

Title	Equality of opportunity and diversity at work			
Revision	1			
Status	Approved			
Master Location	Woking Server: F:\Data1\HR\Equality & Diversity Policy \JT020			
Owner	Jonathan Kay	Business Manager		
Approved by	Adam Lloyd	Managing Director		
Creation Date	November 2015	Latest Revision Date	November 2015	

Introduction

The Equality Act 2010 makes it unlawful to discriminate, directly or indirectly, against applicants, employees and other workers because of sex, marriage or civil partnership gender reassignment, pregnancy or maternity, sexual orientation, race (including national origin and nationality), religion or belief, disability and age These are known as “protected characteristics”.

Jointing Technologies is committed to being an equal opportunities employer and oppose all forms of unlawful discrimination ensuring that, existing members of staff, job applicants, or workers are treated fairly in an environment which is free from any form of discrimination. We believe that individuals should be treated on their merits and that employment- related decisions should be based on objective job-related criteria such as aptitude and skills and the needs of the business.

In addition Jointing Technologies is committed to ensuring:

- all employment-related policies, practices and procedures are applied impartially and objectively;
- equality of opportunity to all and to provide staff with the opportunity to develop and realise their full potential;
- that the Company works towards achieving a diverse workforce at all levels
- that employees of Jointing Technologies can work in an atmosphere of dignity and respect.

Types of unlawful discrimination

Direct discrimination is where a person is treated unfavourably (in the case of disability, pregnancy or maternity) or less favourably than another 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 a genuine occupational requirement which must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is 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 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.

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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, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

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 they are suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is 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.

Candidates for employment, promotion or training and development 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.

Dignity at work

Everyone should be treated with dignity and respect at work. Bullying and harassment of any kind are in no-one's interest. Bullying and harassment can lead to:

- poor morale and poor employee relations
- loss of respect for managers and supervisors
- poor performance
- ill-health and absence
- resignations
- damage to our reputation
- legal claims

Individuals who are subjected to bullying and harassment related to “protected characteristics” have special protection. Both we, as employer and the person carrying out the bullying or harassment can be liable. If you bully or harass colleagues, you may have to pay compensation personally.

Jointing Technologies does not tolerate bullying or harassment whether it is related to protected characteristics or not. This applies not only in the work-place, but outside work where there is a work connection – for example at a social event. Such behaviour is normally gross misconduct and likely to result in dismissal; in serious cases, it may be a criminal offence.

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Bullying and harassment

Bullying and harassment includes conduct that has the purpose or effect of creating an intimidating, degrading or offensive environment. It might include:

- “picking on” or ostracising or making degrading comments about a colleague;
- criticising a colleague in public;
- whispering or gossiping campaigns;
- shouting at a colleague;
- repeatedly putting unreasonable pressure on staff that you manage, for example imposing unachievable deadlines, or
- conduct related to protected characteristics

Bullying or harassment related to protected characteristics has a broad meaning. It is unlawful:

- even though it was unintended and the person doing it was unaware that he or she might cause offence.
For example, you may feel that you know your colleagues and that they will not be offended by a joke about race, religion or sexual orientation, but if they (or someone who over-hears) turn out to be offended, you are likely to be guilty of harassment.
- even though the person complaining does not have the protected characteristic.
For example, you are likely to be guilty of harassment if you are white and you make racist remarks about Asians, offending other white people. You are also likely to be guilty if you make homophobic remarks about someone who you think is gay but turns out not to be or about someone who you do not believe to be gay but finds the remarks offensive.
- if it is based not on the characteristics of a colleague, but on someone he or she associates with.
For example, offensive remarks to a colleague who is white, because she has a black boyfriend.

Sometimes conflicts arise between persons with different protected characteristics (for example sexual orientation and religion). We do not expect everyone to be friends but we do require staff and others to treat each other with respect and dignity regardless of privately held views.

Your responsibilities

Every employee is required to assist the Company in meeting its commitment to provide equal opportunities in employment and avoid unlawful discrimination, bullying, harassment or victimisation. 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.

Everyone has a responsibility to create and maintain a work environment free of bullying and harassment. You can help to do this by:

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- being aware of how your own behaviour may affect others and changing it, if necessary - you can still cause offence even if you are "only joking";
- treating your colleagues with dignity and respect;
- taking a stand if you think inappropriate jokes or comments are being made;
- making it clear to others when you find their behaviour unacceptable, unless it should be obvious in advance that this would be the case;
- intervening, if possible, to stop harassment or bullying and giving support to recipients;
- making it clear that you find harassment and bullying unacceptable;
- reporting harassment or bullying to your manager or human resources and supporting the Company in the investigation of complaints; and
- if a complaint of harassment or bullying is made, not prejudging or victimising the complainant or alleged harasser.

Managers have a particular responsibility to:

- set a good example by their own behaviour;
- ensure that there is a supportive working environment;
- make sure that employees know what standards of behaviour are expected of them;
- intervene to stop bullying or harassment; and
- report promptly any complaint of bullying or harassment, or any incident of bullying or harassment witnessed by them.

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 may lead to dismissal without notice.

Dealing with discrimination, victimisation and harassment

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.

If you think you are being bullied or harassed, you may be able to sort out matters informally. The person may not know that his or her behaviour is unwelcome or upsetting. You may feel able to approach the person yourself, or with the help of someone else at the Company. You should tell the person what behaviour you find offensive and unwelcome, and say that you would like it to stop immediately.

If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you can make a formal complaint by using the Company's grievance procedure. In

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the case of grievances about bullying or harassment, the normal grievance procedure is modified so that you can choose whether to raise your grievance with your manager or with another manager. All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser. You will have the right to be accompanied by a work colleague or trade union representative of your choice at any meeting dealing with your grievance. You will be kept informed of the general progress of the process of investigation and the outcome of any disciplinary proceedings.

Jointing Technologies will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. In very serious cases, a criminal offence may have been committed and you may wish to report matters to the police. Your manager can arrange for someone to accompany you to make a complaint to the police.

You have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, making a complaint that you know to be untrue may lead to disciplinary action being taken against you.