

# Equal Opportunities

Reference: HR\_POL\_003

Version: 7.7

Owner: Carol McArthur

Author: Maggie West, 26 March 2019



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## 1. Summary

EDF Energy is fully committed to a policy of fair and equal treatment of all employees and job applicants, irrespective of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity; race, sex, sexual orientation, religion or belief. This approach to fair and equal treatment also applies to employees who are members or non-members of a trade union, part time workers and those on a fixed term contract.

## 2. Scope

The HR Policy: Equal Opportunities, applies to all EDF Energy employees, other than those working in joint venture companies where local policies may apply or where an alternative contractual arrangement is in place.

The HR Policy: Equal Opportunities, also applies to external job applicants applying to work for EDF Energy other than those applying to work in joint venture companies where local policies may apply.

Agency supplied workers and managed service workers working for EDF Energy are also required to abide by this HR Policy.

## 3. References

Legislation, regulation and guidance from external organisations, including:

Equality Act  
Fixed-Term Employees Regulations  
Part Time Workers Regulations

## 4. Equal Opportunities

It is important that the organisation is representative of the customers it serves and the communities in which it operates. EDF Energy welcomes the breadth of perspective that employment of diverse individuals can bring and wants to be recognised as an inclusive company.

EDF Energy is fully committed to a policy of fairness and equality for all job applicants, employees and others who work for us, irrespective of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sex, sexual orientation, religion or belief. This approach to fairness and equality also applies to employees who are members or non-members of a trade union, part time workers and those on a fixed term contract. Decisions about recruitment and selection, promotion, training or any other benefit will be made objectively and without unlawful discrimination.

### 4.1 Policy framework, advice and support

The HR Policy: Equal Opportunities, is set within the framework of current employment legislation and relevant codes of practice, at the date of release. This HR Policy will be reviewed annually to ensure that it takes account of any future legislative changes relating to discrimination and equal opportunity matters.

Equality is a continually developing area of employment legislation and therefore managers and employees are encouraged to seek advice and guidance from Human Resources. Trade union members may also seek support from the trade union.

Discrimination can be direct (whereby an individual is treated less favourably than others because of a protected characteristic which they possess or are believed to possess or because they associate with someone who has a protected characteristic) or indirect (when a policy, practice or procedure that applies to everyone might disadvantage people who share a protected characteristic and which cannot be justified in relation to the job.) All forms of discrimination or harassment are unacceptable, regardless of whether there was any intention to discriminate or harass or not, as well as victimisation whereby an individual is treated less favourably or discriminated against because they have pursued or intend to pursue their rights relating to alleged discrimination.

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EDF Energy recognises that individuals have different needs and that there are circumstances when certain provisions will need to be put in place to support an individual. This will be managed whilst ensuring a fair process is achieved for all. An example of this could be making reasonable adjustments for people with disabilities, so that they are treated fairly and given the same opportunities as others.

Individual employees are encouraged to discuss with their manager or HR contact any circumstances where additional support or flexibility is required or where concern exists, for example, pregnancy, specific religious observance or differences in treatment that have impacted the individual.

Mediation support is available from Human Resources and/or Occupational Health depending on the nature and seriousness of the complaint.

## **4.2 Implementation Arrangements**

To support the effectiveness of the HR Policy: Equal Opportunities, EDF Energy will:

- Make all employees aware of the HR Policy: Equal Opportunities and how they can obtain a copy
- Ensure that all new employees receive a copy of the HR Policy: Equal Opportunities
- Arrange for agency supplied workers to be made aware of the HR Policy: Equal Opportunities
- Arrange for those involved in people management procedures to have appropriate training and guidance in areas such as recruitment, selection, pay and grading, promotion, training, and career development
- Undertake workforce and applicant monitoring in respect of equality of opportunity
- Ask all job applicants called for interview or testing whether they require any particular facilities or assistance
- Ensure external recruitment agencies involved in searching for applicants or providing agency supplied workers, are aware of this HR Policy and that they will be expected to adhere to it when acting on our behalf.

## **4.3 Recruitment & selection**

Advertisements for vacancies will encourage applications from all suitable candidates and will be written in a non-discriminatory and inclusive manner. Any text and accompanying images will support this, be free from bias and emphasise the commitment to equal opportunities. Similarly, the media used to advertise vacancies and the ways in which applications can be submitted will be chosen carefully to attract a wide diverse range of potential candidates. Information obtained from applicants in relation to diversity is only used for the purposes of considering reasonable adjustments and/or statistical monitoring data.

## **4.4 Development opportunities**

In all cases, full and fair consideration will be given to all employees for appropriate development opportunities. Decisions to offer such opportunities will be made on the basis of performance, growth opportunity and business need.

When selecting individuals for development opportunities preconceived ideas should not form any part of the decision-making process. Therefore, efforts should be made to ensure that opportunities for development are available to all those who might be interested and have the necessary ability.

