



EQUAL OPPORTUNITIES POLICY

pirc

Police Investigations &
Review Commissioner

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1. Introduction

The Police Investigations and Review Commissioner (“PIRC”) is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

We do not discriminate against staff on the basis of 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 (**protected characteristics**).

The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, clients, customers, suppliers and former staff members.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. [Your attention is drawn to our separate Bullying and Harassment policy.]

2. Scope

This policy applies to all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, volunteers, interns, casual workers and agency staff (collectively referred to as **staff** in this policy).

3. Equal Opportunity Policy Statement

The PIRC is committed to being an equal opportunity employer and to ensuring that all staff and other people with whom we deal are treated fairly and are not subjected to unfair or unlawful discrimination.

This policy is not contractual and may be amended at any time. This policy aims to set out the way in which the PIRC aims to manage equal opportunities.

We recognise that an effective equal opportunities policy will help all employees to develop to their full potential, which is clearly in the best interests of both our staff and our business. We aim to ensure that we not only observe the relevant legislation, but also do whatever is necessary to provide genuine equality of opportunity.

We expect everyone who works for us to be treated and to treat others with respect. Our aim is to provide a working environment free from harassment, intimidation, or discrimination in any form that may affect the dignity of the individual.

We further recognise the benefits of employing individuals from a range of backgrounds, as this creates a workforce where creativity and valuing difference in others thrives. We value the wealth of experience within the community in which we operate and aspire to have a workforce that reflects this.

3a. The Legal Framework

All staff are expected to abide by the requirements of:

- the Equality Act 2010
- the Human Rights Act 1998
- the Racial and Religious Hatred Act 2006
- any Codes of Practice issued by the Equality and Human Rights Commission
- plus any amendments to the above legislation

Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

- Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.
- Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time may put women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.
- Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Bullying and Harassment Policy.
- Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

On all occasions where those in control of employees are required to make judgements between them, for example disciplinary matters, selection for training, promotion, pay increases, awards etc it is essential that merit, experience, skills and temperament are considered as objectively as possible.

3b. Responsibility for this Policy

The overall responsibility for implementing and monitoring the effectiveness of this policy rests with the senior management of the PIRC.

Directors have a crucial role to play in promoting equality of opportunity in their own areas of responsibility.

All employees, irrespective of their job or seniority, will be given guidance and instruction, through our induction and other training, as to their responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues or job applicants, nor encouraging others to do so or tolerating such behaviour. Disciplinary action, including dismissal, may be taken against any employee found guilty of discrimination or harassment.

3c. Recruitment and Selection

We aim through written instruction, appropriate training and supervision, to ensure that all employees, who are responsible for recruitment and selection, are familiar with this policy and apply it in conjunction with our recruitment policy.

Selection will be conducted on an objective basis and will focus only on applicants' suitability for the job and their ability to fulfil the job requirements. Our interest is in the skills, abilities, qualifications, aptitude and the potential of individuals to do their jobs.

Person specifications will be reviewed to ensure that criteria are not applied which are discriminatory, either directly or indirectly, and that they do not impose any condition or requirement which cannot be justified by the demands of the post. Questions asked of candidates will relate to information that will help assess their ability to do the job. Selection tests will be specifically related to the job and measure an individual's actual, or inherent, ability to do or train for the job.

Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with approval of the Director of Corporate Services. For example:

- (a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- (b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- (c) Positive action to recruit disabled persons.
- (d) Equal opportunities monitoring (which will not form part of the decision-making process).

Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without the approval of the Director of Corporate Services (who should first consider whether such matters are relevant and may lawfully be taken into account).

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made 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 Corporate Services.

Job adverts should encourage applications from all types of candidates and should not be stereotyped. All adverts will state: "The PIRC is an equal opportunity employer and values diversity". Reference to this policy will also be made on job and person descriptions. We take steps to ensure that our vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in our organisation.

3d. Training and Development

The PIRC is committed to ensure that wherever possible all employees receive the widest possible range of development opportunities for advancement.

All employees will be encouraged to discuss their career prospects and training needs with their manager. Opportunities for promotion and training will be communicated and made available to all employees on a fair and equal basis. And all promotion decisions will be made on the basis of merit.

The provision of training will be reviewed to ensure that provisions are made where necessary to enable part-time workers, shift or remote workers or those returning to work following a break to benefit from training.

3e. Terms and Conditions of Employment

We will ensure that all of our policies including compensation, benefits and any other relevant issues associated with terms and conditions of employment, are formulated and applied without regard to the protected characteristics. These will be reviewed regularly to ensure there is no discrimination. Length of service as a qualifying criterion for benefits will not exceed five years unless clearly justifiable.

3f. Disability Discrimination

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your line manager **OR** the Director of Corporate Services to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager **OR** The Director of Corporate Services may wish to consult with you and your medical adviser(s) 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.

We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

3g. Fixed-Term Employees And Agency Workers

We monitor our use of fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

3h. Part-Time Work

We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately [under our Flexible Working Policy].

3i. Grievances, Disputes and Disciplinary Procedure

Staff who believe they have been discriminated against and have not been able to resolve this informally, are encouraged to use our internal grievance procedure.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.

Harassment or bullying will not be tolerated and any individual employee who feels that he/she has been subjected to harassment or bullying, should refer to our Bullying and Harassment Policy.

Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

3j. Positive Action

We also recognise that passive policies will not reverse the discrimination experienced by many groups of people. To this end, if certain groups are under-represented within our business, we will take steps to ensure that our vacancies are advertised to particular groups who have been identified as disadvantaged or are underrepresented in our organisation. The decision as to which applicant is offered a post must be based entirely on the merit of the individual.

3k. Communication of this Policy

All job applicants, employees and workers will be made aware of this policy and a copy will be included in the Employee Pack, given to all employees on joining us. Customers/clients will also be made aware of this policy. In addition, employees will be reminded of the policy through such means as advertisements, job descriptions (which will refer to this), application forms, posters, training courses and memos.

3l. HR Policies and Procedures

Our HR policies and procedures will be reviewed regularly to improve, amend or adapt current practices to promote equality of opportunity within our business.

3m. Implementation, Monitoring and Review of this Policy

The Director of Corporate Services (DoCS) has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis following its implementation and may be changed from time to time.

Relevant data will be collected to enable this. Personal details provided by employees or job applicants for the purposes of equal opportunity monitoring are confidential, will be kept apart from all other records and not used for any other purpose.

Any queries or comments about this policy should be addressed to the DoCS.

4. Communication & Contact

This policy will be shared with all staff within the PIRC and will be published for access by prospective candidates on our website.

Queries should be addressed to:

Phone: 0808 178 5577

Director of Corporate Services
Hamilton House
Hamilton Business Park
Hamilton
ML3 0QA

Email: enquiries@pirc.gsi.gov.uk

5. Review of Policy

This Policy is a formal PIRC policy and will be reviewed by the PIRC Management Team on an annual basis to see if it needs to be updated and to ensure compliance with statutory requirements. Any queries regarding this policy, or comments, should be addressed to the employee's line manager.

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