



Equal Opportunities Policy

1. Introduction

- 1.1 The Rydon Group ("Rydon") is an equal opportunities employer and is committed both to promoting a policy of equal opportunity by treating its staff and job candidates equally and to opposing all forms of discrimination in the workplace.
- 1.2 Rydon's policy is to comply with the following legislation and any subsequent amendments or re-enactments:-
- The Sex Discrimination Act 1975 (as amended in 1986)
 - The Equal Pay Act 1970
 - The Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000.
 - The Disability Discrimination Act 1995
 - Provisions under the Rehabilitation of Offenders Act 1974
 - The Human Rights Act 1998
- 1.3 Rydon will not tolerate discrimination based upon disability, marital status, sex, race, colour, nationality, ethnic origin, sexual orientation, age, religion or political opinion.
- 1.4 This policy is intended to:-
- (i) ensure that all employees know that they are able to work in an environment that is free from discrimination;
 - (ii) ensure that all employees are not prevented from achieving their full potential in their jobs due to any act of discrimination;
 - (iii) promote equality of opportunity across the Rydon Group.
- 1.5 Rydon will make decisions without reference to discriminatory criteria.
- 1.6 Rydon will make every effort to ensure that all employees are aware of this Policy and that employees abide by its terms. A copy of the Rydon's Equal Opportunities Policy Statement appears in the employee handbook issued to all staff and a full copy of the Equal Opportunities Policy is available to staff on the intranet system.
- 1.7 No employee or job candidate will receive less favourable treatment or, for any reason, be disadvantaged by any conditions of employment or Rydon's requirements that cannot be justified as necessary on operational grounds.
- 1.8 Rydon staff are recruited regardless of disability, marital status, sex, race, colour, nationality, ethnic origin, sexual orientation, age, religion or political opinion. Rydon will appoint, train, develop and promote staff on the basis of merit and ability and will enable all staff to make full use of their talents and abilities.
- 1.9 Rydon is committed to making reasonable adjustments so that individuals known to have disabilities are able to compete for positions on equal terms. The individuals themselves are responsible for ensuring that any disabilities are discussed with their manager or supervisor in order that appropriate action can be taken.

2. Aim

The aim of Rydon is to:-

- 2.1 Comply with all relevant law and statutory duties relating to equal opportunities when engaging, training, developing and promoting its employees and providing services to its clients.

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- 2.2 Comply with all relevant codes of practice and codes of guidance on equal opportunities issued by the government or other relevant bodies.
- 2.3 Provide information and training to its employees relating to all aspects of the company's equal opportunities policy.
- 2.4 Where appropriate provide employment opportunities for groups facing discrimination both in respect of its direct labour force and its subcontractors.
- 2.5 Make available Rydon's equal opportunities policy to all consultants, suppliers, subcontractors and other bodies acting for or in partnership with Rydon or examine any equal opportunities policy supplied by such parties to ensure that it accords with Rydon's own policy and take all reasonable steps to ensure that such parties comply with the terms of the company's equal opportunities policy or their own policy when engaged by Rydon.
- 2.6 To maximise the potential of all employees and their contribution to the organisation.

3. Equal Opportunities

- 3.1 Rydon recognises the value of and encourages the recruitment of a diverse workforce. Wherever reasonably possible the company aims to ensure that the workforce reflects the community in which it is working.
- 3.2 The Rydon management recognises that it has a duty and responsibility to ensure that the equal opportunities policy of the group is engaged and applied when recruiting staff.
- 3.3 Rydon is committed to reviewing regularly its job application procedures to ensure that individuals are selected and treated on the basis of their merits and abilities and that no person is put at a disadvantage either directly or indirectly on discriminatory grounds.
- 3.4 Rydon's policy is to train staff responsible for recruitment in all aspects of the equal opportunities policy to ensure that there is no discrimination in the recruitment of other staff.
- 3.5 It is the responsibility of all employees, especially those managing and supervising staff, to apply this Equal Opportunities Policy to maximise the potential of all employees and their contribution to the organisation. Managers and supervisors have a duty to ensure that this Policy is applied within any area under their control. Staff should consult the Human Resources Department if in any doubt as to the application of this Policy.
- 3.6 All employees should note that:-
 - There should be no discrimination on account of disability, marital status, sex, race, colour, nationality, ethnic origin, sexual orientation, age, religion or political opinion.
 - All employees have a personal responsibility for the practical application of this Equal Opportunities Policy
 - Special responsibility for the application in practice of this Equal Opportunities Policy falls on managers and supervisors involved in the recruitment, selection, promotion and training of employees. These special responsibilities will give rise to training needs for the managers and supervisors concerned for which Rydon will make provision.
 - Rydon's Grievance Procedure is available to any employee who believes that he or she may have been unfairly discriminated against. A copy of the Grievance Procedure is available from the Human Resources Department.
 - Disciplinary action will be taken against any employee who is found to have committed an act of unlawful discrimination. Serious breaches of this Policy including harassment will be treated as gross misconduct.

