

EQUAL OPPORTUNITIES POLICY

Aims

Inverness Harbour Trust, (IHT), is committed to a positive policy of equal opportunity in the delivery of its services and in the employment of staff. The purpose of this policy is:

- To enable staff to contribute more effectively to the success of the organisation and achieve greater job satisfaction;
- To develop an organisational culture where everyone feels a personal responsibility for equal opportunities issues;
- To ensure that colleagues and customers are valued for their differences;
- To create a climate of greater confidence and one free from hostility.
- To ensure that any specification which defines the qualifications, experience and other skills required in the post, will only include those factors which are necessary and justifiable as objective criteria for the satisfactory performance of the job.
- To ensure that commitment to equality will be an integral part of induction training for all new post holders

Introduction

IHT interprets equality of opportunity in the most inclusive sense, embracing non discrimination based on: age, gender, race, ethnic origin, nationality, religion/belief, culture, disability, learning difficulty, sexuality, sexual orientation (lesbian/gay/bisexual/transsexual), age, marital status, economic status, health status (including where a person has AIDS or a related condition or are HIV positive), parenting/caring responsibilities, political and / or trade union interest or activity, social background or other status.

There are two broad forms of discrimination under UK legislation: direct and indirect discrimination. Direct discrimination generally constitutes less favourable treatment on the grounds of sex, pregnancy, marital or civil partnership status, gender reassignment, sexual orientation, race, colour, ethnic or national origins, religion of belief, disability or age.

Indirect discrimination generally occurs where a provision, criterion or practice which may appear neutral and apply equally to all, in facts puts a certain group of workers at a disadvantage in comparison to other workers.

Discrimination may also take place as a result of victimisation, harassment or bullying.

Harassment generally consists of unwanted conduct (whether based on sex, pregnancy, marital or civil partnership status, gender reassignment, sexual orientation, race, colour, ethnic or national origins, disability or age) which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile degrading, humiliating or offence working environment for that person. It is irrelevant whether the alleged harassment is intentional or not.

As an organisation, IHT is committed to the eradication of all forms of discrimination, harassment, and prejudice faced by individuals and organisations and to the proactive

development and implementation of policies and practices, which promote equality of opportunity. IHT recognises the direct and the indirect, and the institutional and the individual causes and effects of discrimination. It also recognises the need to address these through both the fulfilment of its legal obligations and the implementation of good practice. This is to ensure that the structures, attitudes and behaviour, which cause and perpetuate prejudice, are challenged and dismantled.

IHT aims to provide equality of opportunity to all in respect of employment, advancement and development, on the basis of a person's ability, qualifications and aptitude for the work. All employment decisions will be made in a non-discriminatory manner. To achieve this we must ensure that IHT complies with equal opportunities legislation in the areas of gender, race, disability, age, sexual orientation and religious belief.

Responsibilities

Everyone has a responsibility to put equal opportunities policies into practice. All staff have a responsibility not to behave in a way that could be offensive to others and to treat colleagues and customers with courtesy and respect. Equality of opportunity will not be achieved solely because of the legislation and policy statements that exist. Every member of staff has a responsibility to treat their colleagues and the general public with courtesy and respect.

Employees must co-operate with measures introduced to ensure that there is equal opportunity and non-discrimination.

The Harbour Master is responsible for seeing that staff are aware of and carry out equal opportunities policies. These responsibilities include:

- Ensuring staff know that discrimination (both direct and indirect) and harassment will not be tolerated and will be dealt with as a disciplinary matter,
- Ensuring that equal opportunities policies are put into practice in the workplace'
- Setting a good example.
- Ensuring that a non-discriminatory working atmosphere is promoted and maintained.
- Ensure that all training delivered is consistent with IHT's Equal opportunities policy and uses non-discriminatory language.

The Harbour Master has a responsibility to ensure that every member of staff has access to appropriate equal opportunities training to allow them to carry out the requirements of this policy.

Employment

IHT is committed to equality for current and potential staff and members. IHT will not tolerate direct discrimination or harassment from any member of staff and will take action against those who discriminate or harass. IHT will develop, implement and monitor policies which will seek to eradicate indirect discrimination. IHT will ensure that all its policies relating to staff comply with equality of opportunity principles.

Job Design, Selection and Recruitment

The design of jobs, working hours and related practices can discriminate directly or indirectly against certain groups. IHT will ensure that the requirements of individual jobs are designed so that non-essential criteria, which may cause discrimination, are not used. All job descriptions, person specifications and adverts will be checked by the Harbour Master

Permanent vacancies will be advertised to allow as many applicants as possible to apply unless there is a need to re-deploy existing staff. All applicants will be judged solely against the relevant job description and person specification. Serious attention will be given to attracting staff from minority groups using appropriate media groups.

