

Equal Opportunities Policy

PHX090

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Statement of Policy

Phoenix is committed to equal opportunities for all staff and applicants regarding employment.

It is our policy that all employment decisions are based on suitability and the legitimate business needs of the organisation. Phoenix does not discriminate on the basis of race, colour or nationality, ethnic origins, sex, gender reassignment, sexual orientation, marital or civil partnership status, disability, religion or belief, age, or any other grounds on which it is unlawful to discriminate under the laws of England and Wales.

Our intention is to enable all our staff to work in an environment which allows them to fulfil their potential without fear of discrimination or harassment.

Phoenix's commitment to equal opportunities extends to all aspects of the working relationship including:

- recruitment and selection processes
- terms of employment including pay and benefits
- training, career development and promotion
- work practices, conduct, allocation of tasks, discipline, and grievances
- work-related social events
- termination of employment and matters after termination including references

The principles of non-discrimination and equal opportunities also apply to the way in which our staff interact with visitors, customers, suppliers, and former staff members.

Who Is Responsible for Equal Opportunities?

There is a collective responsibility between the management and staff of Phoenix to make our Equal Opportunities Policy work. This policy therefore applies to all Phoenix Software employees irrespective of seniority, tenure and working hours or patterns.

The Directors of Phoenix have overall responsibility for this policy, for equal opportunities and discrimination law compliance in the work place. The HR Dept. has the responsibility for the day-to-day running of the policy.

All staff have a personal responsibility to ensure compliance with this policy; to treat colleagues with dignity at all times and not to discriminate against or harass other members of staff, visitors, customers, or suppliers. Staff who take part in management, recruitment, selection, promotion, training, and career development have a special responsibility for ensuring compliance and leading by example.

Managers are made aware of their equal opportunities responsibility and must take all steps to:

- understand and promote the values of our equal opportunities policy
- ensure that their own behaviour and that of the staff they manage complies with this policy

- ensure that any complaints regarding discrimination, victimisation or harassment are dealt with appropriately and are not suppressed or disregarded

What Is Discrimination?

Discrimination occurs in different ways, some more obvious than others. Discrimination related to any of the characteristics in Paragraph 2 is prohibited by law, even if unintentional.

Direct Discrimination

Direct discrimination is less favourable treatment based on any of the characteristics in Paragraph 2. Direct discrimination can arise in some cases even though the person complaining does not actually possess the characteristic but is perceived to have it or associates with other people who do.

Indirect Discrimination

Indirect discrimination arises when an employer applies an apparently neutral position, criteria, or practice which in fact puts individuals with a particular characteristic at a disadvantage. To show discrimination the individual has to be personally disadvantaged.

Victimisation

Victimisation means treating a person less favourably because they have made a complaint of discrimination or have provided information in connection with a complaint or because they might do one of those things.

Harassment

Harassment is:

- unwanted conduct which has the purpose or effect of violating a person's dignity or creating
- an intimidating, hostile, degrading, humiliating or offensive environment for them
- unwanted conduct which is of a sexual nature, and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment (Sexual Harassment)
- less favourable treatment because of the rejection of or the submission to sexual harassment

Harassment can arise in some cases even though the person complaining does not possess a Paragraph 2 characteristic but is perceived to have it or associates with other people who do.

Harassment may include:

- use of insults or slurs based on a Paragraph 2 characteristic or of a sexual nature or other verbal abuse or derogatory, offensive, or stereotyping jokes or remarks
- physical or verbal abuse, threatening or intimidating behaviour related to a Paragraph 2 characteristic or behaviour of a sexual nature
- unwelcome physical contact including touching, hugging, kissing, pinching, or patting, brushing past, invading personal space, pushing, grabbing or other assaults
- mocking, mimicking, or belittling a person's disability, appearance, accent or other personal characteristics
- unwelcome requests for sexual acts or favours: verbal sexual advances, vulgar, sexual, suggestive, or explicit comments or behaviour
- repeated requests, either explicitly or implicitly, for dates
- repeated requests for social contact after it has been made clear that requests are unwelcome
- comments about body parts or sexual preferences
- displaying or distributing offensive or explicit pictures, items or materials relating to Paragraph 2 characteristics or of a sexual preference
- shunning or ostracising someone by deliberately excluding them from conversations or activities
- "outing" or threatening to "out" someone's sexual orientation
- explicit or implicit suggestions that employment status or work progression is related to reasons other than work abilities

