

Keyfort Limited

Internal Staff Equal Opportunities - Procedural Document

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1. EQUAL OPPORTUNITIES POLICY STATEMENT

Keyfort Ltd aims to be an inclusive organisation where everyone is treated with respect and dignity, and where there is equal opportunity for all. Keyfort Ltd respects and values the diversity of its staff.

This means that all of Keyfort Ltd's staff should understand and respect that there is a diverse work force and user community and that everyone has the right to be treated with dignity and equality. This includes the legal and ethical requirement for Keyfort Ltd to provide services and conditions of employment that are appropriate to the needs of a diverse society. Valuing diversity means that we recognise that we all have complex identities made up of many strands. These can include, but are not limited to, ethnicity, gender, sexual orientation, age, physical and mental aptitudes, nationality, socio-economic status, and religious, political or other beliefs. This means we embrace and celebrate our differences in a positive environment, and are committed to engage with the needs of our diverse staff to enable us, both individually and corporately, to achieve our aims. Keyfort Ltd will tackle barriers to participation and create a culture in which equal opportunities and equal treatment are a priority for all staff. In the recruitment, training, pay and management of staff, and in all our day-to-day work with both colleagues and users, we seek to create an environment where attitudes and biases that hinder the progress of individuals and groups are dismantled and where we work together in mutual respect and tolerance.

Management Responsibilities

It is the responsibility of all managers to:

- ensure that the standards established within this policy are adhered to within their own area of responsibility.
- familiarise themselves with the procedures in this Equal Opportunities documentation.
- ensure that they are not instructing employees to act in a discriminatory manner.
- ensure they are not putting pressure on employees to discriminate.
- bring the details of the policy and procedure documents to the attention of all staff.
- ensure that information on equal opportunities is incorporated in all induction processes for new or temporary staff and is supported by ongoing training.

Staff Responsibilities

It is the responsibility of employees at all levels to:

- co-operate with any measures introduced to ensure equality of opportunity.
- report any discriminatory acts or practices.
- not induce or attempt to induce others to practice unlawful discrimination.
- not victimise anyone as a result of them having reported or provided evidence of discrimination.
- not harass, abuse, bully or intimidate others.

Legal Responsibilities

Over and above the provisions set out in this procedural document, Keyfort Ltd and staff are also bound by certain legal responsibilities in the field of equal opportunities. These are not set out in full in this document but include:

- ◆ The Race Relations Act 1976 (as amended)
- ◆ The Equal Pay Act 1970, Equal Pay (Amendment) Regulation 1983 and Sex Discrimination Act 1975 and 1986 (as amended)
- ◆ Disability Discrimination Act 1995
- ◆ European Law

ADDITIONAL INFORMATION

This Equal Opportunities Procedure Document explains in detail where individuals can get help and how to complain about discrimination and harassment. Keyfort Ltd undertakes to assure individuals that allegations will be taken seriously, treated confidentially and investigated quickly. Employees will be protected against victimisation for making a complaint or supporting a complainant in making a complaint.

This policy statement will be displayed on the company Intranet. Any queries about this policy or associated procedure should be made to the Managing Director

2. USEFUL DEFINITIONS

What is Discrimination?

Discrimination in employment happens as a result of prejudice, misconception and stereotyping which in turn hinders the proper consideration of an individual's talents, skills, abilities, potential and experience. It can be direct or indirect, intentional or not intentional. What is most important is that certain forms of discrimination are not just unfair - they are illegal!

The following are terms which may be used when discussing matters of equal opportunities:

Direct Discrimination

Direct discrimination takes place when a person is treated less favourably than others (in the same circumstances) on the grounds of their race, sex, disability etc.

Indirect Discrimination

Indirect discrimination means applying a condition, or requirement, which adversely affects one particular group more than another, and cannot be justified in terms of the requirements for performing a job. For example, a line manager who only offers overtime to full time members of staff (the group being directly discriminated against will be part timers but where female part timers form the majority of the part time group they would be eligible to claim indirect discrimination on the grounds of gender).

