

POLICY DOCUMENTS

Section 325

Equality in Employment

Case Communications Ltd

Un-Controlled Document

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QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	1 of 17

INDEX

Paragraph	Subject	Page
1	Equality Policy	3
2	Legislation	4
3	Principles of good practice	4
4	Job descriptions	5
5	Person specifications	5
6	Job advertisements	6
7	Application forms	7
8	The selection process	7
9	Short listing	8
10	Selection tests and assessment centres	8
11	Interviews	9
12	References	10
10	Eligibility to work in the UK	10
14	Terms and conditions	10
15	Induction	10
16	Probation	11
17	Language in the workplace	11
18	Performance assessment	11
19	Training and development	11
20	Promotion	12
21	Discipline and grievance	13
22	Harassment	13
23	Dismissal and termination of employment	14

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	2 of 17

1. Equality Policy

Case Communications Limited is committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best.

To that end the purpose of this policy is to provide equality and fairness for all in our employment and not to discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age. We oppose all forms of unlawful and unfair discrimination.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

These policies also apply to any sub-contractors working with Case Communications.

Before any sub-contractor is employed they shall be vetted by a manager within Case Communications and their employment records and policies examined, to ensure they comply with Case Communications Policies and standards.

Our commitment:

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Training, development and progression opportunities are available to all staff.
- Equality in the workplace is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness.

Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.

- This policy is fully supported by senior management and has been agreed with employee representatives.

The policy will be monitored and reviewed annually.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	3 of 17

2. **Legislation**

This policy has been developed within the framework of existing equal opportunities legislation. Case Communications must therefore make sure their policies, procedures and practices in the field of employment are not potentially discriminatory, and that they promote equality of opportunity, not obstruct it.

The framework for action emphasises the importance of applying Case Communications equal opportunities policy to all aspects of employment, from recruitment to termination of the employment contract. The policy will be formally reviewed every three years unless legislation or other proposed changes have amended it in the meantime.

- Equal Pay Act 1970
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Employment Protection (Consolidation) Act 1978
- Disability Discrimination Act 1995 (Amendments 2004)
- Employment Rights Act 1996
- Human Rights Act 1998
- Race Relations (Amendment) Act 2000
- Employment Act 2002
- Race Relations Act 1976 (Amendment) Regulations 2003
- Religion or Belief Regulations 2003
- Sexual Orientation Regulations 2003
- The Protection from Harassment Act 1997
- Gender Recognition Act 2004
- Civil Partnership Act 2004
- Age Discrimination Regulations 2006

3. **Principles of good practice**

The following principles apply to all aspects of recruitment for employment, including promotion, and training.

- a. Recruitment policies, procedures and practices should meet all the terms and objectives of the organisation's equal opportunities policy and action plan.
- b. All staff responsible for recruitment should receive training in the equal opportunities policy.
- c. Opportunities for employment, including promotion, and training should be equally open to all eligible candidates, and selection should be based solely on merit (except where the positive action exception applies to training;
- d. No applicant or worker should be placed at a disadvantage by rules, requirements, conditions or practices that have a disproportionately adverse effect on his or her rights under the Company Equality Policy.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	4 of 17

4. Job descriptions

It is recommended that Case Communication’s prepare a job description for any vacant post they decide to fill.

To avoid claims that a job description includes a requirement that might be indirectly discriminatory, Case Communication’s need to make sure that:

- They are able to justify each duty or task as being necessary;
- The job description does not overstate a duty, or the responsibilities attached to it; and
- The job description is written in plain English and is free of jargon.

A helpful way of drawing up a job description might be to describe the duties and the tasks a person would be expected to carry out over a certain period of time, for example an average working day or week, in order to get a clear picture of what the job actually entails.

5. Person specifications

A person specification describes the skills, knowledge, abilities, qualifications, experience and qualities that are considered necessary or desirable in a candidate, in order to perform all the duties in the job description satisfactorily. It is recommended that Case Communications prepare a written person specification to accompany the job description.

