

Equal Opportunities Policy

1. Introduction

- 1.1 J R Wholesale Ltd is committed to ensuring that equality of opportunity prevails in all aspects of its work. It is committed to providing equality of opportunity and parity of treatment to all individuals, regardless of gender, age, disability, marital status, carer's responsibilities, working pattern, position in the organisation, race, nationality, ethnic origin, religion or belief, political affiliation or sexual orientation.
- 1.2 In its dealings with people, J R Wholesale Ltd will have due regard to the need to promote equality and diversity and, as a policy maker, an employer and a service provider to the farming industry, J R Wholesale Ltd will take steps to ensure that its policies, employment practices and services are fair and put things right when they are unfair or unlawful.
- 1.3 This policy covers all aspects of employment, from vacancy advertisements, selection and recruitment, training, conditions of service and reasons for termination of employment.
- 1.4 J R Wholesale Ltd is committed to providing appropriate awareness training to all staff, as set out in its Race Equality Scheme and Diversity Action Plan and specialist training for those directly involved in investigating incidents or complaints.
- 1.5 This policy should be referred to in cases where an individual feels they have been subjected to unfair discrimination. This policy supplements policy advice and guidance in existing HR policies, including:
- 1.6 If any individual is unsure which policy they should refer to, help and advice should be available from their line manager or the Human Resources department.

2. Approval Status

- 2.1 Approved by IIsand Foods Ltd Management Board and Workers' Committee.

4. Purpose

- 4.1 This policy aims to create a culture in which equality of opportunity is applied in all aspects of the working environment and all employees or job applicants have equal access to employment, training and promotion opportunities at J R Wholesale Ltd on the basis of merit i.e. ability, qualifications and aptitude for the work.
- 4.2 In creating such a culture, it will be important to ensure that J R Wholesale Ltd Values and behaviours become embedded across the organisation, especially in relation to the following:
- supporting staff: ensuring that all staff have the training they need to carry out their job and treating everyone fairly and consistently, acknowledging accountability whilst accepting fallibility.
 - openness: ensuring that J R Wholesale Ltd operates in an open and transparent way and clearly explains the basis of decisions.
 - fairness, consistency and independence; and
 - involvement: respecting the diverse requirements of staff and considering their individual needs.

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Appendix 2 sets out J R Wholesale Ltd Values and Behaviours in full.

5. Scope

5.1 All employees of J R Wholesale Ltd are required to conduct themselves in accordance with this Equal Opportunities Policy. They are required to take personal responsibility in this area and work towards promoting respect for individuals. This will entail:

- identifying and eliminating inappropriate behaviour; and
- challenging and changing practices which perpetuate inequality.

(Note: these issues are covered in more detail in J R Wholesale Ltd Race Equality Scheme and Diversity Action Plan).

5.2 This commitment, shared by the Workers' Committee, is extended to past, present and future members of staff, applicants of employment, customers and stakeholders and any visitors to J R Wholesale Ltd premises.

6. Principles / Aims

6.1 This policy aims to promote a culture in which all staff can work without fear of unfair or unlawful discrimination or victimisation and, if unfair treatment does take place, feel able to raise the matter without fear of victimisation. All staff have the right to make a complaint and know that it will be dealt with fairly and promptly.

6.2 J R Wholesale Ltd affirms that there must be no direct or indirect, unfair or unlawful discrimination, harassment or victimisation against any person, whether in recruitment, training, promotion, service delivery or in the facilities afforded to individuals in the conduct of their official duties, insofar as, this is within the control of I & E Trading Ltd.

Where the situation is outside the control of J R Wholesale Ltd but whilst the individual is carrying out their duties, the company will investigate all reported cases of discrimination, harassment or victimisation of its employees by individuals not employed by the service, with a view to taking appropriate action(s) against the perpetrator or his/her employer.

