

EQUAL OPPORTUNITIES POLICY

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ALFRED H KNIGHT

Equal Opportunities Policy

We are committed to promoting equal opportunities and avoiding unlawful discrimination in all aspects of employment across the business.

All of our employees and any job applicants will receive equal treatment regardless of who they are. We do not discriminate based on age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation, or any other 'Protected Characteristic'.

We will take all reasonable steps to ensure that we provide a work environment that is free from harassment and bullying and in which all employees are treated with dignity and respect.

This policy lays out our approach to equal opportunities and to the avoidance of discrimination in the workplace.

A summary of our approach to equal opportunities is contained within the Company Handbook, which can be located on the intranet.

This policy does not form part of any employee's contract of employment and we may amend this document from time to time.

Policy Statements

1 WHO DOES THIS POLICY APPLY TO?

- 1.1 It applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 1.2 This policy applies to all employees, officers, consultants, contractors, casual workers and agency workers.

2 WHO IS RESPONSIBLE FOR THIS POLICY?

- 2.1 The Executive Management Team has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law.
- 2.2 Day-to-day operational responsibility for this policy, including regular review of this policy, has been delegated to the Human Resources team and you should contact Human Resources in the first instance should you have any queries about the content of this document.
- 2.3 All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. In order to assist managers with this, all managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Learning and Development department manager has overall responsibility for equal opportunities training. Should you have any queries regarding training or training material, please contact the Learning and Development team for information.
- 2.4 Anyone who is involved in management or recruitment who has any questions about the content or application of this policy should contact Human Resources for further information.
- 2.5 All employees, officers, consultants, contractors, casual workers and agency workers are responsible for the effective use and implementation of this policy.

3 DISCRIMINATION

- 3.1 AHK does not tolerate any unlawful discrimination in the workplace or otherwise.
- 3.2 You must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies both

in and out of the workplace, including on any work-related trips or events including social events.

3.3 The following forms of discrimination are prohibited under this policy and are unlawful:

- **Direct discrimination:** Direct discrimination is treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because of their sexuality.
- **Indirect discrimination:** This is a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time, with no entitlement to flexible working hours, would adversely affect the primary caregiver who may need to work part-time or have flexible working hours to deal with childcare commitments. Such a job requirement could be discriminatory unless it can be justified.
- **Harassment:** This includes all forms of unwanted conduct including sexual harassment or cyberbullying related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her. Our Anti-harassment and Bullying Policy provides information regarding harassment and what you should do if you experience it.
- **Victimisation:** This includes retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
- **Disability discrimination:** This includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

4 BULLYING AND HARASSMENT

4.1 Bullying and harassment can occur in the workplace and in any work-related setting outside the workplace, for example, during business trips and at work-related social events.

4.2 Bullying is offensive or intimidating behaviour or an abuse or misuse of power that undermines or humiliates another person. Bullying or harassment can occur in a number of different ways or situations, for example:

- A person harasses another if they engage in unwanted conduct related to a protected characteristic, and the conduct has the purpose or effect of violating the other person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other person;

- A person harasses another if they engage in unwanted conduct of a sexual nature, and the conduct has the purpose or effect of violating the other person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other person;
 - A person harasses another if they or a third party engage in unwanted conduct of a sexual nature or that is related to gender reassignment or sex, the conduct has the purpose or effect of violating the other person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other person, and because of that other person's rejection of or submission to the conduct, they treat that other person less favourably than they would treat them if they had not rejected, or submitted to, the conduct.
- 4.3 The unwanted conduct will still amount to harassment if it is based on the protected characteristic of a third party with whom the employee is associated and not on the employee's own anti-harassment protected characteristic, or if it was directed at someone other than the employee, or even at nobody in particular, but they witnessed it. In addition, harassment can include cases where the unwanted conduct occurs because it is perceived that an employee has a particular anti-harassment protected characteristic, when in fact they do not.
- 4.4 Conduct may be harassment whether or not the person intended to offend. Something intended as a "joke" or as "office banter" may offend another person. This is because different people find different levels of behaviour acceptable and everyone has the right to decide for themselves what behaviour they find acceptable to them.
- 4.5 Behaviour which a reasonable person would realise would be likely to offend an employee will always constitute harassment without the need for the employee having to make it clear that such behaviour is unacceptable, for example, touching someone in a sexual way. With other forms of behaviour, it may not always be clear in advance that it will offend a particular employee, for example, office banter and jokes. In these cases, the behaviour will constitute harassment if the conduct continues after the employee has made it clear, by words or conduct, that such behaviour is unacceptable to him or her. A single incident can amount to harassment if it is sufficiently serious.

5 CYBERBULLYING

- 5.1 It is our aim to provide a safe working environment in which preventative measures are in place to deter cyberbullying.
- 5.2 In order to do this, all employees should be aware what constitutes cyberbullying and how to report it.

5.3 Cyberbullying includes:

- offensive e-mails — sending offensive e-mails to a colleague (even if this is meant as a joke) — and continuing to send similar messages having already been asked to stop;
- e-mail threats — this might also include ostensibly relatively inoffensive messages in terms of actual content where it is the implied meaning behind the message that constitutes a form of bullying. An example of this might be where a superior is using e-mail to bombard an employee with more work than he or she can handle, while other members of the team are not being treated in the same way;
- posting blogs and leaving comments on social networking sites — it may be that person does not experience any direct form of cyberbullying, being unaware that the bully is posting offensive messages about him or her on sites in the public domain;
- propagating defamatory gossip about employees on social networking sites and blogs;
- threats or offensive comments sent to a person's mobile phone via SMS text messages;
- harassment by e-mail — sending persistent e-mails to a person when previous e-mail approaches have been rejected;
- sharing a person's private data online — posting somebody's personal details, i.e. those which they would not normally want to share with complete strangers, such as home addresses and phone numbers — in such a way that they becomes available to the general public;
- picture/video-clip bullying via mobile phone cameras;
- chat room bullying; and
- bullying via websites.

