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**EQUAL OPPORTUNITIES POLICY**

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Cobalt Recruitment

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## **EQUAL OPPORTUNITIES POLICY**

### **1. STATEMENT OF POLICY**

- 1.1 The Company is an equal opportunities employer. This means that the Company is committed to a policy of treating all its employees and job applicants equally. The Company does not discriminate against any employee or job applicant on grounds of their race or colour, nationality, national or ethnic origin, (together referred to in this policy as "race"), sex, sexual orientation, age, marital status, religion, political beliefs or disability.
- 1.2 Where complaints of unlawful discrimination are made, the Company will investigate these and take the appropriate steps in the light of such investigation, in accordance with this policy.

### **2. RESPONSIBILITY FOR EQUAL OPPORTUNITIES**

- 2.1 The Managing Director (Adam Walker) shall have prime responsibility for implementing and monitoring this Equal Opportunities Policy. Any queries on equal opportunities issues should be referred to the Office Manager, Tracy Tydd.
- 2.2 All members of staff are personally responsible for applying the Company's policy and for not discriminating against another member of staff or potential member of staff. Managers are also responsible for ensuring that neither they, nor employees reporting, to them, discriminate against existing or prospective employees on the grounds indicated above.

### **3. WHAT IS DISCRIMINATION?**

Discrimination takes the following main forms:-

- 3.1 **Direct Sex, Sexual Orientation, Age and Race Discrimination** - this occurs where a person is treated less favourably than another on grounds of sex, sexual orientation, age or race (e.g. not promoting an employee because of his or her sex, sexual orientation, age or race).
- 3.2 **Indirect Sex, Sexual Orientation, Age and Race Discrimination** - this may occur where a provision, criterion or practice is applied on all employees or job applicants but:
- 3.2.1 which is such that it would be to the detriment of a considerably larger proportion of older or younger employees; or

- 3.2.2 which is such that it would be to the detriment of a considerably larger proportion of women than men; or
- 3.2.3 which is such that it would be to the detriment of a person with a particular sexual orientation; or
- 3.2.4 which is not justified irrespective of the sex of the person to whom it is applied; and
- 3.2.5 which is to her detriment

(e.g., it may amount to indirect sex discrimination to require all job applicants to be over 5' 5" in height)

Therefore, whenever the Company applies a provision, criterion or practice, it must be able to justify it on objective business grounds, ie grounds unrelated to sex, sexual orientation, age or race. If so, the provision, criterion or practice will not be discriminatory.

It should be noted that **motive** is wholly irrelevant to whether direct or indirect discrimination has occurred. It is the **effect** of a decision or rule or requirement on an individual which causes the discrimination, not its intention.

- 3.3 **Disability Discrimination** - this occurs where a disabled person is treated less favourably than a non-disabled person on the grounds of their disability and such treatment cannot be justified.
- 3.4 **Victimisation** - this occurs where an employee is penalised for having raised a discrimination complaint or concern in good faith, or assisted another in doing so (e.g. disciplining an employee because he or she gave evidence to an Industrial Tribunal in support of a discrimination claim brought by a colleague).
- 3.5 Acts by employees to induce, pressurize or support another person to discriminate against an employee on the grounds of sex, sexual orientation, age, race or disability are also prohibited.

#### **EQUAL OPPORTUNITIES IN PRACTICE**

- 4.1 Unlawful sex, sexual orientation, race or disability discrimination can occur in all aspects of the working relationship. For example, it may occur in areas of recruitment, promotion, access to benefits/facilities, pay increases, training, discipline and dismissal.

#### 4.2 **Sex, Sexual Orientation, age and race discrimination**

Managers should be able to ensure that their decisions in any context can be justified on objective business grounds, which are not directly or indirectly related to sex, sexual orientation, age or race. Where Managers might be concerned that there is a possible inference of sex, sexual orientation, age or race discrimination arising from an intended decision, they should liaise with the office manager beforehand.

