



International Property Advisers

EQUALITY & DIVERSITY POLICY

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This policy has recently been reviewed with the assistance of Birmingham DiverCity

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GVA GRIMLEY EQUALITY AND DIVERSITY POLICY

1. INTRODUCTION

GVA Grimley recognises that success as a Firm is entirely dependent upon the skills of the Partners and employees. We are therefore wholly committed to providing a working environment in which everyone feels valued, respected and able to contribute to the success of the business.

2. AIM

Our aim is to ensure that all employees are able to work in an environment free from discrimination, harassment and bullying and that all employees, colleagues and job applicants should be treated fairly regardless of:

- Race, colour or ethnic origin
- Gender, sexual orientation, marital or family status
- Religious or political beliefs and affiliations
- Disability or age

and that they should not be disadvantaged by conditions or requirements which are unjust or unfair.

3. SCOPE

This policy and all equal opportunity legislation applies to all potential, previous and current employees of GVA Grimley regardless of their employment status.

4. RESPONSIBILITY

Overall responsibility for the Firm's Equal Opportunity Policy rests with the Director of Human Resources, Stephen Westacott.

The Human Resources Team is responsible for ensuring that all job applicants and employees are provided with equal opportunity during the recruiting process, subsequent employment, promotion, training, disciplinary procedures and all other aspects of employment.

The Human Resources and Development Team review the Equality and Diversity Policy and related procedures every 6 months. Where these are found to be inadequate or inappropriate, the necessary changes will be made to ensure GVA Grimley remain an Equal Opportunities Employer.

4.1. RESPONSIBILITIES OF PARTNERS, MANAGERS AND SUPERVISORS

Partners, managers and supervisors have a key role and are responsible for setting standards of behaviour in addition to ensuring that their staff are aware of and follow the policies in respect of harassment and bullying. In addition, they must ensure that all the people for whom they are responsible are treated fairly and that immediate action is taken to ensure that all individuals maintain their dignity at work.

4.2. RESPONSIBILITIES OF EMPLOYEES

All employees have an individual responsibility to comply with the Firm's policies on harassment and bullying and to ensure that they respect the rights of their colleagues in maintaining their dignity at work.

Any employee of the Firm could be held personally liable under the law for any action of discrimination in relation to the legislation outlined below.

5. SUMMARY OF LEGISLATION AND MEANING OF TERMS

5.1. WHAT IS EQUAL OPPORTUNITY?

Equal Opportunity is concerned with giving people equal access to employment and services and equal treatment when in employment.

5.2. LEGISLATION

The legislation which covers equal opportunity is as follows:

5.2.1. RACE RELATIONS ACT 1976

This act makes it unlawful to discriminate against a person either directly or indirectly in the field of employment unless a Genuine Occupational Qualification (GOQ) is required in compliance with the Act.

Racial grounds include race, colour and nationality (citizenship or ethnic/national origin). Groups defined by reference to these groups are referred to as racial groups.

5.2.2. SEX DISCRIMINATION ACT 1975 AND 1986

This Act makes it unlawful to discriminate against a person either directly or indirectly, in the field of employment, unless a GOQ is required in compliance with the Act (For example changing room attendants in the interests of decency and privacy). This Act has been further extended by the Sex Discrimination (Gender Reassignment) Regulations 1999 which offers transsexuals protection from discrimination on the grounds of sex and sexual harassment in employment or vocational training.

Sexual Harassment is any form of unwanted verbal, non verbal or physical conduct of a sexual nature that occurs with the purpose or effect of violating the dignity of a person in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment. Sexual or Racial harassment can amount to direct discrimination.

Marriage Discrimination occurs when a married person is treated either more or less favorably on the grounds of marital status than an unmarried person of the same sex would be treated in the same or not materially different circumstances. Such discrimination may be direct or indirect as explained above.

Sexual Preference Discrimination occurs when a homosexual person is treated either more or less favorably on the grounds of sexual preference than a heterosexual person would be treated in the same or not materially different circumstances. Such discrimination may be direct or indirect. There is currently no legislation in place for discriminating on the grounds of sexual preferences.

5.2.3. EQUAL PAY ACT 1970

This Act gives an individual the right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing:

- Like work.
- Work rated as equivalent under an analytical job evaluation study.
- Work that is proved to be of equal value.

The employer will not be required to provide the same pay and benefits if it can prove that the difference in pay or benefits is genuinely due to a reason other than one related to sex.

5.2.4. DISABILITY DISCRIMINATION ACT 1995

This Act makes it unlawful for all employers to subject a person who is disabled to any detriment in the selection process, selection for training, promotion and all other areas of employment.

The definition of Disability under the Disability Discrimination Act 1995 is:

“A physical or mental impairment which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities. People who have a disability and people who have had a disability, but no longer have one, are covered by the Act.”

