

DIGNITY AT WORK

This document includes the following policies:

1. Equal Opportunities Statement
2. Equal Opportunities Policy
3. Policy on the Prevention of Harassment
4. Policy on Personal Relationships At Work
5. Policy Statement on the Recruitment & Employment of Ex-offenders

EQUAL OPPORTUNITIES STATEMENT

The North East Chamber of Commerce is committed to ensuring the dignity at work of colleagues and learners. Our policy is to ensure that no person involved or associated with NECC receives less favourable treatment on the grounds of nationality, religion, racial or ethnic origin, language or culture, disability (including limitations to physical access or resources), marital status, responsibility for dependants, age, gender, pregnancy / nursing mother or person on maternity leave, gender identity, sexual orientation or preference, ability in literacy / numeracy, technical knowledge or skill, lack of ability or insufficient formal qualifications, being an ex-offender, trade union membership, unemployment, contract worker or for any other identifiable discriminatory cause.

We believe in human rights for all those connected with this organisation and all members of society. No action shall be taken against them by any person connected with NECC which would devalue their contribution to society as a whole and to this organisation or lead to a loss of self respect for them or respect for them from others. However, we also believe in order and social discipline both in society and in our organisation. We hold the right to request a standard of dress appropriate with circumstances and safety at work.

The results of all tests for staff and any initial assessments for learners' will always be given to them, and where practical in surroundings which preserve individual confidentiality. Furthermore, we confirm that we will, if unable to help them specifically, refer them to other agencies or organisations so that a continuous pathway of help and advice is formed. This commitment is divided into three main areas: Equal Opportunity; Protection from Harassment; Personal relationships at work.

We are committed to the fulfilment of all agreements, regulations and Acts, which may have implications for our business. Amongst these are:-

- Human Rights Act 1948 & 1998
- Equal Pay Act 1970, 1983 & 2002
- Health and Safety at Work Act 1974
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975 & 1986
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Race Relations Act 1976 & 2000
- European Equal Treatment Directive 1976 & 2000
- Copyright, Designs & Patents Act 1988
- Disability Discrimination Act 1995 & 2003
- Employment Rights Act 1996 & 1998
- Protection from Harassment Act 1997
- Public Interest Disclosures Act 1998
- Data Protection Act 1998 & subsequent directives
- Working Time Regulations 1998 & 1999
- Part time Workers Regulations 2000
- Common Accord for Awarding Bodies
- The Employment Equality (Age) Regulations 2006

The overall responsibility for its implementation rests with the Chief Executive. The day to day, responsibility for implementation of the policy rests with the Head of Human Resources, who will exercise this responsibility through NECC Managers. The responsibility for compliance and for the positive attitude required to ensure success is laid upon all individuals within the organisation. All external persons connected with NECC are encouraged to hold the same responsibility and commitment.

To protect staff and learners alike, there are procedures to ensure that each person has a redress against harassment and bullying at work or during any part of training. There are procedures for redress of complaint and for the re-evaluation of decisions taken by assessors in accordance with the Common Accord following complaints from learners'. A complaints book will be kept centrally for staff and at each location for learners. This will be regularly reviewed and the causes of complaints analysed to prevent reoccurrence. Anyone who is permitted to take up copyright of designated material will have that copyright honoured. Health and Safety at work will be paramount.

These procedures are listed below:-

- Advice and guidance for redress against bullying and harassment
- Advice and guidance on making complaints and re-dressing grievances
- The right to have a colleague or T. U. representative present during disciplinary or grievance hearings
- The right to join a trade union
- Access to Personal data
- Procedure for staff recruitment, selection, promotion, training, redundancy and retirement or dismissal.
- Restrictions on the use of the Internet and Email
- Advice and guidance on the display of potentially offensive material
- Advice and guidance on the design and content of training materials and sessions
- Staff and Learners dress code.


There will be control of the quality and wording of advertising and publicity.

Employees and learners are responsible for ensuring that they assist the NECC in the implementation of this policy, by:

- Not discriminating in the course of their employment against fellow employees, learners, customers, suppliers or members of the public with whom they come into contact.
- Not inducing or attempting to induce others to practice unlawful discrimination
- Reporting any discriminating action to the NECC

To make the policy work requires much more than this formal system. The policy will help to create the necessary conditions for success but it is for each employee to make his / her own contribution. The consistent application and effectiveness of the policy will be regularly reviewed.

Should any member of staff or learner feel that have been treated in any respect in breach of the spirit or intention of this policy, they should bring it to the attention of their line Manager or the Head of Human Resources.

