

Equal Opportunities and Dignity at Work Policy

Main Purpose of Policy

The purpose of this policy is to assist the Company in putting their commitment to equal opportunities and fair treatment in the workplace into practice. The policy is applicable to all employees and outlines the responsibilities of all staff in relation to equal opportunities, unlawful discrimination, harassment, and violence. A summary of areas covered by this policy is detailed below. Should you have any questions in relation to this document please speak to your manager or Human Resources.

- General principles of the Policy
- Legislation
- Right to report harassment/bullying
- Types of discrimination
- Equality of opportunity
- Procedure for Addressing Incidents of Violence and Domestic Abuse
- Customers, suppliers, and others
- Training
- Grievances
- Responsibilities

General Principles

It is the Company's approach that all employees have a working environment that promotes dignity and respect and where individual differences, and the contributions made are recognised and valued.

The Company's approach is as follows:

- The Company values the differences that a diverse workforce brings to the Company.
- The Company will not tolerate or engage in any practices that may be found to be treating employees, customers, or visitors unfairly.
- The Company will deal with discrimination or actions that affect equality in a robust manner viewing such issues as gross misconduct where appropriate.
- The Company is committed to providing equal opportunities in employment and will work towards the elimination of unlawful and unfair discrimination.

Legislation

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, 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. Legislation also exists to prevent less favourable treatment of workers such as staff on fixed term contracts or those employed as Agency Workers within the Company.

Employees should not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability.

Right to Report Harassment/Bullying

Employees have a right to complain if they are treated in a manner that they believe constitutes harassment or bullying. This will include behaviour that has caused offence, intimidation, humiliation, embarrassment, or distress.

Apart from complaints about the behaviour of colleagues, employees have the right to complain if they believe that they have been bullied or harassed by a third party, for example a customer, client, or supplier. Employees who raise a genuine complaint under this policy will under no circumstances be subjected to any unfavourable treatment or victimisation as a result of making a complaint.

Examples of harassment or bullying would include:

- Over demanding requirements
- Sarcastic personal remarks about colleagues
- Sexual, ageist, racial or disability related banter
- The display of material with sexual or racial overtones (even if not directed at the complainant) or which is derogatory about any type of unlawful discrimination.
- Unwelcome touching
- Jostling, shoving or other forms of unwanted contact and/or intimidating or threatening postures.
- Practical jokes, horseplay, personal insults, and name calling, public or private humiliation.
- Interference with personal property and/or equipment
- Freezing out or excluding, intimidation and threats in general
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the employee and the person knows or ought reasonably to know that the solicitation or advance is unwelcome; or
- psychological harassment, which means any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.

A reasonable action taken by the Company or supervisor relating to the management and direction of employees or the workplace is **not** workplace harassment.

Examples of conduct which may be Harassment include:

- unwelcome remarks, jokes, or innuendos about a person's racial or ethnic origin, colour, place of birth, citizenship, or ancestry.
- displaying racist, derogatory, or sexually explicit pictures or other offensive material.
- insulting gestures or practical jokes based on racial or ethnic grounds which create awkwardness or embarrassment.
- refusing to speak to or work with someone or treating someone differently because of ethnic or racial background; and
- any behaviour, in the form of words, gestures, or actions, generally repeated, that has undesired sexual or racial connotations, that has a negative impact on a person's dignity or physical or psychological integrity, or that results in the person being subjected to unfavourable working conditions.

Examples of conduct which may be sexual harassment include:

- an implied or expressed threat of reprisal for refusal to comply with a sexually oriented request.
- a demand for sexual favours in return for (continued) employment or more favourable employment treatment.

- unwelcome remarks, jokes, innuendoes, propositions, or taunting about a person's body, attire, sex, or sexual orientation and/or based on religion.
- suggestive or offensive remarks.
- bragging about sexual prowess.
- offensive jokes or comments of a sexual nature about an employee.
- unwelcome language related to gender.
- displaying of pornographic or sexist pictures or materials.
- leering (suggestive persistent staring); and
- physical contact such as touching, patting, or pinching, with an underlying sexual connotation.

Violence

“Violence” means:

- a) the exercise of physical force by a person against an employee, in a workplace, that causes or could cause injury to the employee.
- b) an attempt to exercise physical force against an employee, in a workplace, that could cause injury to the employee; or
- c) a statement or behavior that it is reasonable for an employee to interpret as a threat to exercise physical force against the employee, in a workplace, that could cause injury to the employee.

Examples of conduct which may be Violence include:

- physical acts (e.g., hitting, shoving, pushing, kicking, sexual assault);
- any threat, behaviour or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, or destroy or damage property; and
- disruptive behaviour that is not appropriate to the work environment (e.g., yelling, swearing).

However, if it is established that an employee has made a deliberately false or malicious complaint against another person about harassment or bullying, disciplinary action will be taken against that employee.

Any employee who witnesses an incident that he or she believes to be the harassment or bullying of another member of staff should report the incident in confidence to their manager, human resources, or member of the executive team.

The Company will take all such reports seriously and will treat the information in strict confidence as far as it is possible to do so.