Victimisation

Victimisation consists of taking action against a person for asserting their rights under the law. For example, a member of staff who has spoken to their line manager about being the subject of racial harassment by another member of staff and who is subsequently ignored by a group of staff within the section.

Harassment/Bullying

Harassment and bullying take many forms, occurs on a variety of grounds and may be directed at one person or many people. In general terms it can be described as persistent unwanted behaviour which a person finds intimidating, upsetting, embarrassing, humiliating or offensive. Chapter 5 deals with harassment and bullying in more detail.

Positive Action

Positive Action is allowed by law to encourage employees who are members of disadvantaged groups which have been under-represented in particular work areas to receive special training programmes so as to enable them to compete equally for jobs.

Positive Discrimination

Positive Discrimination is where an employer discriminates in favour of a certain group with the intent of raising the profile of that particular group. It is illegal in this country but used widely in the USA and allows employers to limit activities to specific under-represented groups.

Genuine Occupational Qualification

The law recognises that there will be occasions when it is necessary to restrict certain jobs to certain categories or groups of people. This is rare and an employer would have to demonstrate that they have researched the requirement thoroughly before setting it. These are referred to as genuine occupational qualifications or GOQs. For example, an employer whose work requires them to recruit a female to work in a woman's refuge may place this requirement as part of the selection criteria.

3. LEGAL RESPONSIBILITIES

Over and above the provisions set out in its own policy and procedures, Keyfort Ltd is also bound by certain legal responsibilities in the field of equal opportunities. The key areas of these are as follows:

- Equal Pay Act 1970:
http://www.womenandequalityunit.gov.uk/legislation/equal_pay_act.htm
- Sex Discrimination Act 1975:
http://www.womenandequalityunit.gov.uk/legislation/equal_pay_act.htm
- Race Relations Act 1976, Race Relations (Amendment) Act 2000, Race Relations Act 1976 (Amendment) Regulations 2003: <http://www.cre.gov.uk/legal/rra.html>
- Disability Discrimination Act 1995: <http://www.drc-gb.org/thelaw/thedda.asp>
- Employment Rights Act 1996: <http://www.opsi.gov.uk/acts/acts1996/1996018.htm>
- Employment Act 2002: <http://www.dti.gov.uk/employment/employment-legislation/employment-act-2002/index.html>
- Religion or Belief Regulations 2003, Sexual Orientation Regulations 2003, Age Discrimination Regulations 2006:
<http://www.dti.gov.uk/employment/discrimination/index.html>
- European Law
There has been various legislation relevant to equality of opportunity which has emanated from Brussels. This includes Article 119 - Treaty of Rome (), the Equal Pay and Equal Treatment Directives of 1975 and 1976 and the European Commission recommendation and Approved Code of Practice on the Dignity of Women and Men at Work 1991.

4. KEYFORT LTD CODES OF PRACTICE

The following are a number of specific areas which everyone should be aware of:

Attracting suitable applicants

Keyfort Ltd will:

- Review Job Descriptions to ensure they do not contain any potentially discriminatory criteria that are not essential for the role.
- Ensure that recruitment literature and advertisements make it clear that applications are welcome from all suitably qualified candidates and that they avoid stereotypical images.
- Include in any advertising details of flexibilities such as part time and flexi time where they are available.

Keyfort Ltd will:

- Ensure that all staff receive induction training which covers their rights and responsibilities under the Diversity and Equal Opportunity Policy and Procedures.
- Provide flexibilities to accommodate the needs of staff on flexible working patterns.
- Provide flexibilities to accommodate cultural or religious needs of staff e.g. days of worship, diet etc.
- Provide flexibilities to accommodate any special arrangements e.g. wheelchair access, signing etc.

Keyfort Ltd will:

- Ensure that selection decisions are based on objective, non discriminatory, job related criteria, consistently applied to all candidates.
- Ensure that nationality requirements are applied correctly.

