

Equal Opportunities

General

1. Walker-Cox is an equal opportunities employer. This means that it is the Company's policy, and it will make very effort to ensure that there is no discrimination or harassment on the grounds of colour, race, nationality, religion, ethnic origin, disability, age, gender or marital status in the way that the Company treats its employees or job applications.
2. In issuing this policy, the Company has three main objectives:
 - Firstly to encourage its employees to take an active role against all forms of harassment and discrimination
 - Secondly to deter employees from participating in harassment or discriminatory behaviour
 - Thirdly to demonstrate to all employees that they can rely upon the Company's support in cases of harassment or discrimination at work. The Company is committed to a working environment that offers equal treatment and equal opportunities for all its employees.

Definitions

3. Racial or sexual harassment, or any form of discrimination, will not be tolerated under any circumstances and an employee who harasses or discriminates against another employee or client or customer of the Company will be subject to the Company's disciplinary procedure. In serious cases such behaviour may constitute gross misconduct and result in summary dismissal.
4. Harassment generally may include any unwanted verbal or physical abuse, advances and/or behaviour which an employee may find offensive and which causes them to feel threatened, humiliated, patronised, distressed or harassed. Harassment may be deliberate or unconscious, open or covert, direct or indirect, an isolated incident or repeated action. It may also include, in certain circumstances, off duty conduct. It will not necessarily be a defence that such incidents consist of words or behaviour which might be claimed to be "common place" or intended as a joke.
5. It is the duty and responsibility of the Company and every employee to stop all types of harassment and discrimination in the workplace. It is only through the efforts of individual employees that harassment and discrimination can be eradicated. All employees must recognise that every employee in the Company has the right not be subjected to any form of harassment or discrimination.

Racial Harassment

6. Racial harassment is racial discrimination and is contrary to the Company's Equal Opportunities Policy. This type of harassment will not be tolerated under any circumstances and the Company will take prompt action upon becoming aware that such incidents have taken place.

7. Racial harassment may include:
 - Abusive language and racist jokes
 - Racial name calling
 - The display or circulation of racially offensive written or visual material, including graffiti
 - Physical threats, assault and insulting behaviour or gestures
 - Open hostility towards workers of a particular racial group, including organising hostility in the workplace
 - Unfair allocation of work and responsibilities
 - Exclusion from normal workplace conversation or social events, i.e. being “frozen out”
8. The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts

Sexual Harassment

9. Sexual harassment is unwanted behaviour of a sexual nature by one employee towards another. Examples of harassment include:
 - Insensitive jokes and/or pranks
 - Lewd comments about appearance
 - Unnecessary bodily contact
 - Displays of sexually offensive material, for example pin ups
 - Requests for sexual favours
 - Speculation about an employee’s private life and/or sexual activities
 - Threatened or actual sexual violence
10. Whilst the above list gives examples of sexual harassment, harassment takes many forms, from relatively mild sexual banter to actual physical violence and the above examples are not exhaustive.

Complaints Procedure

11. Where an employee feels that they are being harassed or discriminated against, prior to adopting the formal complaint procedure set out below, an informal approach may be taken.

Informal Procedure

12. If an individual feels that they are subject to harassment and/or discrimination they should, if possible, advise the harasser that the behaviour is unwelcome, must be stopped and is interpreted as harassment and/or discrimination as defined by the Company’s policy statement. If preferred, this may be in writing.
13. If the behaviour does not cease or the employee finds approaching the harasser difficult, further informal assistance is available. Employees who wish to discuss such a complaint in confidence should contact the Managing Director.

Formal Procedures

14. Where the informal method fails or serious harassment and/or discrimination occurs, employees are advised to bring a formal complaint against the harasser and should seek assistance as above in doing so. The complaint should be made in writing and where possible state the following:

- The name of the harasser
 - The nature of the harassment
 - The date and time when the harassment occurred
 - The names of any witnesses to the harassment
 - Details of any action already taken by the complainant to stop the harassment
15. The complaint should be sent to the Managing Director. Immediately a complaint of harassment is received, action will be taken to separate the harasser from the complainant. This may involve temporary transfer of the harasser or the complainant to another department, or suspension with pay until the complaint has been resolved.
 16. The Managing Director will carry out a thorough investigation as quickly as possible, maintaining as much confidentiality as possible at all times. The complainant should be aware however that if the complaint is to be investigated other employees may have to be asked for witness statements.
 17. All employees involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence.
 18. Copies of witness statements will be made available to the harasser and the complainant. Witnesses will be encouraged to appear at a Hearing if requested by either party. It is acknowledged that some witnesses may be reluctant to do so. In these circumstances the Managing Director will, if necessary, adjourn the Hearing and ask supplementary questions of witnesses in private.
 19. The complainant may, if they wish, be supported throughout the procedure and Hearing by a colleague of their choice. The employee accused of harassment or discrimination will have the right to be accompanied at the Hearing in accordance with the Company's disciplinary procedure.
 20. If the offence is proved the severity of the penalty imposed on the harasser will be consistent with those detailed in the disciplinary procedure, i.e. gross harassment or discrimination will normally result in summary dismissal. Where a lesser penalty is appropriate, for example a written warning, this may be coupled with action to ensure that the complainant is able to continue working without embarrassment or anxiety.
 21. After discussion with the complainant the Managing Director may transfer the harasser to a different work area or arrange for an amendment of working practices to minimise contact between the two employees. If the complainant wishes, their own transfer will be arranged, subject to practical limitations. The result of the Hearing will be confirmed in writing to both employees.
 22. An employee who receives a warning or dismissed for sexual or racial harassment or discrimination may appeal against the penalty in accordance with the appeals procedure in the Company's disciplinary procedures.

Disabled Workers

23. Where a disabled worker applies for a post but it is unclear whether the disability will prevent the individual undertaken their duties satisfactorily, the manager must consult with a director/office manager.