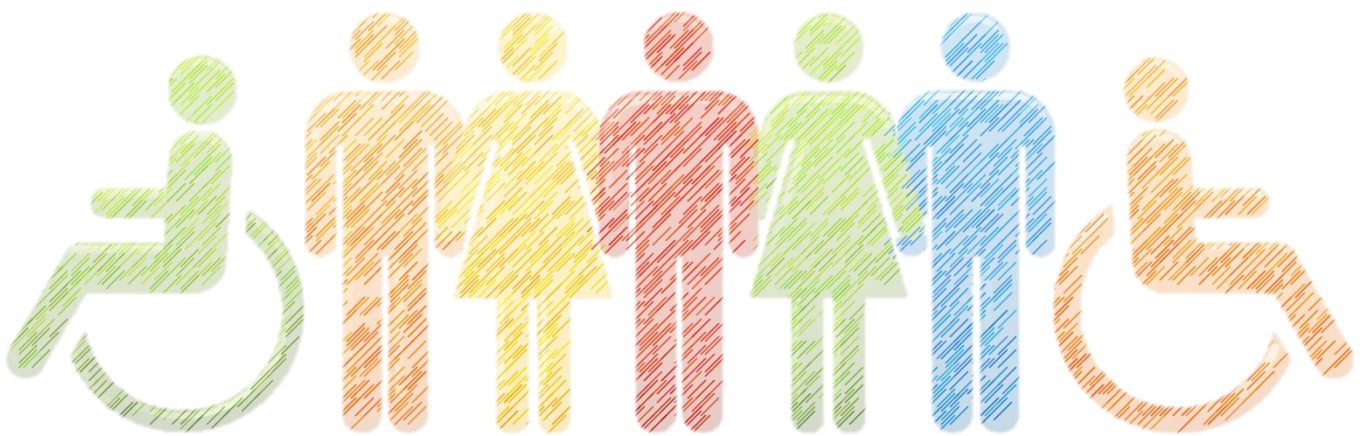




Language Services Direct

EQUALITY AND DIVERSITY POLICY

Incorporating the Equality Act 2010





Policy statement

We are committed to eliminating discrimination and encouraging diversity amongst the workforce which is demonstrated through our employment policies, procedures and practices. Our aim is that our workforce will be truly representative of all sections of society and each person feels respected and able to give of their best.

To that end, the purpose of this policy is to ensure diversity and equality to all in employment, irrespective of their protected characteristics¹ such as gender, race, ethnic origin, disability, age, nationality, national origin, sexuality, religion or belief, marital status, etc. or association with or perception of such protected characteristics. We oppose all forms of unlawful and unfair discrimination.

All employees, whether part time, full time or temporary, will be treated fairly, equally and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability.

All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation

Our Commitment:

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- To ensure the company's services and activities are of high quality and responsive to our client's needs, ensuring that our employees adequately respond to the needs of our client.
- Every employee is entitled to a working environment which promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.

¹ A definition of protected characteristics is provided on page 4

- To ensure that the company fulfil its legal obligations under the equal opportunities legislation and complies with provisions contained in various Codes of Practice.
- The commitment to diversity and equality in the workplace is good management practice and makes sound business sense.
- Breaches of our diversity and equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- The policy will be monitored and reviewed annually.

Implementation - This Equality Policy will be reviewed annually in August of each year by the Managing Director. The responsibility for enforcement of this policy rests with the Managing Director, who will monitor the effectiveness of the policy and associated initiatives. The implementations of initiatives in support of the policy are the responsibilities of the Directors and Managers. All employees have an obligation to avoid discrimination and promote equal opportunities.

Signed



Date: August 2013

This policy will be reviewed every 12 months.

Next review: August 2014



The Protected Characteristics

Wherever we use the term “protected characteristics” it should be taken to be inclusive of all of the categories below;

Age

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment

The process of transitioning from one gender to another

Marriage and civil partnership

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

A man or a woman.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Equal Opportunities Officer

The Client Services Manager (Judi Prenton) is our Equal Opportunities Officer. She will, with the assistance and co-operation of the company directors and other employees, take steps to ensure universal compliance with this policy. These will include a regular review of the policy, raising awareness of equality issues, monitoring activities and complaints.

