

TECHNICAL SUPPORT ASSOCIATES

EQUAL OPPORTUNITIES & ANTI-HARASSMENT

POLICY STATEMENT

SIGNED: _____

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1. SCOPE OF POLICY

The Equal Opportunities and Anti-Harassment Policy outlined below (“the Policy”) applies to all job applicants employees and workers, including for the avoidance of doubt any temporary workers, agency workers, contract workers (hereunder referred to as “Employee” or “Employees”) of Technical Support Associates Limited (“the Employer”).

2. EQUAL OPPORTUNITIES STATEMENT

The Employer is committed to the equal treatment of all persons regardless of their sex race marital status sexual orientation ethnic racial or national origin colour nationality religion and / or disability. The Employer opposes to any form of discrimination which is based on the said attributes, be it direct or indirect (“Discrimination”).

The Employer operates an equal opportunities policy in the recruitment selection appraisal engagement employment training and promotion of all Employees. Employees are assessed on the basis of their skills merits and abilities. The Employer has and regularly reviews its selection and appraisal procedures to ensure compliance with the Sex Discrimination Act 1975 Race Relations Act 1976 and Disability Discrimination Act 1995.

Employees who are involved in or have responsibility for the selection and appraisal of other Employees must adhere to the terms of this Policy and to any procedures laid down by the Employer from time to time (if any).

The Employer will take all reasonable steps (including but not limited to disciplinary action) to protect its Employees from Discrimination which is within the Employer’s control.

If an Employee is found to have discriminated against another Employee, s/he will be disciplined. Depending on the seriousness of the incident, the discriminating Employee may be dismissed summarily.

3. IF YOU ARE BEING OR HAVE BEEN DISCRIMINATED AGAINST

If you believe that you are or have been subjected to Discrimination, you are encouraged in the first instance to discuss your concerns with a TSA Director. The TSA Director will arrange for a full prompt and objective investigation of your concerns. If they are found to be justified, appropriate remedial action will be taken.

If you are not satisfied with the investigation or you believe that the Discrimination continues, you may make a formal written complaint to another TSA Director. The TSA Director shall arrange a prompt efficient and impartial investigation of your complaint. Where appropriate, interviews and/or hearings will be held within a reasonable time. You will have an opportunity to put your case. During any hearing, you may be accompanied by a fellow Employee or a trade union official. If your complaint is upheld and this is necessary and appropriate, remedial action will be taken.

If you are unhappy with this investigation, you may make a formal written appeal to a TSA Director. The TSA Director will consider your appeal fully promptly and objectively. Where appropriate, the TSA Director will hold interviews and/or hearings within a reasonable time. You will have an opportunity to put your case. During any appeal hearing, you may be accompanied by a fellow Employee or a trade union official. If your appeal is successful, and this is necessary and appropriate, remedial action will be taken. The TSA Director’s decision shall be final within the Employer’s organisation.

As far as is reasonably possible, the Employer will take steps to keep your complaint and its investigation confidential.

4. ANTI-HARASSMENT STATEMENT

Harassment is conduct which is unwanted unreciprocated and offensive to the receiver. The Employer objects to any form of harassment which is sexual, racial based on a person's ethnic racial or national origin, colour, nationality, religion, marital status, sexual orientation, disability, age, state of health or any illness or the fact that a person complained of harassment on such grounds ("Harassment"). Harassment may occur both during and outside working hours.

Harassment creates a hostile work environment. It can affect individuals' work performance, physical emotional and psychological well-being, confidence and morale.

Harassment is a disciplinary offence which, depending on the seriousness of any incident, may result in summary dismissal.

5. WHAT IS HARASSMENT?

Harassment may be physical, verbal or non-verbal. It does not have to be premeditated or intentional; Harassment may be unintentional. Not all individuals react in the same way. What is acceptable to one may be offensive to another. If sufficiently serious, a one-off incident may amount to Harassment.

The following conduct will amount to Harassment in breach of this Policy:

- Any conduct which is based on a person's sex marital status sexual orientation race ethnic racial or national origin colour nationality religion disability age, state of health or any illness or the fact that a person complained of harassment on such grounds and which is unwanted unreasonable and / or offensive to the recipient.
- Any conduct which is based on a person's sex marital status sexual orientation race ethnic racial or national origin colour nationality religion disability age, state of health or any illness or the fact that a person complained of harassment on such grounds and which creates a working environment which is threatening degrading or hostile to the recipient.
- Any decision making, e.g. in relation to a person's employment / engagement continued employment / engagement training benefits or promotion, which is influenced in any way by that person's refusal to submit to Harassment and / or because that person complained of or assisted another to complain of Harassment.
- Retaliation against, or victimisation of, an Employee who, in good faith, complained of Harassment.

