

Equality and Diversity Policy

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Policy Statement

Carrington West is committed to supporting the principle of equal opportunities and opposes all forms of unlawful or unfair discrimination on the grounds of any Protected Characteristic including sex; race (including colour, nationality, ethnic or national origin); religion or belief; age; disability; marital status and civil partnership; sexual orientation; gender reassignment; pregnancy and maternity.

This policy covers vacancy advertising, recruitment and selection, training, promotion, and conditions of service and is compliant with the following legislation:

- The Rehabilitation of Offenders Act 1974.
- The Local Government Act 1988 and 1999.
- Special Educational Needs & Disabilities Act (SENDA) 2001.
- Racial & Religious Hatred Act 2006.
- The Work & Families Act 2006.
- Equality Act 2010.

The Company's aim is to create an environment that encourages and values diversity within its workforce and builds on the differences individuals bring, enabling the Company's continued success. We aim to draw upon the widest possible range of views and experiences in order to meet the changing needs of our staff, clients, partners, contractors and temporary workers.

We seek to promote diversity and to respond to the needs of all individuals in a fair and equitable manner, whilst observing our commitment and responsibility to current legislation.

To achieve this, the company will:

Fulfil its social responsibility towards its employees, temporary workers and the communities in which it operates. Recognise all of its legal obligations with particular reference to those acts and directives detailed previously. Make all opportunities (including advertising, interview and selection processes, promotion and training) as accessible as possible to under-represented groups.

Conduct monitoring and analysis (with groups of employees within the company, jobseekers in the local community and the demographic of the broader labour market) to ensure processes are fair, equitable and accessible and to identify any significant under-representation. Endeavour to attain a workforce

that is representative of the communities from which it is drawn to secure the widest possible pool of diverse talent. Recruit, train and promote the best person for the job and to make full use of the talents and resources of all our employees. Create a working environment free from unlawful discrimination, victimisation and harassment in which all employees, clients, partners, contractors and temporary workers are treated with dignity and respect. Periodically review its selection criteria and procedures to ensure that they remain compliant and maintain a system that ensures fairness. Distribute and continuously publicise this policy throughout the company, to employees, clients, partners, visitors to the company, contractors, and temporary workers in advertising, and elsewhere as appropriate. Provide the facilities and opportunity for anyone who believes that they have been treated inequitably within the scope of this policy to raise the matter through the appropriate grievance or complaints procedure. Log all reported instances of harassment and take action to mitigate and minimise harassment and victimisation wherever possible. Ensure that employees understand that breaches of this policy will not be tolerated and may lead to disciplinary proceedings.

Scope of the Policy

This policy applies to recruitment, terms and conditions of employment, training, career development, promotion, grievance and disciplinary procedures and all other aspects of employment. All employees are required to comply with this policy when dealing with other employees, consultants, contractors, temporary workers, job applicants, clients, suppliers, other contacts of the Company, and anyone else with whom they come into contact during the course of their employment. To support best practice, contractors and temporary workers who are not employees of the company are also expected to abide by this policy while they are working on assignment through Carrington West. Where practicably possible, Carrington West will protect contractors and temporary workers from discrimination and harassment whilst on assignment with the company's clients.

Procedures

Responsibilities

It is the direct responsibility of Carrington West Compliance Team to ensure the implementation of this policy on a day-to-day basis, however, all employees have a responsibility to accept their personal involvement in applying it and must:

- Be familiar with the policy and ensure that it is followed by both themselves and employees for whom they have a responsibility.
- Be aware of their obligations under current equality and diversity legislation.
- Be aware of the benefits of diversity and equality.
- Act in ways that respect and value the diversity of others and set a positive example.
- Listen to and respect others and discourage discriminatory speculation.
- Challenge and report any behaviour that could be interpreted as discriminatory.
- Notify their line manager of any apparent instances of discrimination, harassment or victimisation and log these accordingly.

Disciplinary action may be taken against any employee who acts in breach of this policy. Disciplinary action may include summary dismissal in the case of a serious breach of this policy or repeated breaches. In other cases, it may include a warning, oral or written. Disciplinary action (which may include summary dismissal) may also be taken against any employee who makes malicious or vexatious allegations of discrimination, harassment or victimisation. Such action will be taken in accordance with the Company's disciplinary procedure.

Breaches of this policy may also result in the employee responsible being held personally liable for compensation if the person who has been discriminated against / harassed / victimised takes legal action.

All other individuals who work at or visit the Company are also required to comply with the terms of the policy.