Keyfort Ltd will:

- Ensure that access to work requirements for those with any form of disability are considered in a fair and open manner.

5. HARASSMENT AND BULLYING

What is Harassment?

Harassment is any behaviour which is unwelcome, unreciprocated or offensive to the individual receiving it. It can include comments, actions, jokes and suggestions. It is often intimidating and threatening. Sometimes it can be persistent and sometimes it can take the form of an isolated incident. It can be directed to one person or a group of people. It can involve physical contact or be verbal, written or silent. Most forms of harassment are based on race or sex but it can also occur because one individual takes a dislike to another. It is of particular concern if the harasser is in a position of authority over the recipient.

Many individuals who are accused of harassment claim that they only intended the remark or action as a joke - this is no excuse. Harassment (as defined) is never a joke or harmless fun.

Individuals can be harassed for a number of reasons including:

- gender
- sexual orientation
- religious or political convictions
- membership or non-membership of a trade union
- disability
- physical appearance
- status
- age

It should be clearly understood that harassment of any form is contrary to Keyfort Ltd's Equal Opportunities Policy and that where evidence of its taking place is found, the disciplinary procedure for gross misconduct will be invoked. It should also be noted that harassment on the grounds of race, sex or disability is illegal.

What is Bullying?

Bullying is often a form of harassment and may manifest itself in many ways. It is usually persistent and can be done by a manager, colleague or group of people to another individual. It is insidious and often undermines the ability and confidence of the person who is suffering it. It can lead to fear, demotivation, isolation, poor concentration, reduced output, symptoms of stress and high sickness absence levels.

Both harassment and bullying are about an abuse of power whether by physical strength, force of personality or position of authority. If bullying involves issues of gender, race or disability then legislation may apply. As with any form of harassment, it is contrary to Keyfort Ltd's Equal Opportunities Policy and as such disciplinary action may be invoked.

Examples of Harassment and Bullying:

Sexual Harassment eg

- Male line manager repeatedly touches a female junior member of staff against her wishes.
- Pictures of scantily clad males or females which cause offence to either sex.
- Use of explicit sexual language either in jokes or general conversation in a way that may give offence.

Racial Harassment eg

- Junior members of staff persistently use stereotypical gestures when dealing with a black manager.
- Racist graffiti.
- Racist jokes, derogatory nicknames or offensive T-shirt comments.

Disability Harassment eg

- Colleagues repeatedly making fun of a deaf person behind their back, throwing objects at them to gain their attention.
- Deliberate use of comments such as "Are you blind" to someone with visual impairments.
- Deliberately making it difficult for a person in a wheel chair to leave the room by placing bulky packages in their path.

Bullying eg

- Shouting at individuals in a public environment.
- Consistently targeting a single member of staff whose work has to be checked.
- One group of staff refusing to talk to an individual.
- Consistently undermining a line manager.

These examples are not exhaustive but provide a cross section of non-verbal, verbal and physical ways in which an individual or group of individuals can be harassed or bullied.

How to deal with complaints

It is important to recognise that many victims of discrimination, harassment and bullying do not complain. This may be because they hope it will go away, they are embarrassed, they don't want to be seen as a troublemaker, they fear they will be told it was self-provoked, they fear they won't be believed and for many more reasons. The most common reasons for not complaining are because the offender is a more senior manager, individuals fear for their job security or they do not want to upset colleagues.

Any complaints about such behaviour must be treated seriously.

Individuals who are suffering harassment or bullying but who do not wish to make any formal complaints initially should consider speaking to a colleague who they feel they can trust. This may help them to gain some perspective of the problem they are facing. Those who wish to make a formal complaint should contact their line manager or if this, due to the circumstances, is inappropriate they should contact the director responsible for their business function.

6. CONCLUSION

Keyfort Ltd seeks to build an efficient and happy team. One cannot be had without the other. Thus as an essential part of this, it is in the interest of all to build in word and deed an equal opportunity working environment.

Authorized 1st July 2011:



Mr R N Clayton
Managing Director