

EQUAL OPPORTUNITIES AND DIVERSITY POLICY

Aims and Objectives

This policy identifies Whyte & Company's commitment to equality and diversity within its business practices inclusive of all activities and its commitment to prevention of poor practices and identification and protection of vulnerable persons through the use of BS18477:2010 Inclusive service provision – Requirements for identifying and responding to consumer vulnerability.

Whyte & Co positively supports the diversity of the whole community.

Whyte & Co is committed to providing a working environment in which employees are able to realise their full potential and to contribute to its business success irrespective of their gender, race, disability, sexual orientation, marital or civil partnership status, pregnancy, gender re-assignment, part time status, age, religion or belief. Whyte & Co values the differences that a diverse workforce brings. This is a key employment value to which all employees are expected to give their support.

Whyte & Co is committed to identifying and eliminating unlawful discriminatory practices, procedures and attitudes throughout the company. Whyte & Co expects employees to support this commitment and to assist in its realisation in all possible ways.

Specifically, Whyte & Co aims to ensure that no employee or candidate is subject to unlawful discrimination, either directly or indirectly, on the grounds of gender, race (including colour, nationality or ethnic origin), disability, sexual orientation, marital or civil partnership status, pregnancy, gender re-assignment, part time status, age, religion or belief.

Our organisation aims to protect people from the following forms of discrimination:

- Direct discrimination
- Discrimination by association
- Discrimination by perception
- Indirect discrimination
- Harassment
- Harassment by a third party
- Victimisation

This policy applies equally to:

- recruitment and selection, including advertisements, job descriptions, interview and selection procedures;
- managing staff;
- training;
- promotion and career development opportunities;
- terms and conditions of employment, and access to employment related benefits and facilities;
- grievance handling and the application of disciplinary procedures;
- selection for redundancy;
- service provision;
- commissioning and purchasing of goods and services;
- Partnership with other organisations.

Equal opportunities practice is developing constantly as social attitudes and legislation change. Whyte & Co will keep its policies under review and will implement changes where these could improve equality of opportunity. This commitment applies to all the company's employment policies and procedures, not just those specifically connected with equal opportunities and diversity.

Legislation and codes of practice

This policy is designed to ensure that Whyte & Co meets its obligations under the **Equality Act 2010** which supersedes the:

- Equal Pay Act 1970 (as amended)
- Sex Discrimination Act 1975 (as amended)
- Race Relations Act 1976 (as amended)
- Disability Discrimination Act 1995 (as amended)
- Human Rights Act 1998
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulation 2003
- Employment Equality (Age) Regulations 2003

- Gender Recognition Act 2004
- Part-time working Regulations 2000
- Equality Act 2006

Whyte & Co operate within the requirements of BS18477:2010 and have developed an operating code of practice and training process to ensure that all staff are made fully aware of good work practices and the need to treat all persons equally and ensure that due consideration is given when vulnerability is identified.

Recruitment and Selection

Whyte & Co recognises the benefits of having a diverse workforce and will take steps to ensure that:

- We follow as far as possible the Equality and Human Rights Commission's (E&HRC) Code of Practice for Employment and its guidance on preventing racial discrimination and promoting equal opportunities in employment.
- It endeavours to recruit from the widest pool of qualified candidates possible.
- All recruitment will be open with preference given to placing advertisements with the Job Centre and local press.
- All job advertisements will carry a statement to the effect that Whyte & Co is an equal opportunities employer.
- All advertising material and accompanying literature relating to employment and training will be reviewed regularly to ensure that it avoids presenting any person in a stereotypical role.
- Any qualifications or requirements applied to a job which effectively inhibit applications from one group of people, should only be retained if they are justified in terms of the job to be done
- Staff responsible for short listing and interviewing candidates will be aware of the selection criteria and the need for consistent application.
- All applications shall be processed in exactly the same way. All those handling applications and conducting interviews shall be trained in the avoidance of unlawful discrimination and records of interviews kept, where practicable, showing why applicants were or were not appointed.
- Ensure that short listing and interviewing is not done by only one person and checked by a senior member of staff.
- Individuals shall be assessed according to their personal capability to carry out a given job

- Monitor recruitment, promotion, training opportunities and take-up, grievances, disciplinary procedures and exit interviews.
- 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;
- Selection criteria and processes do not discriminate unjustifiably on the grounds of gender, race (including colour, nationality or ethnic origin), disability, sexual orientation, marital or civil partnership status, pregnancy, gender re-assignment, part time status, age, religion or belief, other than in those instances where Whyte & Co is exercising lawfully permitted positive action;
- Any recruitment agencies acting for Whyte & Co are aware of its requirement not to discriminate and to act accordingly.

Employment and Training

As an employer, Whyte & Co will treat all employees and job candidates equally and fairly and not discriminate unjustifiably against them. This will, for example, include arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, bonus schemes, work allocation and any other employment-related activities.

All staff are trained during induction on the scope and practices required in adhering to our equalities policy.

