

EQUAL OPPORTUNITIES POLICY AND **CODE OF PRACTICE**

I. INTRODUCTION

Statutory obligations

The Sex Discrimination Act 1975 and the Race Relations (Amendment) Act 2000 prohibit discrimination in, among others, and in the spheres of employment and education, on grounds of sex (including gender reassignment) and the marriage Acts, the his or latter her Act or According to racial group is treated less favourably than a member of the other sex or someone of a different racial group would be treated; there is indirect discrimination where a requirement or condition is applied (i) which is such that a considerably smaller proportion of persons of one sex or of the same racial group can comply with it than the proportion of persons of the other sex or not of that racial group who can comply; and (ii) which cannot be shown to be justifiable irrespective of the sex, colour, race, nationality, or ethnic or national origins of the person to whom it is applied; and (iii) which is to the detriment of the person concerned because he or she cannot comply with it. An example of indirect discrimination on grounds of sex might be a rule that applicants must be under a specified age (see below). An example of such discrimination on racial grounds might be a rule that candidates must have a British or European qualification.

It is also unlawful for an individual to be victimised for having brought proceedings under the Acts, or for giving evidence or information relating to such proceedings, or for alleging that discrimination has occurred.

The Equal Opportunities Commission (EOC) and the Commission for Racial Equality (CRE), set up by the Acts to work towards the elimination of discrimination and to promote equality of opportunity, have both produced codes of practice on equal opportunities in employment which have been endorsed by Parliament. The codes do not have the force of law, but they can be brought in evidence in employment tribunals. The company's code of practice, which is set out at III below, is consistent with these codes.

The Bill of Rights Bill reforms the law relating to human rights by repealing and replacing the Human Rights Act 1998. (2) In particular, this Act clarifies and re-balances the relationship between courts 5 in the United Kingdom, the European Court of Human Rights and Parliament by ensuring—

(a) that it is the Supreme Court (and not the European Court of Human 10 Rights) that determines the meaning and effect of Convention rights for the purposes of domestic law (see section 3(1));

(b) that courts are no longer required to read and give effect to legislation, so far as possible, in a way which is compatible with the Convention rights (see paragraph 2 of Schedule 5, which repeals section 3 of the Human Rights Act 1998);

(c) that courts must give the greatest possible weight to the principle that, 15 in a Parliamentary democracy, decisions about the balance between different policy aims, different Convention rights and Convention rights.

The Equality Act 2010 and the Equality Act 2010 (Amendment) Regulations published in November 2023 require Ministers of the Crown and others when making strategic decisions about the exercise of their functions to have regard to the desirability of reducing socio-economic inequalities; to reform and harmonise equality law and restate the greater part of the enactments relating to discrimination and harassment related to certain personal characteristics; to enable certain employers to be required to publish information about the differences in pay between male and female employees; to prohibit victimisation in certain circumstances; to require the exercise of certain functions to be with regard to the need to eliminate discrimination and other prohibited conduct; to enable duties to be imposed in relation to the exercise of public procurement functions; to increase equality of opportunity; to amend the law relating to rights and responsibilities in family relationships; and for connected purposes.

II. POLICY STATEMENT

The policy and practice of LSE Building Preservation Ltd require that all staff are afforded equal opportunities within employment and that entry into employment with the Company and progression within employment will be determined only by personal merit and the application of criteria which are related to the duties of each particular post and the relevant salary structure. In all cases, ability to perform the job, experience and qualifications will be the primary consideration. Subject to statutory provisions, no applicant or member of staff will be treated less favourably than another because of their protected characteristics or lack of.

III. CODE OF PRACTICE

The Company welcomes diversity amongst its staff and seeks to ensure that all candidates for employment are treated fairly, and that selection is based solely on the individual merits of candidates and on selection criteria relevant to the post. In pursuance of this aim and of its statutory duties, LSE Building Preservation Ltd, as an employer is committed to the principle of equality of opportunity, will adhere to the following procedure in the conduct of the recruitment and selection process for all posts.