Signed:  Date: 31st March 2009
(Chief Executive)

EQUAL OPPORTUNITIES POLICY

INTRODUCTION

The North East Chamber of Commerce endeavours to be an equal opportunity employer. We are committed to ensuring within the framework of the law that our workplaces are free from unlawful discrimination on the grounds of colour, race, nationality, ethnic or national origin, sex, marital status, age, disability or sexual orientation.

We aim to ensure that all colleagues achieve their full potential and that all employment decisions are taken without reference to irrelevant or discriminatory criteria. We have adopted the following policy as a means of helping to achieve these aims.

EQUAL OPPORTUNITIES POLICY

Recruitment and employment decisions will be made on the basis of fair and objective criteria. Our selection procedures are reviewed from time to time to ensure that they are appropriate for achieving our objectives and for avoiding unlawful discrimination.

NECC will work and comply with the Disability Symbol and work towards 5 commitments:

- All applicants with a disability who meet the minimum criteria for a job vacancy will be considered on their abilities.
- The requirements of job applicants and existing members of staff who have or have had a disability will be reviewed at least once per year to ensure that they can develop and use their abilities
- Whatever possible reasonable adjustments are made to enable people to enter into or remain in employment with us.
- Appropriate training will be provided to enable staff to implement and uphold our commitment to disability awareness and equality of opportunity.
- Inform colleagues and the Employment service about progress and future plans in relation to disability

Promotion opportunities, benefits and facilities of employment will not be unreasonably limited and every reasonable effort will be made to ensure that disabled staff participate fully in the workplace.

Person and job specifications will be limited to those requirements, which are necessary for the effective performance of the job. Interviews will be conducted on an objective basis and personal or home commitments will not form the basis of employment decisions except where necessary.

In accordance with recommended practice the ethnic, age and gender composition of our staff may be monitored on an anonymous basis at all levels.

Working patterns will be reviewed so as to enable flexible working for staff with child care or dependant carer responsibilities where possible. Where necessary special provision will be made for training for staff returning to work following a break for domestic reasons.

All staff have a right to equality of opportunity and a duty to implement this policy. Breach of the equal opportunity policy is potentially a serious disciplinary matter.

Anyone who believes that he or she may have been disadvantaged on discriminatory grounds is entitled to raise the matter through the grievance/ complaints procedure.

IMPLEMENTING EQUALITY OF OPPORTUNITY

To ensure that the Equal Opportunity Policy is effective, the NECC will:-

- Allocate responsibility for the implementation of the policy to a Senior Manager, this is deemed to be the Head of Human Resources.
- Make the policy known to all employees, and display it on appropriate notice boards.
- Consult with staff about procedures required to make this policy effective.
- Maintain a neutral working environment in which no worker feels under threat or intimidated because of his/her religious belief, political opinion, sex, race, age, sexual orientation or disability e.g. prohibit the display of emblems, posters, graffiti or the circulation of materials or the articulation of slogans or songs which are likely to give offence or cause apprehension among particular groups of employees.
- Ensure that the NECC's recruitment and selection procedures, outlined below, are consistent, provide equality of opportunity and are seen to be fair by all employees and job applicants. Selection will be based on ability to do the job in question.
- Ensure that opportunities for training and development are widely available and accessible.
- Ensure effective communication that reaches all staff.
- Commit itself to keep under review the operation of this Equal Opportunity Policy to take account of changing circumstances.

WHAT IS DISCRIMINATION?

Direct discrimination occurs when someone is put at a disadvantage on discriminatory grounds in relation to his or her employment. Direct discrimination may occur even when unintentional.

Examples

1. A woman with young children fails to obtain a job because it is feared that she might be an unreliable member of staff.
2. A Sikh applicant for a senior post is not appointed because he might not "fit in" with the existing (all white) team.
3. A person is subjected to sexual innuendo or other offensive conduct of a sexual nature at work.
4. An employee is not promoted into a management role as they are thought to be too young or too old.

Indirect discrimination occurs where the individual's employment is subject to an unjustified condition which one sex or race/nationality finds more difficult to meet although on the face of it the condition or requirement is neutral.

Examples

1. A requirement for GCSE English as a selection criterion. This would have disparately adverse impact on people educated overseas and may not be justified if all that is needed is to demonstrate a reasonable level of literacy.

2. Full time work - this would have a disparately adverse impact on more women with small children as they are generally accepted as taking the primary child care role. It may not be justified if our business needs can still be met by more flexible working arrangements.
3. A requirement for eight years' experience in a similar role as a selection criterion. This would have disparately adverse impact on younger people and is unlikely to be justifiable.

Disability discrimination occurs where an individual is unjustifiably disadvantaged in employment/recruitment for a reason connected with his/her disability unless the discrimination cannot be avoided by making reasonable adjustments.