Managers and supervisors receive additional training and written instruction on equality in:

- Recruitment
- Selection
- Training
- Promotion
- Discipline
- Dismissal

Public facing staff including those who have direct communication with the public are given training on identifying and dealing with those persons who are identified as vulnerable including escalation to the Remedy Support Team.

Conditions of Service

Whyte & Co will treat all employees and clients equally and create a working environment which is free from discrimination and harassment and which respects, where appropriate, the diverse backgrounds and beliefs.

Terms and conditions of service for employees will comply with U.K. equal opportunities 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 unlawfully against any employee on the grounds of their gender, race (including colour, nationality or ethnic origin), disability, sexual orientation, marital or civil partnership status, pregnancy, gender re-assignment, part time status, age, religion or belief.

Where appropriate and necessary, Whyte & Co will endeavour to provide appropriate facilities and conditions of service which take into account the specific needs of employees which arise from their gender, ethnic or cultural background, nationality, responsibilities as parents or carers, disability, sexual orientation, marital or civil partnership status, pregnancy, gender re-assignment, part time status, age, religion or belief.

Promotion and Career Development

Promotion within Whyte & Co will be based solely on merit.

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

All employees will have equal access to training and other career development opportunities appropriate to their experience and abilities. However, Whyte & Co will take appropriate positive action measures (as permitted by the equal opportunities 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.

Promoting Equality and Diversity

Whyte & Co is committed to promoting equality and diversity.

All employees will receive training in this Policy. Managers will receive additional training and all those responsible for recruitment and selection will receive training in the avoidance of discrimination in the recruitment and selection process.

In all its dealings, including those with clients, debtors, suppliers, contractors, recruitment agencies and the public, Whyte & Co will seek to promote the principles of equality and diversity.

Whyte & Co will make every effort to reflect its commitment to equality and diversity in its marketing and communication activities.

Discrimination, Harassment and Victimisation

Harassment is physical, verbal or non verbal behaviour which is unwanted and personally offensive to the recipient, and which causes the recipient to feel threatened, humiliated, intimidated, patronised, denigrated, bullied, distressed or harassed.

Whyte & Co will treat seriously, and will take action where appropriate concerning, all complaints of discrimination or harassment made by employees, clients, debtors, suppliers, contractors or other third parties.

Discrimination, harassment and victimisation are serious disciplinary offences and will be dealt with accordingly.

All complaints will be investigated in accordance with Whyte & Co's grievance or complaints procedure, as appropriate, and the complainant will be informed of the outcome.

The way in which Complaints of Unlawful Discrimination and Harassment will be handled

Discrimination and harassment are often complex matters, and there is no single way of dealing with every suspected or alleged instance. In some cases employees may be able to deal satisfactorily with an issue by raising it with their immediate manager. However, an employee may raise the issue with any manager.

If an employee wishes to make a formal complaint he or she should use Whyte & Co's Grievance Procedure which is set out in the Employee Handbook.

Whyte & Co will treat seriously all allegations of unlawful discrimination or harassment.

If an Employee is Accused of Unlawful Discrimination or Harassment

If an employee is accused of unlawful discrimination or harassment, Whyte & Co will investigate the matter fully. This may include interaction with the Remedy Support Team where vulnerability is possible.

In the course of the investigation the employee will be given the opportunity to respond to the allegation and provide an explanation of his or her actions.

If Whyte & Co concludes that no unlawful discrimination or harassment has occurred, this will be the end of the matter.

If on the other hand Whyte & Co concludes that the employee's actions amount to unlawful discrimination or harassment he or she may be subject to disciplinary action, up to and including summary dismissal for gross misconduct.

Responsibility

The partners have overall responsibility for the policy and ensuring that adequate resources are provided for its implementation. The Partners of Whyte & Co will be responsible for ensuring this policy is fully effective and will not condone any deviation by its employees.

The management team has responsibility for overseeing the implementation of the policy and monitoring its progress. Supervisors are responsible for ensuring that all aspects of their service comply with the policy

All employees should help promote the policy in the workplace in all aspects of service delivery and to work towards the elimination of discrimination

All employees of Whyte & Co are expected to pay due regard to the provisions of this Policy and are responsible for ensuring compliance with it when undertaking their jobs or representing Whyte & Co.

All employees have a responsibility to report instances of discrimination to their manager immediately so that appropriate action can be taken to remedy the situation

Communication

The policy will become part of each employee's handbook and a copy will be placed on the Company website.

The policy will be included in the Induction process for all new employees

The policy will be available on the 'shared drive' of the company computer system for all staff to view

For this document on tape please contact Whyte & Co on 0845 458 9429

All documentation can be provided in large format if required by request.

Policy Review & Implementation

The policy is reviewed at least annually and more frequently when legislation is changed. Revised policies are communicated within induction, updates to employee handbooks, and updates to copies published on our website.

