

# THE KILMARNOCK LEISURE CENTRE TRUST

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## T/A THE GALLEON CENTRE



## EQUAL OPPORTUNITIES POLICY

### The Policy

This policy aims to foster a culture of Equality and to recognise the positive contribution that each individual can make to the business irrespective of their sex, marital or civil partner status, pregnancy or maternity, sexual orientation, gender reassignment, race (which includes colour, nationality and ethnic or national origins), religion or belief, age or disability (“the **Protected Characteristics**”).

This policy covers all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, contractors, trainees, home-workers, part-time and fixed-term employees, [volunteers,] [interns,] casual workers and agency staff (collectively referred to as **staff** in this policy).

Staff are entitled to be treated with respect and dignity and the KLCT will not tolerate any less favourable treatment of any person on the grounds of the Protected Characteristics. It should be noted that staff have a personal responsibility for the implementation of this policy and to ensure that they treat others with the respect and dignity that they expect to be treated with themselves.

### The Policy in Operation

This policy applies to the advertisement of jobs, recruitment and appointment, promotion, training and development, terms and conditions of work, performance management, pay, termination of employment, any references issued and to every other aspect of employment. All terms and conditions of employment and related benefits shall be non-discriminatory, other than where there are legal grounds for discriminating such as in the case of gender specific jobs. Applicants for employment will be assessed according to their skills, experience and suitability for the job.

This policy also applies to the treatment of our clients, customers, suppliers and former members of staff.

### **Remedies**

The senior management of the KLCT will take responsibility for monitoring the implementation of this policy. However, if any member of staff believes that he or she has been discriminated against, harassed or victimised on any of the grounds referred to above, he or she may raise the matter informally with

his or her immediate line manager. If the member of staff wishes to raise the matter further, he/she should invoke the KLCT's grievance procedure setting out in detail the basis of their complaint. All such complaints will be taken seriously by the KLCT. They shall be treated in confidence and investigated fully by an independent member of management. False allegations which are found to have been made in bad faith, however, will be dealt with under the KLCT Disciplinary Procedure.

If a member of staff is found to have discriminated against, harassed or victimised another member of staff they will be subject to disciplinary proceedings and depending on the seriousness of the incident, may be dismissed for Gross Misconduct. In exceptionally serious cases the police may also be involved.

### ***Types of Unlawful Discrimination***

Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

**Direct discrimination** occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. [An example of direct discrimination would be refusing to employ a woman because she is pregnant.]

**Indirect discrimination** occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage.

**Associative discrimination** is where someone is directly discriminated against or harassed for association with another person 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 someone is directly discriminated against or harassed based on a perception that they have 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.

**Harassment** related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. [Harassment is dealt with further in our Anti-harassment and Bullying Policy].

**Third party harassment** related to gender, sexual orientation, gender reassignment, race, religion or belief, age or disability is also unacceptable.

**Victimisation** is also prohibited under this policy. This is less favourable treatment of someone who has raised or supported a complaint or raised a

grievance under the Equality Act 2010 for discrimination or harassment, or because they are suspected of doing so.

### ***Disability***

The KLCT is committed to ensuring equality of opportunity for those members of staff who are disabled or become disabled for the purposes of the Equality Act 2010 during their employment with the KLCT.

If you are disabled or become disabled, we encourage you to tell us about your condition so that the KLCT may support you as appropriate.

If you experience difficulties at work because of your disability, you should contact your line manager to discuss any reasonable adjustments that would help to overcome or minimise the difficulty. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service. Your line manager may wish to consult with you and your medical adviser(s) about possible adjustments. The KLCT will consider the matter carefully and seek to make reasonable adjustments to the member of staff's role based on that medical advice.

If a member of staff is unable to continue in their current role as a result of a disability, the KLCT will consider any alternative roles and vacancies they may have as a way of retaining the services of that member of staff.

### ***Training***

This policy will be supported by a program of training activities, to make sure that all barriers, procedures, attitudes and behaviours that prevent equal opportunity are removed. Any member of staff who has any questions about the applicability of this policy should consult the senior management team or Office Managers.

### ***Probationary Period:***

Your employment is subject to an initial probationary period of three months during which your performance will be monitored. This probationary period may be extended by the KLCT at its discretion. At the end of the probationary period, your performance will be evaluated and the KLCT will confirm in writing with you its decision regarding your continued employment.

Once you have been employed for more than one month, your employment may be terminated on one weeks notice given by the KLCT at any time during or at the end of your probationary period (including any extensions to the probationary period).

During your probationary period (including any extensions) you will not be entitled to KLCT sick pay.