



Equality and Diversity Policy

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1 Equal Opportunities

1.1 General

TransLinc is committed to encouraging and achieving a working environment which is underpinned by fairness to all individuals, where diversity is recognised, encouraged and valued, and the concept of individual responsibility is accepted by all.

It is recognised that whilst much can be achieved by legislative measures, real progress in improving equality of opportunity in employment can only be achieved with a continuing commitment, in all disciplines and at all levels, and through training that reflects and supports equal opportunities throughout the organisation.

The Company policy is to treat all applicants, employees, clients and customers in the same way and aims to ensure that no employee, job applicant or client receives less favourable treatment on the basis of race, colour, nationality, ethnic or national origins, religious belief, sex or sexual orientation, gender reassignment, age, marital or civil partnership status or disability or is disadvantaged by requirements which cannot be shown to be justifiable.

You will be made aware of the provisions of this policy and you are required to ensure that the policy is carried out correctly.

Managers are responsible for knowing whether or not unacceptable behaviour is taking place in their particular areas of responsibility and will take preventative measures to ensure it does not occur.

1.2 What does Equal Opportunities Really Mean?

- It means accepting, valuing and celebrating the differences and similarities of every individual and group.
- It means identifying and meeting the specific needs of every client and customer.
- It may mean ensuring additional or different provision, in order to help those who may otherwise be disadvantaged.
- Receiving equal pay for work rated as equivalent to the either a man or woman's job under a job evaluation scheme,

It is more than treating everyone the same.

Employment

The Company recognises that discrimination in employment is unlawful and can not be tolerated, and that it is in the Company's best interest and in the interest of those employed by the Company to utilise the skills of the total workforce. The Company aims to give all employees equality of opportunity and encourage progression within the organisation.

This policy will be provided to all employees to direct their attention to the Company's commitment to equal opportunity for all, and to ensure that they understand their own importance and function in making this commitment a reality.

The operation of recruitment, training and promotion will be on the basis of job requirements and in relation to the individual's ability to undertake the work only. To ensure that this policy is operating effectively (and for no other purpose) TransLinc maintains records of employees' and applicants' racial origins, gender, age, sexuality, religion and disability.

On going monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote equality of opportunity.

The Company's long-term aim is that the composition of its workforce should reflect that of the community, it serves.

Summary

The Company acknowledges that in order to achieve the above, it needs to be proactive in the implementation of the policy. It needs to ensure that the policy and its aims are effectively communicated, monitored and pursued.

1.3 Employee Responsibility

You must ensure that you do not unlawfully discriminate between employees or job applicants. You have responsibility in the area of equal opportunity and are required to adopt the following:

- co-operate with any measures introduced to develop or monitor equal opportunity
- refrain from taking discriminatory actions or decisions which are contrary to the spirit of this policy
- not to harass, abuse or intimidate other employees on account of their race, sex, disability etc
- not to place pressure on other employees to act in a discriminatory manner
- resist pressure to discriminate which is placed upon you by other employees
- co-operate with investigations into acts or conduct which may amount to unfair or unlawful discrimination including the provision of evidence from which discrimination may be inferred and disciplinary action taken.

If your job brings you into contact with members of the public you must also make sure that you treat them equally regardless of their sex or sexual orientation, gender reassignment, age, race, religious belief, marital or civil partnership status, ethnic or national/regional origins or disability.

1.4 Enforcement and Redress

If you unfairly or unlawfully discriminate against another employee, induce others to practice unfair or unlawful discrimination or fail to co-operate with measures designed to promote equal opportunity you will be subject to disciplinary action.

Should you have concerns or if you consider you have been unlawfully or unfairly discriminated against or have cause to complain you should do so initially through your supervisor/manager, or where this is not appropriate, the Head of HR or member of the Human Resources team should be approached. The matter will, where appropriate, be dealt with through the grievance procedure.

2 Disability

1. General

The Disability Discrimination Act 1995, as extended by the Disability Discrimination Act 2005, provides a right for disabled people not to be discriminated against in employment and service provision. The Act recognises that there are a variety of types of disability, many of which are not immediately apparent and that people who may not have previously thought they were disabled are now protected by the Act.

Discrimination against disabled people takes many forms and barriers are often imposed by society, which make it more difficult for a disabled person to reach their full potential in employment or obtain the level of service for which they are entitled.

