

## EQUALITY & DIVERSITY STATEMENT

### Policy Statement

McGregor Boyall Associates Limited is committed to supporting the principle of equal opportunities and opposes all forms of unlawful or unfair discrimination on the grounds of any Protected Characteristic (PC) including sex; race (including colour, nationality, ethnic or national origin); religion or belief; age; disability; marital status and civil partnership; sexual orientation; gender reassignment; pregnancy and maternity.

This policy covers vacancy advertising, recruitment and selection, training, promotion and conditions of service and is compliant with the following legislation:

- The Rehabilitation of Offenders Act 1974.
- The Local Government Act 1988 and 1999.
- Special Educational Needs & Disabilities Act (SENDA) 2001.
- Racial & Religious Hatred Act 2006.
- The Work & Families Act 2006.
- Equality Act 2010.

The Company's aim is to create an environment that encourages and values diversity within its workforce and builds on the difference's individuals bring, enabling the Company's continued success. We aim to draw upon the widest possible range of views and experiences in order to meet the changing needs of our staff, clients, partners, candidates, contractors and temporary workers.

We seek to promote diversity and to respond to the needs of all individuals in a fair and equitable manner, whilst observing our commitment and responsibility to current legislation.

To achieve this, we will:

- Fulfil our social responsibility towards our employees, contractors, temporary workers and the communities in which we operate.
- Recognise all of our legal obligations with particular reference to those acts and directives detailed previously.
- Make all opportunities (including advertising, interview and selection processes, promotion and training) as accessible as possible to under-represented groups.
- Conduct monitoring and to ensure processes are fair, equitable and accessible and to identify any significant under-representation.
- Endeavour to attain a workforce that is representative of the communities from which it is drawn to secure the widest possible pool of talent.
- Recruit, train and promote the best person for the job and to make full use of the talents and resources of all our employees.
- Create a working environment free from unlawful discrimination, victimisation and harassment in which all employees, clients, partners, candidates, contractors and temporary workers are treated with dignity and respect.

- Periodically review our selection criteria and procedures to ensure that they remain compliant and maintain a system that ensures fairness.
- Distribute and continuously publicise our full Equality & Diversity Policy and procedures throughout the company to employees and to clients, partners, visitors, candidates, contractors and temporary workers.
- Provide the facilities and opportunity for anyone who believes that they have been treated inequitably within the scope of our policy to raise the matter through the appropriate grievance or complaints procedure.
- Log all reported instances of harassment and take action to mitigate and minimise harassment and victimisation wherever possible.
- Ensure that employees understand that breaches of this policy will not be tolerated and may lead to disciplinary proceedings.

## Monitoring and Review

Our policy will be reviewed regularly and may be altered from time to time in light of legislative changes or other prevailing circumstances.

Signed:



**Name:** Laurie Boyall

**Company Name:** McGregor Boyall Associates Limited

**Date:** 27/01/2020

## McGregor Boyall Associates Equality & Diversity Policy

McGregor Boyall Associates embraces diversity and will seek to promote the benefits of diversity in all our commercial activities. We will seek to widen the media and recruitment agency base from which we recruit to ensure as diverse an employee and candidate base as possible. We will do everything in our power to ensure that our clients meet their own diversity targets.

McGregor Boyall Associates is committed to diversity and inclusion and will promote diversity for all employees, workers and applicants and shall adhere to such a policy at all times. We will review on an on-going basis all aspects of recruitment to avoid unlawful or undesirable discrimination. McGregor Boyall Associates will treat everyone equally irrespective of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or membership or non-membership of a Trade Union or spent convictions, and places an obligation upon all staff to respect and act in accordance with the policy. McGregor Boyall Associates is committed to providing training for its entire staff in equal opportunities practice.

McGregor Boyall Associates shall not discriminate unlawfully when deciding which candidate/temporary worker is submitted for a vacancy or assignment, or in any terms of employment or terms of engagement for temporary workers. McGregor Boyall Associates will ensure that each candidate is assessed only in accordance with the candidate's merits, qualifications and abilities to perform the relevant duties required by the particular vacancy.

McGregor Boyall Associates will not accept instructions from clients that indicate explicitly or implicitly an intention to discriminate unlawfully.

### Discrimination

Unlawful discrimination occurs in the following circumstances:

#### Direct Discrimination

Direct discrimination occurs where one individual treats or would treat another individual less favourably on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs ("the protected categories").

It is unlawful for a recruitment agency or recruitment business to discriminate against a person on the grounds that they are members of a protected category -

- > in the terms on which the recruitment agency or recruitment business offers to provide any of its services;
- > by refusing or deliberately omitting to provide any of its services;
- > in the way it provides any of its services.

Direct discrimination would also occur if a recruitment agency or recruitment business accepted and acted upon a job registration from an employer which states that certain persons are unacceptable because they are members of a protected category, unless one of the exceptions applies, for instance, the job demands a genuine occupational requirement or, in the case of age, the discrimination can be lawfully justified.

#### Indirect Discrimination

Indirect discrimination occurs where an agency or employer applies a provision, criterion or practice generally, but which is such that a proportion of persons in a protected category who can comply with it are considerably smaller than the proportion of persons who are not in that protected category.

Indirect discrimination would also occur if a recruitment consultant accepted and acted upon an indirectly discriminatory instruction from an employer.