4. Discrimination

Staff must ensure that they do not discriminate, whether directly or indirectly. The decisions employees make as managers and supervisors can be affected by the way they feel or react to other people. Both positive and negative feelings can have a significant impact on colleagues and staff must therefore ensure that their decision is based not on them but on the attributes of the person or people with whom they are dealing.

There are specific concepts or discrimination which makes it clear what is unlawful namely:-

4.1 Direct Discrimination

Direct discrimination occurs when an individual is treated less favourably than another person on the grounds of his or her disability, marital status, sex or race, unless it is for a legitimate reason, for example where the employee does not have the necessary skills. Whilst the law does not recognise discrimination based upon sexual orientation or age then, unless a specific exception applies (about which staff should first take advice from the Human Resources Department), Rydon will also treat less favourable treatment based on the grounds of sexual orientation or age as a disciplinary offence. It is no defence to argue that one is acting in the interests of the individual or the employee if the less favourable treatment of that individual or employee is due to a discriminatory ground.

4.2 Indirect Discrimination

Indirect discrimination occurs when a rule, requirement, condition or test is applied to an employee and its effect is discriminatory on that employee, and it cannot be justified for the safe and effective performance of a job or substantive business need. This means that if the requirement or condition has a discriminatory effect on a particular group, indirect discrimination will have

occurred. The result is that a smaller proportion of one sex, those who are married or of one race are able to comply with the requirement or condition when compared to the other sex, single persons or other racial groups.

Examples of this would include advertising a minimum height restriction or an age range with specific management experience.

Indicating genuine factual aspects of the job in advertisements which may discourage applicants, for example lifting heavy objects or hours of work, will be discriminatory unless those aspects of the job are genuine and can be justified. Staff should consult the Human Resources Department if in any doubt about the application of this principle before taking any such action.

4.3 Disability

4.3.1 For the purposes of the Disability Discrimination Act 1995 ("DDA") disability is defined as physical or mental impairment which has a substantial and long term adverse effect on a person's ability to carry out his or her normal day to day activities.

4.3.2 The DDA makes it unlawful for employers to discriminate against current or prospective workers who have a disability or who have had a disability in the past. An employer also has a duty under the DDA to make reasonable adjustments to the workplace, work station or working environment to help the disabled person cope with his or her disability.

4.3.3 "Reasonable adjustment" is any step that is reasonable to have to take in all the circumstances. These adjustments should ensure that employment arrangements or premises do not put a disabled person at a disadvantage in comparison to a non disabled person. Staff should always consult the Human Resources Department before taking any further action in relation to a disabled employee.

4.3.4 It is the policy of Rydon not to treat an employee with a disability less favourably than it would treat other people unless such treatment is "justified" under the provisions of the DDA.

4.4 Rydon will seek to appoint the best person for the job. To this end, Rydon is committed to ensuring fair and reasonable selection criteria and appointment procedures. It is committed to making reasonable adjustments to accommodate individuals with a disability.

4.5 When designing buildings or any other structures Rydon will take all reasonable steps to ensure that a disabled person will not be at a disadvantage in comparison to a non disabled person.

5. Harassment

5.1 Harassment is defined as unreciprocated and unwelcome comments or actions which are found objectionable and could threaten an employee's job security or create an intimidating, hostile or offensive working environment. Sexual harassment also occurs where submission to such conduct is explicitly a term or condition for appointment, continued employment, promotion, increase in salary or any other favourable treatment.

5.2 What one person may find acceptable may cause offence to another. It is a matter for the person subjected to the harassment whether such behaviour or conduct causes offence.

