

MODEL EQUAL OPPORTUNITIES AND DIVERSITY POLICY

1. GENERAL

- 1.1. Ashton Consulting (UK) Ltd embraces diversity and will seek to promote the benefits of diversity in all of our business activities. We will seek to develop a business culture that reflects that belief. We will seek to widen the media in which we recruit to ensure as diverse an employee and candidate base as possible. We will strive to make sure that our clients meet their own diversity targets.

Ashton Consulting (UK) Ltd is committed to diversity and will promote diversity for all employees, workers and applicants and shall adhere to such a policy at all times. We will review on an on-going basis all aspects of recruitment to avoid unlawful or undesirable discrimination. Ashton Consulting (UK) Ltd will treat everyone equally irrespective of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or membership or non-membership of a Trade Union or spent convictions, and places an obligation upon all staff to respect and act in accordance with the policy. Ashton Consulting (UK) Ltd is committed to providing training for its entire staff in equal opportunities practice. Ashton Consulting (UK) Ltd shall avoid stipulating any unnecessary requirements which would exclude a higher proportion of a particular gender, sexual orientation, age, religion or racial group or which would exclude disabled job applicants; and will avoid prescribing any requirements as to marital or civil partnership status.

- 1.2. Ashton Consulting (UK) Ltd shall not discriminate unlawfully when deciding which candidate/temporary worker is submitted for a vacancy or assignment, or in any terms of employment or terms of engagement for temporary workers. Ashton Consulting (UK) Ltd will ensure that each candidate is assessed only in accordance with the candidate's merits, qualifications and abilities to perform the relevant duties required by the particular vacancy.
- 1.3. Ashton Consulting (UK) Ltd will not accept instructions from clients that indicate an intention to discriminate unlawfully.

2. DISCRIMINATION

Unlawful discrimination occurs in the following circumstances:

2.1. Direct discrimination

Direct discrimination occurs where one individual treats or would treat another individual less favourably because of sex, sexual orientation, gender reassignment, marital or civil partnership, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs (“the protected categories”).

It is unlawful for a recruitment consultancy to discriminate against a person on the grounds of a protected category:

- in the terms on which the recruitment consultancy offers to provide any of its services;
- by refusing or deliberately omitting to provide any of its services;
- in the way it provides any of its services.

Direct discrimination would also occur if a recruitment consultancy accepted and acted upon a job registration from an employer which states that certain persons are unacceptable due to a protected category, unless one of the exceptions applies, for instance, the job demands a genuine occupational requirement or in the case of age, the discrimination can be lawfully justified.

2.2. Indirect Discrimination

Indirect discrimination occurs where an agency or employer applies a provision, criterion or practice generally, which disadvantages a minority group in the community on the basis of a protected category.

Indirect discrimination would also occur if a recruitment consultant accepted and acted upon an indirectly discriminatory instruction from an employer.

If the vacancy requires characteristics which amount to a genuine occupational requirement or the instruction is lawfully discriminatory due to a statutory exception or

objective justification, Ashton Consulting (UK) Ltd will not deal further with the vacancy unless the client provides written confirmation of such genuine occupational requirement, exception or justification.

2.3. **DISABLED PERSONS**

2.3.1. **Discrimination**

Direct discrimination against a person occurs where, a person is treated less favourably because of disability, either their own disability or because someone they are associated with has a disability.

Indirect discriminations occur when a practice, criterion or provision which cannot be objectively justified is applied to everyone but results in person with a disability being placed at a disadvantage.

Disability arising from discrimination occurs when a person is treated unfavourably because of something arising in connection with their disability.

2.3.2. **Duty to make reasonable adjustments and to provide auxiliary aids and services**

This is a similar protection to indirect discrimination in the other protected categories.

Where a provision, criterion or practice applied by or on behalf of an employer, or any physical feature of the employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled, it will be the duty of an employer to take such steps as are reasonable, in all the circumstances of the case, to remove the provision, criterion, practice or physical feature.

Agencies must take reasonable steps to provide auxiliary aids or services if this would make it easier for the disabled person to use their services. For instance, an appropriate auxiliary aid or service can include the provision of information on audiotape or provision of a sign language interpreter.

Ashton Consulting (UK) Ltd will not discriminate against a disabled person on the grounds of disability:

- in the arrangements i.e. application form, interview or arrangements for selection for determining to whom a job should be offered; or
- in the terms on which employment or engagement of temporary workers is offered; or
- by refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability; or
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or
- by subjecting him or her to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wage, or harassment).

