

	Reference Number:	HRPolicy- Equality and Diversity Policy			Equality and Diversity Policy
	Version Number:	01	Effective Date:	25/04/2016	

# Equality and Diversity Policy

## 1. Purpose

The Company is committed to the principles of Equality and Diversity in employment, and seeks to adhere to the provisions of the Equality Act 2010, by opposing discrimination, victimisation and harassment on the grounds of all recognised protected characteristics.

The practical application is reflected in the Company's recruitment and employment policies and procedures, which are designed to embrace diversity and provide fair and equitable treatment for individuals, ensuring no misuse or waste of human resources alongside fairness and opportunity for all.

### Awareness

All employees and applicants are made aware of our commitment to equal opportunities.

## 2. Scope

This policy applies to all employees, and prospective employees of Toppesfield Limited. However, the principles of non discrimination also apply to the way in which other individuals such as visitors, clients, customers and suppliers are treated.

## 3. Protected Characteristics

The protected characteristics that are covered by the Equality Act 2010 are as follows: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity. Some brief information about each characteristic is outlined below:

Age – people of all ages are protected under the Equality Act 2010. Some acts of direct or indirect discrimination can be justified if it is 'a proportionate means of achieving a legitimate aim'.

Disability – 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. There is a duty to make reasonable adjustments to assist in overcoming the disadvantages of the impairment. Individuals are also protected from discrimination arising from something connected with their disability where it could be reasonably expected that the employer would know that the person has a disability. It is also unlawful in most circumstances to request information about the health of job candidates prior to making a job offer. Employees who are disabled or become disabled are encouraged to inform the Company accordingly so that appropriate support can be explored.

Gender reassignment – transsexual people who propose to, start or complete a process to change their gender regardless of whether or not this involves medical procedures are protected under the Equality Act 2010. An employee who is absent due to such procedures cannot be treated less favourably than if the absence was due to sickness, injury or some other reason.

Marriage or civil partnership – the Equality Act 2010 protects employees who are married or in civil partnerships from discrimination on account of this status.

Pregnancy and maternity – female employees and applicants are protected against discrimination on the grounds of pregnancy and maternity during the period of pregnancy and any statutory maternity leave.

Race – individuals are protected against discrimination on the grounds of colour, nationality and ethnic or national origins.

Religion or belief – individuals are protected against discrimination on the grounds of their religion or lack of religion and belief or lack of belief. A religion can be any religion that has a clear structure and belief system.

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A belief can be a religious or philosophical belief that affects a substantial aspect of human life and behaviour. Political beliefs are not protected.

Sex – refers to both men and women.

Sexual orientation – refers to bisexual, gay, heterosexual and lesbian people.

In some cases there may be a genuine occupational requirement to select employees on the basis of certain protected characteristics because of the nature of organisation or role.

#### 4. Definitions Of Types Of Discrimination

Direct Discrimination constitutes less favourable treatment of one person than another, or than another would be treated, because of one or more of the protected characteristics outlined above. Equally direct discrimination can occur where there is less favourable treatment of an individual because they have or are thought to have a protected characteristic (perceptive discrimination) or because they associated with someone who has a protected characteristic (associative discrimination).

Associative Discrimination is direct discrimination involving less favourable treatment of a person because they are associated with someone who possesses one or more of the following protected characteristics: age, disability, gender reassignment, race, religion or belief, sex and/or sexual orientation.

Perceptive Discrimination is direct discrimination involving less favourable treatment of a person because it is perceived that they have one or more of the following protected characteristics even if they do not: age, disability, gender reassignment, race, religion or belief, sex and/or sexual orientation.

Indirect Discrimination is when a provision, criterion, rule, policy or practice of the employer which is applicable to all staff or applicants equally, is applied but has a disproportionate effect on an individual or group of individuals who share one or more of the following protected characteristics: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation and/or marriage and civil partnership, and cannot be shown by the employer to be a proportionate means of achieving a legitimate aim.

Victimisation is when a person is treated less favourably than another employee or candidate because the individual has made or supported a complaint or raised a grievance under the Equality Act 2010, or are suspected of doing so.

Harassment is 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. Relevant protected characteristics are as follows: age, disability, gender reassignment, race, religion or belief, sex and/or sexual orientation. Employees can complain of harassment even if the offending behaviour is not directed at them and even if they do not have the protected characteristic themselves.

Third Party Harassment is harassment as described above, of employees by other individuals who are not employees of the organisation e.g. clients, suppliers or customers. Where employees bring such incidents or allegations to the attention of the Company, the Company will endeavour to investigate and address incidents of mistreatment.

#### 5. Responsibilities

The Managing Director has overall responsibility for putting this policy into practice. Every Manager and employee has a personal responsibility to conduct himself or herself in a suitable manner, without invoking or supporting any discrimination as outlined in this procedure. Employers may have vicarious liability for anything done by an employee in the course of their employment which could be treated as done by the employer or with the authority of the employer. Therefore, everyone's attitudes are important and employees are reminded that the following actions are unlawful when applied during the course of their employment whether or not this takes place within the immediate work place:

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- 5.1 discriminating against fellow employees, including new recruits, or job applicants as outlined above;
- 5.2 persuading, or trying to persuade, other employees or management to practice unlawful discrimination;
- 5.3 failing to act upon information regarding discriminatory behaviour;
- 5.4 harassment of individuals as outlined above;
- 5.5 victimisation of individuals as outlined above.

Equally the Company will endeavour to ensure the following for all employees:

- A safe working environment where differences are recognised and valued by the Company.
- Treatment that reflects dignity and respect in all aspects of the Company's work.
- Access to training, development and promotion opportunities without discrimination.
- Equal terms and conditions of employment including procedures leading to termination of employment.

The duty to not discriminate, harass and/or victimise also extends to contract workers.

## 6. Grievances

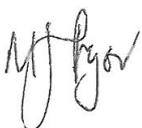
Any complaints of discrimination (direct, indirect, associative or perceptive), victimisation or harassment in respect of this procedure should be dealt with through the Company's established Grievance Procedure, which can be found in the Company Policy, Rules and Procedures Handbook, of which you have a copy. The information brought to the Company's attention will be treated in strictest confidence. No individual will be penalised in any way for raising such a grievance. However, the Company may undertake a disciplinary investigation and invoke the disciplinary procedures if a complaint is found to be untrue, vindictive and/or made in bad faith.

## 7. Discipline

Any employee who discriminates against, victimises or harasses another employee (or candidate for employment) for any reason included in this procedure will be subject to the Company's Disciplinary Procedure. In serious cases, such behaviour may constitute gross misconduct and as such may result in instant or summary dismissal.

## 8. Monitoring

The Company will endeavour to monitor data regarding protected characteristics from time to time in order to ensure no direct or indirect discrimination is taking place, or takes place, with regard to employment within the Company.




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Matthew Pryor  
Managing Director  
29<sup>th</sup> April 2016