

## 25 - Equal Opportunities Policy

<b>Version:</b>	3
<b>Last review date:</b>	April 2020
<b>Reviewed by:</b>	Anne Stenning, CFO
<b>Next Review date:</b>	April 2022
<b>Approved by:</b>	Louise Morpeth, CEO

### Contents

1. Principles .....	2
2. Equal Opportunities Code of Practice .....	3
3. Recruitment and Selection .....	3
4. Promotion, Transfer and Training .....	4
5. Terms of Employment, Benefits, Facilities and Services .....	5
6. Grievances, Disciplinary Procedures, Dismissals and Redundancies .....	5
7. Interactions with Customers and Suppliers.....	5

## 1. Principles

There should be no discrimination on account of race, colour, religion or philosophical belief, political association or belief, ethnic origin, sexual orientation, gender, disability, gender reassignment, nationality, age, fixed-term, marital, pregnancy and maternity, or part-time status. The majority of these points are referred to as Protected Characteristics under the Equality Act 2010.

Brain in Hand Ltd will ensure that none of the following forms of discrimination take place:

- Direct Discrimination – where someone is treated less favourably than another person because of a protected characteristic.
- Indirect Discrimination – where a rule in a policy that applies to everyone within and outside of the organisation can disadvantage people with a particular Protected Characteristic.
- Associative discrimination – where direct discrimination takes place against a person because they associate with someone who has a Protected Characteristic.
- Discrimination by Perception – where direct discrimination takes place against someone because others think they possess a Protected Characteristic, whether they do or not.

Brain in Hand Ltd will appoint, train, develop, reward and promote on the basis of merit and ability.

All employees have personal responsibility for the practical application of Brain in Hand Ltd's equal opportunities policy, which extends to the treatment of job applicants, employees, clients, customers, suppliers and visitors.

Special responsibility for the practicable application of Brain in Hand Ltd's equal opportunities policy falls upon senior managers, managers and supervisors involved in the recruitment, selection, promotion and training of employees and also those who have direct dealings with external customers and clients.

Brain in Hand Ltd's grievance procedure is available to any employee who believes that he or she may have been unfairly discriminated against. The harassment complaints procedure set out in this policy is available to any employee who believes that he or she may have been harassed. Employees will not be victimised in any way for making such a complaint in good faith. Complaints of this nature will be dealt with seriously, in confidence and as soon as possible.

Brain in Hand Ltd's complaints policy is available on our website and can be used by anyone who feels that they, or the organisation they work for, may have been unfairly discriminated against.

Disciplinary action will be taken against any employee who is found to have committed an act of unlawful discrimination, whether against an employee, customer, client or other member of the public. Serious breaches of this policy and serious incidents of harassment will be treated as gross misconduct. Allegations of discrimination which are made in good faith will also be considered as a disciplinary matter. Confidential records of ongoing matters dealt with in accordance with this policy will be kept.

In the case of any doubt or concern about the application of this policy in any particular instance, consult a member of the Senior Leadership Team in the first instance.

Brain in Hand Ltd will keep under review its policy, procedures and practices on equal opportunities.

## **2. Equal Opportunities Code of Practice**

Brain in Hand Ltd has introduced this equal opportunities policy as a commitment to make full use of the talents and resource of all its employees and to provide a healthy environment which will encourage good and productive working operations within the organisation and with external customers whether they be individuals or organisations. This code of practice describes how the policy is to be applied throughout Brain in Hand Ltd.

Brain in Hand Ltd is particularly concerned that equality of opportunity is maintained in the following areas:

- recruitment and selection;
- promotion, transfer and training;
- terms of employment, benefits, facilities and services;
- grievances and disciplinary procedures;
- dismissals and redundancies; and
- interactions with customers and suppliers.

## **3. Recruitment and Selection**

The following principles should apply whenever recruitment or selection for positions takes place:

- individuals will be assessed according to their personal capability to carry out a given job;
- assumptions that only certain types of person will be able to perform certain types of work must not be made;
- any qualifications or requirements applied to a job which have or may have the effect of inhibiting applications from certain types of person should only be retained if they can be justified in terms of the job to be done;
- recruitment solely or primarily by word of mouth should be avoided if its effect is or may be to prevent certain types of person from applying;
- selection tests should be specifically related to job requirements and should measure the person's actual or inherent ability to do or train for the work;
- selection tests should be reviewed regularly to ensure they remain relevant and free from any unjustifiable bias, either in content or in scoring mechanism;
- applications from different types of person should be processed in the same way;
- written records of interviews and reasons for appointment and non appointment should be kept in accordance with our retention policy;

- questions should relate to the requirements of the job; if it is necessary to assess whether personal circumstances may affect job performance, this should be done objectively without questions or assumptions being made which are based on stereotyped beliefs about certain types of person;
- where Brain in Hand Ltd's arrangements for recruitment and selection put disabled people at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate or if that is not reasonably practicable, reduce the disadvantage unless objectively justified; and
- no decisions regarding recruitment or selection should be made by a person who has not read and understood this policy.

