

Equality Policy

1.1 Purpose and Scope

It is the aim of **safefood** to demonstrate our commitment to equality and diversity of opportunity. We respect and value our role on the island of Ireland and we wish to achieve best practice in all areas. **safefood** is opposed to all forms of discrimination and is fully committed to providing equitable and fair opportunities and services for all by mainstreaming equality into our policies, business plans and corporate strategies. This policy is supported by other policies such as harassment and bullying.

As an all-island body, **safefood** is subject to different jurisdictional and legal requirements. The definition of discrimination has commonality between the two jurisdictions but there are some specific differences. These are highlighted later in the policy. In general, keeping within the parameters as defined in the jurisdictional legislation, **safefood** will consider a person to have been discriminated against if they are treated less favourably than another on the grounds outlined in the different equality laws.

This policy applies to all current and potential employees, agency workers, students, customers, suppliers, contractors and all other stakeholders. Its aim is to communicate our commitment and in order to achieve this, it is vital that

- All are aware of the policy, understand it, are trained in it and put it into practice.
- It is recognised as something that applies to everyone and to everyday life.
- Individual differences are valued and respected.

1.2 Equality legislation

In Ireland there are two Acts that cover all the areas of equality with regards to employment and the provision of services. These are the Employment Equality Acts 1998-2013 which deals with discrimination in employment and the Equal Status Acts 2000-2011 which prohibits discrimination in all other areas e.g. education, provision of services, access to public areas. Both these acts place a statutory duty to promote equality, prohibit harassment and sexual harassment and victimisation and prohibit discrimination across the nine grounds of:

- Gender identity
- Age
- Religious belief
- Race
- Civil status
- Sexual orientation
- Disability
- Family status
- Membership of the Travelling Community

Northern Ireland has a range of anti-discrimination legislation. There is also a statutory duty in Northern Ireland for public bodies to have due regard to the need to promote equality of opportunity and to promote good relations. Listed below are the main pieces of equality legislation as highlighted by the Equality Commission (NI):

- Equal Pay Act (Northern Ireland) 1970 (as amended)
- Sex Discrimination (Northern Ireland) Order 1976 (as amended)
- Disability Discrimination Act 1995 (as amended)
- Race Relations (Northern Ireland) Order 1997 (as amended)
- Fair Employment and Treatment (Northern Ireland) Order 1998 (as amended)*
- Northern Ireland Act 1998
- Equality (Disability, etc.) (Northern Ireland) Order 2000
- Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003
- Special Educational Needs and Disability (Northern Ireland) Order 2005
- Disability Discrimination (Northern Ireland) Order 2006
- Employment Equality (Age) Regulations (Northern Ireland) 2006
- The Equality Act (Sexual Orientation) Regulations (Northern Ireland) 2006

** **safe food** is exempt Articles 52-54 and 55 under the Fair Employment (Monitoring) Regulations NI 1999.*

These main acts and other legislation cover employment and other areas placing a statutory duty to promote awareness and to prevent discrimination on the grounds of:

- Age
- Disability

- Race
- Sex (including marital and civil partnership status, gender reassignment, pregnancy and maternity)
- Sexual orientation
- Religious belief
- Political opinion

1.3 Definitions

The Acts in the two jurisdictions use specific terms to describe the different types of discriminatory conduct which is prohibited. In the Republic of Ireland, discrimination is defined in the following ways:

1.3.1 Direct Discrimination

This occurs where a person is treated less favourably than another person is, has been or would be treated in a comparable situation on any of the discrimination grounds which exists, existed, may exist in the future or is attributed to the person concerned.

1.3.2 Discrimination by Association

This is where a person, who is associated with another person related to one of the discriminatory grounds, is treated by virtue of that association, less favourably.

1.3.3 Indirect Discrimination

Indirect discrimination is deemed to have occurred where an apparently neutral provision puts a person, who is protected by legislation, at a particular disadvantage in respect of any matter compared with other persons. However, it will be deemed not to have occurred if the provision is objectively justified by a legitimate aim and the means of achieving that aim is appropriate and necessary. It shall also be taken to occur where, on a ground related to her pregnancy or maternity leave, a woman employee is treated contrary to any statutory requirements, less favourably than another employee is, has been or would be treated.

1.3.4 Victimisation

If an employee pursues any rights by way of taking action or supporting action or giving any intention of doing so, an employer cannot penalise or treat them less favourably.

1.3.5 Harassment and Sexual Harassment

Harassment is any form of unwanted conduct relating to any of the discriminatory grounds. Sexual harassment is any unwanted verbal, non-verbal or physical conduct of a sexual nature. Such conduct, in either case, has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. **safefood** has a separate policy to deal with harassment and bullying that meets the requirements of Irish legislation.

In Northern Ireland, the following definitions are used:

1.3.6 Direct Discrimination

This occurs when a person is treated less favourably than another person in the same or similar circumstances, on one or more of the statutory equality grounds.

1.3.7 Indirect Discrimination

This usually occurs where an employer applies a provision, criterion or practice to all people but which has the effect of placing people who share a certain equality characteristic (e.g. the same sex) at a particular disadvantage compared to other people. However, if the decision can be objectively justified, it will not be deemed to be unlawful.

1.3.8 Victimisation

This occurs where an employer treats a person less favourably than they treat (or would treat) another person in the same or similar circumstances because the person has previously exercised their rights

under anti-discrimination laws, or has assisted another person to do so. Victimisation is essentially a form of retaliation; it cannot be justified and is always unlawful.

