

Integrating Equality & Diversity into Procurement

Templates for Contractors



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1. Introduction

This booklet provides templates for a variety of equality policies and procedures which may prove useful for potential contractors and suppliers tendering for Council contracts.

All contractors will be required to adhere to a standardised set of terms and conditions, which include a specific equality clause.

Other requirements for contractors varies depending on the assessed relevance of equality to the contract and the size of the contractors' organization.

All templates used within this document have been taken from "Racial Equality and the Smaller Business Guide" produced by the Equalities and Human Rights Commission and HSBC. They have been modified to include all equality strands (race, disability, gender, age, sexual orientation, religion or belief), and not to consider only race.

Template 1

Sample Equality and Diversity Policy

The purpose of this policy is to ensure that all workers, job applicants and customers at [organisation's name]; will be treated fairly irrespective of race, gender, religion, disability, sexual orientation and/or age. We value a diverse customer base and the individuality and creativity that every worker potentially brings to the workforce.

Operating Principles

- Workers, job applicants and customers will be treated fairly, openly and honestly, with dignity and respect.
- No job applicant or worker will receive less favourable treatment on grounds of race, gender, religion, disability, sexual orientation and/or age.
- Equality and diversity is about good employment practice and makes sound business sense.
- Employment decisions on recruitment and promotion will be based solely on merit.
- Everyone has the right to work and do business in an environment free of unlawful discrimination and harassment. [Organisation's name] will not tolerate such behaviour under any circumstances.
- Disciplinary action, including dismissal, may be taken against any worker found responsible for harassment or discrimination.
- Any worker who believes he or she is being discriminated against, victimised or harassed should raise the matter through the [organisation's name] complaints procedure.

This policy is fully supported by (the owner/director of organisation). It will be ensured that all the workers are aware of the policy and that they are responsible for observing it.

This policy will be reviewed every...

Template 2

Sample Equality Statement for Job Advertisements

"We aim to be an equal opportunities employer and welcome applications from all sections of the community".

Template 3

Sample Equality Action Plan

- _____ (named owner/manager or senior member of staff) is responsible for the equality policy and for putting the equality action plan into practice.
- We will circulate our equality policy, harassment policy and complaints procedure to all workers and their representatives, and also display them on company notice boards.
- We will provide guidance for supervisors, managers and other relevant staff on the company's equality policy, and on their responsibilities under the law.
- Our aim is to employ a diverse workforce. We will regularly review and revise the company's policies, practices, and procedures, to make sure they are not potentially discriminatory.
- If people from particular social backgrounds are under-represented, we will:
 - include a statement in our job advertisements, positively encouraging them to apply;
 - make sure we advertise jobs as widely as possible;
 - consult specialist agencies such as Job Centre Plus, for advice;
 - make sure the criteria for selection are entirely job-related; and
 - keep track of the ethnic backgrounds, gender, age, sexual orientation and disability status of all workers and job applicants and use the information to improve opportunities at all levels in the company.
- Our aim is to serve all members of the communities we serve. If people from some social groups are under-represented among our customers, we will develop marketing and other strategies to reach them.

Template 4

Sample Equality Action Plan (for businesses with more resources)

- _____ (named senior manager) is responsible for the equality policy and for putting the equality action plan into practice.
- We will circulate our equality policy to job applicants and all workers, and their representatives, by enclosing copies in induction material and application packs, and by placing them on our website and on company notice boards.
- We will make sure the equality policy applies to all our activities. We will monitor the equality policy, for example, by collecting and analysing information about the ethnic background, gender and disability status of job applicants and all workers, at each level in the company.
- If we find under-representation in respect of ethnic origin, gender, age, sexual orientation or disability, we will:
 - include a statement in our job advertisements, positively encouraging people from the under-represented groups to apply;
 - make sure our job advertisements reach them;
 - consider using minority media for our job advertisements;
 - consult specialist agencies, such as Job Centre Plus, for advice;
 - make sure the criteria for selection are entirely job-related;
 - review and revise the company's policies, practices and procedures; and
 - consider taking positive action to provide training specifically for under-represented groups.
- We will make sure all our workers know and understand our harassment policy and complaints procedure, by:
 - circulating the policy and procedure to all staff and displaying both on company notice boards; and
 - holding staff meetings to explain and discuss the policy.
- Senior managers and other staff involved in recruitment and handling complaints will receive training in racial equality and the law on discrimination.
- Our aim is to serve all members of the community. If people from some social groups are under-represented among our customers, we will develop marketing and other strategies to reach them.

Template 5

Sample Policy on Harassment

As part of its equality policy, the company is committed to promoting a good and harmonious working environment where every worker is treated with respect and dignity. No one should feel threatened, intimidated or degraded on grounds of race, colour, nationality, ethnic or national origin, sex, married status, sexual orientation, disability, physical characteristics, health, or religion or belief. The policy also covers harassment that falls outside the above categories and that can be classed as bullying.

Harassment at work is unacceptable (and in many cases unlawful) behaviour and will not be permitted or condoned.

All workers have a right to work in an environment that:

- is free from abuse or insults;
- is safe;
- promotes dignity at work;
- encourages individuals to treat each other with respect;
- values politeness;
- is open and fair; and
- encourages individuals to support each other

All workers have a responsibility to:

- support anyone who says they have been bullied or harassed, and to be sensitive to their feelings and perceptions of the situation;
- encourage them to seek help; and
- refrain from taking part in, encouraging or condoning gossip about cases of alleged or actual harassment or bullying.

