

## POLICY Diversity & Equal Opportunities



### Document Name

HR-004 Diversity & Equal Opportunities Policy V3 191204



### Date approved by Owner and revisions made

3 December 2019 / V3

Subject to change. This policy should be reviewed annually but may be amended or replaced at any time.



### Owner

Department: HR

Position: Head of HR



### Applies to

Unless otherwise indicated, this policy/policy {delete as required} applies to all staff, officers, directors, consultants, contractors, part or fixed-term employees, casual and agency staff and volunteers (collectively referred to as “staff” in this document. They do not form part of the terms of your contract.



### Jurisdictional Coverage

All

### Mandatory

Breaches of this policy may result in disciplinary action, up to and including dismissal.

## Diversity & Equal Opportunities Policy

### 1. PURPOSE

- 1.1 Genel is committed to employing a diverse and balanced workforce. Diversity of ideas, skill, knowledge, experience, culture, ethnicity and gender are important when building an effective and talented workforce at all levels of the organisation.
- 1.2 Genel is committed to promoting equality of opportunity for all staff members and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.
- 1.3 We do not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (protected characteristics).
- 1.4 Our principles of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, clients, customers, suppliers and former staff.
- 1.5 All staff have a duty to act in accordance with these policies and treat colleagues with dignity at all times, and not to discriminate against or harass staff, regardless of their status. Who is responsible for this policy. All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policies and promote our aims and objectives with regard to equal opportunities.
- 1.6 If you are involved in management or recruitment, or if you have any questions about the content or application of these policies, you should contact the Head of HR to request further information.

### 2. SCOPE OF THESE POLICIES

- 2.1 These policies apply to all aspects of our relationship with staff and to relations between staff at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance policies, and termination of employment.
- 2.2 We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

### 3. FORMS OF DISCRIMINATION

- 3.1 Discrimination by or against employee staff members or harassment by or against employee staff members is prohibited. Discrimination may be direct or indirect and it may occur intentionally or unintentionally. Discrimination claims can be brought by candidates, current employees and other staff such as contractors and ex-employees and other staff. Claims can be made against both Genel and members of their staff who may be held to be personally liable for compensating the complainant.
- 3.2 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out in clause 1.3 above. For example, rejecting an applicant on the grounds of their race would be direct discrimination.
- 3.3 Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice adopted by the employer that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified. An example of an objective justification would be that there is a legitimate business need (not just a preference) for all the individuals in the company to work full time.
- 3.4 Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. The perpetrator of the unwanted conduct does not need to have intended for the recipient to have felt harassed. More about harassment and bullying can be found in our anti-bullying and harassment policy.
- 3.5 Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint. For

example, giving an ex-employee a deliberately poor reference because they raised a grievance about discriminatory treatment would be victimisation, whether or not the grievance was upheld.

- 3.6 Disability discrimination can be in the form of direct or indirect discrimination and involves any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability. An example of a reasonable adjustment would be if a candidate informs you that they require the use of a wheelchair then, if you are able to you should ensure that the interview room is wheelchair accessible.

#### **4. RECRUITMENT AND SELECTION**

- 4.1 We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment policies are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Shortlisting of applicants should be done by more than one person wherever possible.
- 4.2 Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying.
- 4.3 We take steps to ensure that our vacancies are advertised to a diverse labour market.
- 4.4 Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with Human Resources approval. For example:
- 4.4.1 Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
  - 4.4.2 Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
  - 4.4.3 Positive action to recruit disabled persons.
  - 4.4.4 Equal opportunities monitoring (which will not form part of the decision-making process).
- 4.5 Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without the approval of HR Director (who should first consider whether such matters are relevant and may lawfully be taken into account).
- 4.6 We are required by law to ensure that all staff applying for a UK position are entitled to work in the UK and we may be subject to similar requirements in other countries in which we employ staff. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective staff, regardless of the job for which they are applying or their nationality, must be able to produce original documents (such as a passport) before employment starts, to confirm their immigration status, as required by Genel.

#### **5 STAFF TRAINING AND PROMOTION AND CONDITIONS OF SERVICE**

- 5.1 Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.
- 5.2 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

#### **6. TERMINATION OF EMPLOYMENT**

- 6.1 We will ensure that redundancy criteria and policies are fair and objective and are not directly or indirectly discriminatory.
- 6.2 We will also ensure that disciplinary policies and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

## **7. DISABILITY DISCRIMINATION**

- 7.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 7.2 If you experience difficulties at work because of your disability, you may wish to contact your line manager or the HR team to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager or the HR team may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.
- 7.3 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

## **8. FIXED-TERM STAFF AND AGENCY WORKERS**

We monitor our use of fixed-term staff 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. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

## **9. PART-TIME WORK**

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

## **10. BREACHES OF THESE POLICIES**

- 10.1 If you believe that you may have been discriminated against or subject to harassment you are encouraged to raise the matter through our Grievance Policy. Allegations regarding potential breaches of these policies will be treated in confidence and investigated in accordance with the relevant policy. Where such allegations are made in good faith Staff will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Policy.
- 10.2 Any staff member who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of these policies.