To avoid claims that a person specification includes potentially discriminatory requirements, criteria or conditions, Case Communications need to make sure of the following.

- a. The person specification includes only the criteria needed to perform the duties in the job description satisfactorily.
- b. The person specification does not overstate the requirements; for example, by calling for ‘excellent knowledge of English’ (or Welsh in Wales) when ‘good understanding’ is more appropriate, or by asking for higher qualifications than are actually needed to do the job satisfactorily.
- c. The person specification makes clear the relative importance placed on each criterion, and whether it is necessary or desirable.
- d. As far as possible, all the criteria are capable of being tested objectively. This means avoiding vague or subjective qualities. Attributes such as ‘leadership’, which are widely used in the selection process, need to be precisely and objectively defined in terms of the measurable skills and qualities that contribute to it; for example, fairness, knowledge, diplomacy, imagination and decisiveness.
- e. The person specification makes clear that degrees or diplomas obtained abroad are acceptable, if they are of an equivalent standard to UK qualifications
- f. To reduce the risk of including criteria that reflect personal preferences rather than justifiable requirements, as far as possible, the manager responsible for the post obtains approval of the person specification from the person responsible for equal opportunities in the organisation

Case Communications should consider reviewing the person specifications they have used over a period of time, or a representative sample of them, as part of their equal opportunities review of the recruitment process, to make sure the requirements and criteria applied do not contribute to any significant disparities between the success rates for different groups, and that a culture of fairness and respect is promoted at all times in respect of all employment policies, procedures and practices.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	5 of 17

6. Job advertisements

It is recommended that Case Communications take the following steps, to make sure all opportunities for employment or training are advertised widely, fairly and openly.

a. In an effort to remain fair and open, Case Communications should avoid recruitment, solely or in the first instance, on the basis of recommendations by existing staff, so as to ensure that the Company Equality Policy is not compromised.

b. The advertisement, in all its forms (including signs in shop windows, and on notice boards and recruitment websites), must not indicate an intention to discriminate unlawfully Nor should it be possible for an ordinary member of the public to understand the advertisement as discriminating against people from a particular group (or groups), unless a statutory exception to discriminate applies and this is clearly stated in the advertisement.

c. Case Communications should consider including a reference to the organisation’s equal opportunities policy in the advertisement. However, statements encouraging applicants from a particular group, or groups, to apply, should not be used, unless the job in question meets the conditions for taking positive action. Advertisements for a job relying on a genuine occupational requirement or qualification should make clear how the exception applies to the duties of the job
Planning

d. Every effort should be made to ensure that the advertisement accurately reflects the job description and the requirements listed in the person specification.

e. Case Communications should remember, when recruiting through recruitment agencies, job centres, careers offices, schools or online agencies, that it is unlawful to:

i. instruct them to discriminate, for example by suggesting that certain groups would (or would not) be preferred; or

ii. put pressure on them to discriminate against people from a particular group (or groups).

f. Recruitment and other agencies should be made aware of the Case Communication’s equal opportunities policy, as well as other relevant policies. They should also be given copies of the job descriptions and person specifications for posts they are helping the Case Communications to fill.

g. To avoid indirect discrimination, Case Communication’s should not unjustifiably restrict job advertisements or information about vacant posts to areas, publications, recruitment agencies, job centres, careers offices and schools that would result in excluding or disproportionately reducing the number of applicants from a particular group (or groups). All staff should be informed of any opportunities for promotion or career development

h. Case Communications should consider reviewing the job advertisements they have placed over a period of time, or a representative sample of advertisements, as part of their equal opportunities review of the recruitment process, to make sure the advertisements, and where they were placed, did not contribute to any significant disparities between the success rates for different groups.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	6 of 17

7. Application forms

It is recommended that, where practicable, Case Communications should use a standard application form . This has the following advantages.