Types of Discrimination

The following are brief explanations of types of discrimination:

Direct Discrimination

This is where a person is treated less favourably than another because of one or more of the protected characteristics. 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.

Indirect Discrimination

people who share that protected characteristic when compared with people who do not, and it

cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment

This is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) 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

This is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

Perceptive Discrimination

This is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic.

Third-Party Harassment

This 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.

Victimisation

This occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they 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

This is where:

- A provision, criterion or practice puts a disabled person at a substantial disadvantage in comparison with individuals who are not disabled, for example corresponding only by email and phone with a person who is deaf instead of face to face.
- A physical feature puts a disabled person at a substantial disadvantage in comparison with individuals who are not disabled, for example a design or building feature or equipment in the premises such as only having stairs and no lifts.
- A disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with individuals who are not disabled, for example providing assistive technologies to help visually impaired staff use computers.

The potential discrimination occurs when the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equality of Opportunity

The Company will avoid unlawful discrimination and unjustified less favourable treatment in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline, and selection for redundancy.

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 may 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. Where monitoring takes place, it will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The Company cannot lawfully discriminate 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.

Procedure for Addressing Incidents of Violence and Domestic Abuse

Violence

In the event of an incident of Violence, the following procedure should be followed:

1. If an employee believes that an incident of Violence has or is likely to occur, they should summon immediate assistance by calling police. This should also be done immediately in any case where someone has been injured, harmed or personal safety is at risk.
2. Proper First Aid measures should be immediately followed, where necessary.
3. Employees should be mindful of their personal safety and should not attempt to intervene in any act of Violence if to do so would put them or others at risk, other than to call police.
4. Victims, witnesses, and people becoming aware of incidents of Violence should immediately report the incident in accordance with the procedures set out under the heading "Reporting Incidents of Violence, Harassment or Discrimination".
5. An investigation will be conducted into all incidents of Violence.
6. Incidents of physical assault may be reported to the police.

Domestic Abuse

Any employee who believes that domestic violence in the home, could result in violence in the workplace and could expose the employee or another employee to physical injury should report the matter to a member of the Human Resources department. The Company recognizes and respects the sensitivity and confidential nature of such information. The Company is committed to reducing the risk of domestic violence occurring in the workplace but needs the help of all employees. Employees who believe that they are at risk of being subjected to domestic violence will be supported by Human Resources and will be provided with appropriate and confidential support.

Right to Refuse Unsafe Work

- If an employee has any health and safety concerns or concerns related to Violence, they need to bring them to the attention of their manager.

- If an employee refuses to work because of a Violence, their manager must be informed.
- If after an investigation into the incident of Violence, there is still reason to believe the employee could be in danger, the employee may be assigned to other reasonable work.
- No reprisals will be taken against any employee who acts in compliance with or seeks protection under the provisions of the *Occupational Health & Safety Act*.

Risk Assessment

The Company will conduct a risk assessment of the work environment to identify any issues related to potential Violence that may impact the Company's operation and will institute measures to control any identified risks to employee safety. This information will be provided to the Company's Joint Health & Safety Committee.

The risk assessment may include review of records and reports (e.g., security reports, employee incident reports, staff perception surveys, health, and safety inspection reports, first aid records or other related records). A risk assessment will be performed as often as necessary to ensure this Policy continues to protect employees from Violence.

Reporting Incidents of Violence, Harassment or Discrimination

Informal Procedure

If the employee is a victim of Violence, Harassment or Discrimination, or has either witnessed or become aware of an incident of Violence, Harassment or Discrimination, the employee should:

- confront the person engaging in the Violence, Harassment or Discrimination (the "Wrongdoer") personally or in writing, pointing out the unwelcome behaviour and requesting that it stop.
- report the incident of Violence, Harassment or Discrimination to the employee's manager. If, however, the employee's manager is the Wrongdoer, report the incident of Violence, Harassment or Discrimination to another manager; or
- proceed in accordance with the formal procedure set out below.

If a manager becomes aware of an incident of Violence, Harassment or Discrimination, the manager must report that incident to the Company's Human Resources department.

Formal Procedure

If an employee is a victim of Violence, Harassment or Discrimination, or have either witnessed or become aware of an incident of Violence, Harassment or Discrimination and has attempted to resolve the issue through the informal procedure or the informal procedure is inappropriate or undesirable in the circumstances, the employee should make a formal complaint/report of Violence, Harassment or Discrimination by delivering it in writing to Human Resources. If Human Resources is involved in the Violence, Harassment or Discrimination, report the incident to your manager. The employee's complaint should include:

- the approximate date and time of each incident.
- the name of the person or persons involved in each incident.
- the name of any person or persons who witnessed each incident; and
- a full description of what occurred in each incident.

Special Circumstances

Should an employee have a legal court order (e.g., restraining order, peace bond, etc.) against

another individual, the employee is encouraged to notify his or her manager, and to supply a copy of that order to the Human Resources Department. This will likely be required in instances where the employee strongly feels that the aggressor may attempt to contact that employee at the Company in violation of the court order. Such information shall be kept confidential, subject to any disclosure required by law.

