Bfcc Equal Opportunities Policy

1. general

1.1 'bfcc' Limited is committed to a policy of equal opportunities for all employees, workers and applicants and shall adhere to such a policy at all times and will review on an on-going basis on all aspects of recruitment to avoid unlawful or undesirable discrimination. 'bfcc' Limited will treat everyone equally irrespective of sex, sexual orientation, marital status, age, disability, race, colour, ethnic or national origin, religion, political beliefs or membership or non-membership of a Trade Union and places an obligation upon all staff to respect and act in accordance with the policy. 'bfcc' Limited is committed to providing training for all its staff in equal opportunities practice.

1.2 'bfcc' Limited shall 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. 'bfcc' Limited 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.

1.3 'bfcc' Limited will not accept instructions from clients that indicate an intention to discriminate unlawfully.

2. sex and race discrimination

Unlawful sex or race discrimination occurs in the following circumstances:

2.1. direct discrimination

Under the Sex Discrimination Act 1975 and the Race Relations Act 1976 direct discrimination occurs where one individual treats another individual less favourably on grounds of their sex or race than he treats or would treat other persons.

It is unlawful for a recruitment consultancy to discriminate against a person on the grounds of their sex, colour, race, nationality, ethnic or national origins: -

- 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 states that certain persons are unacceptable because of their sex, colour, race, nationality, or ethnic or national origins, unless one of the exceptions applies.

2.2. indirect discrimination

A claim of indirect discrimination arises when an employer applies a requirement or condition generally, but which is such a proportion of persons from one racial group who can comply with it is considerably smaller than the proportion of persons not of that racial group who can comply with it.

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

'bfcc' Limited 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.

If the vacancy falls within the definition of a genuine occupational qualification or any other statutory exception 'bfcc' Limited will not deal further with the vacancy unless the client provides written confirmation of the genuine occupational qualification.

3. disability discrimination

Under the Disability Discrimination Act 1995, disability discrimination occurs if for a reason which relates to the disabled person's disability an individual:

- treats him less favourably than he treats, or would treat others to whom that reason does not or would not apply, and,

- the employer cannot show that the treatment in question is justified.

‘bfcc’ Limited will not discriminate against a disabled job applicant or employee 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 employment or 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 will include refusal of training, transfer, demotion, reduction of wage; or harassment).

‘bfcc’ Limited will accordingly make career opportunities available to all people with disabilities and every practical effort will be made to provide for the needs of staff, candidates and clients.

Wherever possible ‘bfcc’ Limited will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers. However, this may not always be feasible.

4. age discrimination

‘bfcc’ Limited will encourage clients not to include any age criteria or other subjective criteria in job specifications and every attempt will be made to persuade clients to recruit on the basis of competence and skill and not age.

‘bfcc’ Limited is committed to recruiting and retaining employees whose skills, experience, and attitude are appropriate to the requirements of the various positions regardless of age.

As far as is reasonably possible and in the most exceptional circumstances no age requirements will be stated in any job advertisements on behalf of the company.

‘bfcc’ Limited will request age as part of its recruitment process but information will not be used in any detrimental way and is for compilation of personal data, which the company holds on all employees and workers.

5. complaints and monitoring procedures

‘bfcc’ Limited has in place procedures for dealing with complaints of discrimination. These are available from Darron Chapman and will be made available immediately upon request.

6. part-time workers

This Equal Opportunities Policy also covers the treatment of those employees and workers who work on a part-time basis. ‘bfcc’ Limited recognises that it is an essential part of this policy that part time employees are treated on the same terms as full time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to ‘bfcc’ Limited’s pension scheme. ‘bfcc’ Limited also recognises that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

7. harassment policy

7.1 ‘bfcc’ Limited is permitted to providing a work environment free from unlawful harassment.

Harassment because of race, colour, creed, sex, sexual orientation, marital status, national origin or ancestry, physical or mental disability, age or religion or any other basis protected by legislation is unlawful and will not be tolerated by ‘bfcc’ Limited.

7.2 This policy prohibits unlawful harassment by any employee or worker of ‘bfcc’ Limited.

7.3 Examples of prohibited harassment are:-

7.3.1 Verbal or written conduct containing derogatory jokes or comments,

7.3.2 Slurs or unwanted sexual advances

7.3.3 Visual conduct such as derogatory or sexually orientated posters,

7.3.4 Photographs, cartoons, drawings or gestures,

7.3.5 Physical conduct such as assault, unwanted touching, or any interference because of sex, race or any other protected basis,

7.3.6 Threats and demands submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours

7.3.7 Retaliation for having reported or threatened to report harassment.

7.5 If you believe that you have been unlawfully harassed, you should make an immediate report to Chris Wilson 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

7.6 ‘bfcc’ Limited will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.

7.7 Any employee who ‘bfcc’ Limited finds to be responsible for unlawful harassment will be subject to the disciplinary procedure and any sanction may include termination. Under the Criminal Justice Act 1994, harassment became a criminal offence, punishable by a fine of up to £5,000 and/or a prison term of up to 6 months. Under the Protection from Harassment Act 1997, the penalties for aggravated harassment are an unlimited fine and/or 5 years imprisonment.]

8. gender reassignment policy

8.1 ‘bfcc’ Limited recognises that any employee or worker may wish to change their gender during the course of their employment with the Company.

8.2 ‘bfcc’ Limited will support any employee or worker through the reassignment provided that full medical counselling has been undertaken and ‘BFCC’ Limited has access to any relevant medical reports.

8.3 ‘bfcc’ Limited will make every effort to try and protect the employee or worker undergoing reassignment within the work place.

8.4 All employees and workers will be expected to comply with ‘bfcc’ Limited’s policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary sanction.

8.5 Where an employee is engaged in work where the gender change imposes genuine problems ‘bfcc’ Limited will make every effort to reassign the employee or worker to an alternative role in the Company.

8.6 Any employee or worker suffering discrimination as the result of their gender reassignment should make recourse to the Company’s grievance procedure.

8.7 Any discrimination complaint will be investigated fully.