- d. Every effort should be made to ensure that the advertisement accurately reflects the job description and the requirements listed in the person specification.
- e. Case Communication’s should remember, when recruiting through recruitment agencies, job centres, careers offices, schools or online agencies that it is unlawful to:
 - i. Instruct them to discriminate, for example by suggesting that certain groups would (or would not) be preferred; or
 - ii. Put pressure on them to discriminate against people from a particular group(or groups).
- f. Recruitment and other agencies should be made aware of the Case Communication’s equal opportunities policy, as well as other relevant policies. They should also be given copies of the job descriptions and person specifications for posts they are helping the Case Communications to fill.
- g. To avoid indirect discrimination, Case Communications should not unjustifiably restrict job advertisements or information about vacant posts to areas, publications, recruitment agencies, job centres, careers offices and schools that would result in excluding or disproportionately reducing the number of applicants from a particular group (or groups). All staff should be informed of any opportunities for promotion or career development
- h. Case Communications should consider reviewing the job advertisements they have placed over a period of time, or a representative sample of advertisements, as part of their equal opportunities review of the recruitment process, to make sure the advertisements, and where they were placed, did not contribute to any significant disparities between the success rates for different groups.

8. The selection process

Case Communications are responsible for making sure their selection procedures are fair, and operate consistently, to ensure the appointment of the best person for the job, and in no way contravene current discrimination legislation

Every selection decision, from short-listing to appointment, is equally important and it is recommended that Case Communication’s keep records that will allow them to justify each decision, and the process by which it was reached, and be able to show that:

- a. Each selection decision was based on objective evidence of the candidate’s ability to do the job satisfactorily, and not on assumptions or prejudices about the capabilities of people from certain groups; and
- b. all staff involved in the selection process had received training on the equal opportunities policy, and its application to recruitment.

As far as possible, to ensure consistency, it would be best if the same staff were responsible for selection decisions at all stages of the recruitment process for each vacancy.

Case Communications should make sure the arrangements they make for holding tests or interviews, or using assessment centres, do not put any candidates at a disadvantage, on any discriminatory grounds, and/or contravene the Company Equality Policy.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	7 of 17

9. Short listing

It is recommended that Case Communication’s build the following guidelines for good practice into their selection procedures and practice.

- a. Wherever possible, more than one person should be involved in short listing candidates, to reduce the chance of one individual’s bias prejudicing an applicant’s chances of being selected.
- b. The marking system, including the cut-off score for selection, should be agreed before the applications are assessed, and applied consistently to all applications.
- c. Each person involved in the selection should mark the applications separately, before meeting to agree a final mark.
- d. Assumptions about candidates as members of particular groups, and the type of work they would be able or willing to do, should play no part in the process. Selection should be based only on information provided in the application form (where one is used), or in any formal performance assessment reports, in the case of internal applicants.
- e. The weight given to each item in the person specification should not be changed during short-listing; for example, in order to include someone who would otherwise not be short-listed.

As part of their equal opportunities review of the recruitment process, Case Communications should use the information they have collected about applicants’ age, disability, gender, sexual orientation, religion and race to see whether decisions at the short-listing stage might have contributed to any significant disparities between the success rates for different groups. If so, they should investigate further, and take steps to remove any barriers.

10. Selection tests and assessment centres

It is recommended that ability tests and personality questionnaires should only be used as one of several assessment methods.

Well-designed, properly administered and professionally validated ability tests can be a useful method of predicting candidates’ performance in a particular job. However, this depends critically on the design of the test; its validation as a reliable predictor of performance, irrespective of group; and its fair administration by professionals trained in assessment and in the organisation’s equal opportunities policy.

If tests and assessment centres are used as part of the selection process, it is recommended that Case Communication’s take account of the following guidelines.