Complaints of harassment or discrimination will be dealt with through the complaints procedure.

Disciplinary action, including dismissal, may be taken against any worker found responsible for harassment or discrimination.

All workers must comply with this policy.

This policy will be reviewed every...

Template 6

Sample Harassment Complaints Procedure

Harassment and discrimination are contrary to the company's equality policy. Complaints will be dealt with under the company's disciplinary and grievance procedure.

Harassment includes actions – verbal insults or ridicule, graffiti, slogans, offensive comments, shunning of individuals, or applying different or unreasonable standards – that, intentionally or not, have the effect of violating a person's dignity or creating an intimidating, hostile, degrading or offensive environment.

Complaints should be made in writing (marked 'Confidential') to the owner/manager/named senior manager (unless they are the person(s) being complained about). All complaints will be treated in strictest confidence, at all stages of the process. If the Manager is the "harasser", then the company will demonstrate how the complainant can be supported in making their complaint.

All complaints will be treated seriously. Workers involved, and witnesses, will be questioned promptly to establish what has happened.

Both parties will be given support, including interpreting services (if needed).

Both parties have the right to be accompanied by a friend or representative at all discussions.

The complaints procedure will be completed within 20 working days of the complaint having been received, or as soon as practicable.

The complainant will be informed of the outcome of the grievance and an undertaking given that she or he will not be victimised or suffer any further disadvantage.

The complainant will be informed of his or her statutory rights under discrimination legislation.

Disciplinary action, including dismissal, may be taken against any worker found responsible for harassment or discrimination.

If the harassment is from a customer, client or contractor, they will be warned that such behaviour will not be tolerated, and that further incidents could lead to suspension of the service or termination of the contract.

Template 7

Sample Harassment Complaints Procedure for Businesses with more Resources

Harassment and discrimination are contrary to the company's equality policy and may be grounds for dismissal.

What is harassment?

A person harasses someone on particular social grounds, such as race, if his or her conduct is unwanted and it has the effect, intentionally or not, of:

- violating a person's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

What forms can harassment or discrimination take?

- Abuse.
- Explicit derogatory statements that are found to be objectionable and offensive.
- Graffiti, slogans, badges.
- Offensive jokes.
- An offensive way of communicating that is not used with other workers.
- Applying different or unreasonable standards of performance to individuals.

It should be noted that the above list is not exhaustive.

Remedies

- All workers are encouraged to report incidents of harassment or discrimination and are assured that complaints will be dealt with sensitively.
- Confidentiality is assured. Discussions between the complainant and the manager(s) handling the complaint will be conducted with empathy, sensitivity and understanding.
- All complaints will be treated seriously. Workers involved, and witnesses, will be questioned promptly to establish what has happened. Both parties will be given support, including interpreting services (if needed). Both parties have the right to be accompanied by a friend or representative at all discussions.

- The procedure offers an informal and a formal procedure. The complainant should know that disciplinary action will only be taken following formal consideration of the complaint. The formal procedure will be completed within 20 working days of the complaint having been received. The complainant does not have to use the informal procedure before making a formal complaint.
- The complainant is advised to write down, preferably in diary form, what happened and when.

The informal complaints process

- The complainant can approach the alleged harasser directly to resolve matters.
- The complainant can approach the alleged harasser, with support from a colleague, a representative, or a manager.
- The complainant can write to the alleged harasser, with advice or support from a colleague, representative or manager, to make it clear that the behaviour in question is offensive, is not welcome and should be stopped.

The formal complaints process

- The complaint should be made as soon as possible following the act of alleged harassment.
- The complaint should be made in writing, to the complainant's line manager, or the managing director or the personnel manager (unless any of them are the subject of the complaint).
- The complaint will be acknowledged in writing within 3 working days. The alleged harasser will be given written notification of the complaint, with full details of the allegation.
- An investigation manager will be nominated. The investigation manager will have received training in handling complaints of harassment or discrimination. The investigation manager will interview the complainant, who has the right to be accompanied by a friend, or a trade union or other representative (not acting in a legal capacity), and an interpreter (if requested).
- The alleged harasser will be interviewed. He or she will have the same right to be accompanied.
- Following the interviews, both parties will be informed of any decision to separate them.
- The investigation manager will write to the alleged harasser outlining the complaint.

- Formal meetings will be held with the complainant, the alleged harasser and any witnesses deemed appropriate to the complaint, within 10 working days of the date the complaint was received.
- The evidence will be considered as quickly as possible by a panel or by an independent person, preferably someone outside the department where the parties concerned work.
- The complainant and the alleged harasser will receive a decision in writing from the company as soon as the investigation is complete. Possible outcomes include the decision to:
 - take no further action, because the complaint is not founded, or there is insufficient evidence;
 - uphold the complaint and invoke the company's formal disciplinary procedure; or,
 - take action against the complainant if the complaint is found to be vexatious or malicious.
- Appeals against the decision will be dealt with through the company's disciplinary procedure (if the appeal is from the person against whom the complaint was made) or the company's grievance procedure (if the appeal is from the complainant).
- The company will offer training and/or counselling to both parties.
- The investigation manager will meet the complainant on a regular basis, to offer support, and to make sure no harassment or victimisation has occurred, even if the complaint has not been upheld.

The harasser's manager will be responsible for ensuring that the harasser fully understands the company's racial equality policy and the laws on discrimination.

Acknowledgements

This document is based on the work by the Commission for Racial Equality, HSBC in their CD-ROM "Racial Equality and the Smaller Business Guide" and the work by Bolton Council.