



# IMS Policy Statements

ISO 9001:2015, ISO 14001:2015 & ISO 45001:2018

## TRAINING: EQUALITY, DIVERSITY AND INCLUSION POLICY STATEMENT

### 1. Policy Statement

- 1.1 Seaton Rail Limited ("the Company") is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. This Policy aims to remove unfair and discriminatory practices within the Company and to encourage full contribution from its diverse community. The Company is committed to actively opposing all forms of discrimination.
- 1.2 The Company also aims to provide a service that does not discriminate against its clients and customers in the means by which they can access the services and goods supplied by the Company. The Company believes that all employees and clients are entitled to be treated with respect and dignity.

### 2. Objectives of this Policy

- 2.1 To prevent, reduce and stop all forms of unlawful discrimination in line with the Disability and the Equality Act 2010.
- 2.2 To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

### 3. Definition of Discrimination

- 3.1 Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect, and includes discrimination by perception and association.

### 4. Types of Discrimination

#### 4.1 Direct Discrimination

- 4.1.1 This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

#### 4.2 Indirect Discrimination

- 4.2.1 This is the application of a policy, criterion or practice which the employer applies to all employees but which is such that;
- It is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
  - The employer cannot justify the need for the application of the policy on a neutral basis; and

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- The person to whom the employer is applying it suffers detriment from the application of the policy.

### 4.3 Harassment

4.3.1 This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

### 4.4 Victimisation

4.4.1 This occurs when a person is treated less favourably because they have brought or intend to bring proceedings or they have given or intend to give evidence.

## 5. Unlawful Reasons for Discrimination

### 5.1 Sex

5.1.1 It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

### 5.2 Age

5.2.1 It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

### 5.3 Disability

5.3.1 It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

### 5.4 Race

5.4.1 It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

### 5.5 Sexual Orientation

5.5.1 It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.

### 5.6 Religion or Belief

5.6.1 It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

## 6. Positive Action in Recruitment

6.1 Under the Disability and the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that the Company can take to

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encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within the Company.

- 6.2 If the Company chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

### 7. Reasonable Adjustments

- 7.1 The Company has a duty to make reasonable adjustments to facilitate the employment or training of a disabled person. These may include:

- Making adjustments to premises;
- Re-allocating some or all of a disabled employee's duties;
- Transferring a disabled employee to a role better suited to their disability;
- Relocating a disabled employee to a more suitable office;
- Giving a disabled employee time off work for medical treatment or rehabilitation;
- Providing training or mentoring for a disabled employee;
- Supplying or modifying equipment, instruction and training manuals for disabled employees; or;
- Any other adjustments that the Company considers reasonable and necessary provided such adjustments are within the financial means of the Company.

- 7.2 If an employee has a disability and feels that any such adjustments could be made by the Company, they should contact the Course Director.

### 8. Responsibility for the Implementation of this Policy

- 8.1 All employees, subcontractors and agents of the Company are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

- 8.2 The co-operation of all employees is essential for the success of this Policy. Senior employees are expected to follow this Policy and to try to ensure that all employees, subcontractors and agents do the same.

- 8.3 Employees may be held independently and individually liable for their discriminatory acts by the Company and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

- 8.4 The Company takes responsibility for achieving the objectives of this Policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

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### 9. Acting on Discriminatory Behaviour

9.1 In the event that an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Complaints Policy.

### 10. Advice and Support on Discrimination

#### Equality and Human Rights Commission

Arndale House

The Arndale Centre

Manchester

M4 3AQ

Telephone (England): 0845 604 6610

Telephone (Wales): 0845 604 8810

Telephone (Scotland): 0845 604 5510

Website: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

#### Citizens Advice Bureau

Myddleton House

115-123 Pentonville Road

London

N1 9LZ

Website: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

#### Community Legal Services Direct

Telephone: 0845 345 4 345

Website: [www.clsdirect.org.uk](http://www.clsdirect.org.uk)

### 11. The Extent of the Policy

11.1 The Company seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees. The Company offers goods and services in a fashion that complies with the spirit of this Policy.

11.2 This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.

11.3 The Company reserves the right to amend and update this Policy at any time.

### 12. Awarding Organisations

12.1 Highfield Awarding Body of Compliance (HABC).

12.2 The National Skills Academy for Rail (NSAR)

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### HABC Diversity and Equality policy

- 12.3 HABC is committed to equality and diversity within the Company and we have developed a strategy which underpins the values of mutual respect, responsibility and teamwork. Equality and diversity are key to our global identity and an integral part of our aim to continue being an 'Awarding Organisation' of choice.
- 12.4 HABC vision in terms of equality and diversity is not only to comply with legislation but to take a progressive approach to create a mix of talent that makes us ever more successful as a business. Managing equality and diversity means valuing and utilizing the differences our people bring to the business regardless of sex, marital status, sexual orientation, disability, race, religion, colour, nationality, ethnic origin, age or gender reassignment and that no one is disadvantaged.
- 12.5 We recognise that a willing and committed workforce, where there is equality for all, where difference is visibly welcomed and people are actively included is a key ingredient in our recipe for success - working in partnership with a diverse client base in a diverse number of locations, delivering a diverse range of top quality legal solutions.
- 12.6 "We are defined by our people. They are our global identity as an organisation. Our brand is based on relationships and our people and customers define our relationships. Diversity at HABC goes to the heart of the HABC values".
- 12.7 For the full policy, please contact SRL Training Manager or the HABC Tel: 0845 22600350.

### NSAR Diversity and Equality policy

- 12.8 The Diversity and Equality policy for NSAR can be found on their website: [www.nsar.co.uk](http://www.nsar.co.uk).

This policy will be reviewed annually and updated as necessary.

Reviewed by:

A handwritten signature in black ink, appearing to read "shane seaton".

Shane Seaton

Managing Director

Date: 9<sup>th</sup> January 2023

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