



HUMAN RESOURCES

Equality and Dignity at Work Implementation Policy

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1 Introduction

Crossrail Ltd is committed to providing a workplace free from discrimination in any form, where everyone is treated with respect and dignity and success is based solely on individual merit. As an Equal Opportunities employer, Crossrail Ltd continually strive to develop a workplace that benefits from the wide range of skills, knowledge and experience Available. In order to provide applicants and employees with equal opportunities, policies and processes are regularly reviewed to ensure that individuals or groups are not unjustifiably disadvantaged. The profile of applicants and employees is also monitored and any information gathered is treated in the strictest confidence.

2 Scope

This implementation policy applies to all staff including consultants, agency, temporary workers and any other third party working on Company premises or on behalf of the Company.

3 Discrimination

Discrimination can take various forms, none of which will be tolerated by the Company. Discrimination laws not only apply to current employees but also temporary workers, contractors and anyone applying for a position within the business.

Current legislation prohibits discrimination on the following grounds:

- Sex
- Race (which includes colour, nationality and ethnic or national origins)
- Disability
- Marriage or civil partnership
- Sexual orientation
- Gender re-assignment
- Pregnancy or maternity
- Religion or philosophical belief
- Age

These are known as protected characteristics.

Direct discrimination refers to less favourable treatment of a person because of any of the protected characteristics. For example rejecting a job applicant on the grounds of his or her sex or not promoting someone because of his/her ethnic origin is a form of direct discrimination.

Indirect discrimination occurs when a “provision, criterion or practice” disadvantages someone in relation to a relevant protected characteristic, unless it can be objectively justified. For example a policy that states no headwear may be worn whatsoever is likely to indirectly discriminate against employees who choose to wear a turban, skullcap or other headwear that is worn for religious reasons (although it does not cover a disadvantage because of marriage and civil partnership, and pregnancy and maternity)

Associative discrimination is where an individual is directly discriminated against because of their association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

4 Our commitment

The Crossrail Team promotes quality by:

- recruiting, retaining and developing our people solely on their abilities. Employment conditions and requirements will reflect our commitment to equality;
- communicating the Equality and Dignity Policy and this implementation policy to all job applicants, employees, agency and temporary workers and consultants;
- dealing promptly with complaints and grievances;
- taking a flexible approach where possible to ensure employees are accommodated with working arrangements, which are suited to them and the organisation and in accordance with statutory rights;
- providing equality-related training & development;
- reviewing the impact on equality of all other Employment policies and procedures within best practice guidelines;
- reviewing policies and procedures to ensure they comply with this statement and relevant changes in legislation; and
- monitoring and reporting on the workforce composition on a periodic and annual basis, acting upon findings and implementing changes to policies and practices as necessary.

5 Personal behaviour and conduct

Conduct from any employee that is found to be discriminatory will not be tolerated and will be dealt with under the disciplinary procedure which could lead to disciplinary action, up to and including summary dismissal.

Everyone has a responsibility to behave professionally. It is not acceptable for employees to justify inappropriate or discriminatory behaviour as 'just a joke', or 'harmless banter'. It is not the case that action will only be taken when an employee complaint is made. For example, a manager using discriminatory language during a team meeting may still face disciplinary action regardless of whether formal complaints have been made by the team.

No employee will be disciplined for raising a complaint in good faith, even if that complaint is not subsequently upheld. However, any person who is found to have made a malicious complaint will be subject to disciplinary action, up to and including summary dismissal.

6 Responsibilities

All employees are required to assist Crossrail Ltd in meeting its commitment to provide equal opportunities by:

- being familiar with and promoting this implementation policy;
- demonstrating consideration, respect and understanding for all colleagues;
- challenging unacceptable behaviour;
- recognising the value of social and cultural diversity in the workplace; and
- ensuring that their behaviour at work does not unfairly discriminate.

All employees with management responsibilities are expected to:

- be responsible for ensuring that this implementation policy is proactively applied within their own area. Any queries on the application or interpretation of this implementation policy must be discussed with the Human Resources team;
- promote equality in the workplace and set the tone for behaviour between colleagues;
- in liaison with Human Resources, deal promptly and fairly with complaints, grievances, disciplinary offences, requests for flexible working or career breaks;
- not tolerate unfair discrimination in any form, from any employee or a third party who can affect an employee in his/her work;
- review local practices and procedures regularly to ensure that they do not unfairly discriminate;
- make sure that an individual or group is not treated differently from their counterparts. Also ensure that individuals are not victimised in any way;
- ensure that no one is victimised or treated less favourably due to their involvement in a complaint;
- only use job related criteria in internal processes for selection and assessment, performance management, training, development and promotion; and
- recruit, train, develop, promote and assess performance based on an individual's ability to undertake their duties and responsibilities.