Equality and Diversity at Work

In order to ensure that equality underpins all aspects of our employment policies, procedures and practices, we aim to:

- Eliminate discrimination in the provision of training and development to ensure that all employees can realise their full potential and contribute to the company
- Ensure employees are aware of their personal responsibility to apply this policy through policy familiarisation and induction training;
- Ensure pay structures reward all employees fairly;
- Ensure that all Managers / Supervisors undertake relevant training in equal opportunity issues to raise their awareness, understanding and importance of equal opportunities in the work place and in service delivery;
- Ensure that our employment, training and development policies, procedures and practices comply with this policy and do not discriminate intentionally or unintentionally against any group or individual;



- Make reasonable access adjustments, wherever possible, to enable the employment and redeployment of staff with disabilities;
- Monitor our employment processes by age, disability, gender, sexual orientation, religion and race and take action to address any inequalities that are apparent;
- Promote a culture of fairness and respect in all employment policies, procedures and practices by consistently applying those policies, procedures and practices;
- Provide appropriate training and development opportunities to all employees;
- Recognise that employees have the right to work in a supportive and safe environment free from harassment
- Recruit employees in a manner which is fair and open;
- Take positive action to encourage under-represented groups to apply for posts or specific training;
- We are an employer of choice and promote and develop policies that support a work-life balance, equal pay and ensuring that we maximise employment opportunities for all;

Communication of this Policy

This policy, procedures, rules and frameworks relating to statutory duties, ethics and diversity are contained in our Staff Handbook and form part of each staff members' terms of employment. This policy will be briefed out to staff at induction and updates will be communicated at team meetings, via memo and staff notice boards and via periodic team briefings.

Guidelines for Recruitment

- The governing factor for appointments will be based on competence and the ability to do the job.
- We will use open recruitment methods such as the use of job centres, careers services, web portals and press advertisements. All jobs will be advertised internally in the first instance, then externally if the post has not been filled.
- All job advertisements (where used) will carry wording designed to encourage applicants from all sections of the community and explicitly state we are an equal opportunities employer.
- Recruitment literature will describe jobs without age, gender, race or disability



bias etc.

- Consideration will be given to using a range of advertising media to encourage and attract applicants from all sections of the community.
- All applicants will be assessed in the same way using the same evaluation and selection criteria.
- We will provide written instructions to Managers and Supervisors on equality in recruitment, selection, promotion, discipline and dismissal of staff,
- Selection criteria will not be set to unlawfully discriminate (directly or indirectly) on the grounds of protected characteristics and criteria used will be solely be related to the requirements of the job.
- Age limits, age requirements or length of service restrictions will not be set as criteria for the job unless they can be justified, as they are likely to have a disproportionately adverse effect on women and people from minority communities or if there is a genuine occupational qualification complaint. Disabled job applicants who meet the essential criteria of the job description will be guaranteed an interview.
- Where selection tests are used, tests will be specifically related to the job and in the case of ability tests they should be fully validated so as to avoid any bias on the grounds of protected characteristics.

Monitoring and Evaluation

To ensure the company is achieving its policy objectives, we monitor the effectiveness of our policy by keeping records of our recruitment selections process. We annually monitor and measure the effectiveness of the policy by reviewing our practices, identifying any shortfalls and developing recommendations to implement necessary changes.

The records will contain information such as Gender, Race, Age, Disability, Criminal conviction and marital status. Each applicant and employee will be required to complete our Recruitment Monitoring Questionnaire.

Terms and Conditions

- All vacant posts will be open for job-sharing unless considered unsuitable (with



regards to maintaining work efficiency) and should be advertised in manner so as to encourage job sharing.