All company appraisal and review processes will be undertaken fairly and without bias, to reflect the contribution the employee has made.

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## 4.5 Equal pay & benefits

Equal pay between men and women is a legal right. It is in the interest of EDF Energy and its employees to have a just and fair pay system. EDF Energy fully supports the legal requirements to pay on the basis of equal pay for all employees determined solely on the duties and responsibilities allocated to individuals. In addition, employee benefits will be determined equally based on the same principles.

EDF Energy will work to ensure pay is just and fair between men and women, will work against unfair, unjust and unlawful practices affecting pay and will take action where they are found.

Employees who have a concern about equal pay should, in the first instance, raise it with their manager. If they are dissatisfied with the response or lack of response, they may raise a formal grievance under the relevant procedure. An investigation will be undertaken to determine whether or not there is any difference in pay, and, if there is, what the reason for the difference is.

## 4.6 Dealing with complaints

Any individual who feels they have been unfairly discriminated against can raise the matter formally or informally with their manager or Human Resources. A formal complaint will be investigated in an impartial, objective and sensitive manner using the relevant grievance procedure.

An employee who makes a complaint or who is the subject of a complaint can be accompanied by a fellow worker or an accredited trade union representative at all stages of the complaint and investigation.

## 4.7 Breaches

Any employee found to be in breach of the HR Policy: Equal Opportunities will be liable to action under the relevant Disciplinary Procedure. Where the breach of this HR Policy is the result of serious misconduct, this could lead to dismissal. In the case of agency supplied workers or managed service workers a breach may lead to the termination of their engagement with EDF Energy.

EDF Energy may terminate any contract or other arrangement with a contracting company, consultancy or employment agency providing workers to EDF Energy, with immediate effect and without notice in writing, if the contracting company, consultancy or employment agency providing workers to EDF Energy (or any of its workers) is found to be in breach of this HR Policy or EDF Energy has a reasonable belief that there has been a breach of this HR Policy.

## 4.8 Monitoring

Understanding the employee profile of an organisation can assist with identifying areas in which improvements can be made. Monitoring within EDF Energy will be undertaken. Employees and job applicants are requested to co-operate with monitoring. All new employees will be asked to complete a self-classification equal opportunities monitoring form. All information provided will be treated in strict confidence and will be used for equal opportunities purposes only.

## 4.9 Review

The Company reserves the right to revise and update the HR Policy: Equal Opportunities from time to time in order to reflect changes in the law, best practice, or the way in which EDF Energy conducts its business. The Company will consult with the recognised trade unions on any change to approach.

Additional supplementary information is provided by the Company in the Annexe to this document.

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## 5. Responsibilities

| <b>Role</b>  | <b>Responsibility</b>   |
|--|---|
| Chief People Officer   | Owns the HR Policy: Equal Opportunities and is responsible for obtaining agreement to it from the Business Unit Human Resources Directors and those in equivalent roles in Corporate Functions and seeking approval from the Chief Executive.   |
| Industrial Relations & Reward Director   | Responsible for maintaining this HR Policy, ensuring that it is regularly reviewed and proposing any changes. Cases referred to an Employment Tribunal citing discrimination will be reviewed.  |
| Business Unit Human Resources Directors and those in equivalent roles in Corporate Functions | <p>Responsible for ensuring this HR Policy is implemented and communicated appropriately within their respective business areas.</p> <p>Make all employees aware of the HR Policy: Equal Opportunities.</p> <p>Arrange for those involved in people management procedures to have appropriate training and guidance.</p> <p>Collecting and monitoring information regarding the profile of employees and job applicants.</p> <p>Ensuring that complaints are investigated and reviewed properly and a log kept of any complaints that are made.</p> <p>Enforcing this HR Policy and where it is alleged that employees have breached it the appropriate disciplinary procedure must be instigated consistently.</p> |
| Executive Members  | Have been delegated authority to make decisions within their business areas in operating this HR Policy. Further delegation of authority within business areas will be captured in local governance documentation.  |
| Employee Services  | <p>Asking all job applicants called for interview or testing whether they require any particular facilities or assistance.</p> <p>Responsible for distributing the HR Policy: Equal Opportunities to new employees.</p> <p>Collecting and monitoring information regarding the profile of employees and job applicants.</p>   |
| Supply Chain   | Briefing external recruitment agencies and employment agencies of this HR Policy and ensuring arrangements are in place for agency supplied workers and managed service workers to be made aware of this HR Policy.   |

Managers and those involved in making decisions on recruitment & selection, promotion, training, pay, grading and career support

Responsible for enforcing the HR Policy: Equal Opportunities, promoting equality of opportunity, promoting a working environment in which individual and cultural differences are valued and taking action when discrimination or harassment is alleged to have taken place.

Giving careful consideration to potential adjustments in working arrangements to support employees where flexibility may be required or where concern exists, for example, women who are pregnant, specific religious observance or differences in treatment that may impact an individual.

