

# S. Clift Building Contractors Ltd

## EQUAL OPPORTUNITY, RACE RELATIONS AND DISCRIMINATION POLICY

S Clift Building Contractors Ltd policy and working practices require that

- Recruitment
- Selection
- Training
- Promotion
- Discipline
- Dismissal

are determined solely on personal merit and application of criteria which are related to the effective performance of the job and the needs of the business.

No applicant or employee will be treated less favorably because of their sex, marital status, race, ethnic or racial origin, colour, or religious beliefs.

Furthermore, the Company will not introduce any requirements or conditions that have disproportionately adverse effects on persons of a particular sex, marital status, race, nationality, ethnic or national origins, colour or religious beliefs, which cannot be shown to be necessary for the satisfactory performance of the Company's operations.

Overall responsibility for the implementation of this policy rests with the Managing Director.

This policy is communicated to all employees and applicants for jobs, in writing, both with application forms and upon commencement of employment.

Training will be provided to existing staff as and where appropriate.

Procedures will be reviewed as and when appropriate. The responsibility for such reviews will lie with the Managing Director. Regular monitoring of the policy will be undertaken by the Managing Director with the aid of analyses of the ethnic origins of the workforce and of job applicants, in accordance with clauses 1.34 - 1.35 of the Council for Racial Equalities Code Of Practice (CRE Code).

The Race Relations Act 1976 makes it unlawful to discriminate against a person either directly or indirectly in the fields of employment.

Racial grounds are the grounds of race, colour, nationality - including citizenship - or ethnic or national origins and groups.

Groups defined by reference to these grounds are referred to as racial groups.

Direct discrimination consists of treating a person less favorably than others are, or would be treated in the similar circumstances. Segregating a person from others on racial grounds constitutes less favourable treatment.

Indirect discrimination consists of applying in any circumstances covered by the Act a requirement or condition which, although applied equally to persons of all racial groups, in such that a considerably smaller proportion of a particular racial group can comply with it and it cannot be shown to be justifiable on other than racial grounds.

Possible examples are:

a rule about clothing or uniforms which disproportionately disadvantages a racial group and cannot be justified; an employer who requires higher language standards than are needed for safe and effective performance of the job.

S Clift Building Contractors Ltd will not advertise vacancies in publications or areas which exclude or disproportionately reduce the numbers of applicants of a particular racial group. Requirements for applicants will not include length of residence of experience in the UK Overseas

Qualifications will always be acceptable instead of UK qualifications of equal value.

S Clift Building Contractors Ltd do not use recruitment agencies.

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Job vacancies will be as widely advertised as possible.

All selection tests are related to job requirements and are designed not to be discriminatory. For example, a standard of English is not and shall not be set which is higher than that required for the effective performance of the job. There is no requirement and shall not be any requirement for an applicant to personally complete an application form.

Selection tests containing irrelevant questions are not and shall not be used. Selection tests are related to the job's requirements and are reviewed to ensure that they continue to be so.

All staff are instructed and shall continue to be instructed not to treat casual or formal applicants from particular racial groups less favourably than others.

These instructions are confirmed in writing.

All staff responsible for short listing, interviewing and selecting candidates are clearly informed of selection criteria and the need for their consistent application. They have been given guidance on the effects which generalised assumptions and prejudices about race can have on selection decisions, and have been made aware of the possible misunderstandings that can occur between persons of different cultural backgrounds. Wherever possible, short listing or interviewing shall not be done by one person alone but should at least be checked at a more senior level.

S Clift Building Contractors Ltd does not and will not ignore lightly grievances from any employee, including those from a particular racial group.

Racial discrimination and/or harassment and/or victimisation are a disciplinary matter.

Complaints about any matter should be made to the Managing Director.

Disciplinary procedures are as laid down in the terms and conditions of employment.

Any disciplinary dispute may be referred to the Managing Director.

It is the intention that this code of practice complies with the CRE Code.

## **Equal Opportunities Instruction.**

It is the continuing intent of S Clift Building contractors Ltd to ensure that policies consistent with the Equal Opportunities Policy attached are adopted. Accordingly, staff are instructed not to discriminate on racial grounds.

-when appraising performance of employees or applicants for employment,

-when providing benefits, facilities and service for employees of applicants for employment,

-when giving instructions to other employees, and not to treat any employee or applicant for employment in any less favourable way because of their racial group.

## **DISABILITY POLICY.**

### **GENERAL POLICY**

This Company recognises that it has clear obligations towards all its employees and the community at large to ensure that people with disabilities are afforded equal opportunities to enter employment and progress within the company.

