

## Equal Opportunities Policy

### Policy Purpose

Pabulum is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a working environment in which all individuals are able to make the best use of their skills and in which all decisions are based on merit.

All employees have a duty to act in accordance with this policy and not to treat job applicants, temporary or agency workers, contractors or any other employee less favourably than others because of any protected characteristics as defined in The Equality Act 2010 and the Human Rights Act 1998.

The Equality Act 2010 and the Human Rights Act 1998 define our responsibilities and guide our actions as an employer. The Equality Act 2010 consolidates previous equality and discrimination legislation and defines nine protected characteristics upon which individuals must not be discriminated or receive less favourable treatment. These are listed, with brief definitions, in Appendix A. The Human Rights Act 1998 sets out the fundamental rights and freedoms that individuals in the UK have access to. These are also listed in Appendix A. Diversity is not contained within law and has no singular definition. However, the concept of diversity can be summarised as understanding that everyone is unique, recognising and embracing individual difference, underpinned by the principles of acceptance and respect. The Company values diversity as equally as it recognises its legal responsibilities for equality and human rights.

These characteristics of an individual are referred to collectively as “protected characteristics” and (with a few minor exceptions) decisions about an individual that are influenced in any way by any of these protected characteristics will be regarded as unlawful discrimination and may result in disciplinary action.

You must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and anyone else with whom you come into contact during the course of your employment. Decisions affecting them based on actual or perceived protected characteristics or because you believe they may or do associate with other people with one or more of those protected characteristics may also amount to unlawful discrimination. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts or when wearing a work uniform), and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- a) Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.
- b) Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others and is not justified. For example, requiring a job to be done full-time rather than part-time would



adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.

- c) Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Dignity at Work – Bullying, Harassment and Victimisation Policy.
- d) Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
- e) Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

## Equality in the Workplace

The principles of non-discrimination and equality of opportunity apply to all aspects of employment with us including job advertisements, recruitment and selection, training and development, appraisals, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

## Recruitment and Selection

We aim to ensure that no job applicant is treated less favourably than another because of any of the Protected Characteristics referred to above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.

Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of the requirements of the role they are applying for and, in appropriate circumstances, we may consider adjusting the role to suit good candidates. Interviews will focus on the skills and experience required for the role and selection will be based on merit against objective criteria that avoid discrimination. Shortlisting should be done by more than one person if possible.

Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

Job applicants should not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.



## Job Offers

Job offers will be conditional on candidates being eligible to work in the UK. We will not make any assumptions about a person's eligibility and every potential employee will be required to provide appropriate evidence of this.

Job offers may be conditional on a candidate being physically and/or mentally capable of performing the key requirements of the role and we may require the candidate to undergo a health assessment in the appropriate circumstances. A candidate will not be rejected for health reasons without further consultation and consideration of any adjustments that could be made to enable the candidate to perform the role.

A candidate's personal circumstances, age or beliefs will not have any bearing on our decision whether or not to offer him/her the role.

Job offers are conditional on candidates providing Pabulum with a satisfactory enhanced DBS check. All employees will be required to complete a DBS check in line with our Safeguarding Policy, regardless of job role.

Pabulum will not discriminate against employees if spent convictions are disclosed, and those convictions have no reference to the position now being held or applied for. Pabulum will comply with the Rehabilitation of Offenders Act 1974, and the 2014 guidelines updated in November 2020.

## Part-time and Fixed-term Work

Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.

## Disabilities

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can consider what reasonable adjustments or support may be appropriate.

## Training and Promotion

Training requirements are identified and the provision of training and opportunities for promotion will be based on merit.

## Terms of Employment

Pay, benefits and other terms and conditions of employment are related to the specific role and not to the individual in the role.

Exceptions may be made to accommodate an individual's specific requirements, in order to enable an employee with a physical or mental impairment to perform a role, or to accommodate an older or younger worker in a role.

Where employees are transferred to us from another business, we will normally have to honour their existing terms and conditions, and this may result in discrepancies in terms of employment that cannot be avoided.



## Management Decisions

Managers are required to manage employees in a fair and consistent manner and to be objective when making decisions that affect them. Protected Characteristics will not play a part in management decisions unless they are relevant, and it is appropriate to take them into account in the particular circumstances.

You will have the right to appeal against or raise a grievance if you believe that a manager has not applied our principles of non-discrimination and equality of opportunity to you.

## Confidentiality

Where possible information about or relating to your Protected Characteristics will be kept confidential and disclosed on a "need to know" basis or with your prior consent. Information of a personal and/or sensitive nature is processed strictly in accordance with our Fair Processing Notice. You may be asked to disclose information anonymously for equal opportunities monitoring purposes but are under no obligation to do so.

## Co-operation

All employees have a duty to co-operate with us in ensuring that our principles of non-discrimination and equality of opportunity are upheld. If you have concerns that they have been/are being compromised in any way (either in relation to you personally or in respect of someone else) you are encouraged to raise your concerns in confidence with your manager, or a more senior manager.

## Responsibility for Implementing this Policy

All employees are responsible for ensuring and maintaining our principles of non-discrimination and equality of opportunity and this policy applies at all levels within Pabulum regardless of seniority or status. However, this policy is not contractual and does not form part of your contract of employment.

Managers are responsible for ensuring that these principles are upheld and for ensuring that employees and others (contractors' agency workers, temps etc) for whom they are responsible have read this policy, are aware of its requirements.

## Breaches of this Policy

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure or Anti-Harassment and Bullying Policy. Complaints will be treated in confidence and investigated as appropriate.

You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.

**Nelson Williams**  
**Managing Director**

*(This policy will be reviewed in June 2023)*



## Appendix A

### Legal Terms and Definitions Equality Act 2010

List of protected characteristics, with brief definitions (source: Equality and Human Rights Commission, with minor amendment).

- 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 can now be entered into by same-sex couples, in addition to couples consisting of men and women. In addition, 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 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.



## The Human Rights Act 1998

Summary list of fundamental rights and freedoms that individuals in the UK have access to (source: Equality and Human Rights Commission).

- Right to life - Freedom from torture and inhuman or degrading treatment.
- Right to liberty and security - Freedom from slavery and forced labour.
- Right to a fair trial - No punishment without law. Respect for your private and family life, home and correspondence.
- Freedom of thought, belief and religion.
- Freedom of expression - Freedom of assembly and association.
- Right to marry and start a family.
- Protection from discrimination in respect of these rights and freedoms.
- Right to peaceful enjoyment of your property.
- Right to education.
- Right to participate in free elections or to both sexes.