Discrimination

The company will regard the following as discrimination:

- The less favourable treatment of a candidate or employee because of a Protected Characteristics. This applies even if the individual concerned does not actually possess that Protected Characteristics but is discriminated against through association with someone who has the Protected Characteristics.

- The imposition of an unjustified requirement or condition which is such that fewer individuals with any Protected Characteristics can comply, and which is to their detriment.
- The less favourable treatment of a person who has threatened proceedings, given evidence or information, taken any action or made any allegation of discrimination.
- The use of threatening, abusive or insulting language or behaviour with intent to cause another employee, prospective employee or visitor harassment, alarm or distress.
- The display of any writing, sign or other visible representation which is threatening, abusive or insulting to another employee, prospective employee or visitor, so that that person feels harassment, alarm or distress.

Carrington West will not discriminate unlawfully when advertising, recruiting, training, promoting or selecting candidates for submission to a vacancy or assignment or in any terms of employment/terms of engagement for temporary workers.

In line with legislation, Carrington West recognises the following:

Direct Discrimination - where a person is treated less favourably than another because they have a Protected Characteristics, or they are perceived to have a Protected Characteristics or are associated with someone who has a Protected Characteristics. This type of discrimination applies to all Protected Characteristics.

We will not discriminate against a person because of any Protected Characteristics, either:

By refusing or omitting to provide any of our services.

Or

In the way we provide any of our services.

Carrington West will not accept or act upon an instruction from a client stating that certain persons are unacceptable because of any Protected Characteristics unless that Protected Characteristics prevents them from carrying out a function that is intrinsic to the work concerned.

Associative Discrimination - applies to race, religion or belief, sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination and occurs where someone is treated less favourably because they associate with another person who possesses one of the above Protected Characteristics.

Perceived Discrimination - applies to age, race, religion or belief, sexual orientation, disability, gender reassignment and sex. This is direct discrimination and happens where someone is treated less favourably because they are perceived to have a particular one of the aforementioned Protected Characteristics. It still applies even if that person does not have the Protected Characteristics.

Indirect Discrimination - applies to age, race, religion or belief, sex, sexual orientation, marriage and civil partnership, disability and gender reassignment. Indirect discrimination happens where there is a condition, rule, policy or practice that applies equally to everyone, but has the effect of being disadvantageous to a particular group who share a Protected Characteristics and the requirement cannot be justified as a proportionate means of achieving a legitimate aim.

Carrington West will not accept or act upon an indirectly discriminatory instruction from a client.

Harassment - unwanted conduct related to a relevant Protected Characteristics 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. This applies to all the Protected Characteristics.

Third Party Harassment – employees can complain of behaviour they find offensive, humiliating etc even if:

- It is not directed at them.
- They do not have the relevant Protected Characteristics themselves.
- The behaviour is perpetrated by a third party who is not an employee of the company.
- The behaviour is based on perception or association.

In the event that an employee finds such behaviour offensive or believes it to be inappropriate, they should report it immediately to their line manager, Director or any member of the compliance team, who will log the incident and take action to prevent recurrence.

Reporting of Harassment - it is the duty of Carrington West to analyse all reported incidences of harassment. Where such harassment has occurred on at least two separate occasions since 1st October 2010 (and the company is aware that it has taken place) Carrington West has a duty to monitor the situation and to take steps to prevent it from happening again.

Victimisation - when an employee is treated less favourably because they have made or supported a complaint or raised a grievance under The Equality Act 2010, or they are expected to do so. This form of discrimination applies to all Protected Characteristics.

Occupational Requirement

If possessing a particular protected characteristic is a requirement of a specific job (not of an employer), Carrington West will not employ or assign a candidate who does not possess that projected characteristic where the client can show that applying the requirement is a proportionate means of achieving a legitimate aim. The requirement must be crucial (or intrinsic) to the job and not merely one of several important factors.

Pre-Employment Health Questionnaires

In line with current legislation, Carrington West will not ask questions relating to a candidate's health either verbally or in writing prior to making a conditional job offer and short-listing for an assignment unless it is necessary for the purpose of:

- Establishing whether the candidate will be able to comply with a requirement to undergo an assessment for the job or establishing whether reasonable adjustments are needed in respect of any such assessment;
- Establishing whether the candidate will be able to carry out a function that is intrinsic to the work concerned;
- Establishing whether there is a duty to make reasonable adjustments for a disabled person in relation to the selection process;
- Monitoring diversity amongst candidates making the application for jobs;
- Taking positive action (e.g. guaranteed interviews for disabled people); and
- Establishing an "occupational requirement" where having a particular disability is essential to the job.

