



Equality & Diversity Policy

Alastair Taylor – Chief Executive Officer

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What is Equality and Diversity?

Equality is concerned with treating everyone equally and fairly, with the same attention, courtesy and respect regardless of race, colour, ethnic or national origins, religious beliefs, sex, gender reassignment, marital or civil partner status, age, sexual orientation, part time or fixed-term status or disability. The legislation surrounding such anti-discrimination can be found further within this policy.

Diversity goes beyond legislative requirements and is about valuing everyone as an individual. It consists of visible and non-visible factors, which include personal characteristics such as background, culture, personality and workstyle, in addition to the characteristics that are protected under discrimination legislation. Harnessing these differences will create a productive environment in which everybody feels valued, their talents are fully utilised and organisational goals are met.

The Company's Commitment

NYnet has a diverse range of employees and is committed to an active equality and diversity policy. This covers not only our recruitment and selection procedures, but runs right through training and development, appraisal, promotion opportunities and reward and recognition. All the decisions we make relating to employment practices are objective, free from bias and based solely upon work criteria and individual merit. We are committed to preventing discrimination and harassment and promoting a supportive, inclusive culture for all our employees, respecting the diverse backgrounds and beliefs of employees. This commitment also applies to work based social events and hospitality events for customers. Not only are we responsive to the needs of our employees and customers but we also strive to employ a workforce that reflects the diverse community in which we are based and maximises personal and commercial opportunities.

As a NYnet employee, you can expect to be treated with dignity and respect in a fair and consistent manner, in an environment where inappropriate behaviour is not acceptable.

Employees will be informed of this policy and will be provided with equality and diversity training appropriate to their needs and responsibilities. This will be covered, as a minimum, in the Company's induction programme for all employees and additional training for all managers.

All those who act on the Company's behalf will be informed of this policy and will be expected to pay due regard to it when conducting business on the Company's behalf. In all its dealings, including those with suppliers, contractors and recruitment agencies, the Company will seek to promote the principles of equality and diversity. Additionally, every effort will be made to reflect the Company's commitment to equality and diversity in its marketing and communication activities.

Regulation and Legislation

In developing and implementing this policy, the Company is committed to complying with all current and any future anti-discrimination legislation, amendments and associated codes of practice including, but not limited to:

- The Equality Act 2010
- The Equal Pay Act 1970
- The Employment Rights Act 1996

- The Employment Equality (Religion or Belief) Regulations 2003
- The Commission for Equality and Human Rights codes of practice for the elimination of unlawful discrimination and the promotion of equal pay and equality of opportunity in employment
- The European Community code of practice on the protection of the dignity of men and women at work

Forms of Discrimination

NYnet is against the following kinds of discrimination:

1. Direct Discrimination is where a person is less favourably treated because of a 'protected characteristic' they have or are thought to have.
2. Associative Discrimination applies to race, religion or belief and sexual orientation. This extends to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a 'protected characteristic'.
3. Perceptive Discrimination applies to race, religion or belief and sexual orientation. This extends to cover ages, disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular 'protected characteristic'.
4. Indirect Discrimination applies to race, religion or belief and sexual orientation and marriage and civil partnership. This extends to cover disability and gender reassignment. Indirect discrimination can occur when a condition, rule or policy or even a practice that applies to everyone but particularly disadvantages people who share a 'protected characteristic'. Indirect discrimination can be justified if it can be proved that the Company acted reasonably in managing the business to achieve a legitimate aim.
5. Harassment is defined as unwanted conduct related to a relevant 'protected characteristic' which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment applies to all 'protected characteristics' except for pregnancy and maternity and civil partnership. Employees can complain of behaviour they find offensive even if it is not directed at them and the complainant need not possess the relevant protected characteristic themselves. Employees are also protected from harassment because of perception and association.
6. Victimisation is when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Protected Characteristics (As Defined by the Equality Act 2010)

1. Age – the Act protects people of all ages however different treatment because of age is not unlawful direct or indirect discrimination if you can justify it i.e. if the Company can demonstrate that it is a proportionate means of meeting a legitimate aim.
2. Disability – under the Act a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The Equality Act 2010 includes protection from direct and indirect discrimination arising from disability. It is now unlawful, except in certain circumstances, to ask about a candidate's health before offering them work.

3. Gender Reassignment – this is a protected characteristic under the Equality Act 2010. A transsexual person is someone who proposes to, starts or has completed a process to change their gender. The Act does not require a person to be under medical supervision to be protected. Transgender people such as cross dressers who are not transsexuals are not protected by the Act. It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment.
4. Marriage & Civil Partnership – the Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.
5. Pregnancy & Maternity – a woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.
6. Race – for the purposes of the Act, 'race' includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups.
7. Religion or Belief – in the Equality Act, religion includes any religion. It also includes a lack of religion i.e. employees or jobseekers who do not follow a certain religion or have no religion at all. A religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.
8. Sex – both men and women are protected under the Act.
9. Sexual Orientation – the Act protects bisexual, gay, heterosexual and lesbian people against discrimination.