- Any existing employee or any two existing employees will be able to apply to their manager for a job-share arrangement in respect of their job.
- When an employee becomes disabled as a result of an accident or illness, reasonable adjustments will be considered with a view to enabling the employee to continue in the job or an alternative job where available.
- Where an employee has cultural needs that may appear to conflict with existing work requirements, consideration will be given to varying the requirements especially where it may be that the requirement is unjustifiable. In any such cases, advice should be sought from the Managing Director.
- Where an employee experiences sexual harassment this will be viewed as a form of sex discrimination which shall not be condoned or tolerated by the company.
- Female employees are far more likely to suffer from such discrimination (though not exclusively) and it can be defined as unwanted conduct of a sexual nature, or conduct based on sex which is offensive to the recipient, which interferes with the recipient's work performance and creates a hostile working environment. The rebuttal of such unwanted conduct is often followed by threatened or actual employment retaliation. An employee experiencing conduct which is believed to be sexual harassment should follow the stages in the complaints procedures.
- Where an employee experiences racial harassment this will be viewed as a form of racial discrimination which will not be condoned or tolerated by the Company.
- Black and other minority ethnic employees are far more likely to suffer from such discrimination (though not exclusively) and it can be defined as an unwanted conduct of racial nature, or conduct based on race, it is offensive to the recipient and interferes with the recipient's work performance creating a hostile working environment.
- An employee experiencing conduct that is believed to be racial harassment should follow the stages outlined in the complaints procedure.
- Provisions relating to maternity leave and pay are detailed in the Company's Maternity pay and leave' policy. Maternity leave will not be treated as an obstacle to progression or career development.



- All other terms and conditions of employment will not be related to the age, gender, marital status, ethnic origin or disability etc. of employees and as far as practicable will not obstruct or limit the employment or promotion of any employee.

Employees who have recruitment and selection responsibilities and/or who have supervisory responsibilities will undertake training in recruitment, selection, and in equal opportunities to ensure awareness and fairness in their assessment and selection process enabling them to encourage and promote equal opportunities for all.

Appraisal, Training, Career Development, Promotion and Transfer

- We will provide equality training for Managers and any staff responsible for recruitment and selection
- Where posts are internally advertised only (i.e. offering career-development and promotion opportunities to existing employees), the same principles as those governing external recruitment will apply.
- The Company's performance and development agreement scheme should relate specifically to the job/career of the individual and will avoid any bias or assumptions based on an employee's age, gender, marital status, disability or ethnic origin etc. The scheme will only involve assessing employees' aspirations and managers' views on employees' capabilities, performance and potential.
- In the case of trainees, merit increment, honoraria, etc the criteria on which employees' pay rises through increment will not be based on criteria related to age, gender marital status, disability or ethnic origin etc.
- All employees will be encouraged to take suitable opportunities for training and advancement. In particular, in areas of work where certain groups are under-represented (especially in senior management), managers will take a pro-active role in ensuring employees from such under-represented staff take up training opportunities that assist their future possible entry into these areas of work.
- Employees who have direct contact with members of the public will undertake training on dealing with service users to ensure awareness of their customer needs and the public at large, ensuring satisfactory service delivery.



- In situations where employees are being re-deployed due to changes in the operational arrangements of the Company, the procedures for re-deployment (including ring-fencing and priority candidates) will be free from bias on the grounds of gender, marital status, disability and ethnic origin.

Where employees are seeking re-deployment on the grounds of disability or ill-health, decisions will be based on competence and any reasonable adjustments that may be possible to make.

Dismissal and Redundancy

- In cases where employees are being dismissed, this decision will not be made on grounds of their protected characteristics and decisions will be made solely in accordance with the Company's disciplinary procedure.
- Intentional, direct and overt acts of discrimination, harassment or victimisation will be regarded as gross misconduct and therefore a dismissible offence.
- In cases where employees are selected for redundancy, decisions will not take account of their age, gender, marital status, disability and ethnic origin etc. and no criteria will be applied if it cannot be justified and it has a disproportionately adverse effect on certain groups e.g. women, ethnic minorities, age, disability etc.
- Where an employee has been found guilty of discrimination, harassment, victimisation or bringing the company into disrepute, the employee may be dismissed in accordance with the Company's disciplinary procedure

Equal Opportunities for All

This policy also seeks to ensure that the Company does not discriminate on the grounds of trade union activity, poverty and social exclusion.

