
Issued for:	Bordon Hill Nurseries	Number:	HR 017
Subject:	Equal Opportunities Policy	Issue Date:	2020

Purpose

The Equal Opportunities Policy is the responsibility of the Management Team who will also control implementation of its policy within Bordon Hill Nurseries.

Process Owner

Managing Director

Process Parties

Employees
Managers
Directors

Scope of Policy

The policy covers Bordon Hill Nurseries workers, agency workers, contractors and job applicants. It will be reviewed as and when required.

The Company reserves the right to alter any of the terms of this procedure at any time although changes will be notified to employees in writing following consultation.

Equal Opportunities Policy

The Company is committed to equality of opportunity and to equal treatment in the workplace for all its employees. Everyone should be treating customers, colleagues and prospective employees with respect irrespective of their sex, sexual orientation, gender reassignment, marital or civil partnership status, race (including but not limited to colour, nationality, ethnic or national origins, religion or belief), age, disability, pregnancy, maternity (collectively known as protected characteristics) or trade union membership, or the fact that they are a part-time, fixed term employee or any other personal factor or quality.

All employees are entitled to equal treatment in terms of access to training and development, reward and recognition and the procedures for dealing with poor conduct, lack of capability or the resolving of grievances.

The Company policy and practice require that entry into the Company and progression within it are determined solely by application of objective criteria and personal merit and that no applicant or associate will be treated less favourably than another on grounds of their sex, sexual orientation, gender reassignment, marital or civil partnership status, race (including but not limited to colour, nationality, ethnic or national origins, religion or belief), age, disability, pregnancy, maternity or trade union membership or the fact that they are a part-time, fixed term employee or any other personal factor or quality.

Whilst the Company understands it is responsible for ensuring compliance with equal opportunities legislation, notably under the Equality Act 2010, it is also the duty of all employees to accept their personal responsibility for the practical application of the policy. It is also the responsibility of all managers to ensure that harassment and discrimination does not occur in their area of control.

We aim to create a workforce which reflects our customer base, filling skills gaps, recruiting from the widest possible talent pool, reflecting the diversity of our community.

The Company will look upon failure to comply with this policy as serious or gross misconduct which could lead to disciplinary action.

If any employee is aware of, or been subject to any form of harassment, bullying or discrimination you must inform your manager immediately. If this is not possible, the Managing Director should be made aware of this immediately.

Types of Discrimination

There are a number of forms of discrimination which will not be tolerated at the Company.

Discrimination is unlawful when it takes place on one of the following grounds (the 'protected characteristics'):

- Age
- Disability
- gender re-assignment
- marriage and civil partnership
- pregnancy and maternity
- race
- ethnic or national origin
- religion or belief
- sex
- sexual orientation

Direct Discrimination

Direct discrimination occurs when someone is treated less favourable than another person because of a protected characteristic (see above) they have or are thought to have (see perceived discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

Associative Discrimination

Applies to race, religion or belief, sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive Discrimination

Applies to race, religion or belief, sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination

Applies to race, religion or belief, sexual orientation, marriage and civil partnership, age, disability, gender reassignment and sex.

Indirect discrimination can occur when a condition, rule, policy or practice operated by the Company is applied to everyone but disadvantages people who share a protected characteristic and which cannot be justified.

Harassment

This is 'unwanted conduct' related to a relevant protected characteristic, 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'.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership, however, unwanted contact related to these matters could amount to sex or sexual orientation harassment. Employees can complain of behaviour that they find offensive, even if it is not directed at them and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Procedure for dealing with Discrimination and Harassment

The Company will deal with any complaints seriously, expeditiously and with confidentiality. If an employee has a complaint the following procedure should be followed:

