



EQUAL OPPORTUNITIES & DIVERSITY POLICY NON-CONTRACTUAL STAFF HANDBOOK

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2 CONTENTS

1	PROPRIETARY NOTICE	3
2	CONTENTS	4
3	INTRODUCTION	5
3.1	Objectives of this policy	5
3.2	Equal Opportunities Training	5
3.3	Scope and Purpose of the Policy	5
3.4	Definition of Discrimination	6
3.5	Forms of Discrimination	6
3.6	Unlawful Reasons for Discrimination	6
3.7	Positive action in recruitment	7
3.8	Staff training and promotion and conditions of service	7
3.9	Termination of employment	7
3.10	Reasonable adjustments	7
3.11	Fixed-term employees and agency workers	8
3.12	Part-time work	8
3.13	Breaches of the policy	8
3.14	Acting on discriminatory behaviour	8
3.15	Extent of the policy	8

3 INTRODUCTION

We are committed to achieving equality of opportunity and freedom for all staff 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 unlawful discrimination or harassment, and in which all decisions are based on merit. The Company believes that all employees and clients are entitled to be treated with respect and dignity.

We do not discriminate against staff on the basis of their:

1. Gender
2. Sexual orientation
3. Marital or civil partner status
4. Gender reassignment
5. Race, colour, nationality, ethnic or national origin
6. Religion or belief
7. Pregnancy or maternity
8. Disability
9. Age

The above list is known as the ‘nine protected characteristics’ of the Equality Act 2010.

The principle of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, clients, customers, suppliers and former staff members.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. Your attention is drawn to our separate Dignity at Work: Anti-Harassment and Bullying Policy FSL-09-097.

Any and all personal data used in connection with this Policy shall be collected, held, and processed in accordance with the Company’s Data Protection Policy FSL-09-115.

3.1 OBJECTIVES OF THIS POLICY

To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010.

To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

3.2 EQUAL OPPORTUNITIES TRAINING

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.

Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Human Resources has overall responsibility for equal opportunities training.

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 Human Resources to request training or further information.

3.3 SCOPE AND PURPOSE OF THE POLICY

This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. Its purpose is to prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010. 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 procedures and termination of employment.

We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities. Please see the following for specific information on our approach to these issues: family policies, FSL-09-152 Flexible Working Policy, FSL-09-107 Time Off For Dependant's Policy, and FSL-09-109 Dress Code Policy.

3.4 DEFINITION OF DISCRIMINATION

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect and includes discrimination by perception and association.

3.5 FORMS OF DISCRIMINATION

Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics as set out above. For example, rejecting an applicant on the grounds of their race because it is considered they would not "fit in" would be direct discrimination.

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. An example of indirect discrimination would be to request that all employees are clean shaven, effectively putting members of some religious groups at a disadvantage. Such a requirement will need to be objectively justified.

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. Harassment is dealt with further in our Dignity at Work - Anti-harassment and Bullying Policy FSL-09-097.

Victimisation is also prohibited. This is the less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

3.6 UNLAWFUL REASONS FOR DISCRIMINATION

Sex

It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

Example: Asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.

Age

It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

Disability

It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

Race

It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

Sexual Orientation

It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.

Religion or Belief

It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

3.7 POSITIVE ACTION IN RECRUITMENT AND PROMOTION

In all types of discrimination, positive action in recruitment and promotion is permitted in circumstances where the company reasonably thinks there is a disadvantage or under-representation in the workforce. When faced with two or more candidates that are “as qualified as each other” in terms of both formal qualifications and the skills and experience they have that meet the requirements in the person specification, the company is permitted to choose the candidate that comes from a group under-represented at that level in the organisation, provided it is a proportionate way to address the disadvantage or under-representation identified.

Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

3.8 STAFF TRAINING AND CONDITIONS OF SERVICE

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.

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.

3.9 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.

3.10 REASONABLE ADJUSTMENTS

The Company has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:

- Making adjustments to premises;
- Re-allocating some or all of a disabled employee’s duties;
- Transferring a disabled employee to a role better suited to their disability;
- Relocating a disabled employee to a more suitable office;
- Giving a disabled employee time off work for medical treatment or rehabilitation;
- Providing training or mentoring for a disabled employee;
- Supplying or modifying equipment, instruction and training manuals for disabled employees; or
- Any other adjustments that the Company considers reasonable and necessary provided such adjustments are within the financial means of the Company.

If an employee has a disability and feels that any such adjustments could be made by the Company, they should contact the Business Compliance Officer.

3.11 FIXED-TERM EMPLOYEES AND AGENCY WORKERS

We monitor our use of fixed-term employees 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.

3.12 PART-TIME WORK

We monitor the conditions of service of part-time employees 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 under our Flexible Working Policy FSL-09-152.

3.13 BREACHES OF THE POLICY

The cooperation of all employees is essential for the success of this policy. If you believe that you may have been a witness to discriminatory behaviour, speak to Human Resources. If you believe that you may have been discriminated against, you are encouraged to raise the matter through our Grievance Procedure FSL-09-101. If you believe that you may have been subject to harassment and/or bullying you are encouraged to raise the matter through our Anti-harassment and Bullying Policy FSL-09-097. If you are uncertain which applies or need advice on how to proceed you should speak to the Human Resources.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith 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 Procedure FSL-09-098.

3.14 ACTING ON DISCRIMINATORY BEHAVIOUR

In the event that an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Employee Handbook Disciplinary Policy FSL-09-098 and Grievance Policy FSL-09-101.

3.15 EXTENT OF THE POLICY

- The Company seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees.
- This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.
- The Company reserves the right to amend and update this Policy at any time.