General Provisions

- Whilst the overall responsibility for the Policy lies with the Managing Director every employee has a personal and legal obligation to avoid discrimination, harassment and victimisation and to promote equal opportunities for all. The company will ensure that employees are aware of these obligations.
- The Company will regularly examine staffing information through workforce

surveys, applications questionnaire, and on any other aspects of personnel activity in order to ascertain the make-up and experiences of the Company's employees by age, gender, marital status, disability and ethnic origin etc., and in order to monitor progress in implementing the Equal Opportunities Employment Policy.

We will carry out monitoring on the number of employees from different gender, disability and ethnic groups by grade when:

- in post
- applying for posts
- taking up training and development opportunities
- promoted
- transferred
- disciplined and dismissed
- leaving employment

If monitoring reveals under-representation of the groups listed above we will take steps (including positive action) to address any imbalances.

All personnel policies and procedures, particularly those relating directly to equal opportunities will be regularly reviewed to ensure they are operating in a non-discriminatory manner and are adequately assisting the implementation of the Equal Opportunities Employment Policy.

Complaints of the discrimination by employees should be raised at an appropriate level of the Grievance Procedure and complaints by job applicants should be made to the Managing Director. Any complaints will be treated seriously, in confidence and sensitively.

Equal Opportunity in Service Delivery

Customer First Policy

- We take active steps to provide equal opportunities, in service, delivery and the employment of staff. We are committed to building on our existing



achievements through improving our services and employment practices.

- Equal opportunities means that our customers will not be treated less favourably because a protected characteristic or association with or perception of such protected characteristic. Our commitment to equal opportunities means we will encourage the development of understanding and appreciation of diversity and lifestyles.
- The company expects its workforce to have a positive attitude to equality issues, treating each other equally and fairly regardless of their age, race, colour, national or ethnic origin, gender, marital status, disability, sexuality, age or religious belief etc. All employees are responsible for complying with our policies.

Accessibility of Services

- We work with local people to provide a safe environment.

Planning and Improving Services

- We will ensure that the workforce and service delivered is reflective of the community it services.
- The success of our service is demonstrated by our customer base and we aspire to continually review and improve services ensuring they meet the needs of customers.
- We are a customer led organisation, committed to consulting widely with users and staff to ensure that our service meets their requirements.
- We will ask our clients for feedback by improving services wherever possible. We will endeavour to enhance our reputation as a provider of high quality services.

Monitoring and Improving Performance

We will endeavour to improve service by continually monitoring the quality of our service, delivery and the effectiveness of our equal opportunities policy.

We will:

- Monitor services regularly and bring forward action plans for improvement.
- Solicit feedback from our customers about our standard and quality of service delivery.
- Recognise and use the experience of staff in improving services.



- Monitor the effectiveness of our equalities policy to ensure that there is clear representation and transparency in our recruitment and promotion processes.
- Provide regular public reports about the quality of the services, the views of those who use them. This includes but is not limited to disabled people, the elderly, both adults and children with physical or mental special needs.
- Provide regular reporting and undertake consultation on equality issues within the workforce

Improving Performance

We pride ourselves in the quality of our services. We want our customers to be honest with us and we will be honest when things go wrong and work quickly to put them right.

We will:

- Provide clear information to the public and its customers on how to complain;
- Listen to complaints and comments and act upon them in an agreed time scale;
- Tell complainants what action we have taken on their complaint;
- Treat all complaints fairly in accordance with its equalities policy and framework and monitor all complaints to ensure that this is being achieved;
- Use complaints to improve the quality of services.

Code of Conduct

It is of extreme importance to remember that when you carry out your duties you are representing the company and it is important that you understand and comply with the company's Equal Opportunity Policy.

The aim of the Equal Opportunity Policy is to ensure that customers and members of the public are treated equally and fairly and no one is discriminated against, harassed or victimised because of a protected characteristic, association with or perception of such protected characteristics.

Employees are urged to be considerate of others and avoid harassing, offending or discriminating against our clients or members of the public as this is offensive. Should any employee be found guilty of this they will face disciplinary action and could be



dismissed for gross misconduct. Your intention may not be to offend but people differ and have different needs, expectations and words at all times.

