

WMB (Mechanical) LTD

EQUAL OPPORTUNITIES AND ANTI-HARASSMENT & BULLYING POLICY 2015

This policy document applies to your employment at *WMB (Mechanical) Ltd, The Yard, Dorchester Road, Swinton, Manchester, and all sites associated*, at which you may be asked to work at from time to time.

For any policy to be effective it must be applied throughout the organisation, this policy therefore applies to all staff regardless of position or seniority.

1. Policy Statement

1.1 This Organisation is an equal opportunities employer and is committed to ensuring that the terms and conditions of employment of the employee and potential employee are equitable and non-discriminatory. This means that job applicants and employees will be treated fairly regardless of their sex, marital status, sexual orientation, gender reassignment, race, ethnic origin, disability, religion or religious beliefs.

1.2 The Organisation will seek to promote equal opportunities and prevent harassment and bullying by publicising and communicating this policy; by providing appropriate training and guidelines for those with designated responsibilities and by raising awareness through staff development.

1.3 Further, the Organisation will continually monitor its policies and practices to ensure that these principles are upheld. It is the employee's right to be treated with dignity and respect, which in turn will be conducive to performance, self-development and career advancement. Every executive, manager and employee has a responsibility to implement this policy.

2. Definitions

2.1 Discrimination

For the purposes of this policy, discrimination means treating people less favourably than others on the grounds of their sex, marital status, sexual orientation, gender reassignment, race, ethnic origin, disability, religion or religious beliefs, whether this be direct or indirect by applying a provision, criterion or practice, which disadvantages such persons.

2.2 Sexual Orientation

For the purposes of this policy, sexual orientation means sexual orientation for a person of the same sex, different sex or for persons of both sexes. It does not include sexual practices or preferences.

Discrimination can occur based on a perception of a person's sexual orientation, even if that perception is wrong. It can also include discrimination against a person by reason of the sexual orientation of someone they associate with.

2.3 Gender Reassignment

For the purposes of this policy, gender reassignment means a desire to be known or to become a person of a gender different to that which they were born.

2.4 Religion/Religious Beliefs

For the purposes of this policy, religion or religious beliefs is defined as any religion, religious belief or similar philosophical belief. It does not include philosophical or political beliefs unless that belief is similar to a religious belief. Discrimination can occur based on a perception of a person's religion or beliefs even if that perception is wrong. It can also include discrimination against a person by reason of the religion or religious beliefs of someone they associate with.

2.5 Harassment

For the purposes of this policy harassment is defined as any hostile unwanted, unreasonable and/or offensive behaviour, which adversely affects a person's dignity, self-confidence and well-being and creates a hostile environment and which leads to that person feeling intimidated, degraded or humiliated.

2.6 Racial Harassment

For the purposes of this policy racial harassment is defined as any action, conduct, comment, gesture or behaviour that is offensive, embarrassing, insulting or intimidating. It may include derogatory remarks, quips, jokes, innuendos, taunts or physical abuse which is racially derogatory and potentially offensive to a person's race, religion or ethnic origins.

2.7 Sexual Harassment

For the purposes of this policy sexual harassment is defined as:

- a. Any action, conduct, comment, gesture or physical contact of a sexual nature that is unwelcome and might reasonably be seen by an employee or prospective employee as placing an implicit or explicit condition on employment.
- b. Any persistent, unwelcome action, conduct, comment, gesture or physical contact of a sexual nature that is likely to cause offence, embarrassment or humiliation to an employee or creates an offensive working environment.

2.8 Bullying

For the purposes of this policy bullying is defined as repeated treatment with the purpose of controlling individuals or making them insecure in their roles or treatment that has that effect.

2.9 Victimisation

For the purposes of this policy, victimisation is defined as treating persons less favourably because of something they have done under or in connection with asserting their rights under any employment legislation or regulations.

3. Monitoring

All employees and job applicants will be asked to complete a form providing information regarding their sex, race, ethnic origin and whether they suffer from any disabilities. This form will be used solely for the purpose of monitoring the effectiveness of the Organisation's equal opportunities policy and to ensure that the organisation meets its obligations as an equal opportunities employer.

