

Qwarie Equality and Diversity Policy

Introduction

Qwarie is committed to equality and diversity. The company promotes a culture that actively values diversity and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work. This policy details our approach to providing equality, diversity and fairness to all in our employees,

Qwarie is an inclusive organisation, providing equal opportunities throughout the employment cycle, including the recruitment process, the induction training and the on-going development under the guidance provided by the European Commission's lifelong learning policy.

The Qwarie leadership shall respect all stakeholders so that discrimination, harassment, bullying, victimization or favouritism shall have no place within the body politic of the company, and so that all stakeholders shall follow the example set by the leadership and shall conduct themselves in a manner that is appropriate and respectful to all others.

Relevant Legislation

Qwarie recognises its obligations and is in compliance with relevant equality legislation, the Equality Act 2010. This policy shall operate in accordance with statutory requirements.

In addition, full account shall be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

Scope

This policy applies equally to all employees, whether part time or full time on a substantive or fixed-term contract, and also to trainers and others employed under a contract of service.

This policy is also of particular relevance to directors, managers, and other employees concerned with recruitment, training and employment decisions which affect others.

This policy applies to all conduct in the workplace and also to conduct outside of the workplace that is work related (e.g. at meetings, social events and social interactions with colleagues) or which may impact on the reputation of Qwarie (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be linked to Qwarie).

Our Commitment

Qwarie provides a working environment that promotes dignity, equality and respect for all. Qwarie ensures that existing employees and job applicants are treated fairly in an environment that is free from any form of discrimination with regard to nine of the protected characteristics, as outlined by the Equality Act 2010, which are:-

- sex, and;
- gender reassignment, and;
- marriage and civil partnership, and;
- pregnancy and maternity, and;
- race (including ethnic origin, colour, nationality and national origin), and;
- disability, and;
- sexual orientation, and;
- religion and or belief, and;
- age.

Discrimination on the basis of work pattern (part-time working, fixed term contract, flexible working), which is unjustifiable, is also not tolerated.

All employees are encouraged to develop their skills and fulfil their potential and to take advantage of training, development and progression opportunities at Qwarie.

Selection for employment, promotion, training, or any other benefit shall be on the basis of aptitude and ability.

Qwarie does not tolerate processes, attitudes and behaviour that amounts to direct discrimination, associative discrimination, discrimination by perception, indirect discrimination including harassment (harassment by a third party), victimisation and bullying through prejudice, ignorance, thoughtlessness and stereotyping. For types of discrimination see the Annex to this policy.

Management Responsibilities

The Chief Executive and the managers ensure that they and their employees operate within this policy, and that all reasonable and practical steps are taken to avoid discrimination. Management shall ensure that:-

- all employees are aware of this policy, and the reasons for this policy, and;
- all employees receive appropriate training in equality and diversity, and;
- grievances concerning discrimination are dealt with properly, fairly and as quickly as possible, and;
- proper records are maintained.

Head Office shall be responsible for monitoring the operation of the policy in respect of employees and job applicants, including periodic audits of employment practices and procedures to ensure fairness.

Employees Responsibilities

Responsibility for ensuring that there is no unlawful discrimination rests with all employees, and the attitudes of employees are crucial to the successful operation of fair employment practices. In particular, all employees shall:-

- comply with this policy, and;
- attend the equality and diversity training provided by Qwarie, and;
- not discriminate in their day to day activities or induce others to do so, and;
- not victimise, harass or intimidate other employees who have, or are perceived to have one of the protected characteristics, and;
- ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic, and;
- notify the General Manager where they become aware of any discriminatory practice, and;
- co-operate with Qwarie to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying.

Recruitment, Advertising and Selection

The recruitment process shall be conducted in such a way as to result in the selection of the most suitable person for the position in terms of relevant experience, abilities and qualifications. Qwarie is committed to applying its fairness at all stages of recruitment and selection.

Advertisements shall encourage applications from all suitably qualified and experienced people.

When advertising job vacancies, in order to attract applications from all sections of the community, Qwarie shall avoid prescribing any unnecessary requirements which would exclude a higher proportion of applicants who have a particular protected characteristic.

The selection process shall be carried out consistently for all positions at all levels. All applications shall be processed in the same way. The employees responsible for short-listing, interviewing and selecting candidates shall be clearly informed of the selection criteria.

The selection of new employees shall be based on the job requirements and the suitability and ability of the individual to do the job in question.

With disabled job applicants, Qwarie shall have regard to its duty to make reasonable adjustments to work provisions, criteria and practices or to work premises to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

Equality Training

Qwarie employees and managers are trained in equality and diversity to promote the principles of this policy. Also, Qwarie ensures that adequate training is provided for those who are responsible for employees management, and recruitment and selection.

Qwarie shall also help employees to understand their rights and responsibilities in relation to dignity at work, and what they can do to create a work environment that is free of bullying and harassment through communication and implementation of this policy.