Human Resources will:

- develop policies and procedures to eliminate inequality;
- review and monitor the implementation and effectiveness of this document;
- regularly monitor the effects of selection decisions and employment and pay practices and procedures in order to assess whether equality and dignity at work are being achieved; and
- consider if reasonable adjustments are necessary to overcome barriers caused by disability.

7 Dignity at work - bullying and harassment

Employees have an absolute right to complain if they are treated in a manner that they believe constitutes harassment or bullying. This will include behaviour that has caused offence, humiliation, embarrassment or distress. Apart from complaints about the behaviour of colleagues, employees have the right to complain if they believe that they have been bullied or harassed by a third party, for example a customer, client or supplier. Any employee who witnesses an incident that he/she believe constitute the harassment or bullying of another member of staff should report the incident in confidence either to his/her line manager or to Human Resources.

Bullying is defined as offensive, intimidating, insulting or malicious behaviour or an abuse or misuse of power which undermines, humiliates or injures another person.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Harassment occurs where, on the grounds of an employee's age, disability, nationality, ethnic or national origin, sex, race, religion or cultural belief, sexual orientation or gender reassignment, a person engages in unwanted conduct that:

- has the purpose of violating the employee's dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee; or
- is reasonably considered by the employee to have the effect of violating his or her dignity at work, or of creating an intimidating, hostile, degrading, humiliating or offensive work environment for the employee, even if this effect was not intended by the person responsible for the conduct.

Harassment on the grounds of an individual's sex can include either sexual harassment (i.e. harassment of a sexual nature), or sex-related harassment (i.e. unwanted conduct related to the complainant's sex; or that of another person for example witnessing sexist behaviour towards another individual). Neither of these forms of harassment is acceptable.

Conduct may be harassment whether or not the person intended to offend. Something intended as a "joke" or as "banter" may offend another person. This is because different employees find different levels of behaviour acceptable and everyone has the right to decide for themselves what behaviour they find acceptable to them.

With some forms of behaviour, it may not always be clear that it will offend others, for example, office banter and jokes. In these cases, the behaviour will constitute harassment if the conduct continues after the employee has made it clear, by words or conduct, that such behaviour is unacceptable to him or her.

Behaviour which a reasonable person would realise would be likely to offend others will always constitute harassment without the need for those offended having to make it clear that such behaviour is unacceptable, for example, touching someone in a sexual way.

A single incident can amount to harassment if it is sufficiently serious.

Examples

Bullying and harassment may be verbal, non-verbal, written or physical. Examples of unacceptable behaviour include, but are not limited to, the following:

- unwelcome sexual advances, requests for sexual favours, other conduct of a sexual nature;
- subjection to obscene or other sexually suggestive or racist comments or gestures
- the offer of rewards for going along with sexual advances or threats for rejecting sexual advances;
- jokes or pictures of a sexual, racial or any other inappropriate nature;
- demeaning comments about an employee's dress or appearance;
- questions about a person's sex life;
- insulting someone, (particularly on the grounds of race, nationality, ethnicity, sex, disability, age, sexual orientation, gender reassignment, religion, belief, faith or personal characteristic) or spreading rumours about them;
- making threats or comments about job security without foundation;
- picking on or ridiculing an employee
- isolating an employee or excluding him or her from social activities or relevant work-related matters;
- overbearing supervision or other misuse of power or position;
- ridiculing or demeaning someone – picking on them or setting them up to fail which may be done by allocating them excessive and/or complex work; and
- Aggressive or intimidating behavior towards an individual e.g. shouting or swearing, especially if displayed in front of others.

8 Raising a concern or complaint

8.1 Informal Procedure

Any employee who feels that they have been discriminated against in a way that breaches this implementation policy should immediately (if they feel able to do so) tell the person(s) doing it that the behaviour in question is offensive, unwanted and should be stopped.

Alternatively, they may prefer to put it in writing to the person(s) doing it, keeping a dated copy of the letter, or ask a colleague to speak to the person(s) on their behalf.

A note should be kept of the date(s) and what was said by all involved. This may be needed as evidence should harassment, discrimination or bullying continue or subsequently recur.

This is often enough to sort things out, particularly if the person(s) involved was/were unaware that their behaviour was causing offence.

8.2 Formal Procedure

If the complaint cannot be resolved informally, or if the nature of the complaint is too serious for informal action, the employee can raise the matter directly with their manager and / or Human Resources using the grievance procedure.

8.3 Confidentiality

Crossrail will, as far as possible, respect the confidentiality of any person making or supporting a complaint arising out of a breach of this implementation policy. Any breaches in confidentiality will be treated as a serious matter and may result in disciplinary action.

Employees have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, if it is established that a member of staff has made a deliberately false or malicious complaint against another person, disciplinary action will be taken against that employee.

9 Reference Documents

Ref:	Document Title	Document Number:
1.	Equality & Dignity Policy	CR-XRL-Z2-PCY-CR001_Z-50001

10 Standard Forms / Templates

Ref:	Document Title	Document Number:
A.	None	