Employers will now also have to make a reasonable adjustment to their employment arrangements or premises if they substantially disadvantage a disabled employee or a disabled applicant. A number of factors should be taken into account in deciding if it is reasonable for an employer to make any changes.

In particular these include:

- How much an alteration will improve the situation for the disabled employee or applicant.
- How easy it is to make the change, i.e. consideration of cost, disruption and resources.
- Financial help, or other help, that may be available.

5.2.5. THE PART-TIME WORKERS (PREVENTION OF LESS FAVOURABLE TREATMENT) REGULATIONS 2002

The Regulations define a part-time worker as someone who is 'not identifiable as a full-time worker'. A full-time worker is defined as someone who 'having regard to the custom and practice of the employer is identifiable as a full-time worker'. These Regulations prohibit the less favourable treatment of part-time workers in all aspects of employment. Part-time workers are entitled to be treated on the same basis and are entitled to the same benefits, pro-rata, as their full-time colleagues.

5.2.6. FIXED-TERM EMPLOYEES (PREVENTION OF LESS FAVOURABLE TREATMENT) REGULATIONS 2002

A 'Fixed-term employee' is defined as a person with a contract of employment, which is due to end when a specified date is reached, a specified event does or does not happen or a specified task has been completed. These Regulations prohibit less favourable treatment of fixed-term workers in all areas of employment when they are compared to a comparable permanent employee, unless objectively justifiable, and prevent employers from using more than 4 successive contracts.

5.2.7. EMPLOYMENT EQUALITY (SEXUAL ORIENTATION) REGULATIONS 2003

The regulations make it unlawful to discriminate on grounds of sexual orientation, whereby sexual orientation is defined as meaning an orientation towards; persons of the same sex, persons of the opposite sex or persons of both the same and opposite sex.

Under these regulations it is also unlawful to victimise an employee who has brought a claim under these Regulations, provided evidence, or who intends to do either of the before mentioned. Furthermore it is unacceptable under these Regulations to harass another person on the grounds of sexual orientation.

5.2.8. EMPLOYMENT EQUALITY (RELIGION OR BELIEF) REGULATIONS 2003

It is unlawful to discriminate, victimise or harass employee because of their religion or similar beliefs. A Religion or Belief is defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief.

5.2.9. EMPLOYMENT EQUALITY (AGE) REGULATIONS 2006

Age Discrimination occurs when a person is treated either more or less favourably on the grounds of age than a person of a different age would be treated in the same or not materially different circumstances. Such discrimination may be direct or indirect. There is currently no legislation in place for discriminating on the grounds of age, although the Firm abides by the government's Code of Conduct on age.

5.3. DIRECT DISCRIMINATION

Occurs when a person is treated less favourably, on the grounds of their sex, race or disability.

5.4. INDIRECT DISCRIMINATION

Occurs when an unjustifiable requirement or condition is applied equally to both men and women, disabled persons or persons from a particular race but has a disproportionately adverse effect on one group because the proportion of the one group which can comply with it is much smaller than the proportion of the other group.

If the employer cannot justify such a requirement, it may be deemed unlawful. An employment tribunal may deem a finding of unlawful discrimination even though an employer has no intention to discriminate.

6. VICTIMISATION

This occurs when a person is treated less favourably than others would be because he/she has done something by reference to the provisions of this Policy, the Equal Pay Act, Race Relations Act, Sex Discrimination Act or the Disability Discrimination Act.

It is therefore unlawful to victimise an individual for a complaint made in good faith about discrimination or for giving evidence about such a complaint.

7. HARASSMENT

For the purpose of this Policy, harassment is regarded by the Firm as unwanted behaviour, which has the purpose or effect of violating another's dignity, and creates an intimidating, hostile, degrading, humiliating or offensive environment and which might threaten an employee's job security. Unwanted behaviour could be in the form of repeated unwelcome looks, comments, actions, suggestions or physical contact that is considered objectionable and offensive to an individual or group of employees.

8. BREACH OF THIS PROCEDURE

Discrimination, victimisation and harassment are disciplinary offences and could lead to action being taken against the offending employee that may result in dismissal.

It should be noted, however, that if any employee raises a complaint, which upon investigation is proven to be deliberately malicious, then that employee themselves could become the subject of disciplinary action.

9. COMPLAINTS PROCEDURE

Any employee, who believes that they have been the subject of harassment, victimisation or discrimination on any of the grounds contained within this Procedure, should follow the Company Grievance Procedure, a copy of which can be found in Chapter 2 of the Staff Manual or on the Firm's intranet.

In the first instance, the employee should inform their line manager or Partner, who will liaise with the relevant HR Business Support Manager and shall attempt to resolve the situation to the satisfaction of all parties. In all circumstances, a full investigation will be undertaken to establish the facts and decide upon an appropriate course of action.

If an employee feels they cannot approach their line manager or Partner, they may contact the HR Business Support Manager, a member of the Human Resources and Development Team or the National Business Unit Head who shall pursue the complaint on their behalf.