
Equality & Diversity Policy



1.0 INTRODUCTION

Pickerings Hire Ltd does not discriminate on the basis of Protected Characteristics.

The Company values the diverse nature of its people and seeks to manage any diversity issues which arise in a fair and sensitive manner.

Everyone has a duty to act in accordance with this policy and to treat colleagues with dignity at all times. The Company will not tolerate any discriminatory practices or behaviour.

2.0 SCOPE

It is the Company's policy that there should be no unlawful discrimination, harassment or less favourable treatment or victimisation of any employee, job applicant, customer, provider of services or member of the public either directly or indirectly on the grounds of the following Protected Characteristics:

- race, nationality or ethnic origin;
- sex,
- gender reassignment,
- marriage or civil partnership;
- pregnancy or maternity
- disability;
- sexual orientation;
- religion or belief;
- age.

3.0 PRINCIPLES

3.1 Discrimination Law

The law prohibits the following forms of discrimination:

3.1.1 *Direct Discrimination*

This occurs when an individual is treated less favourably than another because of a Protected Characteristic. This may, in some instances, include circumstances where the individual is treated less favourably due to his/her association with another individual who has a Protected Characteristic.

3.1.2 *Indirect Discrimination*

When a job requirement, provision, criterion or practice is applied equally to all applicants or employees but it has the effect of putting a group who share a Protected Characteristic at an unfair disadvantage, this may amount to indirect discrimination if the requirement, provision, criterion or practice cannot be justified. Examples of indirect discrimination may include insisting on specific qualifications which are not essential to the performance of a job.

3.1.3 *Protection for Employees with Disabilities*

Applicants and employees who have a disability have additional rights to protect them from discrimination. Accordingly, the Company will make reasonable adjustments to job roles, premises and arrangements to avoid disabled persons suffering a disadvantage compared to others.

3.2 Harassment

Harassment may occur where unwanted behaviour relating to a Protected Characteristic has the effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the individual. The individual who has been harassed does not have to have the Protected Characteristic themselves.

Harassment may be open or covert, direct or indirect, an isolated incident or a series of repeated actions. It may also include, in certain circumstances, off-duty conduct.

Harassment or any other form of deliberate discrimination will not be tolerated under any circumstances and a member of staff who harasses or discriminates against another employee or client or customer of the Company will be subject to the Company's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

It is the duty and responsibility of the Company and every employee to take reasonable steps to stop all types of harassment and discrimination in the workplace. It is only through the efforts of individual employees that harassment and discrimination can be eradicated. Every employee must recognise that everyone in the Company has the right not to be subjected to any form of unlawful harassment or discrimination.

The Company is concerned to ensure that its employees do not suffer harassment from third parties, such as the Company's customers, clients or contractors who are not employees of the Company. Any concerns relating to harassment of such third parties should be reported to the HR Department.

Examples of harassment may include:

- abusive or insensitive language, or pranks;
- name calling or comments about an individual's physical appearance;
- the display or circulation of offensive written or visual material, or graffiti;
- physical threats, assault, or insulting behaviour;
- open hostility towards workers of a particular group, including organised hostility in the workplace;
- exclusion from normal workplace conversation or social events i.e. being "frozen-out";
- inappropriate assumptions about the capabilities of an individual.

The above examples are not exhaustive and each incident will be viewed on its individual facts.

3.3 Victimisation

Victimisation occurs when a member of staff (or a former member of staff) is treated unfairly because:

- that other person has in good faith brought proceedings alleging that he or she has been unlawfully discriminated against; or
- has indicated that they intend to make such a claim or claims; or
- they have assisted a colleague to make such a claim whether or not that claim is accepted as having any merit.

Victimisation will not be tolerated under any circumstances and any member of staff who victimises another employee will be subject to the Company's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct resulting in summary dismissal.

It will not necessarily be a defence that such incidents consist of words or behaviour which might be claimed to be "common place" or which were intended as a joke or were not intended to be offensive. However, nothing in this policy takes away a manager's right to manage, including the imposition of reasonable pressure to perform to an acceptable level and, where appropriate, of disciplinary sanctions. Where the manager's conduct is a reasonable response to a perceived problem this will not constitute bullying or harassment notwithstanding that this response may cause an employee to feel under threat or otherwise distressed.

In issuing this policy, the Company has three main objectives:

- to encourage its employees to take an active role in combating all forms of unlawful harassment and discrimination;
- to deter employees from participating in harassment or discriminatory behaviour; and
- to demonstrate to all employees that they can rely upon the Company's support in cases of unlawful harassment or discrimination at work.

The Company is fully committed to providing a good and harmonious working environment that offers equal treatment and equal opportunities for all its employees and where every employee is treated with appropriate respect and dignity.

The Company recognises that the provision of equal opportunities in the workplace is not only good management practice but that it also makes sound business sense. The Company's Equality & Diversity Policy is designed to help all employees develop their full potential and to ensure so far as practicable that the talents and resources of the workforce are fully utilised to maximise the efficiency of the organisation. However, no policy of this sort can properly accommodate all possible circumstances and therefore this document should be seen as creating guidelines only and not contractual obligations on the part of the Company.