Sickness / Absence - under no circumstances will Carrington West during any part of the recruitment, selection or referencing process discriminate against a candidate due to time off or absence from work due to ill-health or disability. Carrington West will ensure all gaps in employment are sensitively explored to understand an individual's background, to enable full support throughout the recruitment, selection and referencing process.

Conditional Offers – Carrington West will ensure that candidates are made aware of any offer of employment that is conditional on satisfactory responses to health-related questions and instruct them not to resign from their current role pending receipt of a satisfactory outcome. In the event that a conditional offer of employment is withdrawn because of a health-related issue, Carrington West will provide the candidate with feedback on the reasons for the withdrawal of the offer. This information will be documented and retained for audit purposes.

Accuracy of Health-Related Information – where information relating to health or disability is required to establish whether a candidate will be able to carry out a function that is intrinsic to the work concerned, Carrington West requires such questions to be answered honestly and in full. False information provided by a candidate in such circumstances may lead to withdrawal of the job offer or in the case of an employee, disciplinary action.

Disability

Disability discrimination takes place where a detriment arising from disability occurs and the employer cannot show that the treatment was a proportionate means of achieving a legitimate aim. A disability is defined as an impairment that has a substantial and long-term effect on a person's ability to carry out normal day-to-day activities.

Carrington West will not discriminate directly or indirectly, harass or victimise any person on the grounds of their disability.

We are committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions. We may request information regarding disability as part of the recruitment process, but such information will not be used as selection, training or

promotion criteria or in any detrimental way and is only for compilation of personal data, which the company holds on all employees and workers and as part of its equal opportunities monitoring process. Any data shared is anonymous. Information regarding disability will only be required when it is intrinsic to the role.

We will ensure where required our employees and our clients will fulfil their duties to make reasonable adjustments throughout the recruitment process and in employment, so they can fully participate.

Carrington West will take reasonable steps to provide auxiliary aids or services if this would make it easier for a disabled person to use their services (e.g. provision of a sign language interpreter). To achieve this, Carrington West must be informed that the candidate / employee has a disability together with the nature of the disability in order to make such reasonable adjustments or provide appropriate auxiliary aids and services.

Carrington West will not discriminate against a disabled person because of their disability:

In the arrangements e.g. application form, interview or arrangements for selection for determining to whom a job should be offered; or

In the terms on which employment is offered; or

- By refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability; or
- In the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or
- By subjecting him or her to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wage, or harassment); or
- Because of a situation that is connected with their disability (i.e. discrimination arising from a disability) where such treatment cannot be objectively justified as being a proportionate means of achieving a legitimate aim.

Carrington West will accordingly make career opportunities available to people with disabilities and every practical effort will be made to provide for the needs of staff, candidates and clients.

Wherever possible Carrington West will make reasonable adjustments to buildings in order to provide and improve means of access for disabled employees and workers.

Age

Carrington West will not discriminate against any person because of their age.

We will not include age criteria in job specifications, advertisements, or interview / assessment processes unless we are legislatively required to do so due to the nature of the job. We are committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of age.

We will also inform clients of their obligations to shortlist on the basis of competence and skills and not age where they are responsible for decisions during the recruitment / selection process.

Carrington West may request date of birth as part of its recruitment process, but such information will not be used as selection, training, or promotion criteria or in any detrimental way and will be used only for compilation of personal data, which the company holds on all employees and workers and as part of its equal opportunities monitoring process.

Gender Reassignment

Carrington West recognises that any employee may wish to change their gender during the course of their employment with the Company.

We will make every effort to protect an employee who has undergone, is undergoing or intends to undergo gender reassignment from discrimination or harassment within the workplace.

Any employee suffering discrimination or harassment in the workplace because of gender reassignment should report the incident using the company's complaints procedure and where appropriate invoke the Company's grievance procedure.

Religion or Belief

Carrington West will not discriminate because of religious or other philosophical beliefs or because of non-belief. We are committed to recruiting and retaining employees whose skills, experience and attitude are suitable for the requirements of the various positions regardless of religion / belief.

Sexual Orientation

Carrington West will not discriminate directly or indirectly, harass or victimise any person on the grounds of their sexual orientation. We will encourage clients not to include any sexual orientation criteria in job specifications and every attempt will be made to ensure clients to recruit on the basis of competence and skills and not sexual orientation. We respect the rights of everyone irrespective of whether or not they are open about their sexual orientation.

