## OUR POLICY

MEM Recruitment embraces diversity and aims to promote the benefits of diversity in all of our business activities. We seek to develop a business culture that reflects that belief. We will expand the media in which we recruit to in order to ensure that we have a diverse employee and candidate base. We will also strive to ensure that our clients meet their own diversity targets.

MEM Recruitment is committed to diversity and will promote diversity for all employees, workers and applicants. We will continuously review all aspects of recruitment to avoid unlawful discrimination. MEM Recruitment will treat everyone equally and will not discriminate on the grounds of an individual's "protected characteristic" under the Equality Act 2010 (the Act) which are age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We will not discriminate on the grounds of an individual's membership or non-membership of a Trade Union. All staff have an obligation to respect and comply with this policy. MEM Recruitment is committed to providing training for its entire staff in equal opportunities and diversity. MEM Recruitment will avoid stipulating unnecessary requirements which will exclude a higher proportion of a particular group of people and will not prescribe discriminatory requirements for a role.

MEM Recruitment will not discriminate unlawfully when deciding which candidate/temporary worker is submitted for a vacancy or assignment, or in any terms of employment or terms of engagement for temporary workers. MEM Recruitment will ensure that each candidate is assessed in accordance with the candidate's merits, qualifications and ability to perform the relevant duties for the role.

## DISCRIMINATION

Under the Act unlawful discrimination occurs in the following circumstances:

### Direct discrimination

Direct discrimination occurs when an individual is treated less favourably because of a protected characteristic. Treating someone less favourably means treating them badly in comparison to others that do not have that protected characteristic.

It is unlawful for a recruitment consultancy to discriminate against a person on the grounds of a protected characteristic:

- in the terms on which the recruitment consultancy offers to provide any of its services;
- by refusing or deliberately omitting to provide any of its services;
- in the way it provides any of its services.

Direct discrimination can take place even if the individual does not have the protected characteristic but is treated less favourably because it is assumed, he or she has the protected characteristic or is associated with someone that has the protected characteristic.

Direct discrimination would also occur if a recruitment consultancy accepted and acted upon instructions from an employer which states that certain persons are unacceptable due to a protected characteristic, unless an exception applies. The Act contains provisions that permit specifying a requirement that an individual must have a particular protected characteristic in order to undertake a job. These provisions are referred to as occupational requirements.

Where there is an occupational requirement then the client must show that applying the requirement is a proportionate means of achieving a legitimate aim, i.e. the employer must be able to objectively justify applying the requirement. An occupational requirement does not allow an employer to employ someone on less favourable terms or to subject a person to any other detriment. Neither does an occupational requirement provide an excuse against harassment or victimisation of someone who does not have the occupational requirement.

**Indirect discrimination**

Indirect discrimination occurs when a provision, criterion or practice (PCP) is applied but this results in people who share a protected characteristic being placed at a disadvantage in comparison to those who do not have the protected characteristic. If the PCP can be objectively justified it will not amount to discrimination.

Indirect discrimination would also occur if a recruitment consultant accepted and acted upon an indirectly discriminatory instruction from an employer.

If the vacancy requires characteristics which amount to an occupational requirement or the instruction is discriminatory but there is an objective justification, MEM Recruitment will not proceed with the vacancy unless the client provides written confirmation of the occupational requirement, exception or justification.

MEM Recruitment will use best endeavours to comply with the Act and will not accept instructions from clients that will result in unlawful discrimination.

**Harassment**

Under the Act, harassment is defined as unwanted conduct that relates to a protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. This includes unwanted conduct of a sexual nature.

MEM Recruitment is committed to providing a work environment free from unlawful harassment.

MEM Recruitment will ensure that the consultants do not harass any individual.

Examples of prohibited harassment are:

1. verbal or written conduct containing derogatory jokes or comments
2. slurs or unwanted sexual advances
3. visual conduct such as derogatory or sexually orientated posters
4. photographs, cartoons, drawings or gestures which some may find offensive
5. physical conduct such as assault, unwanted touching, or any interference because of sex, race or any other protected characteristic basis
6. threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours
7. retaliation for having reported or threatened to report harassment

If an individual believes that they have been unlawfully harassed, they should make an immediate report to their Manager followed by a written complaint as soon as possible after the incident. The details of the complaint should include:

- Details of the incident
- Name(s) of the individual(s) involved
- Name(s) of any witness(es)

MEM Recruitment will undertake a thorough investigation of the allegations. If it is concluded that harassment has occurred, remedial action will be taken.

All employees and workers will be expected to comply with MEM Recruitment's policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary action.