5.4 Cyberbullying is similar to other forms of bullying in many respects but unlike some other forms of bullying, the size of the audience can be vast, it can be relatively anonymous and electronically-circulated messages can be difficult to control.

5.5 If you experience cyberbullying or know of an employee who is experiencing cyberbullying, you are encouraged to inform your manager or a member of the Human Resources Department. All complaints will be taken seriously, investigated appropriately and in so far as possible will remain confidential throughout.

6 RECRUITMENT AND SELECTION

6.1 Discrimination will play no part in recruitment, promotion or other selection exercises such as redundancy. These selection exercises will be conducted based on merit and candidate

suitability only, and against the objective criteria applicable to each individual in their role, in order to avoid discrimination in the workplace.

- 6.2 Shortlisting should be done by more than one person and with the involvement of the Human Resources Department, where possible. In some cases, shortlisting of candidates will be undertaken by a third party on behalf of the business. We will aim to review our recruitment procedures regularly to ensure that individuals are treated based on their relevant merits and abilities.
- 6.3 Employment vacancies may be advertised internally and externally.
- 6.4 Vacancy advertisements will aim to positively encourage applications from all suitably qualified and experienced persons.
- 6.5 Vacancies should generally be advertised to a diverse section of the labour market. Where appropriate, the Human Resources Department may approve the use of lawful exemptions to recruit someone with a particular Protected Characteristic, for example, where the job can only be done by a woman or requires a candidate to hold certain qualifications. The advertisement should specify the exemption that applies and why the exemption applies.
- 6.6 Advertisements for vacancies should avoid stereotyping or using wording that may discourage particular groups from applying, save where, for example, certain qualifications are required for a particular role.
- 6.7 Job applicants should not be asked questions that might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
- 6.8 Questions regarding health or disability should not be put to job applicants before a job offer is made, except in limited circumstances and only with the approval of the Human Resources Department. For example:
 - There may be occasions where it is necessary to ask questions in order to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
 - Questions may need to be asked to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
 - Positive action to recruit disabled persons;
 - Equal opportunities monitoring (which will not form part of the selection or decision-making process); and
 - Where appropriate, job offers can be made conditional on a satisfactory medical check.

- 6.9 We are required by law to ensure that all employees are entitled to work in the UK or in the location where the vacancy is available. We will not make any assumptions about immigration



status based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the Human Resources Department or UK Visas and Immigration.

7 TRAINING AND PROMOTION AND CONDITIONS OF SERVICE

- 7.1 AHK will train all line managers in this policy to help them identify and deal effectively with discriminatory acts or practices or acts of harassment or bullying.
- 7.2 Line managers will be responsible for ensuring that they actively promote equal opportunities within their department.
- 7.3 Every employee will be provided with training to help them understand their rights and responsibilities in relation to equal opportunities at work and what they can do to create a work environment that is free from discrimination, bullying and harassment.
- 7.4 You will be provided with training in respect of the metals and mining industry, and appropriate training for your role. You will also be required to complete mandatory online learning modules such as health and safety in the work place.
- 7.5 Any additional training required will be identified through appraisals that we will aim to conduct on a regular basis.
- 7.6 Where a promotional system is in operation, this will not be discriminatory and will be reviewed from time to time to assess how it works in practice and to ensure it is fit for purpose.
- 7.7 You will be given appropriate access to training to enable you to progress within the organisation and all promotion decisions will be made on the basis of merit.
- 7.8 Should you wish to undertake any further training or training that falls outside of the scope of your role, you should speak with your line manager.
- 7.9 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all of you who should have access to them and that there are no unlawful obstacles to accessing them.

8 EQUAL PAY

- 8.1 AHK is committed to equal payment in employment.
- 8.2 It believes its male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, AHK will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.



9 DISABILITIES

- 9.1 We will have regard to our duty to make reasonable adjustments to work provisions, criteria and practices or to physical features of work premises or to provide auxiliary aids or services in order to ensure that any disabled person is not placed at a substantial disadvantage in comparison to a person who is not disabled.
- 9.2 If you are disabled or become disabled, we encourage you to provide us information relevant to your condition so that we can support you as and where appropriate.
- 9.3 If you experience difficulties at work because of your disability, you may wish to contact [your line manager OR the Human Resources Department] to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Human Resources Department may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.
- 9.4 We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.
- 9.5 If any disability prevents you from undertaking a particular role within the business, we shall use our best endeavours to provide you with suitable options for reassignment within the organization.

10 PART-TIME AND FIXED-TERM WORK

- 10.1 Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified. For example, a part-time worker still receives an annual leave entitlement but will not receive the same annual leave entitlement as a full-time employee.

11 TERMINATION OF EMPLOYMENT

- 11.1 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 11.2 We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

12 BREACHES OF THIS POLICY

- 12.1 We will not tolerate any unlawful discrimination and we take a strict approach to breaches of this policy. All breaches of this policy will be dealt with in accordance with our Disciplinary Procedure.
- 12.2 Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

13 WHAT TO DO IF YOU BELIEVE THERE HAS BEEN A BREACH OF THIS POLICY

- 13.1 If you believe that you have suffered discrimination, harassment or bullying you can raise the matter with your manager or with the Human Resources Department.
- 13.2 Any complaints or issues will be treated in confidence and investigated appropriately.
- 13.3 There must be no victimisation or retaliation against staff who complain about discrimination, harassment or bullying. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.