Whilst the Company recognises that the overall responsibility for the effective operation of this policy lies with the Board of Directors, all employees, whatever their position within the Company, have some measure of responsibility for ensuring its effective implementation. In this respect, employees should ensure that:

- they co-operate with any measures introduced to develop equal opportunities;
- they refrain from taking discriminatory actions or decisions which are contrary to either the letter or spirit of this policy;
- they do not harass, abuse or intimidate other employees, job applicants, customers, providers of services or members of the public in a manner contrary to either the letter or the spirit of this policy;
- they do not instruct, induce, or attempt to induce or pressurise other employees to act in breach of this policy;
- they advise the Company if they are aware of any discriminatory conduct, either against themselves or any third party contrary to the spirit of this policy, so that the Company can take steps to deal with it at an early stage.

Breaches of the Company's Equality & Diversity Policy will usually result in the Company's Disciplinary Policy being invoked against the individuals responsible. In serious cases the perpetrator may be dismissed.

3.4 Recruitment

No vacancy should be advertised or publicised (internally or externally) in a way that discourages viable applications from any sector of the population.

All applications will be considered on merit. Each individual will be assessed so far as practicable against a set of objective, non-discriminatory criteria, which will be directly related to the demands of the particular vacancy.

All interviews should be conducted in accordance with the terms and spirit of this policy. The questions asked of candidates will be closely related to the selection criteria and will be asked in order to elicit information which will give a fair assessment of that particular applicant's ability to perform the tasks required by the vacancy.

No one sector of the population will be disadvantaged or discriminated against in relation to the terms of employment offered or applied to them. When aware of the need to do so, the Company will, where appropriate, make reasonable adjustments to its arrangements for interviews and to conditions of employment for disabled applicants where necessary to ensure that existing arrangements or conditions of employment do not place such applicants at an unjustified and significant disadvantage relative to other applicants.

3.5 Promotion

Internal vacancies will, if practicable, be filled by promotion rather than external recruitment. However, internal candidates are not given preference over better qualified external candidates.

Applicants for promotion should be considered only on the basis of their skill, aptitude, availability, experience and general overall suitability for the vacancy.

Assessment of those qualities identified should so far as practicable be made objectively and without bias by reference to selection criteria related to the demands of the vacancy.

3.6 Training & Development

The Company wishes to ensure that no employee is disadvantaged in the provision of appropriate training and development opportunities. Therefore, all employees should participate in the annual appraisal process, which will assess their current level of job performance as well as their training and career development needs. All employees will have access to and be encouraged to take advantage of suitable training and development opportunities.

3.7 Monitoring

As part of the Company's commitment to equality and diversity, monitoring will be carried out at the recruitment stage, and at subsequent regular intervals. The Company's online application process includes an equal opportunities section for applicants to complete for monitoring purposes. This information will assist with management reporting which assesses the success of the Equality & Diversity Policy, and the periodic reviews of this policy.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

3.8 Complaints and Disciplinary Action

Where an employee believes that they are being harassed, victimised or discriminated against contrary to the law or to the Equality & Diversity Policy they can invoke the Company Grievance Procedures, whether formal or informal, against the alleged harasser or discriminator.

Every complaint will be investigated and dealt with sympathetically and without bias and as quickly as is practicable. The Company recognises that some complainants may prefer not to have their names used going forward. The Company will seek to accommodate such requests as far as practicable but staff will appreciate that if the Company is unable to mention names this may limit its ability to investigate the complaint with the alleged perpetrator. This in turn may limit the extent to which the Company can pursue the complaint and/or take action against the perpetrator.

Every effort will be made to ensure that individuals who make a complaint in good faith will not suffer any further detriment or be victimised because of making such a complaint. However, a complaint which is made maliciously or otherwise in bad faith may render the complainant liable to disciplinary action. Any complaint of victimisation will be dealt with seriously, promptly and (so far as practicable) confidentially.

4.0 PROCEDURE

4.1 Informal Procedure

Prior to adopting the formal procedure set out in the Disciplinary Policy an informal approach may be taken. While recognising that it may not always be appropriate, the Company recommends in most cases that an informal approach to stopping the harassment should be the first step.

If an individual feels that he/she is or has been subjected to harassment and/or discrimination or victimisation and considers that the informal procedure is appropriate he/she should, if possible, advise the harasser that the behaviour specified is unwelcome, must be stopped and is interpreted by the complainant as harassment and/or discrimination and/or victimisation as defined by the Company's policy statement. If preferred, this may be in writing.

If the behaviour does not cease or the employee finds approaching the harasser difficult, further informal assistance is available. Employees who wish to discuss such a complaint in confidence, should contact the HR Department.

4.2 Formal Procedure

Alternatively a complainant may move to the formal procedure as contained within the Company Grievance Procedures.

4.3 Discipline

Any acts of discrimination or acts, which contravene this policy, may result in the disciplinary procedure being invoked, as per the Company Disciplinary Policy.