To ensure that you understand what the company expects you to bear in mind at all times, the following legal definitions should be noted

- *Direct discrimination* occurs when a person is treated less favourably because of a protected characteristic they have, are thought to have or because they associate with someone who does have a protected characteristic. This may be as a result of conscious decision, policy, or bias in a system or procedure.
- *Indirect discrimination* occurs where conditions or requirements, although applied equally, favour one group more than any other group, and cannot be justified.
- *Harassment* is unwanted conduct related to a relevant protected characteristic which as the purpose of violating an individual's dignity or creating an intimidating, hostile, degrading or humiliating or offensive environment for that individual.
- *Victimisation* occurs when a person is given less favourable treatment than others because they have supported a complaint or raised a grievance because of a protected characteristic or because they are suspected of doing so.
- *Perceptive discrimination* is direct discrimination against an individual because others think they possess a particular characteristic.
- *Associative discrimination* is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Our Staff

We will endeavour to have a workforce that reflects the communities serviced. This is achieved through our Equality and Diversity Policy which is practised in recruitment and selection for jobs.

- We encourage job applications from the widest possible pool providing opportunities for discriminated against groups.
- We equally offer training and promotion to our staff.
- We will provide staff with training on equal opportunities in service delivery appropriate to the size of our company and within the framework of Company's



Code of Conduct;

- Ensure that staff treat everyone fairly and equally and to a high standard of behaviour;
 - Do not use discriminatory practices in delivering services;
 - Take disciplinary action against staff in breach of the policy;
- Develop the potential of staff from discriminated against groups, (through training, mentoring and monitoring);
- Enhance our reputation as an equal opportunities employer;
- Provide a safe and harassment free environment for staff; Make sure staff are comfortable with and clear about their rights and responsibilities

Special Requirements for Staff Relating to Equal Opportunities

We understand that people's needs at work are different and that some employees may have special requirements. For example, employees of a particular religion may need somewhere quiet to pray during their lunch break, need to take holiday on a particular day for a religious event, or need to have somewhere to store specially prepared foods. Alternatively you may have a disability and may feel that you need to have changes made to your workplace to help you do your job.

We will accommodate your requirements where it is possible and practical for us to do so but we cannot do so unless you let us know. Where you need particular time off, or are requesting a temporary change to your working hours, your line manager is more likely to be able accommodate this if you let them know well in advance.

What should I do if I have any special requirements?

You should discuss your requirements with the Equal Opportunities Officer. If you feel unable to discuss your request with the Equal Opportunities Officer, you can raise it directly with the company directors.

Our Customers

We value our customers and have a duty of care to ensure that all customers are treated fairly and without prejudice. Our Customer Care Policy is consolidated with

the principles of our Equality and Diversity Policy and all members of staff are bound by this. We have an expectation that our customers will not harass or discriminate against our staff and will treat our staff fairly and equally. As we will act upon a member of our staff discriminating or harassing our customers we will also take action upon a customer harassing or discriminating against our staff.

Managerial Responsibilities

The responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Senior Management. Senior Management shall ensure that they and their staff operate within the policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. Managers will:

- Demonstrate commitment to the Policy by incorporating it into departmental plans/objectives;
- Be responsible for the implementation and monitoring of the Policy within departmental plans/objectives;
- Ensure that policies and strategies are communicated to all employees and allow for discussion and feedback i.e. personal development plans, performance;
- Ensure that all employees understand their responsibilities i.e. any form of discrimination will not be tolerated and will be treated as a serious offence which may lead to disciplinary action;
- Effectively manage and deal promptly and thoroughly with any complaints of discrimination including harassment, victimisation and bullying;
- Deal promptly with complaints of inequality and ensure the matter is investigated thoroughly and any other steps taken.

Complaints Procedure

We aim to resolve any complaints as quickly as possible. All complaints will be treated seriously and confidentially. Only complaints that relate to a breach of this policy should be made using this procedure. Complaints about other matters should be made using our grievance procedures.



What do I do if I am experiencing discrimination, harassment or victimisation?

You should consider whether it is appropriate to raise the matter directly with the person concerned in order to resolve the problem. If it is not, you should speak to the Equal Opportunities Officer. If you feel unable to discuss the matter with the Equal Opportunities Officer then you should discuss it with either of the company directors.

