

We are

Posi+ive

**Positive Rights Ltd.**  
**Equal Opportunity and Diversity Policy**  
**November 2006**

**Policy Statement.**

Positive Rights Ltd is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, colour, nationality, ethnic origin, gender, marital status, disability, religious beliefs, age or sexual orientation. The equal opportunities policy aims to remove unfair and discriminatory practices within the company and to encourage full contribution from its diverse community. Positive Rights Ltd is committed to actively opposing all forms of discrimination.

The policy also aims to provide a service that does not discriminate against its clients in the means by which they can access the services and goods supplied by the company. The company believes that all employees and clients are entitled to be treated with respect and dignity.

**Objectives of the policy**

To prevent, reduce and stop all forms of unlawful discrimination.

To ensure that recruitment, promotion, training, development, assessment, redundancy and service provision are determined on the basis of capability, qualifications, experience, skills and productivity.

**Definition of discrimination**

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, colour, nationality, ethnic origin, gender, marital status, disability, religion, age, sexual orientation. Discrimination may be direct or indirect.

**Types of discrimination**

**Direct discrimination**

This is when a person or a policy intentionally treats a person less favourably than another on the grounds of colour, nationality, ethnic origin, gender, marital status, disability, religion, age, sexual orientation.

**Indirect discrimination**

This is the application of a policy, criterion or practice to a person which the employer would apply to others but which is such that;

1. is it detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents,
2. the employer cannot justify the need for the application of the policy on a neutral basis
3. and the person who the employer is applying it to suffers detriment from the application of the policy.

For example a requirement that all employees must be 6ft tall v against employees with an oriental ethnic origin, as they are requirement and the requirement is not justified by the posit

We are

Posi+ive

**Unlawful reasons for discrimination**

Gender and marital status. You cannot treat a person less favourably on the grounds of their gender or the fact they are married. This applies to both men and women. Sexual harassment of men and women can be found to be sex discrimination. For example you cannot ask a woman during an interview if she is planning to have any more children.

Age. You cannot treat a person less favourably because of their age. This applies to both old and young people. This does not yet apply to calculation of redundancy payments.

Disability. You cannot treat a disabled person less favourably than a non disabled person, and you have to make reasonable adjustments to give the disabled person as much access to the service and ability to be employed, trained, or promoted as a non disabled person.

Race, Colour, Nationality and Ethnic origin. You cannot treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

Sexual Orientation. You cannot treat a person less favourably because of their sexual orientation. So you cannot refuse to employ a person because s/he is homosexual, or transsexual.

Religion or belief. You cannot treat a person less favourably because of their religious beliefs or their religion, so you cannot refuse to employ some one because he is muslim.

### **Reasonable adjustments**

The Company has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include;

1. Making adjustments to premises
2. Re-allocating some of the disabled persons duties
3. Transferring a disabled person to a role more suited to their disability
4. Moving a disabled employee to a more suitable office
5. Giving a disabled person time off work to attend medical treatment or rehabilitation
6. Providing training or mentoring for a disabled worker
7. Supplying or modifying equipment, instruction and training manuals, for disabled employees
8. Or any other adjustment the company regards as reasonable and necessary that that the company can afford to provide.

If you have a disability and need us to make any adjustments please contact the designated officer stated above.

### **People responsible for the implementation of this policy**

The co-operation of all employees is essential for the success of this policy. However, ultimate responsibility for achieving the policy's objectives, and for ensuring compliance with the relevant Acts of Parliament as well as the various Codes of Practice, lies with the company. Managerial staff are expected to follow this policy and ensure that all staff, subcontractors and agents do so.

All staff, subcontractors and agents of the company are required to act in a way that does not subject any other staff or clients to direct or indirect discrimination on the grounds of race, colour, nationality, ethnic origin, gender, marital status, disability, religion, age, sexual orientation.

We are

**Posi+ive**

Staff maybe held independently and individually liable for their discriminatory acts by an Employment Tribunal and ordered to pay compensation to the person who has suffered the discriminatory acts.

**What to do if you feel you have been subjected to discrimination**

If you feel you have may suffered direct or indirect discrimination you should activate the company grievance procedure and consult the staff handbook.

You should write or type your grievance, sign and date it and hand it to the designated officer listed below. The grievance should contain the act or policy that is that you believe is discriminatory and all the relevant facts connected with this act or policy, including dates and names of the people involved. Please include what you would like the company to do and any other suggestions or information you believe will assist in resolving the problem. Please keep a copy of your letter for your own records.

If the matter is urgent please report directly to the designated officer or your supervisor. If you have a union or employee representative you may wish to speak to them about the act or policy, or ask them to assist you to write down your grievance.

**What we will do**

A designated member of staff will read all the information you have supplied and invite you for an interview to discuss the grievance at a date and time mutually agreeable. If the case is urgent this maybe as soon as possible. You can bring another person with you to the meeting.

At the meeting we will discuss your grievance with you. We will then investigate your grievance. Within 28 days we will write to you with a written reply to you r grievance. If we are still investigating your grievance after 28 days we will write to you to tell you we are still investigating you grievance and give you a date by which we believe that our investigation will be complete. When we have concluded our investigation into the facts of you grievance we will write to you with a decision.