- 1. Selection criteria:* Selection criteria for all posts will be clearly defined and reflected in the further particulars sent to candidates, which will also include details of the Company's commitment to equality of opportunity. Job qualifications or requirements which would have the effect of inhibiting applications from members of particular groups, such as those of one sex, persons of a particular marital status or sexual orientation, persons of a particular racial group, or those with a disability, will not be demanded or imposed except where they are shown to be a proportionate means of achieving a legitimate aim. (For the purposes of this code, 'racial group' means a group of persons defined by reference to colour, race, nationality, or ethnic or national origins.)
- 2. Advertising:* Job advertisements will be widely publicised so as to encourage applications from a broad range of suitable candidates from all backgrounds. All job advertisements placed on behalf of the Company will state the Company's commitment to equality of opportunity by including a footnote or final note indicating this. In addition, where further particulars are prepared they should quote in full the Company's Equal Opportunities Policy Statement and make reference to the Company's maternity leave provisions.
- 3. Selection methods:* All those handling applications and conducting interviews must be aware of the principles of the Sex Discrimination Act, the Race Relations (Amendment) Act, Equality Act and other relevant legislation. The Company will ensure that training and advice are available in furtherance of this requirement. All candidates will be compared objectively with the selection criteria, and all applications will be processed in the same way. Information sought from candidates and passed to those responsible for appointments will relate only to the qualifications for or requirements of the job. It is recognised that the Company has a statutory obligation to make such adjustments to the workplace and to working arrangements as are reasonable to accommodate suitably qualified disabled applicants and ensure they are not disadvantaged in completing their duties in comparison to other members of staff without disabilities.

4. *Interviews:* Wherever suitably qualified persons are available, there will be at least one member of each sex on the bodies responsible for shortlisting, interviewing, and making or recommending an appointment. Interview questions will relate to the selection criteria. No questions will be based on assumptions about roles in the home and the family, or the assumed suitability of different ethnic groups for the post in question. In particular, questions about private personal relationships, marital status, children, domestic obligations, marriage plans, or family intentions will not be asked at interview. Questions about a candidate's ability to 'fit in' with colleagues may also be construed as unlawful discrimination. Where it is necessary to obtain information on personal circumstances (for example, in relation to a selection criterion such as flexibility to work irregular hours) or on whether a candidate will be able to work well with colleagues, questions about this will be asked equally of all candidates and, like other questions, will relate only to the job requirements. In the case of disabled applicants who identify themselves at the application stage, appropriate interview arrangements (such as accessible interview rooms or the assistance of a sign interpreter) should be offered to enable candidates to compete on an equal basis.

5. *Record-keeping:* Details of candidates and of selection decisions (including the rationale for selection or rejection) will be kept for at least six months after an appointment has been made, in case they are required as evidence by an employment tribunal or for other proceedings. The Company will keep records of the sex, ethnicity, and any disability of its staff and of all candidates and of those shortlisted and appointed. The gender composition of selection panels will also be monitored. Records may be used to determine whether members of one sex or persons of a certain racial group or those with a disability do not apply for employment, or apply in smaller numbers than might be expected, or are shortlisted or appointed in a lower proportion than their application rate, or are concentrated in certain jobs, Where such under-representation is identified, positive action initiatives will be developed in accordance with the provisions of the Sex Discrimination Act 1975, the Race Relations (Amendment) Act 2000, Equality Act and any other relevant national legislation. The Company will investigate the practicalities of monitoring progression within employment, including access to training and development, promotion and grading.

6. *Review of recruitment practice:* Recruitment procedures and practices will be kept under review so as to ensure that this code is being adhered to. The Company's Operations Director has responsibility for advising on the operation of this code and for the distribution to those involved in the recruitment and selection processes of information about the Sex Discrimination Act, the Race Relations (Amendment) Act, Equality Act and other relevant legislation.

¹ Racial grounds are the grounds of race, nationality – including citizenship – or ethnic or national origins, and groups defined by reference to these grounds are referred to as racial groups.



16th January 2024

Ian MacLennan - Managing Director