Gender

Carrington West will not discriminate directly or indirectly, harass or victimise any person on the grounds of their gender. We will encourage clients not to include any gender criteria in job specifications and every attempt will be made to ensure clients to recruit on the basis of competence and skills and not gender.

We are committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of gender.

Race

Carrington West will not discriminate directly or indirectly, harass or victimise any person on the grounds of their race. We will encourage clients not to include any race criteria in job specifications and every attempt will be made to persuade clients to recruit on the basis of competence and skills and not race.

We are committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of race. No race requirements will be stated in any job advertisements on behalf of the company.

Pregnancy and Maternity

Carrington West will not discriminate directly or indirectly harass or victimise any person on the grounds of pregnancy or maternity. People should be treated fairly in the workplace throughout their maternity period and supported appropriately through pregnancy. We will encourage clients to recruit on the basis of competence and skills and not discriminate due to pregnancy.

Marriage and Civil Partnerships

Carrington West will not discriminate directly or indirectly harass or victimise any person on the grounds of marriage or civil partnership. People should be treated fairly in the workplace irrespective of their marital/civil partnership or family status.

Part-Time Workers

This policy also covers the treatment of those employees who work on a part-time basis. Carrington West recognises that it is an essential part of this policy that part time employees are treated on the same terms, with no detriment, as full-time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to pension facilities. Carrington West also recognises that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

Harassment and Dignity at Work

Carrington West is committed to providing a work environment free from unlawful harassment on grounds of all PCs (other than pregnancy/maternity and marriage/civil partnerships). Harassment is defined as unwanted conduct. Examples (non-exhaustive list) of prohibited harassment are:

- Verbal or written conduct containing derogatory jokes or comments (e.g. sexist, racist, homophobic, disablist etc).
- Slurs or unwanted sexual advances.
- Visual conduct such as derogatory or sexually orientated posters.
- Photographs, cartoons, drawings or gestures which some may find offensive.
- Physical conduct such as assault, unwanted touching, or any interference because of any qualifying PC.
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss and offers of employment benefits in return for sexual favours.
- Retaliation for having reported or threatened to report harassment.

This policy prohibits unlawful harassment.

Employees will be able to complain of behaviour that they find offensive (including third party harassment) even if it is not directed at them.

Any person that believes they have been unlawfully harassed or who has witnessed harassment or offensive behaviour should make an immediate report to their line manager followed by a written complaint as soon as possible after the incident in line with the complaints process outlined below.

The complaint should include:

- Details of the incident.
- The name or names of the individual or individuals involved.
- The names or names of any witness or witnesses.

Carrington West will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, the company will take such steps as are reasonably practicable to mitigate and prevent continued harassment. Any employee who the Company finds to be responsible for unlawful harassment will be subject to the disciplinary procedure.

Monitoring & Positive Action in the Recruitment Process

Positive action will take place where:

- People who share a PC suffer a disadvantage connected to the characteristic or have needs that are different from those who do not share the characteristic; or
- Participation in an activity by persons who share a PC is disproportionately low.

In these circumstances, proportionate steps will be taken to meet their needs or to enable and encourage them to overcome / minimise the disadvantage or participate in the relevant activity.

Monitoring

- The company will monitor demographic and organisational data to ensure that there is not significant under-representation in participation in an activity by persons who share a particular PC and, in the event, that such under-representation is identified, will take appropriate remedial action.

Job Descriptions and Working Patterns

- Job descriptions and/or person specifications will include only those requirements, qualifications and characteristics that are essential or desirable for the effective performance of the role. It will be made clear which items are essential and which are only desirable.
- Whilst it is permissible to indicate the standard hours of a job and/or that it is full time, if an employee or applicant wishes to propose some other pattern of work, this will be carefully considered and only rejected if it is justified.

Advertising, Recruitment and Promotion

- The Company will undertake all reasonably practicable steps to circulate information about vacant posts as widely as reasonably practicable in the circumstances.
- No recruitment literature or advertisements will imply a preference for any one group of applicants, unless there is an occupational requirement which limits the post to a particular group, in which case this will be clearly stated. However, if there is an imbalance in the workforce, the company will actively welcome applications from candidates from under-represented PC groups.

- All selection interviews and short listing will be conducted on an objective basis and deal only with the individual's suitability for the job, taking into account their skills and experience.
- Questions will only be asked during interview about a candidate's personal and domestic circumstances or plans if they relate directly to the job requirements and will then be asked of all candidates applying for the post.
- Recruitment, employment and promotion decisions will be made on the basis of merit and evaluated against fair and objective criteria.