Conditions of Service

The Company will treat all employees equally and create a working environment which is free from discrimination and harassment, and which respects the diverse backgrounds and beliefs of employees. Terms and conditions of service for employees will comply with anti-discrimination legislation. The provision of benefits such as working hours, maternity and other leave arrangements, performance appraisal systems, dress code, bonus schemes and any other conditions of employment will not discriminate against any employee on any of the above-mentioned grounds.

Where appropriate and necessary, the Company will endeavour to provide appropriate facilities and conditions of service which consider the specific needs of employees that arise from their ethnic or cultural background, gender, responsibilities, as carers, disability, religion or belief, sexual orientation, or gender reassignment.

Recruitment

The Company recognises the benefits of having a diverse workforce and will take steps to ensure that:

- It endeavours to recruit from the widest pool of qualified candidates possible, using multiple recruitment channels
- Employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit

- Where appropriate, positive action measures are taken to attract applications from all sections of society and especially from those groups which are underrepresented in the workforce
- Interviewing and other assessment processes are objective and linked to job and organisational requirements
- Selection criteria and processes do not discriminate unjustifiably on the above-mentioned grounds other than in those instances where the Company is exercising permitted positive action
- Processes to identify the skills and competencies the Company requires are robust
- All recruitment agencies acting for the Company are aware of its requirement not to discriminate and to act accordingly
- All existing and new positions within NYnet are open to anyone, the sole criteria being the individual's ability to perform the job in question

Promotion

Promotion within the Company will be made without reference to any of the forbidden grounds and will be based solely on merit. All vacancies, as appropriate, will be advertised internally and on the external internet page in addition to other sources being used.

The selection criteria and process for recruitment and promotion will be kept under review to ensure that there is no unjustifiably discriminatory impact on any particular group.

Whilst positive action measures may be taken in accordance with the relevant anti-discrimination legislation to encourage underrepresented groups to apply for promotion opportunities, recruitment or promotion to all jobs will be based solely on merit.

Training and Development

All employees will have equal access to training and other career development opportunities appropriate to their abilities. However, the Company will take appropriate positive action measures (as permitted by the anti-discrimination legislation) to provide special training and support for groups which are underrepresented in the workforce and encourage them to take up training and career development opportunities.

Reward and Recognition

Reward and recognition within the Company will be on the basis of status and work performance, without regard to the above-mentioned grounds. Men and women will be treated equally in relation to pay and benefits, and any equal pay review may be extended across other groups, such as by ethnic minority or age. All employees have equality of access and outcome with regard to other benefits and opportunities. For example, working hours, holiday entitlement, maternity/paternity/adoption leave arrangements.

Suppliers

All lists of approved suppliers and databases of contractors, agents and other third parties who are instructed, or which are regarded as suitable to be instructed, by those within the Company have

been compiled only on the basis of the ability of those persons or organisations to undertake work of a particular type and contain no discriminatory exclusion, restriction or preference.

Responsibility

Ultimate responsibility for implementing this policy rests with the Chief Operating Officer. The HR Team has been appointed to be responsible for the operation of the policy. All employees of the Company are expected to pay due regard to the provisions of this policy and are personally responsible for ensuring compliance with it when undertaking their jobs or representing the Company.

Monitoring & Review

This policy will be monitored and reviewed at least annually by the HR Team to measure its progress and judge its effectiveness. In particular, the Company will, as appropriate, monitor and record:

- The gender, age, disability and ethnic composition of the workforce
- The ethnicity, gender and age of all applicants for promotion and details of whether they were successful
- Where it is possible to do so, and where doing so will not cause offence or discomfort to those whom it is intended to protect, the sexual orientation and religion or belief of all employees will be monitored so as to ensure that they are not being discriminated against in terms of the opportunities or benefits available to them. The Company is aware, however, that employees may choose not to disclose their sexual orientation or religion or belief, and care will therefore be taken to avoid inadvertent discrimination in such cases
- The number and outcome of complaints of discrimination made by employees, customers, suppliers and third parties
- The disciplinary action (if any) taken against employees by race, age, gender and disability

This information will be used to review the progress and impact of the equality and diversity policy. Any changes required will be made and implemented.

Disciplinary and Grievance Procedures

Acts of discrimination or harassment on any of the forbidden grounds by employees will result in disciplinary action. Failure to comply with this policy will be treated in a similar fashion. The policy applies to all who are employed in the Company. Acts of discrimination or harassment on any of the forbidden grounds by those acting on behalf of the Company will lead to appropriate action including termination of services where appropriate.

The Company will treat seriously and will take appropriate action in the instance of complaints of discrimination or harassment on any of the forbidden grounds made by employees, customers, suppliers or third parties. All complaints will be investigated in accordance with the Company's grievance or complaints procedure and the complainant will be informed of the outcome.

Disabled Persons

If existing members of the team were to become disabled, every effort would be made to retain them within the team wherever reasonable and practical.

Signed: _____

Alastair Taylor

Position: Chief Executive Officer

Date: _____