

general statement of policy

Bucks and Berks Recruitment Plc is committed to a policy of equal opportunities for all employees, workers, candidates and applicants and will adhere to its policy at all times and will review on an on-going basis on all aspects of recruitment to avoid unlawful or undesirable discrimination, and promote diversity at work. Bucks and Berks Recruitment will treat everyone equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, colour, ethnicity, national origin, religion or belief and sex, politics or membership or non-membership of a trade union. We place an obligation upon all staff to respect and act in accordance with the policy.

Bucks and Berks Recruitment is committed to providing training for all staff in equal opportunities and diversity practices.

Bucks and Berks staff will not discriminate unlawfully when deciding which candidate/temporary worker is submitted for a vacancy or assignment, or in any terms of employment or terms of engagement for temporary workers. Bucks and Berks staff will ensure that each candidate is assessed only in accordance with the candidate's merits, qualification and ability to perform the relevant duties required by the particular vacancy.

Bucks and Berks staff will not accept instructions from clients that indicate an intention to discriminate unlawfully.

implementation and training

It is the responsibility of Peter Hamilton, Director, to ensure that Managers are sufficiently well informed and trained to implement the policy by ensuring that their staff know and understand and carry out the company's policy and its intentions, and that these are carried out to the best of their ability.

Bucks and Berks staff will not accept instructions from Clients that indicate an intention to discriminate unlawfully.

All Bucks and Berks staff will undergo training and/or briefing as part of their induction to enable them to meet the requirements of this policy and the relevant Codes of Practice. All Bucks and Berks staff will be regularly updated to ensure that they are kept aware of any change in the policy, the Codes of Practice and relevant legislation.

To foster awareness, staff sign up to the Policy on a regular basis

Any complaint of a breach of this Policy will be investigated and disciplinary action taken against an employee if the investigation suggests that they have breached the policy.

liability of recruitment staff who discriminate

Not only is a recruitment consultancy acting unlawfully if a member of staff accepts and acts upon a discriminatory job description, but the individual who accepts and acts upon such a vacancy is personally considered to have acted unlawfully and may have to appear before an Employment Tribunal should he or she be the subject of a complaint.

unlawful discrimination

Unlawful discrimination occurs in the following circumstances:

Direct Discrimination

One person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.

Direct discrimination can be based on facts about a person, or because of their association with a person is protected against unlawful discrimination, or, finally, because of perceptions about a person that are not facts.

It is unlawful for a recruitment consultancy to discriminate against a person on those protected grounds:

- in the terms on which the recruitment consultancy offers to provide any of its services;
- by refusing or omitting to provide any of its services;
- in the way it provides any of its services.

Direct discrimination would also occur if a recruitment consultancy accepted and acted upon a job registration from an employer which stated that certain persons are unacceptable because of aspects that are protected by law, unless one of the exceptions applies. The statutory exceptions are called Occupational Requirements. Bucks and Berks will require written confirmation that a client is relying on an Occupational Requirement for a particular post.

Indirect Discrimination

A claim of indirect discrimination arises when a condition, practice or criteria is applied to an individual generally, but which is such that a proportion of people who have a protected characteristic who can comply with it is considerably smaller than the proportion of those who do not have that characteristic and can comply with it.

Indirect discrimination would also occur if a recruitment consultancy accepted and acted upon an indirectly discriminatory instruction from an employer.

Bucks and Berks staff will not discriminate unlawfully when selecting candidates or temporary workers for submission or a vacancy or assignment or in any terms of employment or terms of engagement for temporary workers.

Victimisation

This can occur where an individual is singled out for unfair treatment after complaining about discrimination or exercising their legal rights. For example, bringing a complaint of discrimination or giving evidence or information on behalf of another worker or employee who has brought proceedings for discrimination.

Harassment

This can occur if an individual is subjected to unwanted conduct affecting their dignity in the workplace. It may be related to any of the characteristics protected under UK law, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Disability Discrimination

Under the Equality Act 2010, disability discrimination occurs if for a reason which relates to the disabled person's disability an organisation:

- treats him or her less favourably than they treat, or would treat others to whom that reason does not or would not apply, and,
- the organisation cannot show that the treatment in question is justified.

