

Equal Opportunities and Dignity at Work Policy

1.1. Equal Opportunities Overview

Scutum UK Ltd (hereby referred to as “The Company”) is an equal opportunities employer. We are committed to providing equal opportunities throughout employment including the recruitment, training and promotion of workers, and to eliminating discrimination in the workplace because of any ‘protected characteristics’. All job applicants and workers are treated equally and the Company is willing to make reasonable adjustments where appropriate for disabled applicants and workers.

1.2. Dignity at Work Overview

This policy also seeks to ensure that employees are treated with dignity and respect and are free from bullying and harassment both at work and at work related events. It covers bullying and harassment by colleagues and also third parties such as customers or suppliers.

1.3. Everyone has a Responsibility

The Company is committed to providing a working environment that is free from discrimination, bullying and harassment and where personal dignity is respected. The Company promotes a culture in which workers who feel that they are being harassed can bring forward complaints without fear of ridicule or reprisal.

Everyone who works for the Company (whether employed or not) has a responsibility to ensure that this policy is properly observed and fully complied with. Workers must, therefore, treat colleagues and others with dignity and respect. Any act of discrimination (including harassment and victimisation) because of one or more of the ‘protected characteristics’ or bullying or harassment by a worker is prohibited and will be viewed very seriously by the Company. These are disciplinary offences in respect of which the offender may, in appropriate circumstances, be summarily dismissed.

1.4. What are the ‘Protected Characteristics’?

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership status
- Pregnancy and maternity
- Race, ethnic or national origin, nationality or colour
- Sex
- Sexual Orientation
- Religion or belief

It must be noted that no harassment or bullying is acceptable, even if it is not related to one of the above characteristics.

2. Equal Opportunities Statement - Types of Discrimination

Discrimination by or against employees or others working for the Company is generally prohibited. Discrimination may be ‘direct’ or ‘indirect’ and it may occur intentionally or unintentionally.

‘Direct’ discrimination occurs where someone is treated less favorably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not “fit in” would be direct discrimination.

‘Indirect’ discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement needs to be ‘objectively justified’, otherwise it will be discriminatory.

Victimisation and harassment are other types of discrimination dealt with in more detail below.

Individuals can be the victims of direct discrimination or harassment even if they do not, themselves, have a protected characteristic. This can happen if the person is the target of such conduct because they are *associated with* someone who has a protected characteristic. For example, an employee is subjected to taunts because their child is disabled. This can

also occur when a person is *perceived* to have a protected characteristic, for example, the perpetrator thinks that the person is of a particular sexual orientation (but they are not) and makes inappropriate comments about the person's perceived sexual orientation.

2.1. **Harassment at Work**

Harassment can take many forms, but in general terms it can be defined as “unwanted conduct (physical, verbal or non-verbal) which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for a person”.

Examples of harassment include:-

- jokes, offensive/inappropriate language, gossip or slander
- sectarian songs
- display of pornography or inappropriate posters, calendars, graffiti, flags and emblems
- derogatory or stereotypical remarks
- isolation or non co-operation at work and exclusion from social activities
- pressure to participate in political, religious or philosophical groups
- intrusion by pestering, spying or stalking
- bullying, intimidation, verbal abuse or obscene gestures
- unwanted physical contact, or conduct which is intimidating, such as brushing past someone, invading 'personal space' and other 'horseplay'
- staring or making inappropriate gestures

The following examples illustrate conduct which may be regarded as sexual harassment:-

- suggestions that sexual favours may further a worker's career, or that refusal may hinder it
- sexual advances, propositions, suggestions or pressure for sexual activity at or connected with work, where it has been made clear that this is not welcome
- derogatory or demeaning remarks based on gender, or the display of sexually explicit material in the workplace.

The above lists are not exhaustive.

Harassment can involve repeated or persistent conduct or behaviour that continues after an individual has stated that they want it to stop. A single incident can also constitute harassment if it is sufficiently serious.

It is recognised that it is not the intention of the perpetrator that is the key in deciding whether harassment has occurred, but whether their behaviour is unacceptable.

It should be noted that a person can be subject to harassment even if they were not the intended 'target'. For example, a person can be harassed by racist jokes even if the jokes are about a different racial group if the jokes create an offensive environment.

Fellow employees, as well as supervisors or managers, can harass employees. Customers and contractors (and other external parties) can also be perpetrators or recipients of harassment.

2.2. **Bullying at Work**

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal and non-verbal conduct.

Bullying may include, but is not limited to:-

- shouting at, being sarcastic towards, ridiculing or demeaning others
- physical or psychological threats
- overbearing and intimidating levels of supervision
- inappropriate and/or derogatory remarks about someone's performance
- abuse of authority or power by those in positions of seniority deliberately excluding someone from meetings or communications without good reason

Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.



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2.3. **Victimisation**

Victimisation occurs where a person is treated less favourably than they would otherwise have been treated, or has been subjected to a detriment, because they have exercised or intend to exercise their legal employment rights under the discrimination legislation. Similarly, people should not be victimised because they have exercised, or intend to exercise, their rights under any of the policies contained in this Handbook.

It is a disciplinary offence (for which a worker may be dismissed summarily) to victimise or retaliate against a worker who has, in good faith, made, supported or assisted in the making of a complaint under this policy.

The Company will not tolerate victimisation of any person for making, supporting or assisting in a complaint raised under this policy, even if the complaint is not upheld, provided the action was taken in good faith.

