



## **Equal Opportunities Policy**

The following document sets out the De La Warr Pavilion's policy on equal opportunities. The De La Warr Pavilion ("the Company") is committed to a policy of treating all its employees and job applicants equally. No employee or potential employee shall receive unfavourable treatment or consideration because of race, colour, religion or belief, nationality, ethnic or national origin, sexual orientation, gender, gender reassignment, age, disability, marital or civil partner status or part-time status or will be disadvantaged by any conditions of employment that cannot be justified as necessary on operational grounds. The Company's policies on maternity and parental leave are set out in separate documents, copies of which are available elsewhere in the Staff Handbook.

### **1 Aims and Objectives**

- To create an organisational culture of trust where people are treated with dignity and mutual respect and can work together harmoniously.
- To manage diversity within the organisation so that people are valued as individuals for reasons related to the best interest of the business as well as for moral and social reasons.
- To ensure that the company and its staff develop and train in order to keep up with best practice and respond to the ever-changing developments in the work place and our markets.

Breaches of this policy will lead to disciplinary proceedings and, if appropriate, disciplinary action.

### **2. General principles**

- There should be no discrimination on the basis of race, colour, religion or belief, ethnic or national origin, sexual orientation, gender, gender reassignment, age, disability, nationality or marital or civil partner or part-time status.
- The Company will appoint, train, develop, reward and promote on the basis of merit and ability.

- All employees have personal responsibility for the practical application of the Company's equal opportunities policy, which extends to the treatment of job applicants, employees (including former employees), customers and visitors.
- Special responsibility for the practicable application of the Company's equal opportunities policy falls upon managers, supervisors and Director of Operations involved in the recruitment, selection, promotion and training of employees.
- The Company's grievance procedure is available to any employee who believes that he or she may have been unfairly discriminated against. The harassment complaints procedure set out in this policy is available to any employee who believes that he or she may have been harassed. Employees will not be victimised in anyway for making such a complaint in good faith. Complaints of this nature will be dealt with seriously, in confidence and as soon as possible.
- Disciplinary action will be taken against any employee who is found to have committed an act of unlawful discrimination. Serious breaches of this policy and serious incidents of harassment will be treated as gross misconduct. Allegations of discrimination which are not made in good faith will also be considered as a disciplinary matter. Confidential records of ongoing matters dealt with in accordance with this policy will be kept.
- In the case of any doubt or concern about the application of this policy in any particular instance, consult the Director of Operations.
- The Director of Operations is responsible for keeping under review the Company's policy, procedures and practices on equal opportunities; to ensure compliance wherever possible and to promote best practice.

### **3. Disabilities Policy**

It is the Company's policy that disabled people, including job applicants and employees, should be able to participate in all of the Company's activities fully on an equal basis with people who are not disabled.

#### **3.1. Disabilities—What are they?**

For the purpose of this policy, disabilities are either physical or mental impairments that have a substantial and long term affect upon a person's ability to carry out normal day-to-day activities.

Some disabilities are immediately obvious, for example use of a wheelchair, while other disabilities may not be apparent at all, for example HIV infection or severe clinical depression. Certain conditions are not considered to be disabilities, for example poor eyesight which is corrected simply by wearing prescription

spectacles, or addiction to alcohol or other substances. If you would like further information about whether a particular condition is a disability you should contact the Director of Operations.

Normal day-to-day activities include but are not limited to any of the following:

- mobility;
- manual dexterity
- physical co-ordination
- continence;
- ability to lift, carry or otherwise move everyday objects
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand; or
- perception of risk of physical danger

### **3.2 Principles**

The general equal opportunity principles set out earlier in this policy will, unless objectively justified, apply in relation to disabled people.

The Company will take all reasonably practicable steps to ensure that disabled people are able to participate in its business and activities on an equal basis with people who are not disabled.

The Company will not, for a reason relating to a person's disability, treat disabled people less favourably than it treats, or would treat, others to whom the same reason does not or would not apply, unless genuinely justified.

If any arrangements made by or on behalf of the Company, or any physical feature of premises occupied by the Company, put disabled people at a substantial disadvantage compared to people who are not disabled, the Company will take such reasonably practicable steps as it can to prevent this disadvantage.

The Company is particularly concerned that disabled workers are treated equally in the following areas:

- recruitment and selection;
- promotion, transfer and training
- terms of employment, benefits, facilities and services; and
- dismissals and redundancies

## **4. Harassment and Bullying**

### **4.1 Policy statement**

All employees should be treated with dignity and respect and have the right to work in an environment which is free from harassment, intimidation or other forms of bullying and/or bullying.

It is the Company's policy that the harassment of any of its employees is unacceptable behaviour. Anyone found to be in breach of this policy will be liable to disciplinary action which could result in their dismissal.

### **4.2 What are Harassment and Bullying?**

Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of, affecting a worker's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment. Such conduct is commonly related to sex, sexual orientation, marital status, gender reassignment, race, religion, colour, nationality, ethnic or national origin, disability, HIV positive/AIDS status or age. Harassment generally arises where a worker has made it clear that they find certain behaviour unwelcome and that behaviour has continued unchanged.

Harassment can also arise as a result of a single incident provided it is sufficiently serious. It is important to remember that even though the conduct may only be unwanted or offensive to one individual it can still amount to harassment.

Employees who believe they are being subjected to harassment should not hesitate to use the procedures set out below. All staff should consider whether their actions could be offensive to others. Examples of harassment might include:

- (a) unwanted physical contact, ranging from touching or brushing against another employee's body to assault or coercing sexual relations;
- (b) unwelcome sexual behaviour such as advances, propositions or pressure for sexual activity;
- (c) continued suggestions for social activity within or outside the workplace after it has been made clear that such suggestions are unwelcome;
- (d) offensive or intimidating comments;
- (e) suggestions that sexual favours may further an employee's career or that refusal of sexual favours may hinder it;
- (f) the display of pictures, objects or written materials that may be considered pornographic or offensive to particular ethnic or religious groups;
- (g) unwanted conduct or conduct that has the purpose or effect of violating an individuals' dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment on the grounds of their sex, race, sexual orientation, disability, religion or age including abuse or insults about appearance or dress;
- (h) insensitive jokes or pranks; and
- (i) shunning an employee, for example, by deliberately excluding him or her from conversation;

The list is not exhaustive and other behaviour many constitute harassment.

Bullying means offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power intended to undermine, humiliate, denigrate or injure a colleague. Bullying does not include legitimate and constructive criticism of your performance or behaviour, an occasionally raised voice, or an argument. Examples of bullying include ridiculing or demeaning others, particularly junior colleagues, overbearing supervision and unjustifiably excluding colleagues from meetings/communications. This policy covers harassment or bullying which occurs both in the workplace itself and in settings outside the workplace, such as business trips, events or social functions organised for or on behalf of the Company and on or off our premises.

**This Equal Opportunities Policy is taken from the De La Warr Pavilion's Staff Handbook , September 2017 .**