7. Policy Statement

7.1 Legislative Framework

7.1.1 A legal framework exists to protect individuals from unfair discrimination. Unfair discrimination should be taken to mean acting in such a way as to place at a disadvantage or treat unfairly an individual because of factors (such as gender, age, disability, marital status, carer's responsibilities, working pattern, position in the organisation, race, nationality, ethnic origin, religion or belief, political affiliation or sexual orientation), which should be irrelevant to the treatment or assessment of the individual.

7.1.2 There is a wide range of employment legislation which makes discrimination unlawful in diverse areas and have particular importance to the workplace. These are detailed in Appendix 1.

7.1.3 However, the existence of law cannot of itself ensure that any policy of non-discrimination will work effectively. This will be achieved only if staff at all levels critically examine their attitudes to people and ensure that no trace of unfair or unlawful discrimination is allowed to affect their judgement. J R Wholesale Ltd is committed to providing appropriate training to help staff in meeting this aim.

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7.1.4 J R Wholesale Ltd will actively promote equality of opportunity and eliminate unfair or unlawful discrimination in any form in the exercise of its functions. This is compliant with the Race Relations (Amendment) Act 2000, which places a positive duty on employers to do this. The company has developed a Race Equality Scheme and Associated Action Plan to promote race equality. This has been published and consulted on externally with J R Wholesale Ltd customers and stakeholders.

7.1.5 The Disability Discrimination Act 1995 and amendment 2006 imposes a new duty on all public bodies to promote disability equality.

7.2 Employment

7.2.1 J R Wholesale Ltd affirms that access to recruitment, promotion and training shall be afforded in accordance with full equality of opportunity. This shall apply in full with regard to recruitment and selection advertisements, opportunity for promotion and access to training.

7.2.2 Eligibility criteria for recruitment / promotion within J R Wholesale Ltd will be formulated to ensure that these are directly related to job requirements and are non-discriminatory. The criteria will be applied without exception to all prospective candidates for recruitment and promotion.

7.2.3 Selection and promotion decisions and reasons for such decisions must be recorded at each stage of the selection and promotion process, namely, the eligibility of applicants as determined by the job specification; the short listing of eligible candidates for interview by reference to specified criteria; and the success of candidates as recorded on the interview marks sheet.

7.3 Policy Making

7.3.1 Unfair or unlawful discrimination will not be tolerated by JR Wholesale, and it will continue to invoke the relevant policies and procedures, and, take robust action(s) to ensure that such a discrimination is tackled and eliminated, where required.

7.3.2 J R Wholesale Ltd policies are the subject of ongoing review, involving consultation between representatives of the company and the Workers' Committee. Equal opportunity and diversity issues will be an inherent part of the policy making and review process.

7.4 Service Delivery

7.4.1 J R Wholesale Ltd will deliver services through Service Level Agreements, sales or contracts, to other public or private sector customers, subject to the approval of the Board of Directors.

7.4.2 J R Wholesale Ltd affirms that due regard will be taken on all aspects of equality and diversity in its dealings with employees, customers and stakeholders in the delivery of its service and products.

7.4.3 In this regard, J R Wholesale Ltd will undertake research and consultation about the use of its services and sale of its products to promote equality of opportunity and good working relations with employees, customers and stakeholders.

7.4.4 Customers and stakeholders who think they have been discriminated against may make a

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complaint in accordance with J R Wholesale Ltd Complaints Procedure. The company undertakes to deal with such complaints confidentially and effectively and without detriment to the individual making the complaint.

7.5 Making a Informal Complain

7.5.1 An IJ R Wholesale Ltd employee should make an attempt to resolve any equal opportunities problems locally. These problems include incidents s/he was directly involved in or an incident s/he is challenging or taking up as a third party. Support from the line manager can be sought in dealing with issues at local level. If the line manager is the source of the problem, the employee may seek the assistance of another line manager, their HR department or a more senior member of the management team or move directly to the formal procedure.