In addition to complying with the requirements of the Disability Discrimination Act 1995, the Company will follow procedures designed to provide for fair consideration and selection of disabled applicants and to satisfy their training and career development needs.

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When employees become disabled in the course of their employment, reasonable steps will be taken, to accommodate their disability by making adjustments to their existing employment or redeployment and, through appropriate retraining to enable employees to remain in employment with the company wherever possible.

## **PROCEDURE**

### **Statutory Requirements**

1. The law imposes an obligation on employers not to discriminate against disabled people on grounds relating to their disability unless this is unavoidable in the sense that their disability makes them unable to perform a key function of the job or that it is too expensive or impracticable for some reason to change the physical features of the premises or change other arrangements which placed disabled employees at a disadvantage. The company's policy is to comply with those statutory obligations in a positive manner.
2. The Managing Director of the Company will include in the annual report a policy statement about the employment of disabled people. This policy will be drafted each year with management and workplace representatives to reflect the progress made during the year in implementing its equal opportunities policy.

### **Recruitment and Selection**

3. The Managing Director, in consultation with relevant managers, will ensure that:
  - (a) all job descriptions/personnel specifications and recruitment advertisements are drafted in such a way as to make clear which are the essential requirements of the position and consideration will be given to making reasonable adjustments to job descriptions/personnel specifications to accommodate the needs of disabled people.
  - (b) the company's equal opportunity policy is a feature of recruitment advertising
  - (c) the necessary steps are taken to encourage applications from disabled people
4. The manager responsible for recruitment must inform the reception desk and other relevant employees when a disabled person is arriving for interview and instruct them on the sort of help which may be required.
5. Where doubts exist over a disabled applicant's ability to perform the full duties of the job concerned, a trial period may be offered.
6. Where adaptation of premises is required to enable a particular disabled person to take up employment, the matter should be discussed with the Managing Director who will liaise with the Disablement Advisory service where appropriate.
7. In cases where advice is needed on a medical condition or on the safety implications of recruiting a disabled employee, the Managing Director will contact the Employment Medical Advisory Service for guidance.

### **During Employment**

8. All employees are expected to show consideration towards their disabled colleagues. Where special steps need to be taken to ensure health and safety,

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members of the department concerned, together with safety and other employee representatives, will be briefed by the Managing Director.

9. Training and promotion opportunities must be available to all, regardless of disability.

An extended trial period may be offered to a disabled employee on transfer or promotion where considered appropriate by the manager in consultation with the Managing Director.

## **Disabilities Arising During Employment**

10. When an employee becomes incapable of carrying out his or her normal duties because of a disability, consideration must be given to reasonable adjustments to the job and working conditions, redeployment and retraining.

11. Where necessary, the Managing Director will arrange through the Disablement Advisory Service for an employee's capabilities to be assessed with a view to identifying suitable work for that individual.

## **Termination of Employment**

12. Capability: where an employee's performance falls to an unacceptably low standard through a deterioration in his or her disability, the Managing Director together with the manager and employee concerned, will:

- (a) explore the possibility of restructuring the job to allow continuation
- (b) consider alternative employment
- (c) consider transfer to a "holding register" until an appropriate vacancy is available.

If, having considered the above options, it is apparent that the employee cannot realistically continue in employment, a decision to dismiss may be taken only by a director of the company following consultation with the employee, his or her representative and the disablement resettlement officer.

13. Misconduct: when a disabled employee's conduct (for reasons unconnected with the disability) is unacceptable, the company's normal disciplinary procedures will be followed.

14. Redundancy: in a redundancy situation the special circumstances of disabled employees will be given appropriate consideration.

15. Appeals: disabled employees who wish to appeal against a disciplinary sanction or a dismissal decision should use the company's normal appeals procedure.

## **Employee Representatives**

16. Employee representatives, alongside management, have responsibilities for ensuring that the company's policy is fairly and consistently applied.

17. The Company's policy and procedures concerning the employment of disabled people will be reviewed regularly and discussed in joint consultative meetings.

18. Literature on specific disabilities is available and employee representatives are requested to assist in the dissemination of information to the workforce.

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## Definition

A person has a disability if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities. The wearing of spectacles or contact lenses is specifically excluded, as is addiction to substances including drugs alcohol, and nicotine, hay fever and related conditions, a tendency to steal or light fires, a tendency to physically or sexually abuse people, exhibitionism, voyeurism, and disfigurements including tattoos and none medical body piercing.

Reviewed by            S Clift  
                                  Managing Director  
                                  October 2011