References will be taken up without discriminatory bias.

To further equality of opportunity positive action may be taken.

Unless positive action is being taken or there is a specific requirement of the job, all appointments will be made on merit, regardless of such things as gender, race sexual orientation, ethnic origin, religion, disability, age, marital status, parenting/caring responsibilities or nationality (provided the individual has the right to work in the UK).

When an employee leaves IHT, an exit interview is to be conducted, with a view to eliminating potential bias against any other employee.

Employment of Pilots, Boatmen and Maintenance Engineer.

These posts require that a defined level of physical fitness is maintained. This requires the applicant or employee to pass a medical examination to Merchant Navy ENG 1 level, and to continue to do so during employment with IHT.

This is a "*Genuine Occupational Requirement*" for these posts.

Training

Staff and elected members will have training made available on the equal opportunity policy and its implications, as relevant to their responsibilities within Inverness Harbour Trust.

Contractors and Suppliers of Services

IHT will seek to ensure that contractors and suppliers of services adhere to best practice with regards to Equal Opportunities. When major contracts are being entered to compliance with Equal Opportunities best practice should be included as a contract condition.

Monitoring and Reviewing

IHT will undertake regular reviews of Equal Opportunities performance, policy and practice.

Any breach of the Policy by staff will be considered a serious matter and the case for disciplinary proceedings will be considered automatically. Complaints received from IHT staff should be submitted to the Harbour Master and will be dealt with through the IHT Grievance Procedure. Complaints received from other organisations or individuals should be submitted to the Harbour Master who will ensure the complaint is dealt with under IHT's complaints procedure.

New policies, and policies under review, will take account of equality issues. IHT's written Equal Opportunities Policy will be revised automatically as a result of new legislation.

Complaints Procedure

This procedure contains an informal and formal route and applies to complaints relating to discrimination, victimisation, harassment or bullying on the grounds of sex, pregnancy, marital or civil partnership status, gender reassignment, sexual orientation, race, colour, ethnic or national origins, religion or belief, disability or age. If an employee believes that any such form of discrimination, victimisation, harassment or bullying has taken place, the employee should follow this complaints procedure. The route taken may depend on the seriousness of the complaint and how the employee would like the matter to be dealt with.

Any complaint made under this procedure will be handled by IHT sensitively, discreetly and where possible confidentially.

Informal Procedure

If an employee believes that he or she is suffering discrimination, victimisation, harassment or bullying the employee should, if possible, attempt to resolve the issue with the person believed to be responsible for such treatment. The employee may inform him or her in writing or verbally that his or her conduct is unacceptable and must stop. The employee should keep a written record of the events, dates and any relevant documentation from the outset.

If the employee cannot raise the matter directly with the person concerned for any reason, the employee is encouraged to contact the Harbour Master who will discuss the matter with the employee. If the Harbour Master is directly involved the employee may wish to approach the Chief Executive on an informal basis.

Depending on the seriousness and nature of the complaint, IHT may take disciplinary action in relation to the individual(s) responsible for the treatment even if only the informal procedure is followed.

Formal Procedure

If the employee wishes to pursue the matter further or if IHT decides to pursue the matter further the employee may be asked to make a formal complaint under the Company's grievance procedure.

Even if the employee decides not to take the matter further IHT may have a duty to other employees to investigate the matter fully.

Where a complaint has been made IHT will initiate an investigation as soon as practicable to determine whether or not disciplinary action should be taken under the Company's disciplinary procedure. Where a complaint is well founded disciplinary action may be taken up to and including summary dismissal.

If the complaint is not well founded IHT will advise the employee accordingly. If the employee has acted in good faith and with good reason the fact that a complaint has been brought will not affect the employee's position with the Company. If, however, the complaint has been made in bad faith or brought without good reason, then the employee may be subject to IHT's disciplinary procedure (up to and including summary dismissal). IHT will keep a record of your complaint, the investigation, the conclusion and any subsequent action taken.

Appeals

If an employee is dissatisfied with the outcome of a complaint raised under this policy or with the way in which it was handled, the employee may present an Appeal in accordance with IHT's grievance policy.

Legislation

IHT will use existing and future legislation as a framework upon which to develop and promote good practice. The organisation will comply with its existing legislative obligations and review policy and practice in the light of legislative development at Scottish, UK, European and international levels.