



**Tolent**

**TOLENT CONSTRUCTION LIMITED**

**EQUALITY & DIVERSITY  
POLICY**

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Tolent Construction Limited is committed to the successful management of Equality and Diversity in respect of all the employees and job applicants.

Our purpose is to ensure that our policy provides equality and fairness for all in our employment and job applicants and not to discriminate on grounds of gender, marital status, colour, race, nationality, ethnic or national origin, disability, sexual orientation, religion, age, and sexual orientation. We oppose all forms of unlawful and unfair discrimination.

The company recognises its obligations under current legislation and any associated codes of practice. As such we regularly monitor for change to ensure that any new requirements commensurate with being a responsible and caring employer are incorporated, as appropriate, into our activities.

Appropriate processes and procedures are implemented and continuously reviewed to ensure that all employees, whether part-time, full-time or temporary will be treated equally, fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude, ability and based solely on objective criteria.

The success of this policy is dependent upon the co-operation of all employees within the organisation and appropriate training will be provided to ensure that all are fully aware of their rights and responsibilities in relation to equal opportunities.

Any breach of this policy by an employee, including victimisation, discrimination, bullying and harassment of another individual will not be tolerated, nor will it be acceptable to help others do so. Any such occurrence will be fully investigated and may lead to disciplinary action, up to and including dismissal, being taken against those responsible. It should also be noted that employees who carry out such unlawful acts against another individual may have committed a criminal offence and be liable to prosecution.

The requirements of this policy will be fully incorporated into the relevant operating procedures within the company's management system and will be subject to regular review to ensure their continued applicability and suitability.

J.G. WOOD  
Chairman

## PROCEDURE

### 1. Purpose

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Training, development and progression opportunities are available to all staff.
- Equality in the workplace is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness.
- Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.

### 2. Responsibilities

#### *Board of Directors*

Overall responsibility for ensuring employees are fully aware of the Equality and Diversity Policy and its implications for the organisation. To monitor and review annually.

#### *Managers and Supervisors*

Individual responsibility for the implementation and consistent application of the Equality and Diversity Policy within their areas of responsibility.

#### *All Employees*

Responsible for complying with the requirements of the Equality and Diversity Policy and contributing towards its success across the organisation.

Employees must not discriminate, victimise, harass or bully, nor knowingly aid their employer or any other employee to do so, and are under an obligation to report any such incident they become aware of to their Line Manager (or the HR Department), any such report being treated in the strictest confidence.

#### *HR Staff*

For monitoring legislation and ensuring that any changes which may have an impact on the organisation's Equality and Diversity practice are brought to the attention of Directors and incorporated, as appropriate, into the management system.

For the design and delivery of appropriate training to raise the level of knowledge and awareness of Equality and Diversity issues across the organisation.

For the provision of specialist guidance and support to managers and employees on all aspects of Equality and Diversity.

### 3.0 Definitions

#### *Disability:*

A disabled person is described in the Disability Discrimination Act of 1995 as one who has a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

#### *Diversity*

Diversity is about recognising, valuing and taking account of people's different backgrounds, knowledge, skills, and experiences, and encouraging and using those differences to create a productive and effective workforce.

#### *Ethnicity*

A strict definition of an ethnic group is a group regarded as a distinct community by virtue of certain essential characteristics – a shared history which distinguishes it from other groups and a cultural tradition of its own. Sikhs and Gypsies are examples. However, it has come to have a broader meaning and the expression 'ethnic monitoring' is used in reference to groups defined by colour, race or national origin as well.

#### *Gender*

The word 'gender' is often used in place of the word 'sex' in equality issues. 'Gender' does not appear in legislation (except for 'gender re-assignment') but 'sex discrimination' and 'gender discrimination' are generally interchangeable.

#### *Gender Reassignment*

Gender re-assignment is a process undertaken under medical supervision for the purpose of re-assigning a person's sex by changing physiological or other characteristics of sex. The Sex Discrimination Act was extended in 1999 to make it unlawful to discriminate in employment on the grounds of an employee intending to, undergoing or having undergone, gender reassignment.

#### *Employee*

For the purpose of this policy "Employee" refers to any individual working for the Company whether directly employed (whether full time, part time or casual) or indirectly employed (including temporary staff/operatives, consultants, agency staff/operatives or contract staff/operatives).

#### *Direct Discrimination*

When a person or group is treated less favourably than others are or would be in the same or similar circumstances.

#### *Indirect Discrimination*

When a condition or requirement is imposed (whether intentionally or not) which inadvertently puts a certain group at a disadvantage in comparison to others.

#### *Victimisation*

Victimisation occurs when a person is treated less favourably because they have made a complaint or helped another in bringing a claim against the employer, provided the complaint was well founded and made in good faith.

#### *Harassment and Bullying*

Behaviour which is unwelcome or unacceptable and which results in the creation of a stressful or intimidating environment for the victim amounts to harassment. It can consist of verbal abuse, racist jokes, insensitive comments, leering, physical contact, unwanted sexual advances, ridicule or isolation.

