



8 Equal Opportunities

8.1 General

LMG is committed to encouraging and achieving a working environment which is underpinned by fairness to all individuals, where diversity is recognised, encouraged and valued, and the concept of individual responsibility is accepted by all.

It is recognised that whilst much can be achieved by legislative measures, real progress in improving equality of opportunity in employment can only be achieved with a continuing commitment, in all disciplines and at all levels, and through training that reflects and supports equal opportunities throughout the organisation.

The Company policy is to treat all applicants and employees in the same way, regardless of their age, race, colour, nationality, ethnic or natural origin, disability, gender identity, sex or marital status, sexual orientation, religion or belief. This policy is in accordance with the Equal Pay Act 1970, Sex Discrimination Acts of 1975 and 1986, the Race Relations Act 1976, the Disability Discrimination Act 1995, the Sex Discrimination (Gender Reassignment) Regulations 1999, the Employment Equality Regulations 2003, the Gender Recognition Act 2004, Civil Partnership Act 2004, Employment Equality (Age) Regulations 2006, the Equality Act 2007 and all other amendment regulations.

You must make yourself aware of the provisions of this policy, which can be obtained from HR, and you are required to ensure that the policy is carried out correctly.

Managers are responsible for knowing whether or not unacceptable behaviour is taking place in their particular areas of responsibility and will take preventative measures to ensure it does not occur.

8.2 Employee Responsibility

You have responsibility in the area of equal opportunity and are required to adopt the following:

- Co-operate with any measures introduced to develop or monitor equal opportunity
- Refrain from taking discriminatory actions or decisions which are contrary to the spirit of this policy
- Not to harass, abuse or intimidate other employees on account of their race, age, sex, disability etc or that of their family or associates
- Not to place pressure on other employees to act in a discriminatory manner
- Resist pressure to discriminate which is placed upon you by other employees
- Co-operate with investigations into acts or conduct which may amount to unfair or unlawful discrimination including the provision of evidence from which discrimination may be inferred and disciplinary action taken

8.3 Enforcement and Redress

If you unfairly or unlawfully discriminate against another employee, induce others to practice unfair or unlawful discrimination or fail to co-operate with measures designed to promote equal opportunity you will be subject to disciplinary action.

If you consider you have been unlawfully or unfairly discriminated against you have recourse to the grievance procedure.

8.4 Harassment in the Workplace

LMG is committed to providing a work environment for its employees which is free from embarrassment, intimidation, threats, discrimination or harassment. No form of harassment against any person or group of





people will be tolerated under any circumstances. LMG will do all that is reasonably possible to prevent harassment occurring and will take all necessary steps to ensure this policy is implemented effectively.

It is the duty of all employees, and in particular Managers, to ensure that LMG's policy on such harassment is carried out as quickly and thoroughly as possible.

LMG recognises that harassment can have the effect of humiliating, frightening, offending and demeaning the employee against whom it is aimed. As a result, the effectiveness and efficiency of the Company may be damaged. The Company considers harassment to amount to gross misconduct, which will be dealt with under the disciplinary policy and will lead to dismissal for a first offence. Less serious infringements may lead to the harasser being relocated within the Company if appropriate.

Any complaints of harassment should be made to your Manager. The matter will be dealt with in a discreet and confidential manner and appropriate action taken.

8.4.1 Racial, Religion or Belief Based Harassment

Racial, religious and belief-based harassment can take on many forms. It is generally considered to be behaviour that is offensive, embarrassing, insulting or intimidating to the victim. It may include any unwanted non-verbal, verbal or physical abuse that is racially derogatory and potentially offensive. Examples of racial harassment include offensive and insensitive quips and jokes which are related to a person's race, religion or ethnic origin; the deliberate exclusion and isolation of an individual; threatening or insulting words or behaviour; the display of abusive writing or pictures. 'Religion' means any religion and 'belief' means any religious or philosophical belief.

8.4.2 Sexual or Sex Based Harassment

Sexual harassment consists of unwanted conduct of a sexual nature. It will include any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, with the purpose or effect of violating the dignity of the person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment. Such conduct may include (although this is by no means an exhaustive list), unwanted physical conduct of a sexual nature; inappropriate, suggestive or uninvited comments; displays of sexual or sexually aggressive literature and pictures; unwelcome sexual propositions or repeated unwelcome invitations; lewd comments or insensitive jokes.

