

**SEYMOUR & CASTLE LTD**  
**ELECTRICAL ENGINEERS & CONTRACTORS**



**EQUAL OPPORTUNITIES POLICY**

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## **EQUAL OPPORTUNITIES POLICY**

### **Our commitment**

Seymour & Castle Ltd (S&C) is committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment and all interested parties.

This Policy is intended to assist the Company to put this commitment into practice. Compliance with this Policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

### **Who is covered by the Policy**

This Policy covers all individuals working at all levels and grades, including managers, Directors, employees, and all third parties are expected to adopt the same principals.

### **The law**

Under the Equality act 2010 it is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, gender (or sex), gender reassignment, pregnancy and maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

Staff should not discriminate against or harass a member of the public during the course of our business. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, we have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

### **Types of unlawful discrimination**

**Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic (see above). An example of direct discrimination would be refusing to employ a woman because she is pregnant.

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.

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**Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it puts people who share that protected characteristic at a particular disadvantage compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**Harassment** is where there is unwanted conduct, related to one of the protected characteristics that has 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.

**Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic

**Perceptive discrimination** is 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, necessarily, have that protected characteristic

**Discrimination arising from disability** is where an individual has been treated unfavourably because of something connected with their disability, when their manager could reasonably be expected to be aware of the disability.

**Occupational requirement** can apply in limited circumstances, where there is an occupational requirement.

**Victimisation** occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, 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** It is unlawful to fail to make reasonable adjustments, as a result of a disability, to overcome barriers in employment or using services (such as removal, adaptation or alteration of physical features)

## **Equal opportunities in employment**

S&C will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, conditions of service, disciplinary and grievance procedures, selection for redundancy and termination of employment.

We will take appropriate and reasonable steps to accommodate the requirements of different religions, cultures, and domestic responsibilities. Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion 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. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

The Company will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the Company considers it has good reasons, unrelated to any protected characteristic, for doing so. The Company will comply with its obligations in relation to statutory requests for contract variations. The Company will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

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 consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

## **Recruitment and selection**

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. Our recruitment procedures 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.

Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying.

The Company will not discriminate unlawfully in the selection of employees for recruitment or promotion, but the Company may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group that the Company identifies as being under-represented in particular types of job.

Applicants should not be asked about any health issues or disability before a job offer is made. There are limited exceptions for example:

(a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).

- (b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- (c) Positive action to recruit disabled people.
- (d) Equal opportunities monitoring (which will not form part of the decision-making process).

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. We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

### **Disability Discrimination**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate. If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Company may wish to consult with you and any medical adviser 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.

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.

### **Fixed Term and Part Time Employees and Agency Workers**

We monitor our use of fixed-term employees, part time employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

### **Customers, suppliers and other people not employed by the Company**

The Company will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Company. Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

### **Training**

The Company can provide training in equal opportunities to Managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise. Safeguarding training is also available.

The Company will provide training to all existing and new employees and others engaged to work at the Company to help them understand their rights and responsibilities under the Dignity at Work Policy and what they can do to help create a working environment free of bullying and harassment. The Company will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

The SHEQ department has overall responsibility for equal opportunities training.

### **Termination of Employment**

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

### **Your responsibilities**

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.

### **Grievances**

If you consider that you may have been unlawfully discriminated against, you may use the Company's Grievance Procedure to make a complaint. Allegations regarding potential breaches of this Policy will be treated in confidence and investigated in accordance with the relevant procedure. 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. Any member of staff 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 this Policy.

Use of the Company's grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

**Who is responsible for this Policy?**

The Directors have overall responsibility for the effective operation of this Policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including undertaking regular reviews of this Policy, has been delegated to the HR department.

All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the Policy and promote our aims and objectives with regard to equal opportunities.

If you are involved in management or recruitment, or if you have any questions about the content or application of this Policy, you should contact the HR department to request training or further information.

**Monitoring and review**

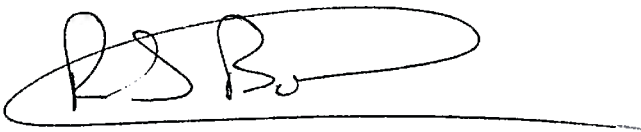
This Policy will be monitored annually by the Company to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the Company will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number 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. The policy is available within the "Employee handbook" and on the shared drive

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.

This Policy does not form part of any employee's contract of employment and may be amended at any time.

Further training is available, contact SHEQ for details

Signed;



Director

KATE BATESON