- a. Tests should correspond to the job in question, and measure as closely as possible the appropriate levels of the skills and abilities included in the person specification.
- b. Special care should be taken to make sure candidates whose first language is not English understand the instructions. Tests that are fair for speakers of English as a first language may present problems for people who are less proficient in the language.
- c. All the candidates, without exception, should take the same test
- d. Test papers, assessment notes and records of decisions should be kept on file for at least 12 months.

As part of their equal opportunities review of the recruitment process, Case Communication’s should use the information they have received about applicants’ age, disability, gender, sexual orientation, religion and race to see whether the tests and assessment methods used might have contributed to any significant disparities between the success rates for different groups. If so, they should investigate further and take steps to remove any barriers.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	8 of 17

11. Interviews

In most instances, the interview is the decisive stage of the selection process. It is also the stage when it is easiest to make judgements about a candidate based on instant, subjective and, sometimes, wholly irrelevant impressions. If assumptions about the capabilities or characteristics of people from a particular group contribute to an un-favourable impression, this could lead to an unlawful, discriminatory selection decision.

To strengthen their legal defence in any proceedings alleging unlawful discrimination, it is recommended that Case Communication's take steps to make sure all job interviews are conducted strictly on the basis of the application form, the job description, the person specification, the agreed weight given to each criterion, and the results of any selection tests, so that all applicants are assessed objectively, and solely on their ability to do the job satisfactorily.

Staff involved in selection panels would benefit especially from equal opportunities training in interviewing techniques, to help them:

- a. Recognise when they are making stereotyped assumptions about people;
- b. Apply a scoring method objectively;
- c. Prepare questions based on the person specification, and the information in the application form;
- d. Avoid questions about hobbies, social activities or religious or cultural beliefs or practices, unless these are demonstrably relevant to the job.

Case Communication's need to make arrangements to keep application forms, and documents relating to each stage of the recruitment process, for 12 months, in case of any complaints about decisions or procedures, or requests for the information under the Data Protection Act 1998, or, where appropriate, the Freedom of Information Act 2000. The documentation should include:

- a. records of discussions and decisions by members of the selection panel; for example, on marking standards or interview questions;
- b. notes taken by each member of the panel during the interviews; and
- c. each panel member's marks at each stage of the process; for example, on the application form, any selection tests and each interview question.

Case Communication's should remind all staff that it would be unlawful to treat people from a particular group (or groups) less favourably than others, and should consider issuing written guidance to this effect.

Evidence of good practice throughout the recruitment process will help avoid litigation, or end it at an early stage. Case Communication's will be in a better position to show that they took reasonably practicable steps to prevent unlawful racial discrimination or harassment, should the matter reach an employment tribunal.

As part of their equal opportunities review of the recruitment process, Case Communication's should use the information they have received about applicants' age, disability, gender, sexual orientation, religion or race, to see whether selection decisions at the interview stage might have contributed to any significant disparities between the success rates for different groups. If so, they should investigate further and take steps to remove any barriers.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	9 of 17

12. References

To make sure the selection decision is based strictly on the application form, the job description, the person specification, any selection tests and interviews, and is not influenced by other factors, such as potentially subjective judgements about a candidate by referees, Case Communication’s should avoid making references part of the selection process. It is recommended that references should only be obtained, and circulated to members of the selection panel, after a selection decision has been reached.

Case Communication’s will find it more useful to avoid asking for general character references, and to send referees copies of the job description and person specification instead, requesting evidence of the candidate’s ability to meet the specific requirements of the job. This is more likely to ensure that the reference focuses on information that is relevant to the job.

13. Eligibility to work in the UK

Under the Asylum and Immigration Act 1996, Case Communication’s have to carry out checks of a job applicant’s eligibility to work in the UK. Case Communication’s should preferably do this in the final stages of the selection process, to ensure appointment on the basis of merit alone.

14. Terms and conditions

It is unlawful for Case Communications to discriminate, on any grounds which contravene the Company Equality Policy, in the terms and conditions of work they offer, including pay, hours of work, overtime, bonuses, holiday entitlement, sickness leave, and maternity and paternity leave.