It is also important to acknowledge the following points relating to harassment:

- a single incident can amount to harassment
- behaviour that has continued for long periods of time without complaint can amount to harassment
- it is not necessary for an individual to intend to harass someone for their behaviour to amount to harassment
- it is not necessary for an individual to communicate that behaviour is unwelcome before it amounts to harassment
- the onus is on each individual to be certain that their behaviour and conduct is appropriate and is not unwanted and in the case of any doubt, to refrain from such conduct

Disabled Persons

Any employee who considers that they may have a disability is strongly encouraged to speak to the HR Dept. so that appropriate support can be provided where necessary.

For these purposes, disability includes any physical or mental impairment which substantially affects your ability to perform day-to-day activities and has lasted (or could last) more than 12 months. Disclosure of this information will be treated confidentially so far as is practicable. We will also do our best to handle matters sensitively and ensure that you are treated with dignity and be

respectful of your privacy. We will discuss with you about whether adjustments are needed to avoid you being disadvantaged and may ask you to visit a doctor, appointed by us, to advise on this. We will seek to accommodate your needs where practicable and within reason.

Making Fair Employment Decisions

Phoenix recruits employees and makes other employment decisions concerning promotion, training, dismissal and related disciplinary issues on objective criteria and business requirements.

Managers should only consider criteria or conditions for employment decisions (including job selection, promotion, and redundancy) that are based on legitimate business needs. If you are in any doubt about whether particular criteria or conditions are discriminatory or justifiable, please speak to the HR Dept.

Recruitment

Managers involved in recruitment must:

- only specify recruitment criteria that are relevant to the job and reflect genuine business needs. More than one person should be involved in short-listing the candidates wherever practicable
- ensure that vacancies are advertised to a diverse audience and try to avoid informal recruitment methods that exclude fair competition
- review job advertisements carefully to ensure that stereotyping is avoided, and that groups or individuals are discouraged from applying
- not ask applicants about health or disability before a job offer is made
- not ask applicants about current or future pregnancy, childcare, or related matters nor about matters relating to Paragraph 2 characteristics
- not make assumptions about immigration status based on appearance, accent, or apparent nationality

Phoenix is legally required to verify that all employees have the right to work in the UK. Prior to starting employment, all employees must produce original documents to the Employers satisfaction, irrespective of nationality.

Staff Training, Career Development and Promotion

Training needs may be identified during the review process or through day-to-day working. Appropriate training to facilitate progression is made available to all staff.

All promotion decisions are made on the basis of merit and according to criteria determined by legitimate business needs.

Version Control

<u>Author</u>	<u>Version</u>	<u>Date</u>	<u>Description</u>
Trevor Hutchinson	1.0	01/11/2019	Original Document
Trevor Hutchinson	2.0	01/11/2020	Amendments following annual review
Trevor Hutchinson	2.0	01/11/2021	Annual review – no changes
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Document Approval

<u>Name</u>	<u>Version</u>	<u>Date</u>	<u>Position</u>
Sam Mudd	1.0	01/11/2019	Managing Director
Sam Mudd	2.0	01/11/2020	Managing Director
Sam Mudd	2.0	01/11/2021	Managing Director
Clare Metcalfe	2.0	01/11/2022	Operations Director

Signed: *Clare Metcalfe* Clare Metcalfe, Operations Director

Dated: 01/11/2022