2. Employment

The Company recognises the need to achieve a positive approach to disability. It is aware that disabled people are under-represented in the work force, and this policy will try to address any difficulties caused by disability, and so try to enhance employment opportunities for disabled people.

The Company will raise the awareness of the needs of disabled people. It will ensure that employees are aware that disability can be associated with a mental, sensory or other physical condition.

As disabled people are under-represented in the work force the Company recognises the need to promote disability equality and to promote the Company as an employer who is sensitive to the needs of disabled people.

3 Race

1. General

The Company recognises that racial discrimination is prevalent in some organisations, and recognises that people may be discriminated against because of their colour, ethnicity or nationality.

Racism can show itself through discriminatory attitude and behaviour, and through ignorance, prejudice or racial stereotyping.

This Company is committed to combating all forms of racist behaviour and discrimination and will develop policies and procedures, which give minority groups fair and equal access to Company employment, development opportunities and service provision.

2. Employment

The Company is aware that in certain Company locations Black, Asian and other ethnic minority people are under-represented in its work force.

In drafting this policy the Company intends to promote equality of opportunity, and will ensure that those responsible for recruitment and selection will pay full attention to the Company's responsibilities as an employer in a multi-racial society.

4 Gender

1. General

The Company acknowledges that women are often discriminated against because of their responsibilities for child care, and their marital or economic status and this often results in them being denied equal access to services, employment and development opportunities.

The Company is aware that sex stereotyping leads to people conforming to gender roles, which can inhibit their employment opportunities and ability to access services by limiting horizons and choice.

2. Employment

This policy aims to ensure that access to employment, promotion and development opportunities are fully available to ALL.

It is acknowledged that women are under-represented in senior management positions in this Company, and this policy aims to address any relevant reasons for this and thereby remove any "glass ceiling".

It is acknowledged that both women and men can be discriminated against because of caring responsibilities, and we will aim to ensure that employment practices and policies, for example, flexible working, will take particular account of the needs of employees with caring responsibilities. It will seek to ensure that the services of trained and experienced staff are retained; this applies in particular to women who have taken time out of paid work to raise children.

5 Age

1. General

The Company is committed to promoting equality of opportunity for younger and older people. We recognise that society sometimes has negative attitudes, stereotypes and myths about youth, ageing, younger and older people, and that these attitudes and beliefs can lead to discrimination with younger and older people being socially and economically disadvantaged, excluded and marginalized. We believe that younger and older people have the right to equality and opportunity and make a significant and valuable contribution to the community at large.

2. Employment

The Company will try to ensure through this policy that we have a workforce with a diverse age range and that all applicants for employment, will only be considered on their abilities, competence and qualifications, and that training and development opportunities are also available to those who may be traditionally thought of as too old or too young.

If a particular age group is under-represented in the work force the Company recognises the need to promote recruitment from that group.

6 Sexual Orientation

1. General

The Employment Equality (Sexual Orientations) Regulations 2003 make it unlawful to discriminate against someone or harass someone on grounds of sexual orientation in employment and vocational training. They cover all aspects of the employment relationship. Sexual orientation is defined as orientation towards persons of the:

- same sex (gay men and women)
- opposite sex (heterosexual)
- same sex and the opposite sex (bisexual)

The legislation also covers perception of sexual orientation. So it protects people who are assumed - correctly or incorrectly - to be of a particular sexual orientation. It also protects people who are discriminated against because of the sexual orientation of the people with whom they associate, for example their family and friends.

The Company recognises that bisexuals, lesbians and gay men may be discriminated against because of their sexuality and is committed to providing fair treatment and equal access to Company services, employment and development opportunities.

The Company believes that the attitudes which gives rise to this discrimination are founded upon stereotyping and false assumptions. Consequently the Company will encourage recognition of this specific form of discrimination should it arise and work to change these attitudes.

We will respect the rights of individuals to be open about their sexual orientation.

2. Employment

The Company agrees that a person's sexuality is not a matter, which should be taken into account for determining suitability for recruitment, promotion, training or transfer to any Company post.

The Company acknowledges that a person's sexuality cannot be grounds for dismissal for any job and that it will not tolerate discrimination on the grounds of any employee's sexuality.

