

# SAERI GROUP COMPANIES



## INTERNAL POLICIES & PROCEDURES

# SGC-001 – EQUALITY, DIVERSITY AND INCLUSION POLICY

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### VERSION CONTROL

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### 1. PURPOSE

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The purpose of this policy is to provide an environment of equality, fairness and respect in line with the UK's Equality Act 2010 and the Falkland Islands Constitution, not to unlawfully discriminate and to oppose and avoid all forms of discrimination.

## 2. SCOPE

This policy embraces all employees, sub-contractors, clients and agents of the organisation.

## 3. POLICY STATEMENT

SAERI and its Group Companies (SGCs) uphold the principles enshrined in the Equalities Act of 2020 "...to have regard to the desirability of reducing socio-economic inequalities; to reform and harmonise equality law and restate the greater part of the enactments relating to discrimination and harassment related to certain personal characteristics; to enable certain employers to be required to publish information about the differences in pay between male and female employees; to prohibit victimisation in certain circumstances; to require the exercise of certain functions to be with regard to the need to eliminate discrimination and other prohibited conduct; to enable duties to be imposed in relation to the exercise of public procurement functions; to increase equality of opportunity; to amend the law relating to rights and responsibilities in family relationships; and for connected purposes..."<sup>1</sup>

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The organisation - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

SGCs will seek to prevent, identify and act upon any unfair or unlawful discrimination that denies individual opportunity on any of the criteria mentioned within this policy.

## 4. THE EQUALITY ACT 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It has specified 9 areas that are termed in the legislation as protected characteristics. These are:

1. age;
2. disability;
3. gender reassignment;
4. marriage and civil partnership;
5. pregnancy and maternity;
6. race;
7. religion or belief;
8. sex;
9. sexual orientation.

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<sup>1</sup> Equality Act 2010, <https://www.legislation.gov.uk/ukpga/2010/15/introduction>, visited 30 January 2023

The matrix below offers guidance in the legislation and what is included<sup>2</sup>:

Key		Equality Act 2010 What's new & what's changed: at a glance								acas
Characteristic covered in existing legislation – <b>no changes</b>		Age	Disability	Gender Reassignment	Race	Religion or Belief	Sex	Sexual Orientation	Marriage & Civil Partnership	Pregnancy & Maternity
Characteristic covered in existing legislation – but some <b>changes</b>	Changes									
Characteristic not covered in existing legislation – <b>now covered</b>	New									
Characteristic not covered in existing legislation – still <b>not covered</b>										
<b>Direct discrimination</b> Someone is treated less favourably than another person because of a protected characteristic (PC)										
<b>Associative discrimination</b> Direct discrimination against someone because they associate with another person who possesses a PC	New	New	New			New				
<b>Discrimination by perception</b> Direct discrimination against someone because the others think they possess a particular PC		New	New			New				
<b>Indirect discrimination</b> Can occur when you have a rule or policy that applies to everyone but disadvantages a particular PC		New	New							
<b>Harassment</b> Employees can now complain of behaviour they find offensive even if it is not directed at them	Changes	Changes	Changes	Changes	Changes		Changes			
<b>Harassment by a third party</b> Employers are potentially liable for harassment of their staff by people they don't employ	New	New	New	New	New		New			
<b>Victimisation</b> Someone is treated badly because they have made/ supported a complaint or grievance under the Act	Changes	Changes	Changes	Changes	Changes	Changes	Changes	Changes	Changes	Changes

## 5. PRACTICAL IMPLICATIONS FOR SAERI GROUP COMPANIES

In upholding the Act SGCs are committed to:

- 5.1. Encourage equality, diversity and inclusion in the workplace as they are good practice and make business sense;
- 5.2. Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

This commitment includes ensuring managers and all other employees understand their rights and responsibilities under the Equality, Diversity and Inclusion Policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.