If you would like a meeting to discuss any administrative procedures outlines in the decision letter please contact us.

You can appeal against our decision. If you wish to appeal against the decision please inform us of your intentions and the grounds on which the appeal is based in writing with in 14 days of the date on the initial decision letter.

If you gather information or evidence that was not available to you at the time of the first meeting at any point prior to our initial decision letter arriving please give to, or send it to the employee designated above.

If you appeal you will be invited to another interview to discuss your grievance. Where possible we will seek to provide a different panel to consider the facts of the appeal. If you have any information that we have not yet been supplied please bring it to the appeal interview. You may bring another person to the appeal interview. We will seek to resolve the matter of your grievance.

At the meeting we will discuss the decision with you. If due to new evidence or information we need to conduct further investigation we will carry out this duty. Within 28 days we will send you a written decision to your grievance appeal. If we are still investigating your grievance appeal after 28 days we will write to you to tell you we are still investigating your grievance and give you a date by which we believe that our investigation will be complete.

We are

**Posi+ive**

When we have concluded our investigation into the facts of your grievance appeal we will send you a written decision. This decision is final.

**What will happen if you have discriminated against some one else**

Behaviour or actions against the spirit and/or the letter of the laws on which this policy is based will be considered serious disciplinary matters, and may, in some cases, lead to dismissal. Some discriminatory acts are sufficiently serious to lead to the summary dismissal of the employee found committing them. You will have the right to appeal against a summary dismissal by following the company grievance procedure.

Discrimination creates an unpleasant and less productive environment. No employee has the right to discriminate against another, although if all you are doing is carrying out a policy that may be indirectly discriminatory we will not normally hold you responsible for the effect of the policy though we do expect you to inform the designated member of staff if you become aware of the effect of such a policy.

If we receive a grievance that states you have discriminated against a member of staff, we will send you a copy of the written complaint and arrange a mutually agreed date for you to attend an interview. We may transfer you to a different department or location during the investigation process. We may decide to suspend you on full, partial or no pay during this period.

You must inform us if you cannot attend the interview and allow us to re-schedule the interview. If you fail to attend the interview without a good reason this fact will be noted on your employee record and you may be subject to disciplinary action.

At the interview you will be asked to put your side of the events. You may bring another person to the interview. Please send in, or hand in, any information or evidence that you have in your possession to the designated officer stated below.

We will investigate the matter and make a decision after considering the evidence. We will send a written decision to you. We may require you to attend a training course, move to a different department or location permanently. We may receive a caution, final warning or be dismissed with or without notice depending on our findings.

You can appeal against our decision. If you wish to appeal against the decision please inform us of your intentions and the grounds on which the appeal is based in writing within 14 days of the date on the initial decision letter.

If you gather information or evidence that was not available to you at the time of the first meeting at any point prior to our initial decision letter arriving please give to, or send it to the employee designated below.

If you appeal you will be invited to another interview to discuss our initial decision. Where possible we will seek to provide a different panel to consider the facts of the appeal. You may bring another person to the appeal interview.

At the meeting we will discuss the decision with you. If due to new evidence or information we need to conduct further investigation we will carry out this duty. Within 28 days we will send you a written decision to your disciplinary appeal. If we are still investigating your disciplinary appeal after 28 days we will write to you to tell you we are still investigating your disciplinary appeal and give you a date by which we believe that our investigation will be complete. When we have concluded our investigation into the facts of your disciplinary appeal we will send you a written decision. This decision is final.

### **Where you can get further advice and support on discrimination**

You can contact your employee or trade union representative if you have access to such an individual. You can contact:

- [ The Disability Rights Commission Freepost. MID 02164, Stratford-upon-Avon, CV37 9BR
- [ Helpline. Tel: 08457 622633. [www.drc.org.uk](http://www.drc.org.uk)
- [ The Equal Opportunities Commission. Arndale House, Arndale Centre, Manchester M4 3EQ  
Tel: 0845 601 5901. Fax: 0161 838 1733. Website: [www.eoc.org.uk](http://www.eoc.org.uk)
- [ Citizens Advice Bureau
- [ Community Legal Services Direct. Tel: 0845 345 4 345 Website:  
<http://www.clsdirect.org.uk>
- [ The Commission for Racial Equality. St Dunstons House, 201-211 Borough High Street  
London SE1 1GZ. Tel: 020 7939 0000, Fax: 020 7939 0001. Website:  
[www.cre.gov.uk](http://www.cre.gov.uk)
- [ A local solicitor.

### **The extent of this policy**

We will seek to apply this policy in the recruitment, selection, training, appraisal, development and promotion of all our staff. We will seek to ensure that our sub-contractors and agents act in accordance with this policy though we do not accept liability for their actions. We seek to offer our services and goods in a way that complies with the spirit of this policy.

This policy does not form a part of any employment contract with any member of staff and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with this company

We reserve the right to amend and update this policy document at any time.

We are  
**Posi+ive**