

10 Equality Policy

10.1 Policy Statement

Soiltechnics recognises that discrimination and victimisation is unacceptable and that it is in the interests of the Company and its employees to utilise the skills of the total workforce. It is the aim of the Company to ensure that no employee or job applicant receives less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation (the protected characteristics).

Under the Equality Act 2010, the following are 'protected characteristics':

- Age;
- Disability;
- Gender Reassignment;
- Marriage and civil partnerships;
- Pregnancy and maternity;
- Race (which includes colour, nationality and ethnic or national origins).
- Religion or belief;
- Gender;
- Sexual orientation.

Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best.

Employees should not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation, or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service

All employees should be aware of the importance Soiltechnics attaches to its Equality Policy, and should ensure that they do not, by their own actions, behaviour, or attitudes, directly or indirectly discriminate against clients, employees, or other workers. Any acts of discrimination will be treated as serious disciplinary offences; these will include, but are not limited to, discrimination in selecting an individual for recruitment, promotion, or training, refusing to work with or for an individual due to any of the aforementioned personal characteristics.

Discrimination can occur in many ways:

10.2 Direct Discrimination

This involves an individual being subjected to less favourable treatment on the grounds of any protected characteristic(s). Unless the treatment can be justified by demonstrating a 'proportionate means of achieving legitimate aim' then discrimination will not be tolerated. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

Since October 2010, direct discrimination has been extended with protection in the following situations:

10.3 Associative Discrimination

This is direct discrimination against an employee because they associate with another employee who possesses any of the protected characteristics.

10.4 Perceptive discrimination

This is direct discrimination 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 (other than marriage and civil partnership, and pregnancy and maternity).

10.5 Indirect Discrimination

Indirect discrimination is where a job applicant or employee is subjected to less favourable treatment as a result of a rule, policy or even a practice that applies to all employees but particularly disadvantages people who possess any of the protected characteristics.

The Company will only be able to justify applying the rule, policy or practice where it can be demonstrated to be a proportionate means of achieving a legitimate aim (acting reasonably in the managing of a business).

10.6 Victimisation

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they have 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. 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.

10.7 Failure to make reasonable adjustments

This occurs where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

10.8 Dignity at Work

The company has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

10.9 Responsibilities

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Directors who will ensure that they and their employees uphold the values of this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. In particular, Directors should:

- Make clear to clients, and employees' the Company's policy on equal opportunities.
- Ensure grievances are dealt with as far as is possible in a consistent manner;
- Take prompt and appropriate action to deal with any incidents of harassment, discrimination, victimisation, or bullying.

It is the responsibility of all employees to uphold the values of this policy and they should also:

- Co-operate with measures introduced by the Company to ensure equal opportunities and non-discrimination;
- Not discriminate against individuals and should not induce or attempt to induce other employees to practice discrimination;
- Not victimise or attempt to victimise individuals on the grounds that they have made complaints or provided information in relation to discrimination;
- Not harass, abuse, bully or intimidate other employees or on account of their gender, nationality or ethnicity, disability, sexual orientation, marital status, age, religion, or belief;
- Inform a Director or where the behaviour is in relation to a Director you may contact our nominated HR representative or team, if they suspect that victimisation, discrimination, bullying or harassment is taking place in employment.

Other considerations:

- As an equal opportunities' employer, the Company recognises the need for continuous vigilance, action, and improvement to promote equality of opportunity and diversity;

- Every employee has a personal responsibility to implement this Policy. Any issue about the application of the policy or other questions should be raised in the first instance to their Line Manager;
- The Policy applies to the advertisement of jobs, recruitment, training, conditions of work, pay, promotion and every other aspect of employment, including termination;
- The Company requires that its suppliers and clients are treated consistently with this Policy;
- Decisions in the areas of recruitment, training and promotion will be made only by reference to the requirements of the job and shall not be influenced by any consideration of the protected characteristics. Directors, Line Managers, and employees involved in recruitment, training and promotion should request training or guidance if they have any doubts about the application of this Policy;
- Any employee who harasses or treats any other employee less favourably on the grounds of any of the protected characteristics will be subject to the Company's Disciplinary procedure. Employees may be suspended pending investigations. In serious cases, such conduct will constitute gross misconduct and as such may result in summary dismissal;
- Malicious and unfounded allegations of discriminatory conduct will also be subject to disciplinary proceedings against the complainant.
- Complaints about or reports of discriminatory conduct should be made through the Company's Grievance Procedure;

10.10 Grievances

If you consider that you may have been unlawfully discriminated against, you may use the Company's grievance procedure to make a complaint. Soiltechnics will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Use of the Company's grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.