- 5.3. Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

<sup>2</sup> <https://www.york.gov.uk/downloads/file/100/equality-act-2010-what-has-changed-at-a-glance> accessed 31 January 2023

Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

- 5.4. Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.
- 5.5. Recognise that employees may be experiencing these issues indirectly and that individuals should be supported in such instances.
- 5.6. Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- 5.7. Make decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
- 5.8. Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of legal and immigration practices in the countries and territories in which SGCs operate, and any changes which may occur.
- 5.9. Acknowledge the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.

## 6. REASONABLE ADJUSTMENTS

Employees or potential employees may require that SAERI make reasonable adjustments in order for them to carry out their day-to-day tasks. These could include:

- changing the way things are done in the workplace
- making physical changes to the office premises
- providing extra aids or support.

SGCs will endeavour to make all possible adjustments that stop employees or potential employees suffering a disadvantage, and will do everything reasonable to make such adjustments. However, not all suggested adjustments may be possible.

## 7. RECRUITMENT

Every individual should have:

- An equal chance to apply and be selected for posts pre-employment
- An equal chance to be trained and promoted while employed with the organisation
- An equal chance to have their employment terminated equally and fairly

Denying any employee or prospective employee their right to equal opportunity in the workplace is tantamount to discrimination, which is considered unlawful under the [Equality Act 2010](#).

- 7.1 Current employees should have access to vacant roles within SAERI in advance, will be supported fairly in their application and will not be discriminated against should they choose to apply;
- 7.2 ALL vacant posts in the Falkland Islands must be advertised internally and in the Penguin News or on the Radio Job Shop
- 7.3 If no suitable applicants apply from the local advertisement and there is an international market for this post then the post may be advertised internationally, and may be done concurrently.

7.4 All selection decisions will be made on the basis of an objective assessment of job applicants' skills, qualifications and experience against a person specification and that records are kept of the decisions made.

## 8. TRAINING

- There shall be equal access to training and development opportunities on the employment of people with disabilities during the induction process and supervisory and in management training;
- All employees will be made aware of this Policy.

## 9. ADHERENCE TO POLICY

All employees have a part to play in achieving SAERI's commitment to Equality, Diversity and Inclusion, and the organisations will ensure that individuals are aware of their personal responsibility to follow and support this Policy.

It is the responsibility of managers/supervisors to:

- ensure that, within their areas of responsibility, the standards established within this policy are followed; and
- review the effectiveness of the policy and communicate their views to senior management.

All employees must:

- co-operate with any measures introduced to ensure equality of opportunity
- report any suspected discriminatory acts or practices
- not persuade or attempt to persuade others to practice unlawful discrimination
- not victimise anyone as a result of them having reported or provided evidence of discrimination
- not harass, abuse or intimidate others on account of their race, gender etc.
- not attempt to discourage job applicants from applying for, or taking up a post.

Any breach of the Equal Opportunities Policy will be dealt with through the Disciplinary and Capability procedure. Serious offences, such as harassment, will be dealt with in accordance with the Harassment at Work Policy and will be treated as gross misconduct.

## 10. CROSS-CUTTING POLICIES

The following policies support and provide mechanisms to uphold these principles within the Group Companies:

SGC-002	Disability at work Policy	With particular relevance to those with disabilities
SGC-003	Harassment at work Policy	Any employee who feels they are a victim of harassment
SGC-004	Code of Conduct	Defines expectation of conduct within the workplace
SGC-006	Recruitment Policy	With particular reference to equal access to new roles
SGC-012	Whistleblowing & Public Interest Disclosure Policy	Any employee or associated person who believes there might be discrimination against another individual or within the organisation
SGC-013	Training & Development Policy	For employees wishing to embark on a Personal Development Plan
SGC-015	Grievance Policy & Procedure	Any employee who feels they have been discriminated against
SGC-016	Safeguarding Policy	With particular relevance to those who are vulnerable

## 11. MONITORING AND REVIEW

The Senior Leadership Teams will use a variety of measures and indicators to monitor the effectiveness of this policy. This policy will be reviewed annually and amended as necessary to ensure that it still reflects our activities, current legislation and healthcare best practice.