

Equal Opportunities

Clockwork Audio Visual Ltd (the company) is committed to the equality of opportunity for all.

We believe that any behaviour in our Company that results in treating individuals or groups without respect or dignity, or causing degradation or humiliation, whether it breaks the law or not, must stop. All cases of such behaviour will be investigated and we will treat all complaints fairly, quickly and with confidentiality.

You have the right to be given equal opportunity in all aspects of employment and should be treated fairly with dignity and respect in all matters and not subjected to discrimination or harassment on the grounds of sex, race, colour, ethnic origin, sexual orientation, gender reassignment, age, part time working, marital status, disability, trade union activity, religion and belief and we expect you to behave in such a manner towards your colleagues.

The aim of this policy is to:

- Encourage employees to take an active role against harassment or discriminatory behaviour
- Deter employees from participating in harassing or discriminatory behaviour
- Demonstrate to all employees that they can rely upon the Company's support in cases of harassment and discrimination at work

Every employee has an obligation to act in accordance with this policy, both in the workplace and at times and places associated with the workplace including work related social gatherings, and you must behave in a way that does not discriminate towards colleagues, customers or suppliers. This policy applies to all of the Company's working practices in relations to employment and vocational training including recruitment and selection, terms and conditions of employment, salary, promotion, transfer, and termination of employment etc.

A disability is a physical or mental impairment that has a substantial and long term adverse effect on normal, day to day, activities. The Company will provide equal opportunities for disabled people in all areas of employment including recruitment, training, promotion, transfer, redeployment and in terms and conditions of employment. The company recognises its duty under the Disability Discrimination Act to make reasonable adjustments to working arrangements or premises where these discriminate against disabled employees. Employees should ensure the Company is aware of their disabilities to enable the Company to make reasonable adjustments.

The Disability Discrimination Act states that: "a person has a disability...if he has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities".

Within the Sex Discrimination (Gender Reassignment) Regulations, the expression "gender reassignment" applies to a process that is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process.

Within the Employment Equality (Sexual Orientation) Regulations, sexual orientation is defined as:

- Orientation towards persons of the same sex (lesbians and gay men)
- Orientation towards persons of the opposite sex (heterosexual)
- Orientation towards persons of the same sex and opposite sex (bisexual)

Religion or belief, as defined in the Employment Equality (Religion or Belief) Regulations, is any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to a religious belief.

Discrimination on grounds of sex, gender, race, part-time working, disability, sexual orientation or religion or belief is unacceptable and unlawful under the Sex Discrimination Act 1975, the Equal Pay Act 1970, Sex Discrimination (Gender Reassignment) Regulations 1999, the Race Relations Act 1976, Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the Disability Discrimination Act 1995, the Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Religion or Belief) Regulations 2003.

In addition there are a number of Codes of Practice which although are not legally binding, we support as far as possible, and recognise that Employment Tribunals will refer to when determining the reasonableness of an employers actions.

These codes include the Code of Practice on Age Diversity 1999, Code of Practice on the Protection of the dignity of women and men at work as well as the Codes of Practice supplied by the Commission for Racial Equality (CRE) and the Equal Opportunities Commission.

Any breaches of this policy will be considered wholly unacceptable behaviour, and subject to a thorough investigation, could lead to disciplinary action up to and including dismissal, including summary dismissal.

The effectiveness of this policy will be monitored.

Discrimination

Types of Discrimination

There are many types of discrimination both direct and indirect. The responsibility for avoiding acts of discrimination lies with both you and the Company. All forms of discriminatory behaviour will be treated as a disciplinary offence.

The main types of discrimination are as identified below:

Direct Discrimination

Where a person or group are treated less favourably on the grounds of sex, race, colour, ethnic origin, sexual orientation, gender reassignment, part time working, age, marital status, disability, Trade Union activity, religious or political beliefs.

Indirect Discrimination

Where a condition or requirement is applied in such a way that a particular group cannot comply.

Pressure or Instruction to Discriminate

Where someone is instructed, influenced or pressurised to contravene any of the legislation referred to above.

Victimisation

Where a person or group are treated less favourably because they have:

- Brought proceedings under the existing legislation
- Given evidence in someone else's proceeding under the Acts or
- Alleged that someone has committed an act that would constitute a contravention of the Acts

Post Employment

Where someone is discriminated against or harassed, in certain circumstances, after the working relationship has ended.

Harassment and Bullying

The Company is committed to preventing harassment and bullying in the workplace. They can be unlawful, a threat to Health and Safety at Work and a breach of the Equal Opportunities policy.

Harassment, including racial harassment can be defined as "attentions of a nature that are subjective, unwanted and unreciprocated, creating an intimidating environment and threaten to job security".

Bullying is defined as any unsolicited and unwelcome act that humiliates, intimidates or undermines the individual involved.

There are a wide range of behaviours which may cause alarm or distress, and could be regarded as harassment, including bullying as well as acts of race, sex or disability discrimination. These behaviours may range from extremes such as violence to more discreet forms like ignoring someone.

