

# Equal Opportunities Policy

## 1. Policy Statement

- 1.1. This policy outlines Pro-Force's commitment to a culture of equal opportunities within employment whereby individuals are selected, trained, promoted and treated on a basis of their relevant merits, skills and competencies.
- 1.2. All members of staff and job applicants will receive equal treatment regardless of race, colour, nationality, ethnic origin, sex, gender, pregnancy or maternity, marital status, disability, religion, political belief, socio-economic background, parental status, trade union membership, sexual orientation, gender identity, working hours status, or age.

## 2. Scope of the policy

- 2.1. This policy is applicable to all Pro-Force branches, sites and locations across the UK, any Company that falls into the Pro-Force Group, and to all staff members including directors, senior managers, managers, officers, employees and volunteers (collectively referred to as staff in this policy).
- 2.2. This policy does not form part of the contract of employment for employees, and as such, Pro-Force reserves the right to amend the policy at any time.

## 3. Responsibility for implementation of the policy

- 3.1. The Managing Director and the Senior Management Team have overall responsibility for the implementation of this policy.
- 3.2. The Compliance department is responsible for monitoring and reviewing the operation of this policy and making recommendations for changes to minimise risk to operations.
- 3.3. Line managers and supervisors are required to familiarise themselves with, and understand this policy, its operation, and any related procedures. Compliance will provide training documentation and guidance on the provisions of this policy, as is relevant to their responsibilities.
- 3.4. Questions related to the use, understanding or direction of this policy should be directed to the Compliance department.

## 4. Working Environment

- 4.1. Pro-Force is committed to developing and maintaining a working environment which encourages all members of staff to contribute fully to the life and work of Pro-Force.
- 4.2. Pro-Force is supportive of the dignity and self-esteem of individuals and insists upon respect for others.

## 5. Harassment

- 5.1. It is the responsibility of all staff to ensure that individuals are not exposed to any form of harassment and that they are supported in raising legitimate complaints. Senior staff, managers and supervisors have a particular responsibility for providing a working environment free from harassment and must foster a respectful and productive working environment.
- 5.2. Racial harassment is committing or inciting any hostile or offensive act or expression by a person of one racial or ethnic origin against a person of another and which is motivated by racial or ethnic difference. Such behaviour includes derogatory name calling, insults and racist jokes, racist graffiti, verbal abuse and threats, physical attack and ridicule of an individual because of cultural differences.
- 5.3. Sexual harassment occurs in a variety of situations which share a common element i.e. the inappropriate introduction of sexual activity or comments into a work situation. It often involves relationships of unequal power and may contain elements of coercion. Sexual harassment includes: unwanted sexual advances, sexually explicit remarks or innuendoes, intentional physical contact, the display of pornographic, sexually offensive or inappropriate material, verbal threats or abuse, and other actions which cause the person to feel threatened or humiliated. Sexual harassment can be experienced by members of either sex.
- 5.4. Other forms of harassment can include bullying or repeated reference to personal traits, appearance, sexual orientation, disability, religion, gender identity and age. Actions designed to undermine an individual's professional competence or confidence are a misuse of power or position. Such actions may include public or persistent unwarranted criticism of work performance or exclusion from normal work activities. The defining feature of harassment is that the behaviour is intimidating to the recipient and would be regarded as harassment by any reasonable person

## 6. Discrimination

- 6.1. Direct Discrimination is when someone is treated less favourably than others for unlawful means, e.g. not employing someone because of their gender or sexual orientation.
- 6.2. Indirect Discrimination is when an employer has a policy, practice or procedure that applies to everyone but might disadvantage a particular group, and which cannot be justified in relation to the job.

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- 6.3. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive working environment.
- 6.4. Victimisation is when someone is treated less favourably or discriminated against because they have pursued or intend to pursue their rights relating to alleged discrimination.
- 6.5. Positive discrimination is lawful in limited circumstances, specifically in relation to the recruitment of disabled staff. Positive action to address imbalances in the workforce is allowed in particular circumstances. Examples would include setting equality targets, short listing applicants with a disability for interview who meet the essential criteria in a job specification.

### 7. Promoting and Re-grading

- 7.1. All promotion and re-grading criteria and procedures will continue to be examined and reviewed to ensure that they comply with this policy and are operated fairly, consistently and transparently.