8.4.3 Age Based Harassment

Age based harassment includes behaviour that is offensive, frightening or in any way distressing in relation to an individual's age, or the age of those with whom the individual associates. It may be intentional bullying which is obvious or violent, but it can also be unintentional, subtle and insidious. It may involve nicknames, teasing, name calling or other behaviour which is not with malicious intent but which is upsetting. It may be not targeted at an individual but consists of a general culture which, for instance, appears to tolerate the telling of ageist jokes.

8.4.4 Sexual Orientation or Gender Identity Based Harassment

Sexual orientation and gender identity based harassment can also take on many forms and includes harassment based on both real and perceived ideas about someone's sexual orientation or gender identity. It may include any intentional or unintentional behaviour displaying non-verbal, verbal or physical abuse that is derogatory and potentially offensive. Examples of sexually orientated or gender based harassment includes offensive and insensitive quips and jokes which are related to a person's actual or perceived sexual orientation or gender history, or that of any of their associates; the deliberate exclusion and isolation of an individual; threatening or insulting words or behaviour; the display of abusive writing or pictures.





8.4.5 Bullying

Bullying can range from seemingly trivial acts to outright abuse against a person. It is often difficult to detect and therefore it is the responsibility of every employee to ensure that bullying does not occur and to report any incidents immediately as and when they arise.

Any complaints of bullying will be dealt with in a discreet and confidential manner and appropriate action taken.

LMG will take all reasonable steps to ensure that employees are protected against victimisation or retaliation for bringing a complaint of bullying. It will be regarded as a disciplinary offence to victimise or retaliate against an employee for bringing a complaint in accordance with this policy.

8.5 Action if you are being harassed

The first step is to make it clear to the person who is harassing you that such behaviour is unacceptable and that you want it to stop. Person-to-person discussion at an early stage will often be sufficient to stop the harassment without involving third parties. Alternatively, you could seek the help of a trusted colleague and ask them to approach the person causing offence on your behalf.

If the behaviour continues you should consult your Manager and/or HR, who will be able to advise you on what to do next – this may be to make a formal complaint.

If your Manager is harassing you, you should seek advice from his or her superior. If you wish to seek help from someone outside your immediate workplace you can utilise the Employee Assistance Programme on 0800 085 6457.

It is important to keep a written record of such incidents so that you can accurately report what has happened, noting for example the date, time and nature of incidents and the names of any witnesses. If you believe a colleague is being harassed, by the same person they should be asked to keep records too.

Once you register a complaint it will be fully investigated and where appropriate disciplinary action will be taken.

8.6 Disability Discrimination

LMG will do all that is reasonably practicable to ensure that employees are not discriminated against because of disability. Furthermore, all job applicants as well as employees, will be treated in the same way regardless of any disability, or disability by association.

If you are disabled, or become disabled in the course of your employment, you should inform the Company. You should also advise us of any “reasonable adjustments” to your employment or working conditions, which you consider to be necessary, or which you consider would assist you in the performance of your duties.

LMG will make every effort to comply with requests. However, there may be circumstances where it may not be reasonable or reasonably practicable for us to accommodate requests. The Company will discuss these circumstances with you if the occasion should arise to try and find a suitable solution.

Under the Disability Discrimination Act 1995, a person has a disability if he/she has a physical or mental impairment that has a substantial and long term adverse effect on his/her ability to carry out normal day-to-day activities:

- Physical impairment includes, for instance, a weakening of part of the body (such as eyes, ears, limbs, internal organs) caused through illness, by accident or congenitally.
- A mental impairment includes a clinically recognised mental illness and what is commonly known as a learning disability.
- Long term, means the effect of the impairment has to have lasted, or be likely to last, overall for at least 12 months, and the effect must be a detrimental one or is likely to last for the rest of the person’s life.





Anyone with a terminal condition will be classed as disabled, even if the prognosis is that he or she will live for less than 12 months.

There is no need for an employee to be registered as disabled to qualify for protection.

The person must be affected in at least one of the respects listed in the Act:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Perception of the risk of physical danger

Any disability that does not have a substantial and long-term effect on one or more of them is not considered to be a disability; however, reoccurring illnesses such as cancer may be covered.