Examples

1. A requirement for staff to hold a valid driving licence for a job which involves little travelling.
2. Failure to recruit a wheelchair user without first considering whether the working arrangements or premises can reasonably be adapted to his needs

Victimisation occurs where an individual is treated less favourably than colleagues because he/she has taken action to assert their statutory rights or assisted a colleague with information in that regard.

POLICY ON THE PREVENTION OF HARASSMENT

N.B. The NECC's policy on harassment relating to sex, race, sexual orientation, religion, marital status, age and disability does not form part of any employee's contract of employment.

INTRODUCTION

NECC as an employer is committed to providing a work environment for its employees, which is free from embarrassment, intimidation, threats, discrimination or harassment. Harassment relating to a person's sex, race, sexual orientation, age or disability will not be tolerated under any circumstances. The NECC will do all that is reasonably possible to prevent such harassment occurring and will take all necessary steps to ensure this policy is implemented effectively.

The NECC recognises that harassment can have the effect of humiliating, offending or demeaning the employee against whom it is aimed. As a result, the effectiveness and efficiency of the NECC may be damaged.

The NECC considers that harassment can amount to gross misconduct and such misconduct will be dealt with under the NECC's disciplinary policy and may lead to summary dismissal. Less serious infringements may lead to a lesser sanction such as a warning.

All employees have a role to play in creating a work climate free from harassment. Employees should be aware and sensitive towards harassment at work, ensuring that standards of conduct for themselves and their colleagues do not cause offence.

The NECC expects all managers and supervisors to ensure that this policy and procedure are communicated to employees in the work areas for which they are responsible. Managers and supervisors should remind employees that they have a duty to treat their colleagues with respect and dignity at all times. Managers should treat all complaints in confidence.

Any complaints of harassment should be made to the Head of Human Resources, in writing. The matter will be dealt with in a discreet and confidential manner and appropriate action taken.

Behaviour is classed as harassment where it is unwanted and seen by its victim as threatening, humiliating, offensive or insulting.

HARASSMENT RELATING TO A PERSON'S RACE, SEXUAL ORIENTATION OR DISABILITY etc.

This kind of harassment can take many forms. It is generally considered to be behaviour which, is offensive, embarrassing, insulting or intimidating to the victim and relates to a person's race, religion, ethnic origin, sexual orientation marital status or disability. It may include any unwanted non-verbal, verbal or physical abuse which is derogatory about a person's race, sexual orientation or disability and is potentially offensive.

Examples of this kind of harassment include, but are not limited to:-

- offensive and insensitive quips and jokes which are related to a person's disability,
- sexual orientation, race, religion, age or ethnic origin;
- the deliberate exclusion and isolation of an individual;
- threatening or insulting words or behaviour;
- the display of abusive writing or pictures.

SEXUAL HARASSMENT

Sexual harassment primarily and generally consists of unwanted conduct of a sexual nature. It will include verbal, non-verbal or physical conduct of a sexual nature, which the harasser knew (or should have known) would cause offence to the victim. Such conduct may include, but is not limited to:

- unwanted physical conduct of a sexual nature (intimate physical contact, sexual assault)
- inappropriate, suggestive or uninvited comments; (comments on the way someone looks; questions about someone's sex life);
- displays of sexual or sexually aggressive literature and pictures;
- unwelcome sexual propositions or repeated unwelcome invitations; (e.g. request for sexual favours);
- lewd comments or insensitive jokes.

INFORMAL RESOLUTION

Employees who are victims of minor harassment are advised if possible to explain clearly to their harasser that the behaviour is unacceptable to them, that it is offensive/makes them feel uncomfortable/interferes with their work (whichever is appropriate) and must stop.

FORMAL COMPLAINTS PROCEDURE

In the event that informal resolution of the matter is unsuccessful or considered inappropriate in the circumstances, employees are advised to bring a formal complaint of harassment to their Director or alternatively the Head of Human Resources.

Any complaint will be investigated promptly, impartially and, so far as practicable, confidentially by the appropriate Director. The complainant will be asked to provide the following details:

- the nature of the harassment,
- the dates and times the harassment occurred,
- the name of the alleged harasser,
- the names of any witnesses,
- any action taken by the complainant to resolve the matter informally

In cases where serious harassment is alleged action will be taken to separate the complainant and the alleged harasser where possible. This may involve the suspension of one or both parties with pay until the complaint has been resolved.

The Director dealing with the complaint will handle it with sensitivity and will carry out a thorough investigation as quickly as possible, maintaining confidentiality at all times and respecting the rights of both the complainant and the alleged harasser. The Director will be totally independent from the allegation and will be objective at all times.

All employees involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence. The complainant will be told how long the investigation is likely to last and that the alleged harasser will receive full details of the alleged offence in order to put forward his/her views in response.