Bucks and Berks staff will not discriminate against a disabled job applicant, candidate or worker on the grounds of disability:

- in the arrangements i.e. application form, interview and arrangements for selection for determining to whom a job should be offered; or
- in the terms on which engagement of temporary workers is offered; or
- by refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability; or
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or
- by subjecting him or her to any other detriment (detriment could include refusal of work, training, transfer, demotion, reduction of wage; or harassment); or
- by not considering reasonable adjustments in the recruitment processes used by Bucks and Berks.

Bucks and Berks Recruitment will accordingly make job opportunities available to all people with disabilities and every practical effort will be made to provide for the needs of staff, candidates and clients.

continues...

Wherever possible Bucks and Berks staff will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled people. However, this may not always be feasible.

If a candidate has a disability which means they have special requirements such as accessing premises, registering, attending interviews, or working in temporary assignments, then, on request, Bucks and Berks staff will be happy to consider making suitable arrangements to meet their needs. Bucks and Berks staff will also liaise with employer clients to encourage their consideration of reasonable adjustments for workers, applicants and candidates introduced by Bucks and Berks.

Bucks and Berks Recruitment will not ask questions about candidates' or workers' health or sickness absence unless and until a firm offer of temporary work or permanent employment has been made.

gender reassignment

Bucks and Berks Recruitment recognises that any employee or worker may wish to change their gender during the course of their employment or engagement with the Company.

Bucks and Berks Recruitment will support any employee or worker through the reassignment provided that full medical counselling has been undertaken and the company is given access to any relevant medical reports.

Bucks and Berks Recruitment will make every effort to try and protect the employee or worker undergoing reassignment within the work place.

All employees and workers will be expected to comply with the Bucks and Berks policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary sanction.

Where an employee or worker is engaged in work where the gender change imposes genuine problems Bucks and Berks Recruitment will make every effort to reassign the employee or worker to an alternative role in the Company.

If an employee or worker believes they have been discriminated against as the result of their gender reassignment should make recourse to the company's grievance procedure, as an employee or the complaints procedure if a temporary worker.

Any discrimination complaint will be investigated fully.

part-time workers and employees

This Equal Opportunities Policy also covers the treatment of those employees and workers who work on a part-time basis. Bucks and Berks Recruitment recognises that it is an essential part of this policy that part time workers or employees are treated on the same terms as full timers (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, and other contractual and statutory rights. Bucks and Berks Recruitment also recognises that part-time employees must be treated in the same way as full time employees in relation to training and redundancy situations.

complaints

Bucks and Berks Recruitment has in place procedures for dealing with complaints of discrimination. These are available on our website www.bucksandberks.co.uk.

harassment policy

Bucks and Berks Recruitment is committed to providing a work environment free from unlawful harassment and encouraging employer clients to do the same for temporary workers.

Harassment on any basis protected by legislation is unlawful and will not be tolerated by the company.

This policy prohibits unlawful harassment by any employee or temporary worker employed or engaged by Bucks and Berks Recruitment.

Examples of prohibited harassment can include the following if motivated by or influenced by one of the protected characteristics:

- Verbal or written conduct containing derogatory jokes or comments,
- Slurs or unwanted sexual advances
- Visual conduct such as circulating or using derogatory or sexually orientated posters, photographs, cartoons, drawings or gestures,
- Physical conduct such as assault, unwanted touching, or any similar interference ,
- Threats and demands to submit to sexual requests as a condition of continued employment or engagement, or to avoid some other loss, and offers of employment or engagement benefits in return for sexual favours
- Accessing and or circulating inappropriate web content
- Retaliation for having reported or threatened to report harassment.

If you believe that you have been unlawfully harassed, you should make an immediate report to your manager followed by a written complaint as soon as possible after the incident.

Your complaint should include:

- Details of the incident
- The name or names of the individual or individuals involved
- The name or names of any witness or witnesses

If the harassment is alleged to have taken place on premises controlled by Bucks and Berks, the company will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.

Any employee who is found to be responsible for unlawful harassment will be subject to the disciplinary procedure and any sanction may include termination of employment.

If the harassment is alleged to have taken place on premises controlled by employer clients of Bucks and Berks, then, with the victim's permission, their complaint will be given to the employer client concerned, for them to take the action that they consider to be necessary.

bucks and berks website

Bucks and Berks strives to make the web site accessible to as wide an audience as possible, and we have looked carefully into the recommendations for those with poor eyesight.

Where possible and indeed practical, we have done all we can to comply with the recommendations made by the RNIB, using their "Advice on designing accessible websites" displayed on their website.