It is recommended that Case Communications make sure their rules and requirements or access to any benefits, facilities or services, do not unlawfully discriminate against a particular group .

When employees’ cultural or religious practices, such as those expressed in dress codes, conflict with an Case Communication’s policies or workplace requirements, it is recommended that the Case Communications consider whether it is practicable to vary or adapt these requirements. Case Communication’s should consult staff, and other workplace representatives on practical ways in which they can accommodate workers’ needs.

15. Induction

Induction is an opportunity for Case Communication’s to make sure all new staff understand the organisation’s commitment to equality of opportunity. Case Communication’s might consider providing translations or interpreters, if necessary.

- a. As a minimum, good employment practice would see Case Communication’s using the induction process to make new recruits familiar with: a. equal opportunities principles and workers’ legal rights and responsibilities
- b. What is acceptable and unacceptable conduct in the workplace, in the light of the organisation’s policies on harassment, discipline and grievances; and
- c. The organisation’s procedures for bringing complaints of discrimination or harassment against colleagues or managers.

For permanent or long-term workers, it is recommended that Case Communication’s include training on the organisation’s equal opportunities policy and action plan. Case Communication’s might consider asking new recruits to sign a statement, affirming that they have read and understood all the policies covered during the induction. This may serve as evidence that they have taken reasonably practicable steps to prevent unlawful discrimination or harassment, should they face legal proceedings

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	10 of 17

Staff responsible for induction will need to be trained on the organisation’s equal opportunities policy, and on how assumptions about new recruits, based on their age, disability, gender, sexual orientation, religion or race, can affect the degree to which they are informed, for example, about their rights at work, access to staff facilities and benefits, and the complaints procedure.

16. Probation

To strengthen their legal defence in any proceedings alleging unlawful discrimination or harassment, Case Communication’s are must ensure sure that:

- a. any job plan agreed with the probationer includes:
 - i. What the probationer is expected to achieve during the probation period; and
 - ii. The standards by which performance will be assessed – as far as possible, these should be objectively measurable;
- b. Managers carry out regular supervision and keep written records of all supervision meetings held during the probation period;
- c. any concerns about performance are put in writing, following discussions with the probationer, and a copy sent to the probationer and the personnel office (if the organisation has one); and
- d. training on the equal opportunities policy includes guidance for managers on how to avoid judgements about a new worker based on fixed ideas of what it means to ‘get on’ with other members of staff, or ‘fit in’.

17. Language in the workplace

There is a clear business interest in having a common language in the workplace, to avoid misunderstandings, with all the risks these can entail, whether legal, financial or in relation to health and safety. It is also a matter of courtesy, conducive to good working relations, not to exclude people from conversations that might concern them, when they are present. In the main, English is the language of business in Britain and is likely to be the preferred language of communication in most workplaces unless other languages are specifically required.

18. Performance assessment

It is unlawful to discriminate against, or harass, a worker, on grounds of age, disability, gender, sexual orientation, religion or race, in assessing his or her performance.

To strengthen their legal defence in any proceedings alleging unlawful discrimination, Case Communications need to make sure that performance assessments are not used to pass judgements about the person, based on assumptions about their capabilities as members of -any group whatsoever, in accordance the Company Equality Policy. Case Communications will find it helpful to base all assessments on actual performance of specific tasks, measured by impartial and objective standards. This is particularly important when performance is linked to promotion or a benefit, such as pay or bonuses.

It is recommended that training courses for managers on the equal opportunities policy should include guidance on objective performance assessment. Equally, any training on assessment methods should take the organisation’s equal opportunities policy fully into account.

To be sure workers are being assessed fairly, and consistently, Case Communication’s will find it helpful to monitor the results of performance assessments, by age, disability, gender, sexual orientation, religion and race, and use the data to inform their review of the organisation’s policies, procedures and practices in this area. Any significant disparities in assessment marks between racial groups should be investigated, and steps taken to deal with possible causes.