Investigating Incidents of Violence, Harassment or Discrimination

All incidents, complaints and/or reports of Violence, Harassment or Discrimination will be appropriately investigated by the Company in a timely manner.

While investigations will differ depending on the circumstances, investigations will typically include:

- informing the alleged Wrongdoer of the complaint, report or alleged incident of Violence, Harassment or Discrimination.
- interviewing the alleged victim, the alleged Wrongdoer, and any witnesses; and
- reviewing any documents or evidence that is relevant to the investigation (e.g., review of photographs, documents, text messages, emails, documents contained on company computers, etc.).

The Company reserves the right to:

- retain external investigators or legal counsel at its discretion; or
- place any employee involved in the alleged incident of Violence, Harassment or Discrimination on a paid leave pending the completion of the investigation.

While investigations will vary in length, the Company will provide an estimated timeline to the parties at the outset and will endeavour to complete the investigation in a timely manner.

All employees must take part in the investigation process if required by the Company. Further, any managers must be supportive of the process and accommodate the needs the investigators (whether internal or external to the Company).

Disciplinary Measures

If a complaint or report of Violence, Harassment or Discrimination made in good faith is found to be unsubstantiated, there will be no negative consequences for the complainant/reporter.

By contrast, where an allegation of Violence, Harassment or Discrimination is found to have been made in bad faith or with an ulterior motive, or where a false claim is lodged, appropriate disciplinary action will be taken against the reporting employee, up to and including termination of employment.

If an incident, complaint or report of Violence, Harassment or Discrimination is substantiated, appropriate disciplinary action will be taken against the Wrongdoer, up to and including termination of employment.

In cases where criminal charges have been laid or are pending, the Company will assist police agencies, attorneys, and courts to the fullest extent.

Confidentiality

Information obtained about an incident or complaint/report of Violence, Harassment or Discrimination, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.

Anyone involved in an investigation is required to keep any information regarding an investigation confidential and must not disclose such information to any other individual (within or outside the Company) without written authorization from the Director of Human Resources. If an employee becomes aware of another employee discussing an investigation, they must report it immediately to

the Director of Human Resources. Any employee that breaches the confidentiality required by this policy may be subject to disciplinary actions up to and including termination of employment.

Reporting to the Parties Involved

Following the conclusion of the investigation, the outcome of the investigation and resulting corrective action, if any, will be reported in writing to the alleged victim of Violence, Harassment or Discrimination and the alleged Wrongdoer.

Record Keeping

Documents relating to the investigation (such as notes and statements) will not be kept in the parties' personnel files, although they may be stored elsewhere if necessary for record-keeping purposes. The only information relating to such an investigation that will remain in the parties' personnel files will be confirmation that an investigation was conducted, and the nature of its disposition.

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. Agency workers will not be treated less favourably in regard to pay and rights than permanent employees following completion of any qualifying criteria specified from time to time by the government.

Training for Staff

The Company will aim, wherever possible, to 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.

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

Grievances

If an employee considers they may have been unlawfully discriminated against or if they feel they have been subject to harassment of any kind, they may use procedure contained in this policy to make a complaint.

However, before raising a formal complaint, employees are encouraged in the first instance to talk directly and informally to the person whom they believe is harassing them/causing offence and explain clearly what aspect of the person's behaviour is unacceptable and request that it stop. It may be that the person whose conduct is causing offence is genuinely unaware that their behaviour is unwelcome or objectionable and that a direct approach can resolve the matter without the need for formal action. Where an employee would like support to make such an approach, they should contact their Manager, Human Resources, or any member of the executive team.

If, however, an employee feels unable to take this course of action, or if they have already approached the person to no avail, or if the harassment is of a very serious nature, they may elect to raise a formal complaint. Formal complaints may be raised with either HR or any member of the executive team.

The Company will take any complaint seriously and will seek to resolve any grievance which it upholds. Staff will not be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.

Responsibilities

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 disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Managers

Managers who receive a complaint have a duty to investigate the matter thoroughly and objectively and to take corrective action in order to ensure that the Company's policy is complied with. Line Managers should be responsive and supportive towards any worker who raises a genuine complaint of discrimination, harassment or bullying.

The Company reserves the right, at its discretion, to suspend any employee who is under investigation for alleged acts of discrimination, harassment or bullying for a temporary period whilst investigations are being carried out. Such suspension will be for as short a time as possible and will be on full pay.

Any employee accused of such offences will be informed of the exact nature of the complaint against them and afforded a full opportunity to challenge the allegations and put forward an explanation for their behaviour in a confidential interview, with a companion present if they wish. No employee will be presumed guilty following such an allegation. The Company will maintain records of investigations into alleged incidents of this nature, the outcome of the investigations and any corrective or disciplinary action taken. These records will be maintained in confidence and in line with the provisions of relevant UK and Country specific Data Protection legislation.

Further Information

The Company will review policies and procedures periodically to reflect changes in legislation and good practice.

Document Version Control

| Version | Date Drafted | Drafted by | Reviewed by | Date Reviewed | Next Review date |
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