

# Equal Opportunities Policy

## **1. Policy statement**

- 1.1 We are committed to providing and promoting equal opportunities in employment. We aim to treat you and job applicants equally regardless of age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation ("Protected Characteristics").
- 1.2 We aim to provide equal opportunities and avoid discrimination in all aspects of employment and to ensure that the talent and skills of all individuals are maximised. Our approach applies to recruitment, terms and conditions of employment (including pay), appraisals, promotion, disciplinary and grievance procedures and training.
- 1.3 This policy applies to employees, officers, agency workers, casual workers, volunteers, consultants and self-employed contractors.
- 1.4 Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (pro rata where appropriate), unless different treatment is justified.
- 1.5 This policy does not form part of your contract of employment and we may amend it at any time. We will review the policy from time to time to ensure that it continues to reflect our legal obligations and the Company's organisational and business needs.

## **2. Responsibilities**

- 2.1 Everyone has a role to play in ensuring that equal opportunities are provided in accordance with this policy. All managers must set an appropriate standard and must proactively promote equal opportunities with those they manage.
- 2.2 We are committed to ensuring that managers understand the importance of equal opportunities and that they have an awareness of best practice in this regard. We will provide appropriate training on equal opportunities relevant to the role of each manager.
- 2.3 All individuals are encouraged to improve their own understanding and awareness of equal opportunities and to request training where required. If any individual believes that this policy is not being adhered to then they are encouraged to bring this to the attention of their manager.

## **3. Eliminating Discrimination**

- 3.1 The following forms of discrimination are prohibited under this policy and are unlawful:
  - a) Direct Discrimination: treating someone less favourably because of a Protected Characteristic, including a perceived Protected Characteristic or the Protected Characteristic of an associated third party. This could include paying someone less because of their sex or rejecting a job applicant because of their race or because they may be homosexual.

- b) Indirect Discrimination: applying a provision, criterion or practice that applies to everyone but disadvantages people with a Protected Characteristic more than others, and is not justified. An example would be a requirement for an applicant for a particular role to work full-time. This would disadvantage women who are more likely to want or need to work part-time due to domestic or childcare responsibilities. This requirement would be indirectly sex discriminatory unless it could be objectively justified.
- c) Harassment: unwanted conduct related to a Protected Characteristic that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment also includes sexual harassment which is conduct of a sexual nature (including but not limited to unwelcome sexual advances, requests for sexual favours, engaging in other unwelcome verbal, non-verbal or physical conduct of a sexual nature, subjecting someone to obscene or other suggestive comments, sexual jokes or images).
- d) Victimization: subjecting someone to a detriment (including retaliation) because they have complained about or supported someone else's complaint about discrimination or harassment.
- e) Disability Discrimination: direct or indirect disability discrimination, less favourably treatment because of the effects of a disability and failure to make reasonable adjustments to eliminate barriers that hinder the full and effective participation of disabled persons in work on an equal basis with others.

3.2 You must not discriminate against or harass individuals including other employees, former employees, job applicants, clients, customers, suppliers and visitors. This provision applies within the workplace and outside of the workplace on work related business or events (including but not limited to client visits, meetings, networking, social events).

#### **4. Recruitment and Selection**

4.1 We aim to avoid discrimination in relation to recruitment and selection, including selection for promotion, redundancy, training and development. Recruitment and selection will be based on merit using objective selection criteria.

4.2 When vacancies are advertised (whether internally or externally) we will ensure that the placement and content of such advertising is compatible with equal opportunities aims and principles. Placement of advertisements should ensure that a diverse section of the labour market is covered and the content of the advertisement should ensure that no applicants with Protected Characteristics are unnecessarily excluded or discouraged.

4.3 Shortlisting in selection processes should usually be done by more than one person.

4.4 Job applicants and those involved in other selection processes should not be asked questions which could suggest an intention to discriminate, for example whether the applicant is pregnant or planning to have children.

4.5 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions that should only be used with the prior involvement of Human Resources including:

- (i) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
- (ii) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustment that may be needed at interview or assessment;

- (iii) Positive action to recruit disabled persons and
- (iv) Equal opportunities monitoring which does not form part of the selection or decision-making process. Where necessary, job offers can be made conditional on a satisfactory medical check.

4.6 We have a legal obligation to ensure all employees are entitled to work in the UK. We will not make assumptions about immigration status based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be required to produce the appropriate documentation prior to employment commencing to comply with current legislation.

## **5. Terms and Conditions, Promotion, Training, Disciplinary and Grievance Procedures**

5.1 All training and development and promotion decisions will be made based on merit. Equal opportunities will be provided in relation to access to training and development to maximise potential and provide development.

The Company has an annual appraisal process. At the annual meeting in March/April each year, your performance for the previous year will be reviewed and you will look forward to the new year by discussion and production of objectives that will be added to Breathe. Informal quarterly reviews also take place to ensure objectives are still relevant and discuss any changes.

5.2 The terms and conditions, benefits and access to facilities are regularly reviewed to ensure that they comply with the aims of equal opportunities and that there are no unlawful obstacles to access.

5.3 Disciplinary and grievance procedures will comply with equal opportunities principles. All decisions made, including in relation to any appropriate penalties to be applied, will be without discrimination.

## **6. Disability**

6.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that appropriate support can be offered.

6.2 We are committed to considering reasonable adjustments that would help overcome or minimise the effect of any difficulties connected to a disability. If you experience any difficulties we encourage you to discuss these with your Manager and/or Human Resources. It may be necessary to obtain medical advice about possible adjustments before any decisions are made. If we consider a particular adjustment would not be reasonable then we will explain our reasons and attempt to find an alternative solution where possible.

6.3 We will regularly review the physical features of our premises to ensure that people with a disability are not placed at a substantial disadvantage and will take reasonable steps to improve access where necessary.

## **7. Ensuring Equal Opportunities**

7.1 Any breach of this policy will be dealt with in accordance with the Disciplinary Policy. Serious cases of discriminatory conduct may be regarded as gross misconduct and could lead to disciplinary action up to and including summary dismissal.

7.2 If you believe that you have been subjected to discrimination or harassment contrary to this policy you should raise the matter in accordance with the Grievance Policy.

- 7.3 If you deliberately make a false allegation in bad faith this will be regarded as misconduct and dealt with in accordance with the Disciplinary Procedure. This does not apply to genuine complaints under this policy, which will be protected from victimisation or retaliation from any individual.