7.6 Making a Formal Complaint

7.6.1 If informal action is not successful or appropriate, the procedure provides for such complaints to be formally investigated by an independent officer outside the direct line management or interface of either party. It is the duty of all employees witnessing acts of unfair or unlawful discrimination to bring them to the attention of more senior management.

7.6.2 Action will be taken as a matter of priority. All parties are entitled to confidentiality as far as possible, consistent with the need to establish the facts and reach a view. All employees are encouraged to contact either their HR department or their Workers Committee's representative for support and guidance as soon as possible.

7.6.3 An employee who wishes to make a formal complaint under this policy should put his/her case in writing and forward it to the HR Department.

7.6.4 On receiving a complaint, the HR Department. will, in consultation with the appropriate senior manager or appoint an Investigating Officer to carry out a preliminary enquiry into the complaint within five working days of the complaint being received or as soon as is reasonably practical. The results of the preliminary enquiry will be reported to the Board of Directors who will decide if a formal investigation is required.

7.6.5 The Board of Directors should arrange to inform the complainant of the outcome of the preliminary investigation. Whilst it is important that the complainant is not put under unnecessary pressure, s/he should, if s/he so wishes, be given the right to attend a face to face meeting with the the Board of Directors to discuss the issue further.

7.6.6 If the preliminary investigation concludes there is no evidence to proceed to a formal investigation under the Disciplinary Policy and Procedure, the complainant should be given the right of appeal.

7.6.7 The complainant has five working days, from the date of being advised of the the Board of Directors' decision, to appeal against that decision by sending a letter which clearly sets out the reasons for the appeal. An appeal hearing will be held and evidence from both parties will be considered. The appeal will focus on the adequacy of the investigation, evidence not seen, witnesses not interviewed, etc. The appeal decision will be confirmed in writing to the complainant.

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- 7.6.8 If it is considered that clear allegations of misconduct are being made and there is no reason to doubt their authenticity, then an Investigating Officer will be appointed and a formal investigation, under the Disciplinary Policy, will commence within 10 working days of the preliminary report being received or as soon as is reasonably practical. If a formal investigation / hearing is conducted, the complainant should be informed of the outcome and any sanction taken.
- 7.6.8a However, it must be made clear to the complainant that this is confidential information and must not be shared further. The complainant has no right of appeal at this stage.
- 7.6.9 Unfair or unlawful discrimination is an unacceptable behaviour in J R Wholesale Ltd and may represent gross misconduct. It should be challenged in an appropriate manner by all employees. Where, after investigation, allegations of gross misconduct are found, then, in accordance with the company's Disciplinary Policy and Procedure, the outcome is normally summary dismissal.
- 7.6.10 Employees may also make a complaint to the appropriate statutory body in the event of a complaint of discrimination e.g.
- Equal Opportunities Commission,
 - Commission for Racial Equality,
 - Employment Tribunal.
- 7.6.11 J R Wholesale Ltd will not tolerate any bullying, harassment or victimisation of an employee who makes a complaint in respect of alleged discrimination.
- 7.6.12 Malicious complaints are exceptionally rare. However, if there is evidence to support a view that this policy is being abused by the lodging of a false and malicious complaint, this will be treated as a disciplinary offence and pursued via the Disciplinary Policy and Procedure.

8. Roles and Responsibilities

- 8.1 The HR Department will be responsible for developing, formulating, co-ordinating, monitoring and reviewing the Policy for I & E Trading Ltd.
- 8.2 Senior managers, the Board of Directors, HR Department and line managers are responsible for ensuring that all staff, customers and stakeholders for whom they have responsibility or interface with, are aware of the company's Policy on Equal Opportunities and that there is no unfair or unlawful discrimination of any kind. For the policy to be effective, it must be adopted at all levels of management and supervision.
- 8.3 All J R Wholesale Ltd staff will have access to the company's Equal Opportunities policy to ensure that they are aware of the provisions within the Policy and their associated responsibilities with regard to the implementation of its contents. Individual job descriptions and work objectives shall reflect individual's responsibility in this regard.
- 8.4 J R Wholesale Ltd staff should avoid statements which present a prejudiced or stereotyped image or which leads to unquestioning assumptions about individuals and thus to discrimination.
- 8.5 All members of J R Wholesale Ltd are expected to exercise sensitivity in the use of language relating to gender, age, disability, marital status, carer responsibilities, working pattern,