If the vacancy requires characteristics which amount to a genuine occupational requirement or the instruction is lawfully discriminatory due to a statutory exception or objective justification, McGregor Boyall Associates will not deal further with the vacancy unless the client provides written confirmation of such genuine occupational requirement, exception or justification.

## Disable Persons

### Direct Discrimination

Direct discrimination against a person occurs where, if for a reason which relates to the disabled person's disability, an individual:

- treats him less favourably than he treats, or would treat others to whom that reason does not or would not apply, and,
- the employer cannot show that the treatment in question is justified.

or

- If on the ground of a disabled person's disability, he treats the disabled person less favourably than he treats or would treat a person not having that particular disability, whose relevant circumstances, including his abilities, are the same as, or not materially different from, those of the disabled person. This type of direct discrimination can never be justified.

### Duty to make reasonable adjustments and to provide auxiliary aids and services.

This is a similar protection to indirect discrimination in the other protected categories. Where a provision, criterion or practice applied by or on behalf of an employer, or any physical feature of the employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled, it will be the duty of an employer to take such steps as are reasonable, in all the circumstances of the case, to remove the provision, criterion, practice or physical feature.

Agencies must take reasonable steps to provide auxiliary aids or services if this would make it easier for the disabled person to use their services. For instance, an appropriate auxiliary aid or service can include the provision of information on audiotape or provision of a sign language interpreter.

McGregor Boyall Associates will not discriminate against a disabled person on the grounds of disability:

- in the arrangements i.e. application form, interview or arrangements for selection for determining to whom a job should be offered; or in the terms on which employment or engagement of temporary workers is offered; or
- by refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability; or
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or
- by subjecting him or her to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wage, or harassment).

McGregor Boyall Associates will accordingly make career opportunities available to all people with disabilities and every practical effort will be made to provide for the needs of staff, candidates and clients.

Wherever possible McGregor Boyall Associates will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers.

However, this may not always be feasible, due to circumstances creating such difficulties as to render such adjustments as being beyond what is reasonable in all the circumstances.

## Age Discrimination

McGregor Boyall Associates will not discriminate directly or indirectly, harass or victimise any person on the grounds of their age. We will encourage clients not to include any age criteria in job specifications and every attempt will be made to persuade clients to recruit on the basis of competence and skills and not age.

McGregor Boyall Associates is committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of age.

No age requirements will be stated in any job advertisements on behalf of the company.

McGregor Boyall Associates will request age as part of its recruitment process but such information will not be used as selection, training or promotion criteria or in any detrimental way and is only for compilation of personal data, which the company holds on all employees and workers and as part of its equal opportunities monitoring process.

## Part-time Workers

This Diversity Policy also covers the treatment of those employees and workers who work on a part-time basis. McGregor Boyall Associates recognises that it is an essential part of this policy that part time employees are treated on the same terms, with no detriment, as full time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to our pension scheme. McGregor Boyall Associates also recognises that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

## Harassment Policy

McGregor Boyall Associates is committed to providing a work environment free from unlawful harassment on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or any other basis protected by legislation is unlawful and will not be tolerated by McGregor Boyall Associates.

This policy prohibits unlawful harassment by any employee or worker of McGregor Boyall Associates.

Examples of prohibited harassment are: -

- Verbal or written conduct containing derogatory jokes or comments,
- Slurs or unwanted sexual advances,
- Visual conduct such as derogatory or sexually orientated posters,
- Photographs, cartoons, drawings or gestures which some may find offensive,
- Physical conduct such as assault, unwanted touching, or any interference because of sex, race or any other protected category basis,
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours,
- Retaliation for having reported or threatened to report harassment.

If you believe that you have been unlawfully harassed, you should make an immediate report to the Managing Director followed by a written complaint as soon as possible after the incident.

Your complaint should include:

- Details of the incident
- Name(s) of the individual(s) involved
- Name(s) of any witness(es)

McGregor Boyall Associates will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.

Any employee(s) who McGregor Boyall Associates finds to be responsible for unlawful harassment will be subject to the disciplinary procedure and any sanction may include termination.

## **Gender Reassignment Policy**

McGregor Boyall Associates recognises that any employee or worker may wish to change their gender during the course of their employment with the Company.

McGregor Boyall Associates will support any employee or worker through the reassignment provided that full medical counselling has been undertaken and McGregor Boyall Associates has access to any relevant medical reports.

McGregor Boyall Associates will make every effort to try to protect an employee or worker who has undergone, is undergoing or intends to undergo gender reassignment, from discrimination or harassment within the workplace.

All employees and workers will be expected to comply with McGregor Boyall Associates' policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary sanction.

Where an employee is engaged in work where the gender change imposes genuine problems, McGregor Boyall Associates will make every effort to reassign the employee or worker to an alternative role in the Company, if so desired by the employee.

Any employee or worker suffering discrimination on the grounds of gender reassignment should make recourse to the Company's grievance procedure.

## **Complaints and Monitoring Procedures**

McGregor Boyall Associates has in place procedures for monitoring compliance with this policy and for dealing with complaints of discrimination. These are available from Lucy Frost, Group People Director and will be made available immediately upon request.

Any discrimination complaint will be investigated fully.