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EQUAL OPPORTUNITIES AND ANTI-HARASSMENT & BULLYING POLICY

This policy document applies to your employment at the Organisation. However, this policy does not form part of your contract of employment.

For any policy to be effective it must be applied throughout the Organisation, this policy therefore applies to all staff regardless of position or seniority.

This policy implements and follows the Equality Act 2010 and the Equality Act 2010 (Amendment) Regulations 2023 and any other Act or Regulation that may amend or replace the current Act or Regulations.

1. Policy Statement

1.1 This Organisation is an equal opportunity employer and is committed to ensuring that the terms and conditions of employment of the employee and potential employee are equitable and non-discriminatory. This means that job applicants and employees will be treated fairly regardless of their age, sex, marital status (including civil partnerships), sexual orientation, gender reassignment, race (including colour, nationality, citizenship or ethnic or national origins), disability, religion or religious beliefs, pregnancy, maternity, and breastfeeding.

1.2 The Organisation will seek to promote equal opportunities, diversity and equality and prevent harassment and bullying by publicising and communicating this policy, and by providing appropriate training and guidelines for those with designated responsibilities and by raising awareness through staff development.

1.3 Further, the Organisation will continually monitor its policies and practices to ensure that these principles are upheld. It is the employee's right to be treated with dignity and respect, which in turn will be conducive to performance, self-development and career advancement. Every executive, manager and employee have a responsibility to implement this policy.

2. Definitions

2.1 Discrimination

For the purposes of this policy, direct discrimination means treating people less favourably than others on the grounds of their age, disability, gender reassignment, marital status, pregnancy, maternity, breastfeeding, race, religion or religious beliefs, sex, or sexual orientation. Furthermore, public statements made by the Organisation or behalf of the Organisation in relation to recruitment and employment may also constitute direct discrimination.

Indirect discrimination means treating people less favourably by applying a provision, criterion, or practice, which disadvantages such persons. Indirect discrimination applies to age, disability, gender reassignment, marital status, pregnancy, maternity, breastfeeding, race, religion or religious beliefs, sex, or sexual orientation. Furthermore, a person without a protected characteristic is indirectly discriminated against where they suffer alongside persons with a relevant protected characteristic from a particular disadvantage arising from a discriminatory provision, criterion, or practice.

2.2 Age

Discrimination based upon age includes direct or indirect discrimination against a person due to either their youth or their more advanced years – whether a person is considered or perceived to be “too young” or “too old” and the direct or indirect discrimination they receive as a result of this. It can also include the age of another person with whom they associate. Discrimination can occur in recruitment, selection, promotion, training, pay, benefits, and other conditions. It can also occur in dismissal, redundancy and retirement or selection for these. The exception to this is age discrimination for operational reasons, where discrimination is objectively justified, for example where a person is required to be within a certain age range in order to perform their role efficiently and safely. Any objectively justified discrimination must be both proportionate and designed to achieve a legitimate aim.

2.3 Disability

Where a person is treated differently or less well compared to other people due to their disability. Discrimination can be direct or indirect. Direct discrimination can be treatment based on their actual disability, a perceived disability or their association with another person who is disabled. Indirect discrimination can be a work practice or procedure that disadvantages a disabled person, either an employee or a job applicant. However, employers do have justification in certain limited circumstances where a person's disability makes them unable to undertake a specific role.

2.4 Gender Reassignment

For the purposes of this policy, gender reassignment means a desire to be known or to become a person of a gender different to that to which they were born. It applies to someone who has started or completed a process to change his or her gender. It is discriminatory to treat an employee absent from work due to gender reassignment differently from any other employee who may be absent from work due another medical reason. Furthermore, an employer should avoid any absence escalation procedures in this instance as these may be found to be discriminatory.

2.5 Marital Status

Employees should not be discriminated against directly or indirectly because they are married or in a civil partnership, or single.

2.6 Pregnancy & Maternity

It is unlawful to discriminate against someone because of pregnancy, maternity, breastfeeding, or illness related to pregnancy or maternity during or after any protected period. Discrimination can be unfavourable treatment or victimisation. Unfavourable treatment is where an employee is disadvantaged due to pregnancy, maternity, or breastfeeding. Victimisation is where an employee suffers a detriment after complaining of discriminatory behaviour, it can also occur where an employee gives evidence relating to discrimination.

**Sample document – the remaining are clause headings only
Full document contains all clauses**

2.7 Racial Harassment

2.8 Religion or Religious Beliefs

2.9 Sex

2.10 Sexual Orientation

2.11 Harassment

2.12 Sexual Harassment

2.13 Bullying

2.14 Victimisation

3. Monitoring

4. Procedure For Discriminatory Conduct

5. Positive Action On Equal Opportunities

6. Anti-Harassment & Bullying Procedure

7. Date of Implementation

8. Questions

9. Alteration of this Policy

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