Any individual who MEM Recruitment finds to be responsible for harassment will be subject to the disciplinary procedure and the sanction may include termination.

**Victimisation**

Under the Act victimisation occurs when an individual is treated unfavourably because he/she has done a 'protected act' which is bringing a claim for unlawful discrimination or raising a grievance about discrimination or giving evidence in respect of a complaint about discrimination.

MEM Recruitment will ensure that the consultants do not victimise any individual.

**DISABLED PERSONS**

Discrimination occurs when a person is treated unfavourably as a result of their disability.

In direct discrimination occurs where a provision, criterion or practice is applied by or on behalf of an employer, or any physical feature of the employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled.

In recruitment and selection there may be a requirement to make reasonable adjustments. For example, it might be necessary to have different application procedures for partially sighted or blind applicants that enable them to use Braille. With testing and assessment methods and procedures, tests can only be justified if they are directly related to the skills and competencies required for the job. Even then, it might be appropriate to have different levels of acceptable test results, depending on the disability. For example, an applicant with a learning disability might need more time to complete a test, or not be expected to reach the same standard as other non-disabled applicants.

Reasonable adjustments in recruiting could include:

- modifying testing and assessment procedures
- meeting the candidate at alternative premises which are more easily accessible
- having flexibility in the timing of interviews
- modifying application procedures and application forms
- providing a reader or interpreter

Wherever possible MEM Recruitment will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers. However, this may not always be feasible, due to circumstances creating such difficulties as to render such adjustments as being beyond what is reasonable in all the circumstances.

MEM Recruitment will not discriminate against a disabled person:

- in the arrangements i.e. application form, interview or arrangements for selection for determining whom a job should be offered

- in the terms on which employment or engagement of temporary workers is offered

- by refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity
- by subjecting the individual to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wage, or harassment)

MEM Recruitment will make career opportunities available to all people with disabilities and every practical effort will be made to provide for the needs of staff, candidates and clients.

**AGE DISCRIMINATION**

Under the Act, it is unlawful to directly or indirectly discriminate against or to harass or victimise a person because of age. Age discrimination does not just provide protection for people who are older or younger. People of all ages are protected.

A reference to age is a reference to a person's age group. People who share the protected characteristic of age are people who are in the same age group.

Age group can have various references: Under 21s, people in their 40s and adults .

MEM Recruitment will not discriminate directly or indirectly, harass or victimise any person on the grounds of their age. We will encourage clients not to include any age criteria in job specifications and every attempt will be made to encourage clients to recruit on the basis of competence and skills and not age.

MEM Recruitment is committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of age. No age requirements will be stated in any job advertisements on behalf of the company.

If MEM Recruitment requests age as part of its recruitment process such information will not be used as selection, training or promotion criteria or in any detrimental way and is only for compilation of personal data, which the company holds on all employees and workers and as part of its equal opportunities monitoring process. In addition if under age 22 to adhere to Conduct of Employment

Agencies and Employment Business Regulations 2003 and other relevant legislation applicable to children or young candidates.

Where a client requests age or date of birth, this will have to be under an occupational requirement or with an objective justification which should be confirmed in writing.

**PART-TIME WORKERS**

This policy also covers the treatment of those employees and workers who work on a part-time basis, MEM Recruitment recognises that it is an essential part of this policy that part time employees are

treated on the same terms, with no detriment, as full time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to our pension scheme. MEM Recruitment also recognises that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

**GENDER REASSIGNMENT POLICY**

MEM Recruitment recognises that any employee or worker may wish to change their gender during the course of their employment with the Company.

MEM Recruitment will support any employee or worker through the reassignment.

MEM Recruitment will make every effort to try to protect an employee or worker who has undergone, is undergoing or intends to undergo gender reassignment, from discrimination or harassment within the workplace.

Where an employee is engaged in work where the gender change imposes genuine problems MEM Recruitment will make every effort to reassign the employee or worker to an alternative role in the Company, if so desired by the employee.

Any employee or worker suffering discrimination on the grounds of gender reassignment should have recourse to the Company's grievance procedure.

**RECRUITMENT OF EX-OFFENDERS**

Where MEM Recruitment has registered with the Disclosure and Barring Service (DBS) and has the authority to apply for criminal records checks on individual because they are working with children or vulnerable adults or both, we will comply with the DBS's Code of Practice which includes having a policy on the recruitment of ex-offenders.

**COMPLAINTS AND MONITORING PROCEDURES**

MEM Recruitment has in place procedures for monitoring compliance with this policy and for dealing with complaints of discrimination. These are available from Alan Owen and will be made available immediately upon request. Any discrimination complaint will be investigated fully.