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position in the organisation, race, nationality, ethnic origin, religion or belief, political affiliation or sexual orientation. This may be perceived by some to be a relatively minor and unimportant matter but the company believes that by attending to issues such as language, it creates an awareness that extends to wider issues around race equality and equal opportunity.

It is, therefore, a responsibility of all employees of J R Wholesale Ltd to be aware of the terms they are using and to politely draw attention to insensitive and inappropriate use of language and terminology by other members of the company. (The use of terms commonly acknowledged in wider society as racist, sexist, etc. are often deeply offensive and not just to the members of those groups. Such terms should not be used by any employee of J R Wholesale.

- 8.6 Staff should be aware of the forms that unfair or unlawful discrimination can take, guard against them and avoid any action that might influence others to discriminate unfairly; but primarily they should be aware of the responsibility to practice equal opportunities.
- 8.7 Those members of staff who are engaged in recruitment, policy making, deciding or allocating benefits (including training) and those dealing with customers should be particularly careful they do not unfairly or unlawfully discriminate in any way.
- 8.8 Discrimination may occur without conscious intention to discriminate and without giving rise to complaints by those affected. Employees and policy makers must take particular care to be seen to be impartial in their dealings with all staff, customers and stakeholders. When interviewing an individual, they must ensure that their own conduct accords with J R Wholesale Ltd policy and take appropriate action to deal with any difficulties which appear to arise from a perceived lack of impartiality by any member of staff.

9. Monitoring

9.1 The application of this policy will be monitored on a regular basis.

10. Review of Policy

10.1 J R Wholesale Ltd and Workers' Committee will jointly review the policy on a periodic basis.

11. Further Advice

11.1 Further advice on any aspect of this policy is available from the HR Department.

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Appendix 1

1. **Disability Discrimination Act 1995, Amendment 2005**

The Act defines disability as a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities. Under the terms of the Act, discrimination will arise if, for a reason which relates to the person's disability, the employer treats that person less favourably than it treats or would treat others who are not disabled, unless there is a substantial and material justification.

The Act places positive duties on employers and obliges them to think carefully about the needs of people with disabilities. Employers are expected to make "reasonable adjustments" to accommodate people with disabilities e.g. to premises or working practices to enable a disabled person to be employed or to accommodate the needs of an existing employee who develops a disability.

2. **Sex Discrimination under the Equality Act 2010**

Under the terms of the Sex Discrimination Act, it is unlawful to discriminate in employment on the grounds of a person's sex or marital status.

3. **Race Relations Act 1976, Race Relations (Amendment) Act 2000**

Under the terms of the Race Relations Act 1976, it is unlawful to discriminate in employment on the grounds of a person's race, colour, nationality, ethnic or national origin.

The Race Relations (Amendment) Act 2000 places an obligatory General Duty on all public sector employers to promote race equality. The General Duty requires public bodies to ensure the following occurs within their activities: promotion of equality of opportunity; promotion of good relations between people of different racial groups; and, elimination of unlawful racial discrimination.

4. **Equal Pay Act 1970, Amendment 1983**

The Equal Pay Act means that men and women in the same employment have the right to equality in the terms of their employment contract. This applies where the individuals are engaged on like work, the work is rated as equivalent work and the work is considered to be of equal value.

5. **Human Rights Act 1998**

The Human Rights Act 1998 prohibits, amongst other things, discrimination of any kind against an individual.

6. **Employment Equality (Sexual Orientation) Regulations 2003**

The Regulations make it unlawful to discriminate either directly or indirectly against anyone on the grounds of sexual orientation, at any point in the employment relationship, from recruitment to dismissal.

