



# HUMAN RESOURCES EQUALITY & DIVERSITY POLICY

RWHRP003




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## Document Control

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*Printed versions of this policy are uncontrolled (i.e. may not be the current version).*

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## 1.0 General Introduction

**‘The Equality & Diversity Policy exists to ensure that staff and candidates can be selected regardless of their individual characteristics’**

### 1.1 Purpose

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The purpose of this policy is to provide clarity to the regulatory requirements and guidance on the Group’s stance towards the subject.

### 1.2 Objectives

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1. Maintain compliance with all relevant legal, regulatory and contractual requirements (including as a minimum, The Equality Act 2010 and the Equal treatment in employment and occupation, Framework Directive 2000/78/EC).
2. Provide a reference document for training purposes.
3. Provide guidance for best practice.

### 1.3 Scope

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This policy should be applied to:

- All areas of operations of the Robert Walters Group
- All staff employed both permanent and contracted.

### 1.4 Principles

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This policy will be subject to review under the following circumstances:

- As part of an annual policy review by the Document Invigilator.
- Following change in regulation.
- Following an issue (such as a complaint relating to grievance or victimisation).
- On request by a Board member.

All managers are responsible for implementing the policy within their business areas.

### 1.5 Integration with other documents

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This procedure may need to be read in conjunction with the following documents:

- Diversity & Equality Statement (RWHR002)
- Anti-Harassment Policy (RWHRP001)

## 2.0 The Group Approach

The Group believes in equality of opportunity for all job applicants and employees regardless of the following “protected characteristics”:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnerships
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

The Group embraces the principles of diversity and equality. We aim to provide a working environment and culture that recognises and values differences. Robert Walters also aims to attract and recruit the best candidates whilst encouraging diversity. We select candidates on the basis of merit and experience. We do not select candidates based on protected characteristics, but capture candidate data according to skill set and experience.

Accordingly, the Company recognises and seeks to fulfil its obligations under the Equal Pay Act 1970, and the Equality Act 2010. In summary, the purpose of this policy is to provide diversity and equality at all stages of the employment relationship for all staff whether part time, full time or temporary. We oppose all forms of unlawful and unfair discrimination on grounds of any protected characteristics. Selection is therefore on the basis of aptitude and ability.

For example this means that discrimination cannot occur:

- For job applicants:
  - in the arrangements made for deciding who should be offered employment;
  - in the terms of employment offered; and
  - in refusing or deliberately omitting to offer employment
- For employees:
  - in the terms of employment provided;
  - in the way an employee is given access to opportunities for promotion, transfer, training, or to any other benefits, facilities or services (or by refusing or deliberately omitting to give access to them); and
  - in dismissing an employee or subjecting him to her or any other detriment.

## 3.0 Our Commitment

- 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.
- Ensure every employee undertakes relevant training in diversity and equal opportunity issues to raise awareness, understanding and the importance of equal opportunities in the workplace and service delivery.
- Ensure that our employment, training and development opportunities, and other policies, procedures and practices comply with this policy and do not discriminate intentionally or unintentionally against any group or individual with a protected characteristic.
- Breaches of this policy will be dealt with in conjunction with the Group's Disciplinary and Performance Review Policy.
- The Group's management fully supports this policy and responsibility for it lies with the Board of Directors.

## 4.0 Types of Discrimination

### 4.1 Direct Discrimination

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Occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic. For example, promoting someone because they are of a specific age regardless of their ability or experience.

#### **Associative Discrimination**

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For example, an employee is promised a promotion, however after revealing that their mother, who lives at home, has had a stroke the promotion is withdrawn. This may be discrimination against the employee because of their *association* with a disabled person.

#### **Perceptive Discrimination**

This is direct discrimination against someone because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. For example, refusing to appoint someone because it is wrongly thought they are of a particular age.

### 4.2 Indirect Discrimination

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Occurs when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. For example, requiring an employee be six foot tall would disproportionately disadvantage women

Indirect discrimination is a complex concept and it is not always immediately obvious that a requirement or condition has a discriminatory, or a potentially discriminatory, effect. The fact that there is no intention to discriminate is normally irrelevant.

Indirect discrimination can be justified if you can show that you acted reasonably in managing your business.

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## 4.3 Harassment

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Harassment is defined as:

*“Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”*

Harassment does not need to be directed at you and you may not necessarily possess the relevant characteristic yourself. You are also protected from harassment because of perception and association. See also the Anti-Harassment Policy (RWHRP001).

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## 4.4 Third Party Harassment

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### Third Party Harassment

This applies to any harassment experienced from people (third parties) who are not employees of the Company, such as customers, clients or contractors.

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## 4.5 Victimisation

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Occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

**Everyone should be aware that liability under the Equality Act for any acts of discrimination can fall not only on the Company but also on you as an individual.**

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## 4.6 Disabilities Discrimination

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“Disability” is defined in the Equality Act 2010 as a “physical or mental impairment which has a substantial and long term adverse effect on a person’s ability to carry out normal day to day activities, which could include things like using a telephone, reading a book or using public transport”.

“Long term” requires the impairment to have lasted at least 12 months or to be expected to last 12 months or for the rest of the life of the person affected.

As a Company we are required to make reasonable adjustments for any staff (or candidates) to help them overcome disadvantages resulting from an impairment (e.g. providing assistive technologies to help visually impaired staff use computers effectively).

You should also be aware that the Act also protects employees from being treated less favourably because of something connected with their disability (e.g. a tendency to make spelling mistakes arising from dyslexia).

However, an employer is not under a duty to employ a person with a disability if after making reasonable adjustments the individual cannot do the job. If that is the case, discrimination can be justified by showing that you acted fairly and reasonably in managing your business.

You should speak to the HR department where you have any concerns or questions about disabilities and making reasonable adjustments. The Company also work closely with the Employers Forum on Disability to ensure we do everything possible to recruit and retain disabled employees and to serve our customers.

## 5.0 Pre-Employment Questionnaire

It is also unlawful to ask a candidate about their health before offering them work.

You can however ask questions to:

- decide whether you need to make any reasonable adjustments for the person to the selection process (e.g. a sign language interpreter for someone with a hearing impairment),
- decide whether an applicant can carry out a function that is essential to the job.

Our candidates and employees fill out a pre-employment questionnaire; however this information is only used to monitor diversity among our staff and among people making applications for roles and is kept separate from the information used in the selection process.

## 6.0 Raising Issues

Complaints of alleged discrimination, harassment, third party harassment or victimisation are dealt in accordance with our Anti-Harassment Policy.

If you feel that you are, or have been discriminated, harassed or victimised you should raise the matter in complete confidence with the HR Department.

We take all complaints seriously and deal with them accordingly.