*Liability*

Employers have legal liability for any act of discrimination (including harassment) carried out by their employees unless the employer can show that they have taken all reasonably practicable steps to prevent it.

*Quotas*

It is unlawful to select a person for a job on the basis of their gender or race in order to achieve a fixed quota of employees of that gender or race.

*Sexual orientation*

Whether a person is attracted to people of their own sex, the opposite sex or both sexes. Assumptions and perceptions of a person's sexual orientation are also covered by law.

*Targets*

These can be percentages of under-represented groups that employers aim to achieve in the make up of their workforce as part of their equality action plan. It is unlawful to use a target as a reason for selecting someone, but it is not unlawful to take steps to get more qualified applicants from particular groups.

*Transsexual*

A person with gender dysphoria who feels a consistent and overwhelming desire to live their life in the gender that is opposite to that assigned to them at birth.

*Victimisation*

If a person has made or is making an accusation of discrimination in good faith, it is unlawful to discriminate against them for having done so, or because they intend to do so or it is suspected that they intend to do so.

#### 4.0 **Mandatory Rules**

The Equality and Diversity policy applies to recruitment, selection and appointment, training, career development, promotion, redundancy, dismissal and to every other aspect of employment and work activity within the organisation. As such all employees are required to fully comply with its requirements.

##### *Recruitment, Selection and Appointment*

Recruitment, selection and appointment will be based purely on an individual's ability to do the job and such ability will be assessed against objective work based criteria contained within the job/person specification applicable to the role.

Vacancies will be advertised either internally or externally as appropriate and the following action taken:

- Every effort will be made to ensure that vacancies are advertised in a manner that ensures that no particular group is less likely to be aware of them and we welcome applications from all sections of the community.
- Advert wording will be reviewed by Human Resource Function prior to issue to ensure that it contains no information that could be construed to be discriminatory.
- Job/Person Specifications will be constantly monitored to ensure that the information they contain is concise and straightforward and include, the title of the job, the aim of the job, the main tasks and who the employee will work with. The person specification will link to the job description and give the skills, experience and knowledge a person needs.

All applicants for a role, either internal or external, will be dealt with fairly and consistently and selection for interview will be based solely on their match to the Job/Person Specification. Those selected will be asked to detail any assistance they may require when attending for interview.

Interview questions are to be structured to ensure they are non discriminatory and not of a personal nature e.g. marital status, sexual orientation or gender identity.

Interviews will be undertaken by personnel who have an appropriate understanding of Equality and diversity.

Selection will be objectively based on the applicant's ability to meet the needs of the role and the ability to make a positive and worthwhile contribution to the organisation.

We will also need to check the persons eligibility to work in this country under the Asylum and Immigration Act (1996).

Information relating to the selection and rejection of applicants will be retained on file for a minimum of 12 months (subject to the individuals agreement).

##### *Training and Career Development*

The company is committed to ensuring equality of opportunity in relation to the development of employee skill, knowledge and potential. All Training and Development Requests will be reviewed objectively and impartially to avoid any discriminatory criteria being taken into account within the Training and Development process.

### *Promotion*

Selection for promotion within the organisation will be non discriminatory and based solely on an individual's ability to fulfil the position on offer and should be advertised to all staff.

Ask the same questions to internal and external candidates – it may be discriminatory not to.

### *Flexible Working*

Consider different forms of flexible working i.e. Job sharing, part-time working  
Where parents of children and carers of adults are entitled to apply for flexible working, you are obliged to give serious consideration to these requests.

### *Adapting Working Practices*

The Disability Discrimination Act requires to make 'reasonable adjustments' to the working environment to give employees or potential employees with disabilities equal opportunities. If you have employees with disabilities ask them about changes that might help them. This might mean:

- Providing an adequate, ergonomic chair
- Providing a power-assisted piece of equipment or
- Changing hours to ease travel to and from work

Reasonable adjustments also include re-deploying an employee to a different type of work if necessary.

### *Redundancy and Dismissal*

The company will ensure that decisions taken in relation to Redundancy and Dismissal are both fair and consistent across the group of employees affected. Wherever appropriate employees will be afforded the right to appeal against such decisions.

### *Complaints Procedure*

Where an employee considers that they have been unfairly treated or subjected to any form of discrimination, victimisation, harassment or bullying within the workplace they should report it immediately to their line manager who will arrange for the complaint to be addressed through the company's Grievance Procedure. Where an employee feels they cannot approach their Line Manager to discuss the issue, they should contact the Human Resource Manager for advice and assistance.

Discrimination, victimisation, harassment or bullying of any employee will not be tolerated within the organisation, nor will it be acceptable to help another individual to do so. Any such complaint received will be fully investigated and may lead to disciplinary action, up to and including dismissal, being taken against those responsible. In addition to internal disciplinary action those employees who carry out such unlawful acts against another individual may be liable to prosecution for committing a criminal offence.

### *Review*

The company's policy and procedures relating to Equality and Diversity will be continuously reviewed, and at least annually, to ensure its continued applicability and suitability.