Examples of conduct which will constitute Harassment include, but are not limited to, unnecessary touching, patting or brushing against a person; assault or coercing sexual acts; offensive and suggestive remarks; persistent invitation to social activities after it has been made clear that they are unwelcome; continued sexual attention, after it has been made clear that it was unwelcome / offensive; persistent, unwelcome attention of a personal nature; obscene jokes or language; racial or sexual abuse; nicknames or insults which are gender / race / disability related; inappropriate comments about dress, appearance and physique; displaying suggestive or offensive pictures, objects etc; leering; whistling and suggestive or offensive gestures.

6. IF YOU ARE BEING OR HAVE BEEN HARASSED

If you believe that you are or have been subjected to Harassment, you are encouraged in the first place to make it clear to the alleged harasser (verbally or in writing) that you find his/her conduct unwelcome and / or offensive. Often, this is all that is needed to stop the Harassment.

If the Harassment continues, or if you find it difficult or inappropriate to raise the matter with the alleged harasser, you should inform a TSA Director. You may make a formal complaint. But if you prefer and it is appropriate, the matter may be dealt with on an informal and confidential basis by a TSA Director.

If the matter is dealt with informally, a TSA Director will speak to the alleged harasser on your behalf with the aim of resolving the matter satisfactorily.

If you want to make a formal complaint, you should put your complaint in writing and address it to a TSA Director. The TSA Director will arrange for your complaint to be investigated fully, promptly and objectively. As far as is reasonably practicable, the Employer will take steps to keep your complaint, your identity and the identity of the alleged harasser and the investigation confidential. During any interview and hearing of the matter, you will have an opportunity to put your case and may be accompanied by a fellow Employee or a trade union official.

If the results of the investigation so merit, disciplinary action will be taken against the alleged harasser. The penalty will depend on the particular facts of each case. Serious incidents can constitute gross misconduct for which an Employee may be dismissed summarily.

Where necessary and appropriate, whether during or following any investigation, the Employer may transfer you to a different department. This may result in a change of responsibilities and / or loss of status.

If you believe that you were treated unfairly during the process set out above, you may make a formal written appeal to another TSA Director. The TSA Director will consider your appeal fully promptly and objectively. Where appropriate, the TSA Director will hold interviews and / or hearings within reasonable time. You will have an opportunity to put your case and may be accompanied by a fellow Employee or a trade union official. If your appeal is successful, and this is necessary and appropriate, remedial action will be taken. A TSA Director's decision shall be final within the Employer's organisation.

7. IF YOU ARE ACCUSED OF HARASSMENT

If you are accused of harassment, you are encouraged to consider the allegations seriously.

You may be subject to formal or informal action. An informal action aims to resolve the matter quickly with as little disruption to the parties involved as possible. How you respond to the complaint is likely to affect the outcome of the action.

If formal action has been taken, it will be handled by a TSA Director. The TSA Director will arrange for a full prompt and objective investigation of the complaint. You will have an opportunity to put your case forward. As far as is reasonably practicable, the Employer will take steps to keep the complaint, your identity and the identity of the complainant and the investigation confidential. During any interview and hearing of the matter, you may be accompanied by a fellow Employee or a trade union official.

During any investigation, the Employer may suspend you on full pay and benefits.

If the results of the investigation so merit, disciplinary action will be taken against you. The penalty will depend on the particular facts of each case. Serious incidents can constitute gross misconduct for which you may be dismissed summarily.

Where appropriate and reasonably necessary, whether during or following any investigation, the Employer may transfer you to a different department. This may result in a change of responsibilities and / or loss of status.

If you believe that you have been treated unfairly during the process set out above, you may lodge a formal appeal with another TSA Director. The TSA Director will consider your appeal fully promptly and objectively. Where appropriate, the TSA Director will hold interviews and / or hearings within reasonable time. You will have an opportunity to put your case and may be accompanied by a fellow Employee or a trade union official. A TSA Director's decision shall be final within the Employer's organisation.

8. DEALING WITH DISCRIMINATION AND HARASSMENT

The Employer will treat seriously all complaints of Discrimination and / or Harassment and will treat fairly all Employees who are involved in such complaints. The Employer will take steps to ensure that Employees who in good faith complain of Discrimination or Harassment or assist in the investigation of such a complaint are not victimised for doing so.

The Employer will not tolerate unwarranted allegations of Discrimination or Harassment made in bad faith and / or with malicious intent. Any Employee who is found to have made such allegations will be subject to disciplinary action and, depending on the severity of the incident, may be dismissed summarily for gross misconduct.

9. MANAGEMENT'S RESPONSIBILITY

Supervisors and managers are required to be responsive and to act promptly should they become aware of any Harassment or Discrimination.

10. ADDITIONAL INFORMATION

All Employees have a positive responsibility to comply with the terms of this Policy and a personal obligation to ensure that its terms are put into effect.

Anyone who requires further information or has a question in relation to this Policy should contact John O'Neill/David Smith.

The terms of this Policy and any procedures referred to therein are designed to guide Employees should they be subjected to or accused of Discrimination or Harassment or should they become aware of Discrimination or Harassment. The Policy and the procedures referred to therein do not form part of any Employee's terms and conditions of employment / engagement and do not give Employees any contractual or other legal rights.



D Smith/J O'Neill

1st July 2011