5.3 Rydon regards the following as examples of what could be regarded as harassment, although this should not be regarded as an exhaustive list:-

- Sexual or racial banter
- Offensive jokes
- Unnecessary touching or unwanted physical contact
- Bullying or intimidatory behaviour, such as demeaning comments made to staff
- Verbal abuse
- Racist graffiti
- Demands for sexual favours/compromising invitations
- Physical assault or other aggressive behaviour towards staff
- The display of any material or communication that has sexual or racist connotations

- Verbal or non-verbal conduct or other behaviour which is directed to someone because of their disability, marital status, race, colour, nationality, ethnic origin, sexual orientation, age, religion or political opinion, for example, comments about an individual's ability to carry out their job because of a disability.

5.4 Any case of harassment found to be proven will result in disciplinary action being taken against the offender. Confidential advice can be sought from the Human Resources Department.

6. Personnel Policies and Procedures

6.1 Direct or indirect discrimination during employment will be treated as a disciplinary offence under Rydon's Disciplinary Procedure.

6.2 When joining Rydon employees will be provided at their induction meeting with a detailed summary of the company's equal opportunities policy.

6.3 The equal opportunities policy will be updated regularly to take account of any new legislation and accepted good practice.

6.4 Any employee who wishes to raise a grievance relating to discrimination should raise it in accordance with the grievance procedure which is full set out in the staff handbook. Any such complaint will be treated seriously and dealt with confidentially in accordance with the grievance procedure.

7. Equal Opportunities Monitoring

7.1 Wherever possible and in order to ensure the effective operation of the equal opportunity policy (and for no other purpose), a record will be kept of all employees' and job applicants' gender, racial origins and disability.

7.2 Such records will be analysed regularly and appropriate follow-up action taken.

8. Responsibilities of Managers and Supervisors

- 8.1 The success of Rydon's Equal Opportunities Policy depends on employees at all levels within the company. They must be made aware of what is expected of them by Rydon and what is required of them by law, and given continuous training and support.
- 8.2 Rydon will therefore carry out reviews and training to ensure that:-
- All managers and supervisors are briefed on their responsibilities and supported by training.
 - All managers and supervisors who are responsible for selecting employees for training or for allocating work ensure that no discrimination is made, either directly or indirectly.
 - All employees are given equal access to training, further education, personal development and increased job satisfaction.
 - All managers and supervisors promote equal opportunities to their staff and encourage everyone to work together and to eliminate discrimination and harassment.
- 8.3 Each employee has a responsibility to ensure that Rydon achieves its equal opportunities aims. This Equal Opportunity Policy depends on everyone treating each other with the respect and dignity they deserve and would expect from others. This means respecting colleagues for their contribution to Rydon's success and being sensitive and respectful to the beliefs and outlook of others.
- 8.4 Rydon's managers and supervisors have particular responsibilities for ensuring a harmonious working environment. They are responsible for addressing and eliminating any situation involving bullying, harassment or any other form of discrimination and are responsible for ensuring that the potential of all staff under their supervision and control is maximised.
- 8.5 Rydon undertakes to provide the necessary support and training which will include awareness of discrimination legislation and its impact on the decisions which

Rydon's managers and supervisors make during the course of their duties.

9. Positive action - training, promotion and conditions of service

- 9.1 Underrepresented groups will be encouraged to apply for training and employment opportunities with the company. Wherever possible, special training will be provided for such groups to prepare them to compete on genuinely equal terms for jobs and promotion. However, actual recruitment to all jobs will be strictly on merit.
- 9.2 Wherever necessary, use will be made of lawful exemptions to recruit suitably qualified people to cater for the special needs of particular groups.
- 9.3 Wherever possible, efforts will be made to identify and remove unnecessary/unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged and/or underrepresented groups.
- 9.4 When the appraisal process is undertaken, to encourage employee performance and development, it is important that those who appraise do so on a non discriminatory basis.
- 9.5 The Company will only promote individuals on the basis of their specific aptitude, skills, knowledge and ability to perform a job effectively. Those involved in the process of selection for promotion must ensure that decisions are based on justifiable job related criteria.

10. Rydon's Code of Practice on Equal Opportunities

- 10.1 The following Code of Practice relates to the application of this Rydon's Equal Opportunities Policy. It sets out how the Policy is to be applied throughout the company.