Even a single act or comment can constitute harassment and there have been a number of cases where the individual generating the harassment has had to compensate the victim personally. Under current legislation, harassment is a criminal offence liable to imprisonment and / or a fine of up to £5, 000.

Forms of Harassment and/or Bullying

Forms of harassment and/or bullying include:

- Violence
- Jokes of an abusive or offensive nature, gossip, slander, offensive language
- Obscene gestures, posters or graffiti of an abusive or offensive nature
- Isolation or non cooperation and exclusion from social activities
- Treating a colleague in a bullying nature
- Physical contact
- Sectarian songs, letters or rhymes
- Sarcasm
- Use of slang names for members of particular racial groups or persons suffering from certain disabilities
- Unfounded criticism
- Deliberately ignoring someone
- Setting unattainable targets at work

Forms of Sexual Harassment

Sexual Harassment can take the form of:

- Unsolicited advances and propositions
- Coercion to sexual favours
- Unwanted physical contact
- Lewd comments
- Pornographic and sexually explicit material
- Unwanted sexual advances
- Suggestions or pressure for sexual activity
- Spying, pestering and/or stalking a colleague with unwelcome attentions, including emails, phone calls and letters
- Intimidating conduct including the display of sexually explicit materials in the workplace
- Derogatory gender based remarks
- Suggestions that sexual favours may further an employee's career or that refusal may hinder it

Equal Opportunities Complaint Procedure

If you have been subjected to treatment that you feel is inconsistent with the equal opportunities policy you must make a complaint about that treatment.

It is the joint responsibility of everyone management and employees, to recognise harassment, bullying and discrimination when it happens and take the necessary steps to stop it.

In defining whether a given action or attitude constitutes harassment, bullying or discrimination, it is essential to remember that it is the perception of the recipient(s) not the intention of the perpetrator(s) that is key.

If you have witnessed an offence under this policy you also must raise a complaint.

Your Complaints Officer is Adrian Stewart - contact him by phone, e-mail or during his visits.

Stage 1 Informal Action

If you have reason to make a complaint you may want to take one or more of the following steps:

- Inform the harasser to stop
- Seek help or guidance from a colleague, supervisor, manager etc
- If you are too upset or embarrassed to speak directly to the harasser, you may write a letter to them stating what behaviour is causing offence, how it affects you and asking them to stop. Keep a copy of this letter, and any notes of incidents and occurrences with dates and times

Any of the above people may speak to the harasser, requesting them to stop. Most problems will cease once the harasser knows their behaviour is unacceptable and in breach of the equal opportunities policy.

Stage 2 Formal Action

Making the formal complaint

If the informal action does not result in the harassment ceasing, or where it is considered more serious harassment has taken place, then the individual should report the facts in writing to the Complaints Officer which can be processed through a representative if preferred. This should detail the:

- Name of the alleged harasser
- Nature of the alleged harassment
- Dates and times when the alleged harassment occurred
- Names of any witnesses
- Action already taken, if any, by you to stop the alleged harasser.

Investigation of the complaint

In all instances, allegations will be treated seriously and with the utmost confidentiality for all concerned.

On receipt of the formal complaint action will be taken to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another area of work or suspension with pay until the matter is resolved.

The complaint will be thoroughly investigated by the Complaints Officer normally within 5 working days of receiving a complaint. In the absence of one of these people, and in the case of extenuating circumstances, a substitute of appropriate status would be acceptable. No person who has been involved in the complaint being investigated will be responsible for the investigation.

During the investigation the Complaints Officer will interview both the complainant and accused, interview witnesses, if any, and ascertain all the relevant facts. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

During an investigation, all parties involved may be accompanied by a colleague or TU representative of their choice.

Reports

When the investigation has been concluded a draft report of the findings and the Complaints Officers proposed decision will be sent in writing to you and the alleged harasser.

If you or the alleged harasser are dissatisfied with the draft report or the proposed decision, this should be raised with the Complaints Officer within 5 working days of receiving the draft. Any points will be considered by the Complaints Officer before the final report is sent, in writing, to you and the alleged harasser.

Further Action

If the report concludes that the allegation is well founded, the harasser will be subject to disciplinary action in accordance with the disciplinary procedure, and as such may also appeal against any action taken against them. The resulting

disciplinary action will also consider whether it is necessary to transfer the offender to avoid further conflict within the working environment.

If you bring a complaint of harassment you will not be victimised for having brought the complaint. However if the report concludes that the complaint was both untrue and was brought with malicious intent, disciplinary action will be taken against you.

If the complaint is not upheld but the Complaints Officer believes that the current working relationship cannot be maintained, then either party may be asked to relocate.

The Complaints Officer may recommend mediation to help both parties to find a course of action that is acceptable to them and allows each to retain their dignity. This is only possible with the agreement of both parties.

Adrian Stewart
Managing Director

Reviewed 26th Aug 2015