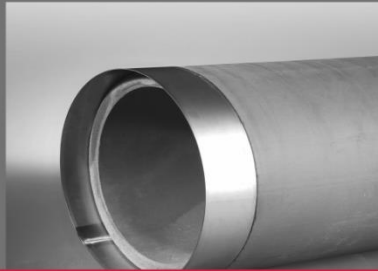
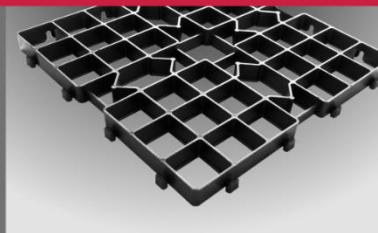


**NAYLOR**  
INDUSTRIES



# EQUALITY POLICY



NI-HR-13 v2 01/07/2023

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## 1.0 Introduction

The Company is committed to Equal Opportunities and to maintaining a working environment free from discrimination, victimisation, harassment and bullying.

In all aspects of employment, the Company's aim is to ensure that all applicants, employees and workers receive equal treatment irrespective of their sex, marital or civil partnership status, sexual orientation, gender reassignment, race, colour, ethnic or national origins, religion or belief, disability or age ("the Protected Characteristics").

Fixed-term and part-time workers are also protected from being treated less favourably than their permanent full-time counterparts and we are committed to parity of treatment. This policy has been approved by the Company's management who vigorously endorse the principles of non-discrimination.

Unlawful discrimination, victimisation, harassment and bullying will not be tolerated by the Company and those responsible for any such action or any other breach of this policy may be subject to disciplinary proceedings under the Company's disciplinary procedure (up to and including summary dismissal) and may also be personally liable for their unlawful conduct. In some cases, this may include a criminal liability.

This policy does not have contractual effect and is given by way of guidance only. The policy is not exhaustive. The Company reserves the right to amend or replace this policy at any time. The policy applies to all persons working for us, whether as an employee, self-employed or casual worker, full or part time, paid or unpaid or on any other basis.

## 2.0 Policy

The laws prohibiting discrimination in the workplace affect all our employment decisions. We do not discriminate against any person working for us or involved with our business (whether as customer, supplier or otherwise) because of any of the Protected Characteristics nor do we allow any member of staff to discriminate because of any of the Protected Characteristics.

This includes but is not limited to decisions relating to job advertisements, recruitment and selection, transfers and promotions, training and development, salary, health and safety, benefits, disciplinary and grievance issues, termination of employment and severance terms.

We seek to monitor our employment practices regularly, whether formally or informally, to identify and eliminate any potentially discriminatory practices. All members of staff working for us are expected to comply with the principles of non-discrimination set out in this policy and in law. We aim to provide managers and other members of staff with equal opportunities training. When recruiting members of staff, we may also request and/or record data relating to the Protected Characteristics to assist compliance with this policy

All workers should treat each other with equal respect. You are responsible not only for your own actions but to ensure that the actions of others do not breach the spirit and intent of this policy and the anti-discrimination legislation. Any discriminatory act should be reported immediately to the HR department and failure to do so may render you liable to disciplinary action.

There are two broad categories of discrimination under UK legislation: direct and indirect discrimination.

- **Direct discrimination** constitutes less favourable treatment because of one or more Protected Characteristics. An example of direct sex discrimination would be refusing to employ a woman because she was pregnant. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.
- **Indirect discrimination** occurs where a provision, criterion or practice, which may appear neutral and to apply equally to all, in fact puts a certain group of workers at a disadvantage In

comparison to other workers and it cannot be shown to be a proportionate means of achieving a legitimate aim.

It is also possible to discriminate against another because of a **third party's** Protected Ground (Associative discrimination) and on the ground of perception (for example, the perceived sexual orientation of another). Discrimination can still take place even after employment has ended.