4. Procedure For Discriminatory Conduct

- 4.1 Any member of staff may use the Organisation's grievance procedure to complain about discriminatory conduct. The complaint will be thoroughly investigated and considered based on the facts of the investigation. No individual will be penalised for raising such a grievance unless it is untrue and made in bad faith. If the matter relates to harassment or bullying of any kind the anti-harassment and bullying procedure set out below should be followed.
- 4.2 Any employee who discriminates against any other employee on the grounds of sex, marital status, sexual orientation, gender reassignment, race, ethnic origin, disability, religion or religious beliefs, will be subject to the Organisation's disciplinary procedure as set out in the grievance and disciplinary policy. In serious cases where such behaviour has been deemed to constitute gross misconduct it will result in summary dismissal in the absence of mitigating circumstances. This statement should be read in conjunction with the anti-harassment and bullying procedure set out in clause 6.

5. Positive Action on Equal Opportunities

- 5.1 The Organisation will regularly monitor the composition of the workforce and of job applicants. Should inequalities become apparent positive action will be taken to redress the balance including such measures as:
 - a. Advertising jobs in ethnic or female interest publications as appropriate.
 - b. Encouraging under-represented groups to apply for suitable posts or undergo training.
 - c. Making contact with disabled people via the local job centre.
 - d. Considering whether any reasonable adjustment can be made to work premises or the working arrangements to accommodate a disabled employee or job applicant.
 - e. Introducing assertiveness training.

6. Anti-Harassment & Bullying Procedure

- 6.1 As well as its commitment to equal opportunities, the Organisation is committed to providing a work environment for employees, which is free from harassment or bullying on the grounds of sex, marital status, sexual orientation, gender reassignment, race, ethnic origin, disability, religion or religious beliefs. This may include embarrassment, intimidation, threats or discrimination.
- 6.2 Reasonable measures will be taken to ensure that no employee is subject to harassment or bullying. In recognition of these principles the Organisation will also not condone any conduct, which may be construed as sexual harassment

- 6.3** Any complaints of harassment or bullying should be made to *S.Burns, Managing Director of WMB (Mechanical) Ltd.* Contact can be made via the Swinton head office. The matter will be dealt with in a discreet and confidential manner and appropriate action will be taken. It is the duty of all employees and in particular management and supervisors, to ensure that the anti-harassment & bullying policy is implemented. Harassment or bullying will be taken to have occurred if a reasonable individual would or ought to have known that the behaviour was unwelcome or offensive.
- 6.4** Harassment and bullying are disciplinary offences that may on the most serious cases lead to dismissal. Individuals should be aware that in some circumstances they may be held personally liable for acts that are unlawful.
- 6.5** Incidents of sexual or racial harassment can be taken to amount to gross misconduct, which will be dealt with under the Organisation's disciplinary policy and may lead to summary dismissal. Less serious infringements may lead to an apology from the harasser, letter of reprimand, suspension or relocation of the harasser.
- 6.6** In dealing with reports of harassment or bullying the following principles will apply:
- a.** All reports will be taken seriously, treated in confidence and investigated by trained staff who are independent of the situation.
 - b.** All complaints will be progressed and dealt with according to the Organisation's grievance and disciplinary procedure.
 - c.** Where the Organisation has reason to believe that there is a risk to the personal safety of the complainant or of another person, or that a criminal offence has been committed, the Organisation may take legal advice and/or inform the police before proceeding with any internal action.
 - d.** The victimisation or harassment of a complainant or the respondent, or any witnesses will be regarded as a disciplinary offence.
 - e.** Malicious complaints will be regarded as a disciplinary offence.

7. Date of Implementation

This policy is effective from *01/11/2014* and shall not apply to any actions that occurred prior to this date. This policy is reviewed annually.

8. Questions

If you have any questions regarding this policy document and how it applies to you please consult *D.P.Smith, Managing Director of WMB (Mechanical) Ltd.* Contact can be made via the Swinton Head Office. (Please see below).

9. Alteration of these guidelines

This policy will be subject to change and updating. Any alterations will be communicated to you by *D.P.Smith, Managing Director of WMB (Mechanical) Ltd.*

Any further details please contact:

D.P.Smith
Managing Director
WMB (Mechanical) Ltd
The Yard, Dorchester Road
Swinton
Manchester
M27 5NU
Tel: 0161 793 6019
Email: darren@wmb ltd.co.uk

This policy has been constructed by D.P.Smith, Managing Director and company Equal Opportunities officer.

Next Review Date: 10/04/2016



D.P.Smith
Managing Director