As general rule no candidates will be asked to complete a Health Questionnaire or provide details of their health or fitness prior to the selection process. Health related questions can only be asked in the following circumstances:

- to decide whether the employer needs to make reasonable adjustments for the person to attend and participate in the selection process;
- to decide whether an applicant can carry out a function that is essential (intrinsic) to the job, i.e. heavy lifting;
- to monitor the diversity of people making applications for jobs to ensure that advertisements for vacancies are reaching under-represented groups;
- to take positive action to assist disabled people e.g. ask if someone is disabled to enable Brain in Hand Ltd to guarantee interviews for disabled applicants; and
- for the employer to assure themselves that a candidate has the disability where the job genuinely requires the jobholder to have a disability, i.e. a mental health counsellor vacancy requires someone with personal knowledge of the condition.

#### **4. Promotion, Transfer and Training**

The following principles should apply to appointments for promotion, transfer and training:

- assessment criteria and appraisal schemes should be carefully examined to ensure that they are not unlawfully discriminatory;
- assessment criteria and appraisal schemes should be monitored and, where such criteria or schemes result in predominantly one group of workers gaining access to promotion, transfer or training, they will be checked to make sure this is not due to any hidden or indirect discrimination;
- promotion and career development patterns will be monitored to ensure that access to promotion and career development opportunities in particular groups of workers are not unjustifiably being excluded;
- traditional qualifications and requirements for promotion, transfer and training, such as length of service, and age, which may discriminate against certain groups of workers shall be reviewed and will only continue to be applied if genuinely justified;

- policies and practices regarding selection for training, day release and personal development should not result in an imbalance in training between groups of workers unless this is objectively justified; and
- where Brain in Hand Ltd's arrangements in relation to promotion, transfer or training put disabled workers at a substantial disadvantage for a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage unless objectively justified.

## **5. Terms of Employment, Benefits, Facilities and Services**

The following principles shall apply to terms of employment, benefits, facilities and services:

- the terms of employment, benefits, facilities and services available to workers should be reviewed regularly to ensure that they are provided in a way which is free from unlawful discrimination;
- part-time workers should receive pay, benefits, facilities and services on a pro-rata basis to their full-time comparator unless otherwise objectively justified;
- where Brain in Hand Ltd's arrangements relating to terms of employment, benefits, facilities and services put disabled workers at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage unless otherwise objectively justified; and
- pay and bonus criteria, policies and arrangements should be carefully examined and monitored, and if it appears that any group of workers are disadvantaged by them they will be checked to make sure that this is not due to any hidden or indirect discrimination.

## **6. Grievances, Disciplinary Procedures, Dismissals and Redundancies**

Workers who, in good faith, bring a grievance (or assist another to do so) either under this policy or otherwise in relation to an equal opportunities matter will not be disciplined, dismissed or otherwise victimised for having done so.

Any group of workers will not be disciplined or dismissed for performance or behaviour which would be overlooked or condoned in another group unless there is genuine and lawful justification for this.

Redundancy criteria and procedures will be carefully examined to ensure that they do not operate in an unlawfully discriminatory manner.

The provision of voluntary redundancy benefits will be equally available to all workers concerned unless there is a genuine and lawful justification for doing otherwise.

## **7. Interactions with Customers and Suppliers**

We want to be recognised as well-run and efficient, and to resolve any complaints brought to us fairly and as quickly as possible.

We review, and amend where appropriate, our policies and practices in relation to the accessibility of our service. Wherever practicable, we will remove any barriers to potential customers accessing and engaging with us.

We design our services to meet the needs of a diverse range of existing and potential customers and suppliers and we keep up to date with their potentially changing needs.

All bids or quotes to supply services or products to us are considered using a value for money assessment.

Any bids to supply services to customers on our behalf are considered and evaluated based on value for money will also be assessed according to the individual's or organisation's capability and capacity to carry out the specified service.