Monitoring

Whyte & Co will monitor its policies and will implement changes in order to improve them as social attitudes and legislation change. This commitment applies to all Whyte & Co's employment policies and procedures, not just those specifically concerned with equal opportunities and diversity.

Whyte & Co's long term aim is that the composition of our workforce should reflect that of the community.

Whyte & Co will monitor the following by reference to gender, race (including colour, nationality or ethnic origin), disability, sexual orientation, marital or civil partnership status, pregnancy, gender re-assignment, part time status, age, religion or belief:

Number of:

- job applicants
- shortlisted job applicants
- successful job applicants
- employees promoted
- employees disciplined and or dismissed
- employees given access to additional training opportunities
- employees making or subject to complaints of discrimination, harassment or victimisation

If there appears to be any disproportionate representation Whyte & Co will investigate the reasons for this and take whatever corrective action is possible.

Consultation

Whyte & Co will report annually to its workforce on the implementation of this policy and seek their views.

Service Delivery

Whyte & Co. provides enforcement services to local authorities and our staff deal directly with the public on a daily basis in the process of enforcing court orders. We are primarily providing a service to the local authority rather than to those who we are attempting to recover debt from although there are aspects of service delivery in the enforcement process – the provision of advice and payment facilities, for example.

Whyte & Co. will do its utmost to apply best practice in equality in the delivery of its services. In particular we will:

- Conduct our business in as fair, humane, professional and ethical manner as is possible.
- Provide thorough training for our staff to ensure that any differences in the treatment debtors receive is based on legitimate considerations such as ability to pay and vulnerability and not on prejudice and unlawful discrimination.
- Operate a robust, clear and easy to use complaints procedure.
- Ensure that every individual is treated with respect and provided with accurate and up to date information.
- Organise arranged meetings at times which accommodate people's religious observance requirements.
- Make appropriate allowance for those for who English is a second language, if necessary by withdrawing until an interpreter can be provided. Our website is being developed to include a range of FAQ's in a variety of languages. We have enforcement agents and office staff who speak a variety of languages and wherever possible will ensure that people are dealt with by a member of staff who shares a common language.
- Provide the training to ensure that our staff are aware and respectful of cultural differences.
- Ensure that our offices are accessible to the disabled.
- Offer different methods of contacting us such as telephone, facsimile, email and personal visit to enhance accessibility.
- Accommodate the wishes of disabled people if they choose to have their carer with them to help in discussions or with written material.
- Provide a wide range of payment facilities to meet the needs of all.
- Provide letters and notices in large print where requested by the partially sighted.
- Provide welfare benefits advice to help people resolve their debt problems through income maximisation by the take up of unclaimed benefits.
- Provide "enforcement agent surgeries" at council offices so that debtors can meet us on "neutral territory" and as a facility for those who are unable or find it difficult to visit our offices.
- Publish our equalities policy on our website to ensure people can access it easily.

- Provide an accessible complaints procedure on our website.
- Operate a robust code of practice with particular emphasis on dealing appropriately with vulnerable and potentially vulnerable debtors and in strict accordance with the Lord Chancellors guidelines.
- Undertake equality monitoring, via complaints analysis, to identify if there is any disproportionate representation of any group and make changes as necessary.

Recruitment of Ex-offenders

- As an organisation using the Disclosure Barring Service (DBS) service to assess candidates' suitability for positions of trust, Whyte & Co complies fully with the DBS Code of Practice and undertakes to treat all candidates fairly. Whyte & Co undertakes not to discriminate unlawfully against any candidate who is required to provide information through this process. The information provided is known as a Disclosure.
- Whyte & Co's policy on the recruitment of ex-offenders will be made available to all candidates at the outset of the recruitment process.
- Whyte & Co actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. Having a criminal record will not necessarily prevent the candidate from working with Whyte & Co. Whether or not it does will depend on the nature of the position the employee is applying for and the circumstances and background of the offences.
- A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where such a check is required, all application forms, job advertisement and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- Where a Disclosure is part of the recruitment process, Whyte & Co encourages all candidates called for interview to provide details of any criminal record at an early stage in the application process. Whyte & Co requests that this information is sent under separate, confidential cover to a designated person within Whyte & Co. Whyte & Co guarantees that only those who need to see it as part of the recruitment process will see this information.
- Unless the nature of the position is such that Whyte & Co may ask questions about an individual's entire criminal record, Whyte & Co will only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.
- Whyte & Co will ensure that all individuals involved in the recruitment process receive appropriate guidance and training in the legislation relating to the employment of ex-offenders, e.g., the Rehabilitation of Offenders Act 1974.
- Whyte & Co will ensure that it discusses with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job

could result in withdrawal of an offer of employment.

- Whyte & Co will ensure that it makes any candidate who is subject to Disclosure aware of the DBS Code of Practice and will provide a copy of the Code on request.
- Whyte & Co undertakes to discuss any matter revealed in the Disclosure with the candidate before withdrawing the offer of employment.

Review

This policy is reviewed at least annually



Paul Whyte

Partner