Employees

Responsible for familiarising themselves with the HR Policy: Equal Opportunities, adhering to this HR Policy and raising any questions or concerns they may have.

Employees are requested to co-operate in monitoring as and when required.

## 6. Records

Information on employees will be collected and maintained for monitoring purposes. Information on job applicants may be collected and maintained for monitoring purposes. Personal data will be retained in accordance with EDF Energy's privacy notices ([www.edfenergy.com/yourprivacy](http://www.edfenergy.com/yourprivacy)).

Details of training on equal opportunities should be maintained.

Records will be maintained of the number of formal complaints regarding equal opportunities raised by employees and job applicants.

## 7. Document history

| Version     | Date     | Author      | Comments   |
|-------------|----------|-------------|--|
| Version 1.0 | 01/06/04 | Maggie West | EDF Energy – Employment Policy Review  |
| Version 2.0 | 01/10/04 | Maggie West | Updated: Executive Committee member responsibilities   |
| Version 3.0 | 14/03/05 | Maggie West | Updated  |
| Version 4.0 | 01/07/06 | Maggie West | Updated: Organisational changes  |
| Version 5.0 | 15/08/06 | Maggie West | Updated: Age Regulations   |
| Version 6.0 | 14/07/07 | Maggie West | Updated: Human Resources Director  |
| Version 7.0 | 05/04/11 | Maggie West | EDF Energy – Employment Policy Review<br>Replaces British Energy Equal Opportunities Policy (BE/POL/011), Transsexual Employees Policy (BE-GRP-050) & HIV and AIDS Policy (BE-GRP-005) |
| Version 7.1 | 14/09/12 | Maggie West | Updated: Organisational changes & template   |
| Version 7.2 | 09/10/12 | Maggie West | Updated: Organisational changes  |
| Version 7.3 | 03/12/13 | Maggie West | Updated: Terminology changes   |
| Version 7.4 | 23/09/15 | Maggie West | Updated: Organisational changes  |
| Version 7.5 | 20/03/18 | Maggie West | Updated: Organisational changes  |
| Version 7.6 | 30/08/18 | Maggie West | Updated: updated language  |
| Version 7.7 | 26/03/19 | Maggie West | Updated: Org changes, data protection & Annexe   |

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## Annexe

### Supplementary Information

#### Equal Opportunities

**The Equality Act** brings together numerous pieces of discrimination legislation into one single act. It replaces previous legislation such as the Disability Discrimination Act and the Race Relations Act. The Act introduces the concept of protected characteristics, which are the same as the existing discrimination strands. It seeks to replace the historical terms of: minority groups and disadvantaged and to signal a more positive and mainstream approach to equality.

#### The nine protected characteristics are:

- Age;
- Disability;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex; and
- Sexual orientation.

**Direct discrimination** occurs where someone is treated less favourably **because of** a protected characteristic which they possess or are believed to possess (perceptive discrimination), or because they associate with someone who has a protected characteristic (associative discrimination).

**Indirect discrimination** covers circumstances when a practice, policy or rule applies to everyone but disadvantages people who share a protected characteristic. An example of indirect discrimination could be **requiring that all employees are six feet tall as this would disproportionately disadvantage women**. It can only be justified if it is 'a proportionate means of achieving a legitimate aim'.

**Harassment** covers treatment based on perception and association. Employees are now able to complain of behaviour which they find offensive, even if it is not directed at them.

**Victimisation** occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so, unless they have maliciously made or supported an untrue complaint.

Employees should treat their colleagues and any other persons with whom they come into contact, with respect and dignity and ensure that use of the Company's email and internet systems does not breach this HR Policy. Individuals should be aware that under legislation they can be personally liable for unlawful acts which they commit during the course of their employment.

#### Diversity & Inclusion

EDF Energy welcomes the breadth of perspective that employment of diverse individuals can bring and promotes an inclusive and open workplace where everyone can be themselves and do their best. EDF Energy's approach to diversity and inclusion goes beyond fulfilling its legal commitments and the Company wants all employees to be treated fairly, respected and included in the workplace.

Those differences may be non-visible such as our gender identity or our social/economic beginnings as well as the more visible differences such as body size or hair colouring.

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Our Diversity and Inclusion Strategy is led from the top, with Executive Team members championing the agenda. The strategy is supported through local diversity and inclusion action plans. EDF Energy has a number of Employee Networks including:

- Black, Asian & Minority Ethnic Network (BAME)
- Cancer Support Network
- Disability & Carers Network (DCN)
- Forces Support Network
- Lesbian, Gay, Bisexual & Transgender Supporters Network (LGBT)
- Mental Health Supporters Network
- Women's Network
- Working Parents' Network
- Young Professionals Network

Further information on the EDF Energy Employee Networks is available on the Diversity and Inclusion pages on Pulse and MyCampus.