#### 4.3 **Disability discrimination**

Where the Company is aware that an employee or job applicant has a disability, Managers may take such disability into account when making decisions. They should ensure, however, that any decisions which may lead to less favourable treatment of an employee or job applicant on grounds of the disability can be justified. This means that the grounds for the decision must relate to the individual circumstances of the particular case, and must be substantial, i.e. not minor or trivial. Further, and prior to making a final decision, consideration must also be given to whether any reasonable adjustment(s) to the working environment (including to premises and equipment), or to working arrangements could be made to accommodate any specific needs of a disabled employee or job applicant. This should be discussed with the employee or job applicant concerned. Where Managers are in any doubt as to whether an intended decision may be discriminatory on the grounds of disability, they should liaise with the Office Manager. Managers should also check with the Office Manager, where they are uncertain as to whether a physical or mental illness or condition comprises a disability for the purposes of this policy.

#### 4.4 **Application of policy**

The following paragraphs set out the Company's equal opportunities policy in specific areas:

##### 4.4.1 **Recruitment, promotion and job transfers**

All employees will have equal opportunities in relation to the appointment to any job within the Company, subject to the requirements of that particular role and the individual's skills, suitability and experience relevant to that role. This means that: -

- Reasonable adjustments will be made to the arrangements for interview/selection so as not to disadvantage a disabled employee/applicant, where the Company is aware of an employee/applicant with a disability;
- Job vacancies will be advertised fairly within the Company and also sufficiently advertised externally to ensure as far as possible that job applicants are not limited to one sex, sexual orientation, age group or racial/ethnic origin;
- Decisions on job appointments, promotions and transfers will be on the basis of merit and ability and will be made without reference to sex, sexual orientation, age, marital status, race, or religion. A disability may be taken into account by the Company when making such decisions, but only where this is justified;
- The Company will discuss the implications of any disability with the employee or applicant concerned, and will consider any reasonable adjustment(s) to the working environment or working arrangements prior to a final decision on the appointment, promotion or transfer being taken;
- Assessment of an individual's suitability for a particular job shall take account of relevant qualifications and experience obtained by the candidate both inside and outside the UK.

#### 4.4.2 **Terms & conditions of employment**

Consideration of sex, sexual orientation, age, marital status, race, political beliefs, or religion will play no part when considering entitlement or access to benefits or salary levels. A disability may be taken into account by the Company for these purposes but only where this is Justified.

#### 4.4.3 **Performance review**

Considerations of sex, sexual orientation, age, marital status, race, political beliefs or religion will play no part when assessing an individual's performance. A disability may be considered in this context either where it is raised by an employee or where it is justifiable for the Company to take it into account, e.g. where it is adversely affecting performance. The Company will assess whether a reasonable adjustment to working conditions could be made to improve performance.

#### 4.4.4 **Counselling and disciplinary issues**

Considerations of sex, sexual orientation, age, marital status, race, political beliefs or religion will play no part in deciding whether or not an individual needs to receive informal counselling or to have the disciplinary procedure evoked in relation to him/her. A disability may be relevant in this context, but will be taken into account only if justified.

#### 4.4.5 **Access to facilities, training and opportunities**

Considerations of sex, sexual orientation, age, marital status, race, political beliefs or religion shall play no part in an individual's access to facilities made available by the Company for promotion, training or career opportunities. Disability shall be considered only insofar as justified and/or to enable the Company to determine whether any reasonable adjustment(s) to such facilities should be made to enable disabled employees to enjoy equal access.

#### 4.4.6 **Dismissal**

Considerations of sex, sexual orientation, age, marital status, race, political beliefs, or religion shall play no part when considering the dismissal of an employee. A disability may play a part where this is justified.

#### 4.4.7 **Harassment**

Harassment on the grounds of sex, sexual orientation, age, race, religion, political beliefs and disability is regarded by the Company as gross misconduct and, after a proper investigation, persons found guilty of such behaviour will face disciplinary action (including dismissal in appropriate cases).

