

## Equality & Diversity Policy

### 1. POLICY STATEMENT

ACMS UK Ltd is committed to providing equality of opportunity and eliminating unlawful discrimination in employment and training.

It is unlawful to discriminate in recruitment, employment, provision of goods, facilities or services on grounds of sex (which includes gender reassignment), pregnancy, religion or belief, sexual orientation, colour, race, nationality, or ethnic or national origins. It is unlawful to discriminate, without justification, on grounds of disability or to fail to make reasonable adjustments to overcome barriers to using services caused by disability.

The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services.

This policy is intended to assist the Company to put this commitment into practice and applies to employees, learners, work placement providers, individuals who apply for work with ACMS UK Ltd and those who work on ACMS UK Ltd premises i.e. contractors, supply staff and visitors.

### 2. TYPES OF UNLAWFUL DISCRIMINATION

**Direct Discrimination** is where a person is treated less favourably than another in comparable circumstances on a prohibited ground. An example of direct sex discrimination would be refusing to employ a person because she was pregnant.

**Indirect Discrimination** is where a provision, criterion or practice is applied which is such that it would be to the detriment of a considerably larger proportion of the relevant group to which the individual belongs than to others, which is not objectively justified and which is to the individual's detriment. An example of indirect sex discrimination could be requiring everyone to work full time unless there is a good reason, unrelated to sex, as to why the particular job has to be done on a full time basis, since requiring everyone to work full time will normally adversely affect a higher proportion of women than men.

**Harassment** is where there is unwanted conduct related to one of the prohibited grounds which has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person, or is reasonably considered by that person to have the effect of violating his or her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her, even if this effect was not intended by the person responsible for the conduct.

**Failure to make reasonable adjustments** is where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.

**Victimisation** is where someone is treated less favourably than others because he or she has alleged unlawful discrimination or supported someone to make a complaint or given evidence in relation to a complaint.

### **3. EQUAL OPPORTUNITIES IN EMPLOYMENT AND TRAINING**

The Company will avoid unlawful discrimination in all aspects of employment and training including recruitment, training and development, promotion and discipline.

#### **3.1 RECRUITMENT AND SELECTION**

Wherever possible, all opportunities will be advertised simultaneously internally and externally and will include an appropriate short statement on equality of opportunity. Selection criteria (job description and person specification) will be kept under constant review to ensure that they are justifiable and non-discriminatory.

Wherever practicable, more than one person will be involved in the short listing and interviewing process.

All staff including those responsible for coordinating placements for learners will receive adequate training and guidance on equality and diversity and comply with the provisions of this policy.

Reasons for selection and rejection of applicants or learners for vacancies or placements will be recorded and monitored.

#### **3.2 TRAINING AND DEVELOPMENT**

All staff will have access to appropriate training and development to allow them to successfully carry out their roles or qualifications. Each training and developmental need will be treated on its individual merits and in accordance with the needs of the business.

A flexible approach to training may be required in certain circumstances i.e. where training is residential or requires time away from home. This may disadvantage part-time employees or those with care responsibilities and stop them taking advantage of any training opportunities, in which case additional or alternative provisions will be considered. All new staff and learners will have an equal opportunities induction or equivalent to cover the Company's responsibilities to them as well as theirs to the Company.

Relevant policies and practices regarding selection for training and personal development are regularly reviewed to ensure that fairness and equality prevails.

### **3.3 PROMOTION**

Promotion for staff will only take place as a result of objective assessment, which will be based on the specific abilities, skills and knowledge required for the post or to grow that post.

Equal access to promotion will be exercised and promotion opportunities will be advertised on the basis that they are accessible to all staff including those that work full time, part time, from home and those that are field based.

There may be situations where some specialised posts are only suitable for people with particular skills but consideration must still be given to all staff and a fair selection process adopted as some staff may have skills of which the Company are unaware.

### **3.4 DISCIPLINE**

ACMS UK Ltd will ensure that members of staff involved in the disciplinary process are trained appropriately so that they may undertake these duties by objective and justifiable means and in adherence with the relevant procedures.

In addition to the above, any member of staff or learner breaching the Company's Equality and Diversity policy will be regarded as behaving in a manner that constitutes an act of misconduct and will be dealt with through the appropriate disciplinary procedure.

## **4. DIGNITY AT WORK**

The aim of Dignity at Work is to support and sustain a positive working environment for all staff, making it clear that discrimination and harassment are unacceptable and that all members of staff will be treated equally and fairly at all times. Respect at all times and good conduct from all members of staff is a given. ACMS UK operates a zero tolerance policy towards harassment, bullying, discrimination and victimisation.

## **5. RESPONSIBILITIES**

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 will be dealt with under the Company's disciplinary procedures.

## **6. GRIEVANCES**

If you consider that you may have been unlawfully discriminated against, you may use the Company's Grievance Procedure to make a complaint. If your complaint involves bullying or harassment please refer to the Company's Dignity at Work Policy.

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

## **7. MONITORING AND REVIEW**

This policy will be monitored annually by the Company to review its effectiveness and will be updated in accordance with changes in the law. In particular, the Company will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will review this policy in accordance with the results shown by the monitoring. If changes are required, the Company will implement them.

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.

## **8. COMMUNICATING WITH WORKERS WHOSE FIRST LANGUAGE IS NOT ENGLISH**

Communicating appropriate information and instruction to employees is a key part of health and safety management. The Management of Health and Safety at Work Regulations 1999 require employers to provide their employees with comprehensible and relevant health and safety information.

Individuals may fit into three specific groups that can create barriers to this communication:

- Migrant workers. A migrant worker is considered to be someone who is or has been working in Great Britain (GB) in the last 12 months, and has come to GB from abroad to work within the last 5 years.
- Workers born in GB whose first language is not English
- Workers born in GB who have poor literacy skills.

If the need arises, ACMS will use either a buddy system or Translators.