10.2 The achievement of the following objectives is of particular importance to Rydon:-

10.2.1 When applying for jobs there is no discrimination against any person on the basis of disability, marital status, sex, race, colour, nationality, ethnic origin, sexual orientation,, age, religion or political opinion.

10.2.2 All promotions are strictly on the basis of ability to do the job.

10.3 Recruitment

10.3.1 The recruitment process should result in the selection of the most suitable person for the job having regard to experience and qualifications.

10.3.2 It is against Rydon's company policy and against the law to discriminate either directly or indirectly on the grounds of disability, sex, race, colour, nationality, ethnic origin or marital status at any stage of the recruitment process. It is also against Rydon's company policy to discriminate either directly or indirectly on grounds of sexual orientation, age, religion or political opinion at any stage of the recruitment process.

10.3.3 Managers and supervisors involved in the recruitment process are responsible for ensuring that:-

- All jobs are made open to all applicants except in the case of a job covered by a genuine occupational qualification which is specifically defined. Advice should be sought from the Human Resources Department in this respect.
- No assumptions or pre-judgements are made about the suitability of any person for a particular job.
- No decision is made or preference stated in advance regarding the outcome of the recruitment process for instance by instructing a manager not to recruit women.
- All applications should be considered against objective job criteria and not rejected out of hand because of information which does not immediately appear to the manager considering the applications, for example, the applicant's age.
- No discrimination is made in the terms on which a job is offered, for example, remuneration or benefits.
- All applicants and existing staff are made aware of this Policy and Rydon's Training and Local Employment Policy.
- When reviewing an application from an individual with a

disability, it may be necessary to identify (generally by asking them) what adjustments to the job or workplace would be needed to place them on a terms equal with other candidates who do not have such a disability. If these are reasonable, then the candidate should be considered as though those adjustments had been made. Those involved in the recruitment process should seek advice from the Human Resources Department in the case of any doubt in this regard.

- Managers and supervisors are advised and trained on the implementation of this Policy.

10.4 Recruitment Advertisements

10.4.1 Recruitment advertisements must positively encourage applications from all suitably qualified and experienced people.

10.4.2 Such advertisements must confirm that Rydon is an equal opportunities employer and offers opportunities at all levels to people without discrimination.

10.4.3 Wherever possible, all vacancies will be advertised simultaneously internally and externally.

- i. b. Steps will be taken to ensure that knowledge of vacancies reaches underrepresented groups internally and externally.
- ii. c. Wherever possible, vacancies will be notified to job centres, careers offices, schools, colleges, universities, etc, with the aim of alerting minority group rolls as to press and media.
- iii. d. All vacancy advertisements will include an appropriate short statement on equal opportunity.

10.4.4 Staff involved in the recruitment process are responsible for ensuring that:-

- Copies of Rydon's Equal Opportunities Policy are given to all the recruitment and advertising agencies used by Rydon.
- In all recruitment and publicity literature and in all internal and external advertisements:-
 - (i) Job titles and job content are set out without bias or discrimination.
 - (ii) Jobs are described in such a way that no qualified person is deterred from applying.

- (iii) There is nothing, in either words or illustrations, to indicate any stereotyping.
- (iv) Illustrations showing men in managerial positions and women in clerical positions, or white people supervising black people or workers of minority ethnic groups, particularly are to be avoided.
- (v) Vacancies are advertised in a number of ways to ensure that all groups are informed (including in other languages where appropriate), such as appropriate newspapers and periodicals, employment agencies experienced in the recruitment of minority groups, job centres and careers offices, schools, colleges and clubs.

- Required to take an unbiased approach to avoid discrimination.
- Required to ask only questions which relate to the job and which are non-discriminatory. Questions about domestic circumstances can be misinterpreted by candidates. Such questions should only be asked if they are truly relevant for the particular post (such as the job necessitating the candidate working late hours) and should be asked of all candidates.

10.5 The Selection Process

The selection process must be carried out consistently for all jobs at all levels within Rydon and must be fair and non-discriminatory.

10.6 Application Forms

10.6.1 Application forms must include only those questions which are necessary at the initial stage of selection. All employees are encouraged to use the form prescribed, copies of which can be obtained from the Human Resources Department.