Copies of any statements made by witnesses will be made available to the complainant and the alleged harasser. Witnesses will be encouraged to be present at any hearings where this will not cause them distress. Where they do not wish to attend the Director will, if necessary, adjourn the hearing to ask any supplementary questions of witnesses in private.

The alleged harasser and the complainant may be accompanied and represented by a work colleague or trade union representative of their choice.

The severity of the penalty imposed upon an employee guilty of harassment will be consistent with those detailed in the disciplinary procedure, i.e. gross sexual harassment will normally result in summary dismissal. Where a lesser penalty is appropriate, e.g. a written warning, further action may be required to ensure that the victim is able to continue working without embarrassment or anxiety. No element of penalty will attach to the complainant where the complaint is upheld. The result of the action will, however, remain confidential between the harasser and the NECC.

Where a complaint is upheld, and it is determined that is necessary to relocate or transfer one party, consideration should be given to allow the complainant to choose whether he/she wishes to remain in post or to transfer to another department/location (subject to practical limitations)

It is fully expected that all employees will act responsibly regarding the issue. An employee who brings a complaint of sexual or racial harassment will not be victimised for having brought the complaint. However, false accusations of harassment can have a serious effect on innocent individuals. Therefore, should investigation show that a false accusation has been made in bad faith (e.g. spite), appropriate disciplinary action will follow.

An employee who receives a warning or is dismissed for harassment may appeal against the penalty in accordance with the NECC's appeals procedure.

Where the complaint is not upheld because the evidence is regarded as inconclusive, consideration will be given to transfer or reschedule the work of one of the employees concerned rather than requiring them to work together against the wishes of either party where this is practicable.

POLICY ON PERSONAL RELATIONSHIPS AT WORK

INTRODUCTION

This policy covers all staff of the NECC irrespective of gender or sexual orientation. It is intended to provide guidance in areas where personal relationships overlap with working relationships and to ensure that individual members of staff are not open to allegations of impropriety, bias, abuse of authority or conflict of interest.

The NECC recognises the importance of preserving the integrity of professional relationships between members of staff, and with consultants, contractors and suppliers. In order that business is conducted (and perceived to be conducted) in a professional and proper manner it is necessary to distinguish between, and take account of, personal relationships, which overlap with professional ones.

In the context of this document, a personal relationship is defined as:

- A family relationship
- A business/commercial/financial relationship
- A sexual/romantic relationship
- A relationship between members of an organisation not open to the public, with a commitment of allegiance (e.g. oaths), and which has secrecy about its rules, membership and conduct

RELATIONSHIPS WITH LEARNERS

Employees are prohibited from forming relationships with learners.

PROCEDURES

Staff should declare to their Head of Department or their Director any personal relationships with other members of staff or with a consultant, contractor or supplier, which may give rise to a real or perceived conflict of interest, trust or breach of confidentiality.

Members of staff who are in a line management or supervisory role should not be involved in:

- The recruitment, selection, or appointment of any applicant with whom they have a personal relationship.
- The appraisal, promotion, discipline or any other management activity or process involving a member of staff with whom they have a personal relationship.
- The authorisation of any financial payments e.g. timesheets, expense claims, salary changes, allocation of external funding, for a member of staff with whom they have a personal relationship.

Additionally, staff in a personal relationship should not work together in any circumstance whereby a conflict of interest, breach of confidentiality or unfair advantage may be perceived to be gained, from the overlap of a personal and professional relationship. In any such circumstances, the relationship must be declared in confidence to the Head of Department.

Contracts to suppliers must be awarded on merit, by fair competition against other submissions and no special favour must be shown to businesses run by friends, partners, and relatives.

DECLARATION OF A RELATIONSHIP

Employees who are uncertain about whether they should take action regarding a personal relationship, are invited to seek guidance in confidence from their Head of Department or from the Human Resources Department.

Where a personal relationship as defined within this policy is not declared and results in an unfair advantage or disadvantage to either of the parties to the relationship, the matter will be considered seriously and may lead to disciplinary action.

DIFFICULTIES WITHIN THE PERSONAL RELATIONSHIP

It is anticipated that when a personal relationship experiences difficulties such as an argument or relationship breakdown, that both parties will conduct themselves at work in a professional manner and that the professional working relationship will not be affected. If the professional working relationship is not working a meeting will be held with both parties to discuss a way forward.

Both parties will need to be aware that harassment and bullying at work, whether as a result of a personal relationship or otherwise, will not be tolerated.

POLICY STATEMENT ON THE RECRUITMENT & EMPLOYMENT OF EX-OFFENDERS

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, NECC complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

NECC is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We have a written policy on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

We select all candidates for interview based on their skills, qualifications and experience.

An Enhanced Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that an Enhanced Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within NECC and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows NECC to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in NECC who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.