The Company aims to ensure that lesbian and gay employees are able to work within an environment, which values them as individuals and enable them to be free from discrimination and harassment.

7 Religion, Culture and Beliefs

All religions have a variety and range of doctrinal beliefs, which may have different values and customs. Fair treatment involves taking difference into account, not treating everyone the same. If in doubt about the approach to a particular issue employee's are encouraged to ask the individual concerned, if prompted by a genuine desire to get things right, this should not be offensive or resented.

The Company acknowledges discrimination can occur due to a person's Religion, Culture or Belief and is committed to providing fair treatment and equal access to Company services, employment and development opportunities.

2. Employment

The Company agrees that a person's religion; culture or beliefs are not a matter which should be taken into account for determining suitability for recruitment, promotion, training or transfer to any Company post.

8 Harassment in the Workplace

TransLinc is committed to providing a work environment for its employees that is free from embarrassment, intimidation, threats, discrimination or harassment. No form of harassment against any person or group of people will be tolerated under any circumstances. TransLinc will do all that is reasonably possible to prevent harassment occurring and will take all necessary steps to ensure this policy is implemented effectively.

No one should have to put up with harassment. It is a violation of dignity and respect and is unacceptable. The Company views the harassment of employees with the utmost seriousness and is committed, as part of its Equal Opportunities Policy, to creating an environment at work where positive steps are taken to eradicate it. If an employee makes a complaint of harassment:

- The complaint will be treated seriously.
- The complaint will be dealt with confidentially and sensitively.
- Where requested, employees will receive advice, help and support throughout the process of dealing with the issue.
- Action, including disciplinary action where appropriate, will be taken against perpetrators of harassment.
- Care will be taken to ensure that those who are subjected to harassment do not suffer in any way through making a complaint.

8.1.1 What is Harassment?

It is difficult to give a single, simple definition of harassment because it may take many forms. It may be directed at either an individual or a group of individuals. Perhaps the best way to approach the definition of harassment is to answer the question "Have you been treated in a way that is detrimental to your dignity at work?" If the answer is "Yes", then you may well have been subjected to harassment. Essentially, harassment is unwanted, unreasonable, unwelcome and offensive treatment.

8.1.2 Types of Harassment/Discrimination

Sexual harassment is the form of harassment most widely encountered and is generally thought of as the most significant problem in the workplace. Sexual harassment is, perhaps, also where there is the greatest potential for "grey areas" about whether harassment has occurred. It is likely that each case will be different and therefore needs to be treated on its own merits. However, sexual harassment is only one form of unacceptable conduct. Employees may also suffer ill-treatment on grounds of their:

- race, ethnic origin, nationality or skin colour;
- sex or sexual orientation;
- gender identity
- religious or political beliefs;
- disability;
- age
- marital or civil partnership status

Similarly, harassment may show itself in different ways:

- physical contact, from touching to serious assault;
- bullying, which might be physically threatening behaviour or, for example, constant unwarranted criticism or belittling of a particular employee;
- through jokes, letters, offensive language, suggestive remarks or gossip;
- visual display, for example, pictures or posters that could cause offence;
- coercion, which might be pressure to give sexual favours, or to take part in political, religious or other groups;
- indecent, suggestive or over-familiar behaviour or obscene gestures.

8.1.3 Race, Religious and Belief Based Harassment

Racial, religious and belief-based harassment can take on many forms. It is generally considered to be behaviour that is offensive, embarrassing, insulting or intimidating to the victim. It may include any unwanted non-verbal, verbal or physical abuse that is racially derogatory and potentially offensive. Examples of racial harassment include offensive and insensitive quips and jokes which are related to a person's race, religion or ethnic origin; the deliberate exclusion and isolation of an individual; threatening or insulting words or behaviour; the display of abusive writing or pictures.

8.1.4 Sexual or Sex Based Harassment

Sexual harassment consists of unwanted conduct of a sexual nature. It will include any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment. Such conduct may include (although this is by no means an exhaustive list), unwanted physical conduct of a sexual nature; inappropriate, suggestive or uninvited comments; displays of sexual or sexually aggressive literature and pictures; unwelcome sexual propositions or repeated unwelcome invitations; lewd comments or insensitive jokes.