Ashton Consulting (UK) Ltd will accordingly make career opportunities available to all people with disabilities and every practical effort will be made to provide for the needs of staff, candidates and clients.

Wherever possible Ashton Consulting (UK) Ltd will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers. However, this may not always be feasible, due to circumstances creating such difficulties as to render such adjustments as being beyond what is reasonable in all the circumstances.

3. AGE DISCRIMINATION

Ashton Consulting (UK) Ltd will not discriminate directly or indirectly, harass or victimise any person on the grounds of their age. We will encourage clients not to include any age criteria in job specifications and every attempt will be made to persuade clients to recruit on the basis of competence and skills and not age.

Ashton Consulting (UK) Ltd is committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of age.

No age requirements will be stated in any job advertisements on behalf of the company.

Ashton Consulting (UK) Ltd will request age as part of its recruitment process but such information will not be used as selection, training or promotion criteria or in any detrimental way and is only for compilation of personal data, which the company holds on all employees and workers and as part of its equal opportunities monitoring process.

4. PART-TIME WORKERS

This Diversity Policy also covers the treatment of those employees and workers who work on a part-time basis, Ashton Consulting (UK) Ltd recognises that it is an essential part of this policy that part time employees are treated on the same terms, with no detriment, as full time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to our pension scheme. Ashton Consulting (UK) Ltd also recognises that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

5. HARASSMENT POLICY

- 5.1. Ashton Consulting (UK) Ltd is committed to providing a work environment free from unlawful harassment on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or any other basis protected by legislation is unlawful and will not be tolerated by Ashton Consulting (UK) Ltd.
- 5.2. This policy prohibits unlawful harassment by any employee or worker of Ashton Consulting (UK) Ltd.
- 5.3. Examples of prohibited harassment are:

- 5.3.1. verbal or written conduct containing derogatory jokes or comments;
 - 5.3.2. slurs or unwanted sexual advances;
 - 5.3.3. visual conduct such as derogatory or sexually orientated posters;
 - 5.3.4. photographs, cartoons, drawings or gestures which some may find offensive;
 - 5.3.5. physical conduct such as assault, unwanted touching, or any interference because of sex, race or any other protected category basis;
 - 5.3.6. Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours;
 - 5.3.7. Retaliation for having reported or threatened to report harassment.
- 5.4. If you believe that you have been unlawfully harassed, you should make an immediate report to Owen O'Neill followed by a written complaint as soon as possible after the incident. Your complaint should include:
- Details of the incident
 - Name(s) of the individual(s) involved
 - Name(s) of any witness(es)
- 5.5. Ashton Consulting (UK) Ltd will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.
- 5.6. Any employee(s) who Ashton Consulting (UK) Ltd finds to be responsible for unlawful harassment will be subject to the disciplinary procedure and any sanction may include termination. [A person who discriminates or harasses may be personally liable for payment of compensation to the person offended, in addition to any compensation payable by Ashton Consulting (UK) Ltd. There is no statutory cap on the amount of compensation which may be awarded in discrimination cases. Under the Criminal Justice Act 1994, harassment became a criminal offence, punishable by a fine of up to £5,000 and/or a prison term of up to 6 months. Under the Protection from Harassment Act 1997, the penalties for aggravated harassment are an unlimited fine and/or 5 years imprisonment.]

6. GENDER REASSIGNMENT POLICY

- 6.1. Ashton Consulting (UK) Ltd recognises that any employee or worker may wish to change their gender during the course of their employment with the Company.

- 6.2. Ashton Consulting (UK) Ltd will support any employee or worker through the reassignment.
- 6.3. Ashton Consulting (UK) Ltd will make every effort to try to protect an employee or worker who has undergone, is undergoing or intends to undergo gender reassignment, from discrimination or harassment within the workplace.
- 6.4. All employees and workers will be expected to comply with Ashton Consulting (UK) Ltd policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary sanction.
- 6.5. Where an employee is engaged in work where the gender change imposes genuine problems Ashton Consulting (UK) Ltd will make every effort to reassign the employee or worker to an alternative role in the Company, if so desired by the employee.
- 6.6. Any employee or worker suffering discrimination on the grounds of gender reassignment should make recourse to the Company's grievance procedure.

7. COMPLAINTS AND MONITORING PROCEDURES

- 7.1. Ashton Consulting (UK) Ltd has in place procedures for monitoring compliance with this policy and for dealing with complaints of discrimination. These are available from the Office Manager and will be made available immediately upon request.
- 7.2. Any discrimination complaint will be investigated fully.