10.6.2 Rydon will ensure that:-

- All questions on the application form are relevant and non-discriminatory.
- Application forms include only those questions which are essential at this stage.
- No discrimination is made on the basis of postal code or address.

10.7 Interviews

10.7.1 Personnel conducting interviews must ensure that all questions are strictly limited to and relevant to the job requirements. In no case will questions be asked or assumptions made about a person's personal and domestic circumstances. Where the requirements of the job will affect the candidate's personal life (such as unsocial hours or extensive travel), this should be discussed objectively.

10.7.2 Managers and supervisors who conduct selection interviews will be:-

10.7.3 Staff who are in any doubt as to the requirements and application of Rydon's Equal Opportunities Policy and company practices should consult the Human Resources Department before taking any action.

10.8 Selection Criteria

10.8.1 Only those qualifications and skills which are important for the job are to be established as criteria for selection. They may include educational and professional qualifications, experience, the ability to speak and write in good English, and physical abilities, subject to being able to demonstrate that they are necessary attributes for the position. In the case of any doubt, staff should consult the Human Resources Department, as this is an area where this is a risk of inadvertently infringing discrimination legislation. Staff must not exclude minority groups or discourage people with minimum qualifications from applying.

10.8.2 The candidate's previous experience and willingness to undergo further training will both be taken into account, in particular where the candidate lacks formal qualifications but can demonstrate suitability for the job in other ways.

10.8.3 Those involved in the recruitment process are responsible for ensuring that:-

- All selection criteria are strictly job-related.
- All relevant experience is considered.
- A criterion that prevents a person with a disability from competing for or obtaining a position can be justified if, after all reasonable alternative arrangements have been considered either to the job, premises or recruitment process (including interview and selection criteria) to accommodate a disabled applicant, that person is not the best person for the job.

10.9 Educational and Professional Qualifications

In assessing educational qualifications, it should not be assumed that overseas degrees or diplomas are of a lower standard than their UK equivalents.

10.10 Experience

10.10.1 Due recognition should be given to experience as a substitute for formal qualifications wherever possible. All employment and other experience should be taken into account, including paid employment, voluntary and community work, work within the home, family responsibilities and experience.

10.11 Shift Work

10.11.1 No discrimination will be made in arranging shifts or overtime by assuming that certain groups, for example women, do not wish or are unable to do such work.

10.11.2 Shift work arrangements should be made without either direct or indirect discrimination. Overtime, when available, should be offered to all employees, on an equal basis.

11. Rehabilitation of Offenders

11.1 It is Rydon's policy not to discriminate against anyone who has a "spent" conviction under the Rehabilitation of Offenders Act 1974 ("the ROA"). Under the ROA it is unlawful to refuse to engage or to dismiss a person on the grounds of a spent conviction.

11.2 The ROA only applies in certain circumstances and certain professions are excluded from the scope of the ROA. In addition certain criminal offences and offences in contravention of the Companies Act and financial services legislation are also excluded from the ROA. Staff should consult the Human Resources Department if in any doubt about the applicability of this aspect of the Policy to them.

11.3 The ROA does not provide any means of enforcing a person's right not to be refused employment on the

grounds of a spent conviction nor is refusing to engage a person on grounds of a spent conviction a criminal offence.

11.4 References given by Rydon or obtained on new recruits must not refer to spent convictions and should be ignored if disclosed in error. All references to spent convictions in any of Rydon's computerised and manual records will be deleted.

12. Information/Reference/Advice

12.1 If you need further information about this policy you should contact our HR Department.

12.2 Other good sources of information/reference are available from the:

Commission for Racial Equality (<http://www.cre.gov.uk/>)

ACAS (<http://www.acas.org.uk/>)

Acas Helpline answers your employment questions in one confidential phone call.



08457 47 47 47 Mon - Fri 08:00 - 18:00



08456 06 16 00 Mon - Fri 08:00 - 18:00

12.3 In accordance with our standard Personnel Policies and Procedures, appropriate action will be taken as a result of any advice received and this will be incorporated into our Equal Opportunities Policy.

13. Consultation

13.1 Rydon will ensure that all staff are fully consulted on this Policy and any changes and we will actively encourage all staff in any initiatives to promote equality of opportunity and good race relations.