

## 1 About the Equal Opportunities Policy

- 1.1 This policy applies to all employees and secondees (hereinafter referred to as staff or members of staff). Consultants are obliged to adhere to this policy as part of their service agreement; contracting Managers are responsible for ensuring consultants' adherence.
- 1.2 The Executive is responsible for this policy. Please contact the HR Manager in the first instance for further information.

## 2 Policy Statement

- 2.1 As an equal opportunities employer the organisation values diversity within its workforce. The organisation is therefore committed to ensuring fair treatment of all:

- members of staff
- consultants and contractors
- job applicants
- CDN visitors to Argyll Court

The organisation's policy is to ensure the workplace is free from discrimination and unfair treatment on the grounds of:

- sex
- pregnancy or maternity
- trans-gender status
- sexual orientation
- religion or beliefs
- marital status
- civil partnership status
- age or perceived age
- race
- colour
- nationality
- national or ethnic origins
- disability.

### Responsibilities of Management and Staff

Responsibility for ensuring the effective implementation and operation of this policy rests with the Executive. Managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. Each Manager will ensure that:

- their staff are aware of the policy and the reasons for the policy
- grievances concerning discrimination are dealt with properly, fairly and as quickly as possible;
- proper records are maintained.

All members of staff have a personal responsibility for the implementation of the policy. In particular all members of staff should:

- comply with the policy and arrangements;
- not discriminate in their day to day activities or induce others to do so;
- not victimise, harass or intimidate for example, other staff, visitors or contractors, who have , or are perceived to have one of the protected characteristics
- ensure that no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic
- inform their manager if they become aware of any discriminatory practice.

#### *Third Parties*

Third-party harassment occurs where an employee is harassed, and the harassment is related to a protected characteristic, by third parties such as visitors, contractors or customers. The organisation will not tolerate such actions against its staff. In such instances staff should inform their Manager at once that this has occurred. The organisation will investigate and take all reasonable steps to ensure that such harassment does not happen again.

#### *Scope of Policy*

This policy applies to the process of recruitment and selection, promotion, training, conditions of work, pay and benefits, and to every other aspect of employment, including general treatment at work and the processes involved in the termination of employment.

*Note: it should be noted that candidates, secondees, consultants, workers and employees are under no obligation to complete any of the organisation's equal opportunities forms which detail, for example, sex, race, ethnic origin, age or any disabilities they may have. Therefore, the provision of such information is optional and will not impact on, for example, their prospective employment/future employment.*

### **3 Equal Opportunities Principles**

#### **3.1** The organisation aims to ensure that:

- there will be no discrimination on any of the unlawful grounds listed above in:
  - recruitment and selection
  - training and development
  - promotion, appraisals, and career progression
  - remuneration and benefits decisions
  - terms and conditions of employment
  - disciplinary and grievance issues
  - transfer decisions and in any decision relating to dismissal or redundancy
- all decisions affecting employment and career development will be based on the principles of fairness and merit
- the requirements of job applicants and existing workers who have or have had a disability will be reviewed to ensure that reasonable adjustments are made to enable them to enter into or remain in employment with the organisation
- all employees receive equal pay for the same work, work rated as equivalent and work of equal value.

### **4 Policy Guidance**

#### **4.1** The non-discrimination principles inherent in this policy include the prohibition of discrimination against an individual because they associate with someone of a particular race, religion, sexual orientation, age, etc. For example an employee who is married to someone of a minority ethnic origin or who socialises with gay or lesbian friends.

The prohibition on discrimination applies equally to situations where someone thinks or perceives (whether rightly or wrongly) that a colleague is of a particular race, sexual orientation, religion, age, sex or that he or she has a disability, is a trans-gender person, or is pregnant.

*Note: staff should note that the imposition of any provision, criterion or practice which has a disproportionate adverse impact on someone for a reason related to sex, trans-gender status, race, married status, civil partnership status, religion or belief, sexual orientation, disability or age will be unlawful unless it can be objectively justified. In the event of any query or doubt, the HR Manager should be consulted.*

When establishing criteria for recruitment and promotion into vacant posts, the organisation will consider carefully whether any minimum or maximum number of years of relevant experience is necessary for effective performance of the job. Such restrictions will not be imposed unless there is a proper job-based reason why they are necessary.

Employees who are disabled or become disabled in the course of their employment should inform the organisation about their disability. The Manager will then arrange to discuss with the employee what reasonable adjustments to their job or working conditions or environment might assist them in the performance of their duties. The employee will also be encouraged to suggest any adjustments that they believe would be helpful. Careful consideration will be given to any proposals and, where reasonable and reasonably practicable, such adjustments will be made. However; there may be circumstances where it will not be reasonable or reasonably practicable for the organisation to accommodate proposals put forward by the employee. In deciding what may be regarded as reasonable the organisation will consult the written guidance from the Equality and Human Rights Commission. Requests for reasonable adjustments will be recorded and monitored in order for the organisation to review and help identify any steps that can take to improve its service.

## **5 Procedures**

### **5.1 Monitoring**

All employees, secondees and job applicants will be asked to complete a form denoting their sex, race, ethnic origin, age and any disabilities that they have. The organisation assures that the information provided will be used solely for the purpose of monitoring the effectiveness of its equal opportunities policy.

Monitoring forms will be held by the HR department to ensure confidentiality and the Executive will receive reports on the effectiveness of this policy as required. Where appropriate equality impact assessments will be carried out on the results of monitoring to ascertain the effect of the policy.

### **5.2 Breaches of Policy**

Breaches of this policy will be dealt with under the organisation's Disciplinary Policy and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

Any employee considering that they have been treated, during the course of their employment, unfairly and/or in a discriminatory manner should raise the matter through the organisation's Grievance Procedure.

*Notes: secondees and other workers should inform the organisation of the unfair treatment. The organisation will work with their employer to ensure the matter is investigated and dealt with under their employer's policy.*

For complaints relating to bullying and harassment, members of staff should follow the procedure outlined in the Bullying and Harassment Policy. Alternatively, they should contact the HR Manager for guidance.

### **5.3** Raising Concerns

The organisation will treat allegations regarding potential breaches of this policy sensitively and will maintain confidentiality to the maximum extent possible. Employees will have the right to be accompanied by a work colleague or trade union representative of their choice at any grievance meeting, as outlined in the Grievance Policy.

False allegations of a breach of this policy which are found to have been made in bad faith will be dealt with under the organisation's Disciplinary Procedure.

*Note: any employee who makes a false accusation of harassment will be subjected to disciplinary action. In serious cases, such behaviour may be deemed to constitute gross misconduct and may result in summary dismissal.*

Job applicants who consider that the way in which their application has been dealt with is in breach of this policy should write a letter of complaint to the Director of Finance and Corporate Services.

### **5.4** Training/Further Information

Any instance of doubt about the application of this policy or requests for training/additional information should be addressed to the HR Manager.

## **6** **FAQs**

### **6.1** *What happens if I do not adhere to this policy?*

Answer: Any breach of this policy can result in disciplinary action.