3. **RECRUITMENT AND SELECTION GUIDANCE**

The Company aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics listed above. Our recruitment procedures are reviewed regularly to ensure that people are selected and dealt with on the basis of their merits and abilities relevant to the job.

3.1. **Advertising vacancies**

Job advertisements should avoid stereotyping or using words which may discourage particular groups from applying. They should include a short policy statement on equal opportunities and applicants will be sent a copy of this policy if they request this.

The Company takes steps to ensure that vacancies are advertised to a diverse labour market. The Company reserves the right in certain circumstances to advertise to and recruit from particular groups that have been identified as disadvantaged or under represented within our organisation.

3.2. **Health Screening**

Applicants should not be asked about health or disability before a job offer is made. There are Ltd exceptions to this rule and guidance **must** be sought from the **CEO** before asking any questions regarding an applicant's health. Examples of circumstances in which it may be appropriate to ask an applicant about their health is where such questions are:-

- necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
- to establish whether an applicant is fit to attend an assessment or if there are any reasonable adjustments that may be needed at interview or assessment
- to promote positive action to recruit disabled persons
- part of the Company's equal opportunities monitoring

3.3. **Other Selection Issues**

Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters relating to any of the protected characteristics without the prior approval of the **CEO**.

Selection criteria for recruitment and promotion must be reviewed and these should be relevant to the particular requirements of the post.

3.4. **Immigration**

The Company has a legal duty to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts. The list of acceptable documents to prove this entitlement is available from the **CEO**.

3.5. **Monitoring**

To ensure that this policy is operating effectively, and to identify groups that may be under represented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment process. Provision of this information is voluntary and will not adversely affect an applicant's chances of recruitment or any other decision related to their employment. The information is removed from applications before short listing and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity within the organisation.



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3.6. Staff Training and Promotion

Staff training needs will be identified through staff appraisals. All staff will, depending on the needs of the business, be given appropriate access to training to enable them to progress within the organisation and any promotion offered will be on the basis of merit.

3.7. Termination of Employment

If the need to propose redundancies arises, the Company will ensure that redundancy selection criteria and procedures are fair and objective and are not discriminatory. Further, disciplinary procedures and penalties will be applied without discrimination.

3.8. Employees with a Disability

If you are disabled or become disabled, we encourage you to tell us about your disability as soon as possible so that we can support you as appropriate. If you experience difficulties at work because of your disability, you should contact **your line manager** to discuss any reasonable adjustments that would assist in overcoming or minimising these difficulties. The Company may wish to consult with you and your medical adviser(s) about possible reasonable adjustments.

4. Procedures for Dealing with Complaints

If you bring a complaint under this policy your concerns will be dealt with sympathetically and (as far as possible) confidentially.

4.1. Informal Steps

You are encouraged to resolve matters informally, by talking directly, politely and unambiguously to the person concerned. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable.

4.2. Formal Steps

However, if this is not possible, is inappropriate, or does not have the desired effect, you should make a formal complaint under the Company's grievance procedure. The complaint should be in writing and should include:-

- the name(s) of the alleged perpetrator(s)
- details of the nature of the conduct complained of and whether you believe it is bullying, harassment, victimisation and/or other discrimination
- the dates and times of the incident(s)
- details of any witnesses
- details of any informal action which has been taken to try to prevent it.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

4.3. Investigation

When you make a formal complaint of any form of harassment, it will be investigated in accordance with the Company's grievance procedure.

When investigating allegations raised under this policy, it should be noted that the alleged perpetrator will be informed of the complaint. If relevant, as part of the investigative process, witnesses will be interviewed and they will be advised that they should not discuss the matter with others. As far as possible, confidentiality will be maintained throughout the investigative process.

It is emphasised that neither complainant nor alleged perpetrator will be victimised in any way because a complaint has been made. However, depending on the circumstances, the Company reserves the right to suspend the alleged perpetrator on full pay. Alternatively, the alleged perpetrator may be moved to another place of work while the matter is being investigated. These are not disciplinary sanctions.

Where your complaint is about someone other than an employee, such as a contractor, customer, service user, supplier, or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of the alleged perpetrator. Where appropriate, we will attempt to discuss the matter with the alleged perpetrator.

We will also consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours so as to avoid or minimise contact with the alleged perpetrator.



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4.4. Disciplinary Action

Where a complaint under this policy is substantiated, action will be taken to address it which may include disciplinary action against the perpetrator under the Company's Disciplinary Policy for misconduct or gross misconduct.

Where the perpetrator is a not an employee, the Company will take whatever action it reasonably can to address the matter.

Complaints under this policy which are made maliciously or vexingly will be treated as gross misconduct and may result in summary dismissal.

4.5. Appeal

If you are not satisfied with the outcome, you may appeal. Please refer to the appeals process in the Company's grievance procedure.

4.6. Monitor

Where a complaint is upheld, and the perpetrator remains in our employment/engagement, the Company will monitor the situation for a reasonable time to ensure that the conduct complained of has stopped.

4.7. Confidentiality

Confidentiality is an important part of the procedures provided under this policy. Everyone involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required. Details of the investigation and the names of the person making the complaint and the alleged perpetrator must only be disclosed on a "need to know" basis.

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with the Company's Data Protection Policy.

Breach of confidentiality may give rise to disciplinary action under the Company's Disciplinary Procedure.

Charles Burbridge

CEO

Date: 1 Mar 2024

Review Date: Feb 25