employer and suitable action will be taken by the Company.

Non Compliance

All employees have a role to play in enforcing the policy and are required to deal with any observed or reported breaches. Should employees feel apprehensive about their own safety in regard to addressing any breach, they should seek senior management support.

Failure to comply with this policy may lead to a lack of clarity over job role, learning needs or expected standards of performance, resulting in reduced effectiveness or efficiency, underperformance and putting service delivery at risk.

Any member of staff refusing to observe the policy will be liable to disciplinary action in accordance with the Company's Disciplinary Policy up to and including dismissal.

Implementation of the Policy

Overall responsibility for policy implementation and review rests with EMA senior management. However, all employees are required to adhere to and support the implementation of the policy. EMA will inform all existing employees about this policy and their role in the implementation of the policy. They will also give all new employees notice of the policy on induction to the Company.

This policy will be implemented through the development and maintenance of procedures for appraisals and one-to-one meetings, using template forms, and guidance given to both managers and employees on the process.