### 5. **MONITORING**

The Office Manager is responsible for monitoring compliance with this policy.

### 6. **ENFORCEMENT AND PROCEDURE FOR DEALING WITH DISCRIMINATION-RELATED COMPLAINTS**

- 6.1 Employees who believe that they have been discriminated against on grounds of sex, sexual orientation, age, marital status, race, political beliefs, religion or disability may raise this issue

with the Office Manager at the first instance. The complaint should be made in writing. The Office Manager will then arrange for a suitable level Manager to investigate the matter, whether formally or informally, depending upon the circumstances. Where, following that investigation, the individual who raised the complaint is dissatisfied with the Company's response to the investigation, he/she may pursue it through the Company's grievance procedure.

- 6.2 Employees who are found to have discriminated on the grounds of sex, sexual orientation, age, marital status, political beliefs, race, religion or disability will be subject to disciplinary action (including, in appropriate cases, dismissal).

7. **STATUS OF POLICY**

This policy, including the procedure referred to in paragraph 7 above, does not give any contractual rights to employees or otherwise have contractual effect except as required by law.

Signed \_\_\_\_\_

Adam Walker, Managing Director

Date \_\_\_\_\_

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## **Diversity Policy**

As a recruitment consultancy and employer, the success of our business depends on people. Our commitment to diversity and equal opportunities is reflected in both our internal recruitment and recruitment for our clients.

Capitalising on what is unique about individuals and drawing on their different perspectives and experiences will add value to the way we do business.

By accessing, recruiting and developing talent from the widest possible talent pool we can gain an insight into different markets. We will strive to create a productive environment, representative of and responsible to different cultures and groups, where everyone has an equal chance to succeed.

We all have a responsibility to embrace and support this policy and must continue to challenge behaviour and attitudes that prevent us from achieving this. Using fair, objective and innovative employment practices, our aim is to ensure that:

- All employees and potential employees are treated fairly and with respect at all stages of their employment.
- All employees have the right to be free from harassment and bullying of any description, or any other form of unwanted behaviour, whether based on sex, trans-gender status, marital status, civil partnership status, pregnancy, race, disability, age, political or religious belief or sexuality.
- All employees have an equal chance to contribute and to achieve their potential, irrespective of any defining feature that may give rise to unfair discrimination.
- The provision of our recruitment services to our clients is relevant and accessible to all those who might wish to use them and we will ensure that our systems and procedures do not operate to exclude or discourage participation.

### **Gender**

Women and men are fully and properly represented and rewarded for their contribution at all levels of the organisation through:

- Challenging gender stereotypes
- Supporting employees in balance their life at work and at home
- Supporting employees who become pregnant and taking active steps to facilitate their return to work after maternity leave.

### **Trans Gender Status**

People who plan to undergo, are undergoing, or have undergone gender re-assignment are protected against all forms of discrimination and harassment. We will take positive steps to support a trans-gender person and ensure they are treated with dignity and respect.

### **Marital Status**

People are treated fairly and equally in the workplace irrespective of their marital, civil partnership or family status.

## **Race**

The racial and cultural diversity of our communities is represented at all levels of the organisation through:

- Challenging racial stereotypes
- Understanding, respecting and valuing different racial and cultural backgrounds and perspective.

## **Disability**

The abilities of disabled people are recognised and valued at all levels of the organisation through:

- Focusing on what people can do rather than on what they cannot
- Challenging stereotypes about people with disabilities
- Making appropriate adjustments in the workplace to help people with disabilities achieve their full career potential.

## **Age**

Age diversity within the workforce is promoted and valued through:

- Challenging age stereotyping
- Recognising the benefits of a mixed-age workforce

## **Religious belief and political opinion**

People are treated fairly in the workplace irrespective of their religious beliefs and practices or political opinions by recognising individuals' freedom of belief and right to protection from intolerance and persecution.

## **Sexuality**

People are treated fairly in the workplace irrespective of their sexuality through:

- Respecting different lifestyles
- Challenging negative stereotypical views.