### 8. Staff Development

- 8.1. The principles of equalities are embedded within all the activities of Pro-Forces staff development providers. Where practicable, training events, workshops and other development activities will take into consideration individual particular needs such as learning difficulties, disabilities or domestic responsibilities. It is the responsibility of all line managers to undertake equalities training and actively encourage the career and professional development of their team members.

### 9. Unsuitable Behaviour

- 9.1. Any staff member found to be engaging in unsuitable behaviour or action (in accordance with the behaviours detailed in this policy) shall be subject to disciplinary action in accordance with Pro-Force's Disciplinary Policy.

### 10. Continuous Improvement

- 10.1. In order to improve our approach to ensuring a culture of equal opportunities and diversity, we will:
  - Review relevant legislative requirements, staff surveys and policy implementation to undertake corrective and positive action where necessary.
  - Develop leadership and management competencies in managing equality and diversity.
  - Taking positive action to encourage a particular group, when there is a specific group poorly under-represented among those doing particular work or filling particular posts in the workforce.
  - Improving base line data in order to undertake regular monitoring of all the protected characteristics in the Equality Act 2010.
- 10.2. This approach is built into our longer term strategy for business sustainability and growth, as well as an integral part of our vision and values.

### 11. Equality Legislation

- 11.1. The Equality Act 2010 harmonises and replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency in what an employer needs to do to make the workplace a fair environment and to comply with the law.
- 11.2. The Equality Act covers the same groups that were protected by existing equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are called 'protected characteristics'.
  - Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex & Sexual Orientation
- 11.3. The Public Duty to eliminate all forms of discrimination, consult and communicate with relevant staff, and promote good relations among all, still apply to the protected characteristics in relation to Race, Disability and Gender.
  - Age – The Act protects people of all ages and was introduced to ensure age equality within recruitment, selection, promotion, training and development, redundancy and retirement practices.
  - Disability – Under the Act disabled people are protected from disability discrimination. A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport. Discriminatory employment practice will not be

justified based on past or previous disabilities, e.g. a person who has a history of mental illness. People who have HIV, cancer or multiple sclerosis are considered disabled from the moment they are diagnosed. Pro-Force will always explore reasonable adjustment to make the workplace or way the work is undertaken a means of negating or limiting the effect of the disability.

- Gender Reassignment – Under the law transsexual people are afforded protection. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. A woman who decides to live permanently as a man but does not undergo any medical procedures would still be covered. Transgender people such as cross dressers, who are not transsexual because they do not intend to live permanently in the gender opposite to their birth sex, are not protected by the Act. It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured. Medical procedures for gender reassignment such as hormone treatment, should not be treated as a 'lifestyle' choice.
- Marriage and civil partnership – Single people are not protected but the Act protects employees who are married or in a civil partnership against discrimination.
- Pregnancy and maternity – A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. Pro-Forces Family Leave Policies also supports staff, including same sex partners, in respect of adoption and surrogacy.
- Race – For the purposes of the Act 'race' includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups, e.g. Black Britons. Pro-Force must ensure that racial equality is a fundamental part of our strategic planning and management processes. Steps will be taken to ensure all systems and procedures comply with legislation
- Religion or Belief – Religion includes any religion and a lack of belief. Employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief. Humanism is a protected philosophical belief but political beliefs would not be protected. Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.
- Sex – Both men and women are protected under the Act and Pro-Force will not discriminate, either directly or indirectly, between men and women, or married and unmarried people, in recruitment or in any other way in the treatment of employees. Equal treatment in respect of pay, terms of contract and employment, will be given to men and women doing the same or broadly similar work.
- Sexual Orientation – Bisexual, gay, heterosexual and lesbian people are protected under the Act. This means that it is unlawful for someone to be treated less favourably in the workplace because of their sexual orientation, their perceived sexual orientation or because they associate with someone of a particular sexual orientation.

11.4. Pro-Force is committed to ensuring that no staff member is harassed, victimised, bullied or otherwise made to feel uncomfortable at work, in line with the provisions of the Act, and general good practice.

## 12. Policy Review

12.1. The Compliance department is responsible for reviewing this policy annually, or as is required, to ensure that it meets legal standards and reflects best practice.

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**Matthew Jarrett**

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