19. Training and development

It is unlawful for Case Communication’s to discriminate against, or harass, a person, on any grounds which contravenes the Company Equality Policy in the arrangements they make for training, transfer and other

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	11 of 17

development opportunities, or by deliberately refusing to make these available to all workers (see Example 17, p 60). The RRA permits some exceptions, including an exception for training provided as part of a positive action initiative

Case Communication’s have adopted a policy on training, transfer and development, linked to the organisation’s business plan and this is based on regularly updated audits of workers’ skills and training needs. The policy should describe the range of development opportunities open to all staff, such as mentoring and shadowing schemes, and to any support its staff will receive.

20. Promotion

It is unlawful for Case Communication’s to discriminate against, or harass, workers, on any grounds which contravene the Company Equality Policy, in the way they make opportunities for promotion available, or by refusing or deliberately failing to make them available (see Example 18 below).

It is recommended that all promotion opportunities, including development opportunities that could lead to permanent promotion, should be advertised widely throughout the organisation, and filled in line with the organisation’s equal opportunities and recruitment policies and procedures. This would mean using the organisation’s standard job application form (if it has one) to fill all promotion and development opportunities, and making sure that selection is based strictly on demonstrable merit.

Case Communication’s should avoid by-passing their recruitment procedures, unless a temporary promotion is absolutely necessary. In this case, the promotion should last no longer than the time needed to fill the post permanently, and openly, through the organisation’s recruitment procedures.

Case Communication’s will find it helpful to build the following guidelines into their policies and procedures for promotion and career development.

a. Where posts are advertised internally and externally, the same selection procedures and criteria should apply to both internal and external candidates. Discussions about candidates, particularly internal candidates, should not be based on rumours or unsubstantiated opinions.

b. As far as possible, selection decisions based on performance assessments should be endorsed by the organisation’s personnel department (if it has one).

c. No assumptions should be made about the eligibility of staff, based on their grade, current post, age, disability, gender, sexual orientation, religion or race, and information about all promotion and other development opportunities that could lead to permanent promotion, such as deputising and secondments, should be communicated to all staff; restricting applications for promotion and other development opportunities to staff at a particular grade or level could indirectly discriminate against some groups.

d. Records should be kept, by age, disability, gender, sexual orientation, religion and race, of who is taking up different types of opportunities, and who is not, who is successful, and who is not.

As part of their equal opportunities review of the recruitment process, Case Communication should use the monitoring data on promotions to see if there are significant disparities between groups in the take-up of promotion and other development opportunities, success rates and length of time spent at a particular grade. If disparities are found, Case Communication’s should investigate the possible causes in each case and take steps to remove any barriers.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	12 of 17

21. Discipline and grievance

Case Communication's must not discriminate on grounds that will contravene the Company Equality Policy in the way they respond to grievances, or invoke disciplinary measures. Disciplinary action is an extreme measure and should be taken fairly and consistently, regardless of the worker's group. Equally, allegations of discrimination or harassment must always be taken seriously and investigated promptly, not dismissed as 'oversensitivity' on a worker's part.

Case Communication's have statutory procedures in place for dealing with dismissal, disciplinary action and grievances in the workplace

It is in the interests of Case Communication's to attempt, wherever possible, to resolve grievances as they arise, and before they become major problems, through mediation. Grievance procedures can provide an open and fair way for complainants to make their concerns known, and for their grievances to be resolved quickly, without having to bring legal proceedings.

Case Communication's monitor, by age, disability, gender, sexual orientation, religion and race the number of workers who have brought grievances or been subjected to disciplinary action and the outcomes of each case. It will also be useful to be able to match the data with information about the workers' grades, their managers and the areas of the organisation where they work.

