



# ATG group

## Equal Opportunities Policy

Updated 11/01/2024



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## 1.0 Policy Statement

ATG Group is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy, and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age, or sexual orientation. This Policy aims to remove unfair and discriminatory practices within the Company and to encourage full contribution from its diverse community. The Company is committed to actively opposing all forms of discrimination.

The Company also aims to provide a service that does not discriminate against its clients and customers in how they can access the services and goods supplied by the Company. The Company believes that all employees and clients are entitled to be treated with respect and dignity.

All personal data used in connection with this Policy shall be collected, held, and processed in accordance with the Company's Data Protection Policy.

## 2.0 Aims of the Policy

This Policy aims to:

- Prevent, reduce, and stop all forms of unlawful discrimination in line with the Fair Employment and Treatment (Northern Ireland) Order 1998
- Ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined based on capability, qualifications, experience, skills, and productivity

## 3.0 Designated Officer

**Name:** Richard Hughes

**Position:** HR & Compliance Manager

**Telephone Number:** 028 705 31463

## 4.0 Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy, and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age, or sexual orientation. Discrimination may be direct or indirect and includes discrimination by perception and association.

## 5.0 Types of Discrimination

### 5.1 Direct Discrimination

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy, and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age, or sexual orientation.

### 5.2 Indirect Discrimination

This is the application of a policy, criterion, or practice which the employer applies to all employees, but which is such that:

- It is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents
- The employer cannot justify the need for the application of the policy on a neutral basis
- The person to whom the employer is applying it suffers detriment from the application of the policy

**Example:** A requirement that all employees must be 6ft tall, if not justified by the position, would indirectly discriminate against employees with an Asian ethnic origin, as they are less likely to be able to fulfil this requirement.

### 5.3 Harassment

This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

### 5.4 Victimisation

This occurs when a person is treated less favourably because they have brought or intend to bring proceedings, or they have given or intend to give evidence.

## 6.0 Unlawful Reasons for Discrimination

### 6.1 Sex

It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of people can be found to constitute sex discrimination.

**Example:** Asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.

## 6.2 Age

It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

## 6.3 Disability

It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

## 6.4 Race

It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality, or their ethnic origin.

## 6.5 Sexual Orientation

It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is gay, heterosexual or bisexual.

## 6.6 Religion or Belief

It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

## 7.0 Positive Action in Recruitment

Under the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that the Company can take to encourage people from groups with diverse needs or with a past record of disadvantage or low participation, to apply for positions within the Company.

If the Company chooses to use positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

## 8.0 Reasonable Adjustments

The Company has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:

- Adjusting premises
- Re-allocating some or all a disabled employee's duties
- Transferring a disabled employee to a role better suited to their disability
- Relocating a disabled employee to a more suitable office
- Giving a disabled employee time off work for medical treatment or rehabilitation
- Providing training or mentoring for a disabled employee
- Supplying or modifying equipment, instruction, and training manuals for disabled employees
- Any other adjustments that the Company considers reasonable and necessary provided such adjustments are within the financial means of the Company.

If an employee has a disability and feels that any such adjustments could be made by the Company, they should contact the Designated Officer.

## 9.0 Responsibility for Implementation of this Policy

All employees, subcontractors and agents of the Company are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination, harassment, or victimisation on the grounds of their race, sex, pregnancy, or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

The co-operation of all employees is essential for the success of this Policy. Senior employees are expected to follow this Policy and to try to ensure that all employees, subcontractors, and agents do the same.

Employees may be held independently and individually liable for their discriminatory acts by the Company and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered because of discriminatory acts.

The Company takes responsibility for achieving the objectives of this Policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

## 10.0 Acting on Discriminatory Behaviour

If an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Disciplinary and Grievance procedures.

## 11.0 Complaints and Advice

Every effort will be made to ensure that volunteers/members of staff making complaints will not be victimised. Any complaint of victimisation or discrimination will be dealt with seriously, promptly, and confidentially. Victimisation will result in disciplinary action and may warrant dismissal.

Employees/volunteers who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through ATG Group's Grievance Procedure. A copy of this procedure is available from HR.

In addition to our internal procedures, employees/volunteers have the right to pursue complaints of discrimination to an industrial tribunal or the Fair Employment Tribunal under the following anti-discrimination legislation:

- Sex Discrimination (Northern Ireland) Order 1976, as amended
- Disability Discrimination Act 1995
- Race Relations (Northern Ireland) Order 1997, as amended
- Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003
- Fair Employment and Treatment (Northern Ireland) Order 1998, as amended
- Employment Equality (Age) Regulations (Northern Ireland) 2006
- Equal Pay Act (Northern Ireland) 1970, as amended.

However, employees wishing to make a complaint to a tribunal will normally be required to raise their complaint under our internal grievance procedures first.

## 12.0 Monitoring

ATG Group will continue to monitor and review this procedure, along with cooperating with the Equality Commission for Northern Ireland to include annual submissions of Fair Employment Monitoring Reports.