Training

- Employees will be provided with appropriate training (depending on the needs of the business) to enable them to improve their performance and to achieve the performance standards and targets set for them by the Company.
- Special responsibility for the practical application of the Company's Equality & Diversity Policy falls upon staff involved in the recruitment, selection, promotion and training of employees, and/or conducting the Company's grievance and disciplinary procedures.
- All reasonable measures will be taken to ensure that disabled employees are given the opportunity to participate fully in the workplace, in training and in career development opportunities.

Positive Action – Training, Promotion and Conditions of Service

- Underrepresented groups will be encouraged to apply for training and employment opportunities with the company. Wherever possible, specific training will be provided for such groups to prepare them to compete on genuinely equal terms for jobs and promotion. However, actual recruitment decisions for all jobs will be strictly based on merit.
- Wherever necessary, use will be made of lawful exemptions to recruit suitably qualified people to cater for the specific needs of particular groups.
- Wherever possible, efforts will be made to identify and remove unnecessary / unjustifiable barriers and provide appropriate facilities and conditions of service to meet the specific needs of disadvantaged and / or underrepresented groups.

Personnel Records

- In order to ensure the effective operation of the Equality & Diversity Policy (and for no other purpose) a record will be kept of all employees' and job applicants' gender, racial origin, disability and age group (should they choose to disclose these on the diversity monitoring questionnaire).
- Where necessary, employees will be able to check/correct their own record of these details. Otherwise, access to this information will be strictly restricted.
- Such records will be analysed on a regular basis to allow appropriate follow-up action to be taken.

Complaints

Carrington West recognises that any employee who feels that they need to bring a complaint of discrimination or harassment may feel vulnerable. Those employees will receive support and reassurance and are assured that their complaint will be treated in the strictest confidence and need not fear that they will be victimised for bringing a complaint.

Any person who is found to have victimised or retaliated against another for complaining about or giving evidence about discrimination or harassment, may be subject to disciplinary action, up to and including dismissal, in accordance with the Company's disciplinary procedures.

Similarly, the Company recognises that those who are accused of discrimination or harassment need to have their views heard and the allegations made against them investigated thoroughly. The Company recognises that, whilst all acts of discrimination or harassment are serious, any action taken will depend upon the gravity of the allegation.

A complaint should be made as follows:

- The employee who believes that they are the victim of discrimination or harassment should report the incident(s) to their line manager. If they would find this difficult or the complaint is against such a person, then they should make the complaint to a member of the Compliance Team providing details of the complaint in writing.
- Any line manager to whom a complaint is made is under a duty to log the complaint and immediately investigate the complaint themselves, or if they feel unable to do so, should refer the complaint to Directors and/or a member of the Compliance Team.

- All complaints will be handled in a confidential and impartial manner. The individual investigating the complaint should firstly discuss the situation with the employee affected. He or she should then make arrangements to interview the individual against whom a complaint has been made. These two procedures should be completed within one week of the complaint being made, depending on the availability of the parties, and should be fully documented.
- Employees against whom a complaint has been made are assured a fair and impartial hearing and the chance to put forward their side of the story. Full details will be given of the complaint in writing before the investigatory interview and the employee concerned will be offered the opportunity to be interviewed.
- It may also be necessary to place any person accused of harassment on investigatory suspension depending on the circumstances of the particular allegation(s).
- If it is necessary to interview others who may have witnessed acts of harassment, these individuals can be assured of the same degree of confidentiality.
- After hearing both sides of the complaint, the individual investigating the complaint will make a decision. If the investigation reveals that the complaint is valid, the individual investigating the complaint will take prompt action to stop the discrimination or harassment and to prevent its reoccurrence. The Company's disciplinary procedures will be used as appropriate and a disciplinary hearing will be convened before any disciplinary action is taken. The company will inform both parties in writing of the outcome and the action to be taken as soon as that decision is made.
- If either party is dissatisfied with the outcome of the investigation or the disciplinary action taken, they should refer to the disciplinary or grievance procedures as appropriate.

Where a complaint is upheld, the company will monitor the situation to prevent reoccurrence.

In the event that a contractor or temporary worker experiences or witnesses harassment or offensive behaviour, they should report this to their line manager at the client and also to their consultant at Carrington West. In such instances, Carrington West will work with the client and do everything that is practicably possible to prevent recurrence.

Review

This policy will be reviewed regularly and may be altered from time to time in light of legislative changes or other prevailing circumstances.

Signed:



Name: James Fernandes

Designation: Managing Director

Company Name: Carrington West

Date: June 2018