Sex based harassment consists of any conduct where an unwanted conduct related to the sex of a person occurs with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

8.1.5 Sexual Orientation and Gender Identity

Sexual orientation and gender identity based harassment can also take on many forms and includes harassment based on both real and perceived ideas about someone's sexual orientation or gender identity. It may include any intentional or unintentional behaviour displaying non-verbal, verbal or physical abuse that is derogatory and potentially offensive. Examples of sexually orientated or gender based harassment includes offensive and insensitive quips and jokes which are related to a person's actual or perceived sexual orientation or gender history, or that of any of their associates; the deliberate exclusion and isolation of an individual; threatening or insulting words or behaviour; the display of abusive writing or pictures.

8.1.6 Harassment on the basis of Marital or Civil Partnership Status

The introduction of the Civil Partnership Act 2004, implemented on 5 December 2005, means that same-sex couples in the UK are able to apply for legal recognition of their relationship by registering as civil partners. Same-sex couples that register as civil partners have similar rights and responsibilities as a married couple, including access to employment and pension benefits. A civil partner has comparable status

to a spouse and therefore the same protection from discrimination and harassment on the grounds of marital status now extends to that of a civil partner.

8.1.7 Age Based Harassment

Age based harassment includes behaviour that is offensive, intimidating, hostile, degrading or in any way distressing in relation to an individual's age, or the age of those with whom the individual associates. It may be intentional bullying which is obvious or violent, but it can also be unintentional, subtle and insidious. It may involve nicknames, teasing, name calling or other behaviour which is not with malicious intent but which is upsetting. It may be not targeted at an individual but consists of a general culture, which, for instance, appears to tolerate the telling of ageist jokes.

8.1.8 Disability Discrimination & Harassment

TransLinc will do all that is reasonably practicable to ensure that employees are not discriminated against because of disability. Furthermore, all job applicants as well as employees will be treated in the same way regardless of any disability. The Company will monitor the composition of the workforce through data supplied voluntarily by our employees and introduce positive action if it appears that this policy is not fully effective.

If an employee is disabled or becomes disabled in the course of their employment they should inform TransLinc. The employee should also advise the Company of any "reasonable adjustments" to their employment or working conditions, which they consider to be necessary, or which they consider would assist them in the performance of their duties.

The Company will work with the employee to make every effort to comply with requests for reasonable adjustments. If there are circumstances that prevent us from accommodating these requests we will discuss these circumstances with the employee if the occasion should arise to try and find a suitable solution.

Under the Disability Discrimination Act 1995, a person has a disability if he/she has a physical or mental impairment that has a substantial and long term adverse effect on his/her ability to carry out normal day-to-day activities:

- Physical impairment includes, for instance, a weakening of part of the body (such as eyes, ears, limbs, internal organs) caused through illness, by accident or congenitally.
- A mental impairment includes what is commonly known as a learning disability and does not need to be clinically recognised.
- Long term, means the effect of the impairment has to have lasted, or be likely to last, overall for at least 12 months, and the effect must be a detrimental one or is likely to last for the rest of the person's life.

The person must be affected in at least one of the respects listed in the Act:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech, hearing or eyesight

- Memory or ability to concentrate, learn or understand, or
- Perception of the risk of physical danger

Any disability that does not have a substantial and long-term effect on one or more of them is not considered to be a disability.

Under the Disability Discrimination Act 2005, Mental illness no longer has to be clinically well recognised before it can constitute an impairment. In addition, employees with cancer, HIV or multiple sclerosis are protected from the time of diagnosis (i.e. their ability to carry out normal day to day activities does not need to be significantly impaired before they are protected)

Harassment of disabled people can take the form of individuals being ignored, disparaged or ridiculed because of mistaken assumptions about their capabilities. Their impairment/disability rather than their ability can become the focus of attention and harassment can include inappropriate personal remarks, jokes or inappropriate reference to an individual's appearance.

8.1.9 How You Can Help Prevent Harassment

An employee can take positive measures, not only to protect themselves against harassment but also to help eliminate it from the workplace.

On a personal level, if you are subjected to harassment do not be afraid to stand up to such behaviour, many perpetrators stop immediately when faced with the consequences of their own actions. If the harassment continues, then complain.

An employee should also consider their own behaviour towards colleague employees, clients and others with whom you come into contact, and be sure that they do not subject others to harassment in any form.

Finally, employees should actively discourage harassment and support any colleague who may be the subject of it.