Following your discussion, you will be asked to choose one of the following options:

- agree that no further action is necessary;
- agree to discuss the complaint with the individual who is alleged to have caused offence;
- ask the Equal Opportunities Officer or one of the company directors to help to resolve the matter through informal and/or discreet approaches; or
- make a formal written complaint to Equal Opportunities Officer or one of the company directors.

If you are not satisfied with an informal approach, a formal complaint can be made at any stage.

How do I make a formal complaint?

You should make your complaint in writing and sign and date your letter. You should write a new letter to trigger each stage of the process.

Stage 1 - will be heard by Language Services Direct's Equal Opportunities Officer. You will find out the result of your complaint within 15 working days of the receipt of your letter. If you do not feel that your complaint has been appropriately dealt with you may go to stage 2 of the process.

Stage 2 - will be heard by the Operations Director. You will find out the result of your complaint within 20 working days of the receipt of your letter. This decision will be final.

You may ask that someone of the same sex hears your complaint.

If you are interviewed as part of your complaint you will have the same right to be accompanied as in our grievance procedure.

If the complaint, at any stage of the process, has resulted in a disciplinary investigation against another person, the case will not normally be reopened if you escalate the complaint to the next stage.

What will happen after I have made my complaint?

Where a formal complaint is made, a full investigation will be conducted.

The first step is to investigate the allegations carefully and as discreetly as possible. This will involve hearing detailed accounts from all parties. Other members of staff may also be asked to provide information. Documents, e-mail and other evidence may be considered. A full record of the progress and outcome of the investigation and any steps taken will be reported to the complainant. Those conducting the investigation will not be parties directly involved in the allegation.

What will happen if a formal complaint about a person is upheld?

Where a formal investigation has been conducted and where it has been reasonably concluded that some form of discrimination, harassment or victimisation may have taken place, those responsible will be subject to our normal disciplinary procedures. Action will not normally be initiated without the agreement of the complainant but there are some circumstances where Language Services Direct may need to pursue the matter formally. For example, if other people could be at risk if no action is taken.

The outcome of the disciplinary procedures will depend upon the circumstances. Serious acts of discrimination, harassment or victimisation will be regarded as gross misconduct and may lead to instant dismissal.

Am I protected if I make a complaint, act as a witness or accompany a complainant to a hearing?

Yes. Any acts of retaliation or intimidation against an employee will be treated as a disciplinary offence. Having said this, an employee who maliciously makes an



unfounded complaint will be subject to disciplinary action.

What if the complaint is about someone who is not employed by the Language Services Direct?

Appropriate action to deal with the problem will be discussed with you

Reasonable Adjustments

Our reasonable adjustment policy aims to make sure that, as far as is reasonable, a disabled worker has the same access to everything that is involved in doing and keeping a job as a non-disabled person. Our policy is based on the principles contained within the Disability Discrimination Act. The policy highlights our current policies and procedures and the steps we have taken to remove or reduce or prevent the obstacles a disabled worker or job applicant faces. Our Reasonable Adjustment Policy is provided as an addendum below.

Legislative Guidance

This policy will be implemented within the framework of the relevant legislation, which includes:

- Equality Act 2010
- Equal Pay Act 1970
- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- The Sex Discrimination Act 1986
- The Employment Act 1989
- The Disability Discrimination Act 1995
- The Employment Equality (Religion or Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Equality Act 2006



This covers but is not limited to: Indirect discrimination, Associative discrimination, Perceptive discrimination, Harassment, Harassment by a third party, Victimisation, Positive action , Pre-employment health related checks , Extension of employment tribunal powers , Equal pay direct discrimination and Pay secrecy.

- Rehabilitation of Offenders Act 1974
- Equal Opportunities Commission: Code of Practice
- Department of Education & Employment: Code of Practice
- Commission for Racial Equality: Code of Practice

Review Date - Continuous review by the management team

Renewal – 1st August 2014

Signed by Managing Director: Tony Ryan

Date of Review: **01/08/2013**

Date of Next Review: **01/08/2014**