

## Equality & Diversity Policy

It is the Company's policy to provide equal opportunity and avoid unlawful discrimination in all aspects of employment including recruitment, promotion, training, pay and benefits, discipline and selection for redundancy. Employees are required to adhere to this policy so as to avoid committing unlawful acts of discrimination.

Job applicants will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability.

We will endeavour to ensure that our workforce is as diverse as possible.

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (including colour, nationality and ethnicity), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as 'protected characteristics'.

### Types of unlawful discrimination

- **Direct discrimination**

This occurs where a person is treated less favourably because of a protected characteristic. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

- **Indirect discrimination**

This occurs where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

- **Harassment**

This occurs where there is unwanted conduct, related to one or more protected characteristics that have the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Third party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable:

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- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment)
- it must be aware that the previous harassment has taken place; and
- it must have failed to take reasonable steps to prevent harassment from happening again

The Company has a separate Harassment Policy, which deals with these issues.

- **Associative discrimination**

This occurs where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (other than marriage and civil partnership).

- **Perceptive discrimination**

This occurs where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership).

- **Victimisation**

This occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he or she made or supported a complaint or raised a grievance, or because he or she is suspected of doing so. However, an employee is not protected from victimisation if he or she acted maliciously or made or supported an untrue complaint.

- **Failure to make reasonable adjustments**

This occurs where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

### **Responsibilities of employees**

Every employee is required to assist the Company to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the Company for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Company's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

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## Grievances

If you consider that you may have been unlawfully discriminated against, you may use the Company's grievance procedure to make a complaint. The Company will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

## Monitoring and review

This policy will be monitored periodically by the Company to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the Company will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the Company will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

Any questions or concerns about the application of the policy should be referred to the general manager or company director.

Signed:



Name:

Robert Turner

Position:

Director

TFL Scaffolding Ltd

Date:

05/01/2022