8.1.10 What you should do if you are subjected to Harassment

In principle, the action you should take if you are subjected to harassment is the same regardless of whether the harasser is an employee of the Company, a service user or a member of the public. However, where the harasser is not a Company employee it is particularly important that you report the incident immediately to your manager who will provide you with the necessary help and support.

There are informal and formal procedures available to employees in dealing with harassment.

8.1.11 Informal Procedure

- The first step is to make clear to the person who is harassing you that the behaviour is unacceptable, even if the harasser is your line manager, and that you wish it to stop. This is something often difficult to do and might not always be the best course of action in the particular circumstances.
- Alternatively, you might seek the help of a friend or colleague or manager who could approach on your behalf the person committing the harassment.
- It is important that you keep a written note of any incidents so that you are better able to report accurately what happened with, for example, the date, time and nature of incidents and names of witnesses. If you believe that the same person is harassing any of your colleagues, ask them to keep a similar

record too. Evidence from witnesses to the occurrence is especially helpful to management in dealing with the complaint.

- The HR Department will provide confidential and impartial advice and help with issues of harassment and you may contact the HR Manager at any stage for help and support.

8.1.12 Formal Procedure

- You may need to approach your line manager with a formal complaint or grievance because you are being harassed, or if the harassment continues despite your efforts to put a stop to it, or if a single incident is, in your opinion, sufficiently serious to make a complaint. If you do so, your complaint will be taken seriously, treated in confidence and every effort made to try to advise you on the best course of action to take. Obviously, if your line manager is the subject of your complaint, you are entitled to take your complaint to the next higher level of management. You may also wish to involve your certified trade union representative.
- A formal complaint will be affected by registering a grievance in line with the Company's Grievance Procedure.

The Company will take disciplinary action against the perpetrator of harassment. Managers have also been advised that following investigations and the appropriate action being taken, they should monitor the situation to ensure that the harassment has stopped and that the employee who made the complaint does not suffer any reprisal, victimisation or detriment.

9 Training

The Company recognises that in order to promote this policy and therefore the message of equality throughout the workforce, it needs to concentrate on effective training and development so that the behaviour of all employees complies with the Company policy.

When all new employees attend their induction course their attention will be drawn to the relevance of the equal opportunity policy and what it means to them as an employee and as a person who may be providing a service to the public.

The Company will review how it is best able to train employees to ensure the requirements of this policy are met and develop a program which will ensure that the aims of the policy are kept as a high priority.

The Company will aim to ensure that all employees involved in recruitment, selection and management are aware of the Company's anti-discrimination issues to enable them to carry out their job in the manner appropriate to ensuring there is equality in all employment and service provision.

The Company will ensure that relevant employees such as front line staff who deal with the public and those who come into contact with job applicants are trained in the application of the policy relative to their responsibilities.

10 Monitoring and Reviewing

The Company appreciates that in order for this Equal Opportunity Policy to be effective it needs to create a comprehensive system of monitoring, reviewing and reporting.

The Company's HR Department will monitor the following areas:

- Recruitment and selection
- Training and development opportunities
- The workforce profile
- Promotion and transfer
- Reasons for leaving
- Number of disciplinary actions and grievances reported

[It is appreciated that monitoring the above will involve the issue of confidentiality and security of information, as records will include details of gender, race and disabilities. Accordingly the Company will deal with this sensitive information as appropriate.]

Information from this monitoring will be taken into account in the development of further policies, action plans and procedures.

11 Compliance and Discipline

All Company employees at all levels will be made aware that failure to have regard to or properly implement any aspect of this policy may be treated as an issue related to their conduct or capability.

Any behaviour, which is overtly or deliberately racist or otherwise discriminatory, will be treated as a disciplinary matter.

12 Communication

This Equal Opportunities Policy applies to all Company employees and to the services that the Company provides or secures in partnership with third parties. The Company's aim is that the application of the policy will ensure that all employees understand the values and expectations of the Company and the standard of behaviour that is expected of them.

All those with management responsibilities should ensure that this policy is effectively communicated and promoted throughout their department, and they will be expected to take positive measures to address inequality and promote equality for all.

Each employee plays an integral part in making this policy effective and should put it into practice in every aspect of his or her work, if they become aware of any discrimination they should report this immediately so action can be taken.