

Revision register				
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Introduction: Statutory Obligations

In implementing the Equal Opportunities Policy, ECA ensures that it meets its legal obligations under the following legislations:

- **Employment Equality (Sexual Orientation) Regulations 2003 and Employment Equality (Religion or Belief) Regulations 2003**, which make it unlawful for an employer in employment and vocational training to discriminate against, or harass, job applicants and employees because of their sexual orientation, religion or belief.

Acts of discrimination or harassment committed after the employment relationship has ended may also be unlawful (only if the discrimination arises and is closely connected to the former relationship).

The employer is also liable for the acts of his/her employees, whether or not he/she knew or approved of those acts.

- **Employment Equality (Sex Discrimination) Regulations 2005 and Sex Discrimination (Gender Reassignment) Regulations 1999** offer protection to both men and women, making sex discrimination unlawful in employment, vocational training and the provision of services.

In employment and vocational training, it is also unlawful to discriminate against someone on the grounds that a person is married or a civil partner or on the ground of gender reassignment.

- **Equal Pay Act 1970 & 1983 (Amendment) Regulations 2003**, which makes it unlawful for employers to discriminate between men and women in terms of their pay and conditions where they are doing the same or similar work; work rated as equivalent in a job evaluation study by the employer; or work of equal value.

ECA also observes the **Part –Time Workers Regulations 2000**, which entitles such employees to the same pro-rata contractual benefits as full-time workers employed to undertake similar work.

- **Race Relations Act 1976 (Amendment) Regulations 2003**, which makes it unlawful to discriminate, directly or indirectly, in employment on racial grounds. The Act protects all racial groups, regardless of their race, colour, nationality, religious beliefs, national or ethnic origins.
- **Disability Discrimination Act (Amendment) Regulations 2003 (DDA)** has measures which include prevention of discrimination against disabled people in employment. The **Disability Rights Commission**, created under the DDA, has similar codes of practice.
- **Human Rights Act 1998 (UK Law 2000)** seeks to implement the European Convention on Human Rights in the UK. This includes the right to freedom of thought, conscience & religion and the right to respect private and family life.
- **Employment Equality (Age) Regulations 2006**, which apply to employment and vocational training, prohibit unjustified indirect and direct discrimination, and all harassment and victimisation on grounds of age, of people of any age. These regulations seek to remove all retirement ages below 65, except where objectively justified, and will remove the current upper age limit (65) for unfair dismissal and redundancy rights.
- **Asylum and Immigration Act 1996**, which deals with the issue of illegal working in the UK. The act obliges employers to check that new employees are entitled to live and work in the UK by carrying out a number of checks before employment commences.

The equality regulations outlaw types of discrimination:

- **Direct discrimination** – treating people less favourably than others on grounds of sexual orientation, religion, belief, gender, marital status, race, disability or age.
- **Indirect discrimination** – applying a provision, criterion or practice which disadvantages people of a particular sexual orientation, religion, belief, gender, marital status, race, disability or age, and which is not justified as a proportionate means of achieving a legitimate aim.
- **Harrasment** – unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.
- **Victimisation** – treating people less favourably because of something they have done under or in connection with the Regulations, e.g. made a formal complaint of discrimination or given evidence in a tribunal case.

Policy Statement

Please refer to the separate statement.

ECA employment practices

On 1 October 2007, the three equality commissions – Commission for Racial Equality, Disability Rights Commission and Equal Opportunities Commission – merged into the new **Equality and Human Rights Commision** (www.equalityhumanrights.com). As an employer and service provider, ECA aims to follow the codes of practice recommended by the commission.

- **Job advertisements**

Vacancies will be advertised in the most appropriate and accessible medium (publication, agency, website) of the day, in order to attract applications from a broad range of suitable candidates from all backgrounds.

- **Recruitment**

ECA has within the Welfare Team a recruitment team of at least three Directors of different age and gender. The team is responsible for and involved in the recruitment process, including selection, shortlisting and interviewing.

The selection criteria will be based on job descriptions which set out the experience, knowledge and skills required for safe and effective performance of the different grades of jobs in the office. Reasons for selection and rejection of applicants interviewed are recorded.

All recruitment activities will be under regular review to ensure that recruitment is carried out on non-discriminatory grounds.

(Office Handbook section 1.2.6 describes the recruitment process in detail.)

- **Monitoring**

Effective operation of the Policy requires a record of the gender, ethnic origin, nationality, age, marital status and disability of job applicants (when this information is provided) and all employees. Access to this information is restricted to the Welfare Team. This information will be monitored regularly and appropriate follow-up action taken if necessary.

- **Training**

ECA has a CPD Team which is responsible for training opportunities. Training is available to all ECA people in accordance with the office's training practice which takes account of this Policy.

- **Promotion**

Promotion and other career development opportunities will be considered based on relevant qualifications, experience and requirements needed for safe and effective performance of the job, and shall take account of this Policy.

- **Making reasonable adjustments for disabled employees**

ECA will make reasonable changes to the workplace and to employment arrangements to enable any disabled employee to perform his/her particular role.

- **Grievance and Disciplinary Procedures**

Any member of staff who believes that he/she has not been treated equitably in accordance with this Policy should refer to ECA's grievance procedure (Office Handbook section 1.2.7) for information of action that may be taken.

Discriminatory actions or behaviour which are against this Policy will be considered serious disciplinary matters, resulting in disciplinary action in accordance with ECA's disciplinary procedure (Office Handbook section 1.2.8).

ECA provision of goods and services practices

We have been practicing architecture in a socially responsible manner since Ted Cullinan set up the practice in 1965. We are acutely aware of the need to maintain a balance between the moral and the aesthetic.

- **Ethical statement of intent**

Members and staff of ECA are obliged in the execution of their work and general conduct to respect one another, our clients, the users of our buildings and the general public regardless of their gender, race, ethnic origin, disability, age, nationality, national origin, sexuality, religion, marital status, or social economic background.

We believe in transparency in all that we do and have consistently shared our knowledge and experience with both the architectural and wider communities.

- **The work we do and the work we do not do**

Since the beginning of the practice, we have declined offers of work that were anti-social or environmentally harmful. Invitations from overseas are examined on a case by case basis and the human rights' record of the particular country is evaluated against the UK record.

- **Support for change in the industry and its professions**

We aim to support other professionals who wish to practice in a co-operative way and support members who wish to lecture and teach in schools of architecture and other disciplines. We support members who wish to participate in industry bodies, especially when these are dedicated to transforming the industry into a more responsible one.

- **Support for members' wider interests for the public good**

We support members who wish to participate in relevant charities, including Architects for Humanity and Crisis Open Christmas (designing and making temporary accommodation for the homeless 2006 and 2007). For a number of years, we gave a home to the Building Experiences Trust (for children) and we have supported a number of programmes working with local school children.

Responsibilities

- **Every individual** at ECA is responsible to be fully aware of this Policy and to treat everyone we work with equally without discrimination and prejudice.
- **Senior Directors** are particularly responsible to ensure that grievances are investigated in confidence, and appropriate action taken if necessary.
- The **Welfare Team** has overall responsibility to ensure that the office's employment practices do not discriminate, directly or indirectly, against its people or job applicants. The team will monitor all the relevant procedures to ensure effective operation of this Policy.