If an investigation into a grievance or disciplinary matter finds evidence that the grievance was brought in bad faith, for example, to get another worker into trouble, Case Communications should take steps to make sure this does not happen again, either by recommending training or taking disciplinary action against the worker in question, as appropriate. However, Case Communication's must be careful not to punish someone for having made a complaint that proves to have been unfounded, but that was made in good faith, as that could amount to unlawful victimisation

It is recommended that, before taking disciplinary action, Case Communication's should consider the possible effect on a worker's behaviour of the following:

- a. racist abuse or other provocation on discriminatory grounds;
- b. Difficulty in communicating with, or understanding, colleagues; and
- c. Different cultural norms.

As part of their equal opportunities review, Case Communication's should use the monitoring data on grievances and disciplinary action to see if there are significant disparities between identifiable groups, investigate the possible causes in each case, and take steps to deal with them.

22. Harassment

It is unlawful for Case Communication's to engage in, or condone, unwanted conduct that will violate the dignity of workers or job applicants, or create an intimidating, hostile, degrading, offensive or humiliating atmosphere for that person

It is recommended that Case Communication's introduce a policy for dealing with racial, or any form of harassment. The policy could be part of a wider anti-harassment policy or the organisation's policies on discipline and grievance, or a policy covering dignity in the workplace. Whatever form the policy takes, it should make clear what is and what is not acceptable behaviour in the organisation

To make sure the policy is effective, it is recommended that Case Communication's:

- a. publicise the policy through the organisation's websites, notice boards and other forms of communication, so that all staff know about it and understand why it has been adopted, how it will work and how it affects them;

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	13 of 17

b. make both the policy for dealing with racial, or any form of, harassment and the equal opportunities policy standard components of all training, including induction and specialist courses; and

c. offer an informal route to resolving a grievance as well as the formal one of an investigation.

If an allegation of racial, or any form of, harassment or discrimination is upheld, it is in the interest of good workplace relations for the Case Communications to make sure that:

a. the harassment has actually stopped, particularly if the parties continue to work together, and

b. the complainant is not victimised for having brought the grievance.

23. Dismissal and termination of employment

It is unlawful for Case Communication’s to discriminate against, or harass, workers on racial, age, disability, gender, sexual orientation or religious grounds, by dismissing them or subjecting them to any other detriment

It is recommended that Case Communication’s make sure the criteria they use for dismissal (including redundancies) are not indirectly discriminatory, and that their procedures are fair and objective, and are followed consistently.

Dismissal, or any other detriment – such as demotion or compulsory transfer – must always be fair and reasonable. Case Communication’s should make sure such decisions are based on a worker’s actual performance or conduct during his or her employment, as reflected in any performance assessments.

Any aptitude tests designed to select people for redundancy should be objective, and fairly and consistently administered. Wherever possible, Case Communication’s should consult their workers, and trade unions and other workplace representatives, about proposed redundancies, and the criteria for selection.

Staff responsible for selecting workers for dismissal should be instructed not to discriminate on any grounds that contravene the Company Equality Policy, and trained in the organisation’s equal opportunities policy, and how it might apply to dismissal and redundancy.

Workers who are eligible for redeployment should be given the chance to show they have the skills or abilities required in alternative jobs. Case Communication’s should use their normal recruitment policy to fill these jobs.

It is recommended that Case Communication’s monitor all dismissals, by age, disability, gender, sexual orientation, religious and racial groups.

They will find it useful to be able to match this data with information about the workers’ grades, the areas of the organisation where they work, and their managers.

Case Communication’s will:

- make sure the decision to dismiss is not made by one individual, but, as far as possible, in discussion with a senior member of staff in the personnel department;
- keep written records of all decisions to dismiss; and
- encourage leavers to give feedback about their employment.

Case Communication’s should use the monitoring data to see if policies, procedures or practices that might have been criticised in the feedback could be contributing to any significant disparities between identifiable groups, for example in performance ratings or promotion.

QA Man	Owner	Case Communications Policy Manual	Original	Rev	Last rev Date	Page
325	K.Clark	Equality In Employment	10.1-09	1.4	March 2018	14 of 17