1.3.9 Harassment and Sexual Harassment

Harassment is a form of discrimination that may occur across all or any of the statutory equality grounds. It usually occurs where a person is subjected to unwanted conduct that is related to a statutory equality ground with the purpose, or which as the effect, of violating their dignity or of creating for them an intimidating, hostile, degrading, humiliating or offensive environment. This occurs when a person subjects another to unwanted attention of a sexual nature related to sex.

1.4 *safefood*'s Commitment

safefood will not tolerate discrimination, sexual harassment, harassment or victimisation of people by staff members and other non-employees such as consultants, Board Members, Fellows.

The Chief Executive has the specific responsibility for the effective implementation of this policy. Each staff member has an individual responsibility to make this policy an integral part of the work of ***safefood***. An Equality Officer has been appointed to support and advise staff and stakeholders. In all of our activities we will actively seek to:

- Ensure our Communications Strategy actively promotes our ethos.
- Promote equality of opportunity by respecting and celebrating cultural diversity.
- Ensure that all staff are aware of their responsibilities through induction and regular training.
- Promote a harmonious working environment in which all are treated with respect and dignity.
- Ensure that stakeholders are dealt with considerately, courteously and professionally.
- Ensure that the service we provide is accessible and relevant.
- Ensure that staff and stakeholders experience an environment free of harassment.
- Fulfill our legal requirements in both jurisdictions.
- Promote equality issues by taking positive action where appropriate.
- Treat all complaints with fairness and sensitivity and in as confidential a manner as possible ensuring that there is a reasonable timescale applied to dealing with the problem.

- Regard all breaches of this policy and other supporting policies as potential misconduct which could lead to disciplinary proceedings or other sanctions as deemed necessary e.g. suspension of contractors.
- Ensure the necessary resources are made available to support the aims of equality.

1.5 *safefood* Activities

1.5.1 Recruitment and Selection

Recruitment will be based on the principle of assessing the skills, qualities and attributes of applicants against the pre-determined job related selection criteria. This will ensure that the successful candidate is selected on merit only. The objective will be to target the widest possible pool of potential applicants and to ensure that all have equal access to positions. All aspects of the recruitment and selection process will be free of content of a discriminatory nature.

Recruitment procedures will be reviewed regularly to ensure that the process is open and fair and individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

Where appropriate, ***safefood*** will take positive measures to promote opportunities to particular groups. Where practicable, measures will be taken to reasonably accommodate special needs arising from any of the characteristics covered by equality grounds.

1.5.2 Training and Career Development

safefood is conscious that all staff should have equal opportunity to develop their careers by availing of training or by gaining work experience. ***safefood*** is therefore committed to ensuring the encouragement of its employees in pursuing their personal and career development. Unnecessary barriers to career development will be removed.

Staff will also receive regular equality training so that they do not use inappropriate or disrespectful language, speak too quickly or unclearly, display patronising attitudes or make assumptions about people's abilities or inabilities.

1.5.3 Materials and Literature and Advertising

Materials will be provided in an accessible manner to people from across the equality groups on request. All advertising will be reviewed to ensure it accurately reflects our commitment to promoting equality.

1.5.4 Accommodation of Diversity and People with Disabilities

We will seek to address specific needs to ensure we can accommodate diversity in how we conduct our business. This will range from publication materials to the timing and scheduling of meetings.

We will seek to ensure that all events hosted by **safefood** are accessible and removed of barriers such as physical and attitudinal barriers. Insofar as practicable, **safefood** will ensure that the offices and event premises are and remain accessible to all staff, visitors etc.

Each person has unique needs that must be considered, assessed and accommodated individually. On occasions, it may be appropriate to ask people to identify whether they have particular needs. Staff are encouraged to advise HR of any condition they might have which could amount to a disability. HR will consult with the staff member about any reasonable adjustments that might be needed to accommodate the relevant condition.

1.5.5 Customer Relations and Feedback

We will deal with visitors and stakeholders in a considerate, courteous and open manner. Our dealings will be straight forward, consistent and professional. We will respect individual differences and needs. **safefood** would like to encourage the participation of representative groups and will continue to develop more feedback mechanisms.

1.6 Complaints

Any person who believes they have suffered any form of discrimination in dealing with **safefood** is entitled to raise the matter through the following procedures:

1.6.1 Staff

Staff who feel that they have an issue or problem should refer to HR or consult the **safefood** policies on Preventing and Dealing with Bullying and Harassment, Disability Awareness Policy or the Grievance Policy.

1.6.2 Stakeholders

If any one feels that **safefood**'s actions have affected them, they should bring the Complaint in writing to the Equality Officer. Once the complaint has been made, the complainant will be informed within 5 working days that the complaint has been received. The Equality Officer will ensure that an investigation is carried out and a response made to the complainant within 4 working weeks. If the complaint cannot be resolved quickly, the Equality Officer will write and inform the complainant of this and aim to have the investigation completed within 8 working weeks.

Once the investigation has been completed, the complainant will be informed of its outcome. They may feel that the response is inadequate and wish to pursue the complaint further with a third party. If this is the case, **safefood** will co-operate fully with documentation requests subject to the provisions of the Code of Practice for Freedom of Information and Data Protection legislation.

Every effort will be made to ensure that people making complaints will not be victimised. Any complaint will be dealt with seriously and confidentially. The contact details for making a complaint are:

Patricia McCarthy
HR and Administration Executive
Safefood
7 Eastgate Avenue
Little Island
Co Cork
T45 RX01