- a) Where possible, an informal approach should be adopted in the first instance. The employee experiencing the alleged behaviour may want to keep a diary to note conduct.
- b) If an employee believes they are experiencing discrimination or harassment, they should try to approach the individual involved in the first instance and ask them to stop.
- c) If the employee feels unable to approach the alleged discriminator or harasser, or if the harassment is of a very serious nature, they should contact their manager or the Managing Director.
- d) Where an informal resolution of a complaint is inappropriate or proves unsatisfactory, the employee should report the alleged conduct to their manager, an alternative manager if the claim is against their immediate manager, or the Managing Director. This should be someone who has not been involved with the complaint at that point. The employee should be prepared to state:
 - The name of the person whose behaviour they believe amounts to discrimination or harassment

- The type of behaviour that is causing offence with specific examples if possible
 - Dates and times when incidents of discrimination or harassment occurred and where they occurred
 - The names of any employees who witnessed any incidents, or who themselves may have been subjected to discrimination or harassment by the same person
 - Any action the employee has already taken to try to resolve the issue
- e) An investigation will then be carried out into the allegations. This may result in the suspension of the alleged harasser and/or the employee on full pay or order to carry out a full and proper investigation. Both parties will be interviewed as part of the investigation and will have the right to be accompanied by a work colleague or Trade Union Representative. Both parties will be advised of the result of the investigation.
- f) In the event that the complaint is found to be justified the matter will be dealt with under the Company's Disciplinary Policy (HR001). Serious cases of deliberate discrimination/harassment may be considered gross misconduct which could result in dismissal.

In addition the Grievance Policy (HR002) exists for those employees who feel they are subject to discrimination or harassment. If employees feel unable to discuss the issues with their manager, the Managing Director should be contacted.

Recruitment and Selection

The Company aims to ensure that no job applicant receives less favourable treatment because of any of the protected characteristics. Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their merits and abilities. Job selection criteria are regularly reviewed to ensure that they are justifiable on a non-discriminatory basis as being essential for the effective performance of the job.

To ensure that this policy is operating effectively with respect to recruitment and selection and to identify those sections of the local community which may be under-represented in employment, the Company will monitor applicant's race, gender, disability, sexual orientation and religion and age as part of the recruitment procedure. The Company also maintains records of this data in an anonymised format solely for the purposes as stated in this policy. Ongoing monitoring and regular analysis of the data provide the basis for taking appropriate positive steps to eliminate unlawful direct and indirect discrimination and implementation of this policy. Please refer to the Equal Opportunities Monitoring Questionnaire for reference.

Staff Training, Promotion and Conditions of Service

Staff training needs shall be identified through regular staff appraisals. All employees will be given equal opportunity and access to training to enable them to progress where possible. All promotion decisions will be made on the basis of merit.

The Company conditions of service, benefits and facilities will be reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

Working conditions and terms of employment

The Company will try to accommodate cultural or religious practices where reasonably practicable. Benefits and facilities are reviewed regularly to ensure that they are available to all employees/contractors who should have access to them and that there are no unlawful obstacles to accessing them. Any decisions made under the disciplinary, grievance, performance improvement and attendance management policies will be carried out fairly and without discrimination.

Pay structures will be reviewed regularly to ensure that they are fair and free from discrimination.

Termination of employment

The Company will ensure that discrimination is avoided in making decisions about dismissal or redundancy.

Disabled employees

Adjustments will be made to accommodate disabled employees where possible and reasonable. For example, extra equipment or support, rearrangement of duties and a review of making changes to premises if appropriate/reasonable. If any employee thinks that they may have a disability, they are encouraged to tell the Company about this so that further discussions can take place to provide support.

Employee rights and responsibilities

You have the right not to experience unlawful discrimination in our workplace. You also have a responsibility to understand this policy and help us to implement it.

All employees, agency workers and contractors have a duty not to discriminate against each other and not to help anyone else do so.

Our relationships with visitors/customers/suppliers

You must not discriminate against any of our visitors/customers/suppliers. Equally, we expect our visitors/customers/suppliers not to discriminate against you and we will take appropriate action against any visitor/customer/supplier found to have done so.

REVISION AND ISSUE STATUS

Equal Opportunities Policy & Procedure

Issue No	Page No	Date Issued	Changes Made	Amended by
001	Whole Document		New Policy issued	