Rights of Disabled People

Qwarie attaches particular importance to the needs of disabled people. Under this policy, management are required to:

- make reasonable adjustments to maintain the services of an employee who becomes disabled, and;
- include disabled people in training/development programmes, and;
- give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities to allow them to attend interview and be able to do the job.

Complaints of Discrimination

Qwarie ensures that any employee making a complaint of discrimination is protected from victimization, in all its forms.

Allegations regarding potential breaches of this policy shall be treated in confidence and investigated in accordance with the Qwarie Internal Rules of Procedure.

Qwarie shall ensure that individuals who make such allegations in good faith shall not be victimised or treated less favourably by Qwarie as a result. However, false allegations of a breach of this policy, which are found to have been made in bad faith may be subject to disciplinary action.

Changes to this Policy

This policy has been approved by the Executive of Qwarie.

This policy shall be reviewed every six months, by Qwarie, to assess its effectiveness and may be amended.

Please check this policy regularly.

Annex - Types of Discrimination

Discrimination may take seven main forms and is defined in law along with the protective characteristics associated with each provision as listed below:

Direct Discrimination occurs when someone is treated less favourably than another person because of a protected characteristic. Relevant protected characteristics include age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity. For example, a manager does not select a pregnant woman for promotion even though they meet all of the competencies because they are pregnant. This is probably direct discrimination and cannot be justified.

Associative discrimination occurs when someone discriminates against someone because they associate with another person who possesses a protected characteristic. Relevant protected characteristics include age, disability, gender reassignment, race, religion or belief, sex, sexual orientation. An example of this is when a manager does not give a job-applicant the role, even though they have met all of the competencies for the role, just because the applicant tells the employer they have a disabled partner. This is probably associative discrimination because of disability by association.

Discrimination by perception occurs when someone discriminates against an individual because they think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. Relevant protected characteristics include age, disability, gender reassignment, race, religion or belief, sex, sexual orientation. An example of this is when a manager selects a person for redundancy because they incorrectly think they have a progressive condition (i.e. that they are a disabled person). This is probably discrimination by perception because they believe the individual is disabled.

Indirect discrimination occurs when a seemingly neutral provision, criterion or practice that applies to everyone places a group who share a characteristic e.g. type of disability at a particular disadvantage. Indirect discrimination may be justified if it can be shown that the provision, criterion or practice is a proportionate means of achieving a legitimate aim. An example of this is when an employer decides to apply a “no hats or headgear” rule to staff. If this rule is applied in exactly the same way to every member of staff, then staff who may cover their heads as part of their religion or cultural background (such as Sikhs, Jews, Muslims and Rastafarians) shall not be able to meet this requirement of the dress code and may face disciplinary action as a result. Unless the employer can objectively justify using the rule, this shall be indirect discrimination. Relevant protected characteristics include age, marriage and civil partnership, race, religion or belief, sex and sexual orientation. In addition, the Act extends protection against unjustified indirect discrimination to gender reassignment and disability.

Dual Discrimination occurs when someone is treated less favourably because of a combination of two relevant protected characteristics. This means that it shall be possible for an applicant to claim that they have been treated less favourably not just because of their race but also because of their gender. For example, because the individual is an Asian woman. Relevant protected characteristics include age, disability, gender reassignment, race, religion or belief, sex and sexual orientation. (At present this new concept has not been implemented).

Detriment arising from a disability arises when you treat a disabled person unfavourably because of something connected with their disability. This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person had a disability. This type of discrimination is only lawful if the action can be justified and the employer can show that is a proportionate means of achieving a legitimate aim. An example of this when an employer imposes a “no beards” rule as a part of a dress code and tells staff they shall be disciplined if they do not comply. The employee is a disabled person who has a skin condition which makes shaving very painful. They have been treated unfavourably (threat of disciplinary action) because of something arising from their disability (their inability to shave). Unless the employer can objectively justify the requirement, this may be a detriment arising from a disability. It may also be a failure to make a reasonable adjustment.

Victimisation occurs when an employee is treated unfavourably, disadvantaged or subjected to a detriment because they have made or supported a complaint of discrimination or raised a grievance under the Equality Act or this policy or because they are suspected of doing so. (However, an employee is not protected from victimisation if they have maliciously made or supported an untrue complaint). An example, of this is when an employee requests to work flexibly and their manager refuses their request because they supported a colleague in a complaint of discrimination.

Harassment occurs when unwanted conduct related to a relevant protected characteristic, has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It is important to remember that it is not the intention of the harasser but how the recipient perceives their behaviour, which determines whether harassment has occurred.

Third party harassment occurs when an employee is harassed by someone who does not work for the employing organisation such as a customer, visitors, client, contractor or visitors from another organisation. The employer shall become legally responsible if they know an employee has been harassed on two or more occasions by someone and it may also be different individuals each time and fails to take reasonable steps to protect the employee from further harassment.