7. **Employment Equality (Religion or Belief) Regulations 2003**

The Regulations make it unlawful to discriminate either directly or indirectly against anyone on the grounds of religion or belief at any point in the employment relationship.

8. **Employment Equality (Sex Discrimination) Regulations 2005**

The Regulations introduced a new definition of indirect sex discrimination in employment matters. There is no longer a need to show that a "provision, criterion or practice" applied by the employer would be to the detriment of a considerably larger proportion of members of one

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sex. The Regulations prohibit harassment of a sexual nature or on the grounds of sex.

The Regulations also prohibit less favourable treatment of women on grounds of pregnancy or maternity leave.

9. **Sex Discrimination (Gender Reassignment) Regulations 1999**

The Regulations make discrimination unlawful on the grounds of gender reassignment. Gender reassignment means “a process which is undertaken under medical supervision for the purpose of reassigning a person’s sex by changing physiological or other characteristics of sex, and includes any part of such a process”. The Regulations apply to anyone who intends to undergo, is undergoing or has undergone gender reassignment.

10. **Employment Equality (Age) Regulations 2006**

The Employment Equality (Age) Regulations 2006 will make age discrimination unlawful from 1st October 2006. Age discrimination occurs when someone treats a person less favourably because of that person’s age and uses this as a basis for prejudice against and unfair treatment of that person.

The new regulations will:

- ban age discrimination in terms of recruitment, promotion and training;
- ban unjustified retirement ages of below 65; and
- remove the current age limit for unfair dismissal and redundancy rights.

11. **The Fixed-term Employees (Prevention of Less favorable Treatment) Regulations 2002**

Ensure that employees on contracts of a fixed length receive the same treatment as colleagues on permanent or “continuing” contracts.

12. **Part Time Workers (Prevention of Less Favorable Treatment) Regulations 2000**

Ensure that a part time worker is not treated by his / her employer less favourably than a comparable full time worker as regards the terms of his / her contract.

13. **Positive Action**

Sections 37 and 38 of the Race Relations Act 1976 and Sections 47 and 48 of the Sex Discrimination Act 1975 allow steps to be taken, in certain circumstances, by which people from particular groups are either encouraged to take advantage of opportunities for doing that work in which they have been under-represented or given training to help them develop their potential and so increase their prospects when competing for particular work. The Employment Equality (Age) Regulations 2006 also allow steps to be taken, in certain circumstances, to afford persons of a particular age or age group access to facilities for training which would help fit them for particular work or encourage persons of a particular age or age group to take advantage of opportunities for doing particular work. This is called positive action. It is not reverse discrimination, which would be illegal. It recognises that, because of circumstances, some groups do not start equally and sets out to redress that imbalance.

Appendix 2

Values and Behaviours

Supporting staff

J R Wholesale Ltd treats everyone who works in its company with respect.

All staff will have a personal development plan which will inform the company’s investment in training and enhance and acknowledge the contribution each of its employees makes to the work of

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the company. It will create an environment where everyone is responsible and accountable, without there being a blame culture.

Openness

The company will operate in an open and transparent way. It will communicate effectively and make information about its services and activities as widely available as possible.

Professional and responsive

J R Wholesale Ltd will provide professional services which are of the highest quality and respond to the needs and expectations of all its customers and stakeholders.

Fairness, consistency and independence

J R Wholesale Ltd will treat everyone it deals with fairly and be consistent in the way it carries out its business. The company will not be open to inappropriate influence. Any enforcement action it takes will be proportionate.

Effectiveness and innovation

J R Wholesale Ltd will be effective in the provision of all its services and achieve all its targets. It will endeavour to make year-on-year efficiency gains, using innovative strategies and technologies.

Involvement

The company will respect and respond to the diverse requirements of its staff, customers and stakeholders and strive to involve them in its business.

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