- **Harassment** is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- **Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although this does not apply when related to marriage and civil partnership, and pregnancy and maternity).
- **Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (although this does not apply when related to marriage and civil partnership, and pregnancy and maternity).
- **Disability** - Disabled workers have special protection under the law, including an employer's duty to make reasonable adjustments to their job where appropriate. If you consider that you may be disabled within the meaning of UK disability legislation, you should notify the HR Department. The Company will discuss with you whether you are able to fulfil your proposed duties and whether there are any adjustments that could reasonably be made to your job or working environment to enable you to carry out your proposed duties effectively. The Company may also ask a medical advisor to assist in these matters.
- **Religion and Other Beliefs** – Where you consider that your religious or other beliefs impact on your job or your ability to carry out your job in a particular way, you should discuss this with the HR department which will, where appropriate, ascertain whether your concerns can be accommodated.
- **Victimisation** occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare their treatment with someone who has not made or supported a complaint under the Equality Act 2010 nor is it a requirement that the victimisation relates to a protected characteristic. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings; such behaviour could amount to victimisation.

### 3.0 Equal opportunities in employment

The Company will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

The Company will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be

done, when considering requests for variations to these standard working practices and will refuse such requests only if the Company considers it has good reasons, unrelated to any protected characteristic for doing so. The Company will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

The Company will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems which may be identified as a result of the monitoring process. This may include for example taking positive action to attract candidates from under-represented groups.

#### **4.0 Customers, suppliers and other people not employed by the Company**

The Company will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Company.

Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

#### **5.0 Complaints procedure**

This procedure contains an informal and formal route and applies to complaints relating to discrimination or victimisation because of any of the Protected Characteristics. If you believe that any such form of discrimination or victimisation, is taking place, you must follow this complaints procedure. The route you choose may depend on the seriousness of your complaint and how you would like the matter to be dealt with. Please note that a separate procedure exists for cases of bullying and harassment, and you are referred to the Bullying and Harassment Procedure.

It is in your interests to present any complaint promptly, to enable action to take place as soon as possible. You will be asked to substantiate the complaint with any evidence or examples you have. Any complaint made under this procedure will be handled by the Company sensitively, discreetly, and confidentially.

##### **Informal procedure**

If you believe that you are suffering discrimination, victimisation, harassment or bullying, you should, if possible, attempt in the first instance to resolve the issue with the person whom you believe is responsible for such treatment. You may inform them in writing or verbally, that you consider their conduct is unacceptable and must stop. You are advised to keep a written record of the events, dates and any relevant documentation from the outset.

If for any reason, you feel you cannot raise the matter directly with the person concerned, you are encouraged to contact your line manager, who will discuss the matter with you. If your line manager is directly involved or you feel uncomfortable discussing this matter with them for whatever reason, you may prefer to approach the HR Department on an informal basis.

If the complaint is upheld even at this informal stage depending on the seriousness and the nature of the complaint, the Company may take disciplinary action in relation to the individual(s) responsible for the treatment.

##### **Formal procedure**

If you wish to pursue the matter formally, you will be asked to make a formal complaint under the Company's grievance procedure. Even if you decide not to take the matter further, the Company may have a duty towards other employees to investigate the matter fully.

Where a complaint has been made, the Company will initiate an investigation as soon as practicable, to determine whether or not disciplinary action should be taken under the Company's disciplinary procedure.

If your complaint is well-founded, disciplinary action may be taken against the individual(s) accused of discrimination, victimisation, harassment or bullying (up to and including summary dismissal).

If your complaint is not well-founded, the Company will advise you accordingly. If you have acted in good faith and with good reason, the fact that you have brought a complaint will not affect your position within the Company.

If, however, your complaint has been made in bad faith or brought without good reason, you may be subject to the Company's disciplinary procedure (up to and including summary dismissal).

The HR Department will keep a record of your complaint, the investigation, the conclusion and any subsequent action taken.

## **6.0 Appeals**

If you are dissatisfied with the outcome of your complaint raised under this policy, or with the way in which it was handled, you may present an appeal in accordance with the Company's grievance policy.