

JJB Sports Plc

Equal Opportunities Policy

Updated April 2004

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Policy Statement

JJB Sports Plc is committed to and supports the principle of equal opportunities in employment. The Company opposes all forms of unlawful or unfair direct or indirect discrimination on the grounds of sex or gender reassignment, race, nationality, ethnic or national origins, marital status, sexual orientation, age, disability or religion or belief.

We believe that it is in the Company's best interests and all those who work for JJB Sports Plc to ensure that the talents and skills of people throughout the community are considered when employment opportunities arise.

The Company will take every step to ensure that individuals are treated equally and fairly, and that decisions on recruitment and selection, training, promotion and career development are taken solely on job related criteria.

All employees are responsible for playing their part in achieving the objectives of this policy.

The Company will:-

- Examine and review existing procedures for recruitment, selection, promotion and training.
- Develop mechanisms for identifying and resolving grievances about discrimination and harassment.
- Carry out a periodic review of the Equal Opportunities Policy.

Personnel Manager on behalf of the board of directors

Amended April 2004

Procedures for Dealing with Complaints of Discrimination

Complaints about discrimination or harassment should be made using the Company's grievance procedure, a full copy of which can be found in the Employee Handbook. Any complaint about sex or gender reassignment, race, nationality, ethnic or national origins, marital status, sexual orientation, age, disability or religion or belief discrimination should be referred directly and promptly to the Personnel Manager. All such complaints will be followed up in whatever is felt by the Company to be the most appropriate manner in the circumstances.

Employees found discriminating on any of the grounds set out in the policy will be liable to disciplinary action, the nature of which will depend upon the severity of the offence. However, employees should be aware that certain types of discriminatory behaviour, such as harassment and bullying are considered by the company to be acts of gross misconduct and as such could result in summary dismissal, i.e. conduct that is considered to be so serious that dismissal is justified without any previous warnings.

Introduction

Equal opportunities should be a natural and integral part of good management practice, aimed at developing individuals to the fullest extent possible for the good of the employees and the Company. Equality of opportunity can reduce recruitment and training costs, raise morale, improve operational efficiency and employee and customer relations. The Company is committed to, and supports, the principle of Equal Opportunities in employment. The Company opposes all forms of unlawful or unfair discrimination on the grounds of:-

- Sex or gender reassignment
- Race, nationality, ethnic or national origin
- Marital status
- Sexual orientation (heterosexual, homosexual, bi-sexual)
- Age
- Disability
- Religion or belief

The main legal provisions relating to discrimination and equal opportunities are contained in:-

- **Sex Discrimination Act 1975 – as amended**
Provides the right not to be discriminated against on the grounds of **gender, gender reassignment or marital status**
- **Race Relations Act 1976 – as amended**
Provides the right not to be discriminated against on the grounds of **race, colour, nationality or ethnic or national origins**
- **Equal Pay Act 1970 – as amended**
Provides the right for men and women to receive **equal pay for like work, work rated as equivalent or work of equal value**
- **Disability Discrimination Act 1995 – as amended**
Provides the right not to be discriminated against on the grounds of **disability**. The Act defines a disability as “a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.”
- **Employment Equality (Sexual Orientation) Regulations 2003**
Provides the right not to be discriminated against on the grounds of **actual or perceived sexual orientation** or the actual or perceived sexual orientation of others the employee associates with, e.g. friends, colleagues, acquaintances, relatives. The Regulations define sexual orientation as heterosexuality, homosexuality or bi-sexuality.
- **Employment Equality (Religion or Belief) Regulations 2003**
Provides the right not to be discriminated against on the grounds of **actual or perceived religion or belief** or for lacking a religion or belief. The Regulations define religion or belief as “any religion, religious belief or similar philosophical belief”.
- **Fair Employment & Treatment (Northern Ireland) Order 1998**
Applies to employees in Northern Ireland only and provides the right not to be discriminated against due to **political opinions or religious beliefs**.

The legislation covers discrimination in:-

- Advertising and other arrangements made for determining who should be offered employment.
- The terms on which employment is offered.
- Failing to offer employment
- The terms of employment offered to existing employees.
- Opportunities for promotion, training and other benefits.
- Dismissal and other acts or omissions.

- ☐ Compulsory retirement ages.

Direct Discrimination

Direct discrimination occurs when someone is treating an individual less favourably than others on the grounds of sex, marital status, gender reassignment, age, race, colour, nationality, ethnic or national origin, disability, religion or belief or sexual orientation.

Indirect Discrimination

Indirect discrimination occurs when a requirement or condition is applied to everyone and it is apparently equal in its impact, but in fact it disproportionately disadvantages persons of a certain group, and it is not justifiable. Examples of indirect discrimination could include:-

- ☐ Minimum entry qualifications, which are not essential for the job.
- ☐ Internal recruitment only - where the workforce is largely made up of one race (or sex).
- ☐ Word-of-mouth recruitment - where the workforce is largely made up of one race (or sex).

Victimisation

Victimisation occurs when a person is treated less favourably than others because he or she has brought a complaint or given evidence in proceedings under:-

- ☐ Sex Discrimination Act 1975
- ☐ Race Relations Act 1976
- ☐ Equal Pay Act 1970
- ☐ Disability Discrimination Act 1995
- ☐ Employment Equality (Sexual Orientation) Regulations 2003
- ☐ Employment Equality (Religion or Belief) Regulations 2003
- ☐ Fair Employment & Treatment (Northern Ireland) Order 1998

Harassment and Bullying

Harassment and bullying can range from extremes such as violence, to less obvious forms such as ignoring someone. Whatever the form it will be unwanted behaviour, which is unwelcome and unpleasant. This behaviour may cause the employee, who is the victim, to feel threatened, humiliated, patronised or harassed and affect performance, undermine job security and create a threatening or intimidating work environment.

Employees and more especially members of management should be very aware that what they consider to be acceptable, just funny or even friendly banter, others may find extremely offensive and distressing. The “victim” may be too scared or embarrassed to show that he or she is offended at first and may appear to “laugh it off”. This does not make the behaviour acceptable or justified. Managers must take care to ensure that their staff behave professionally at all times and do not indulge in inappropriate workplace behaviour that could cause offence or amount to harassment.

Sexual Harassment

Sexual harassment is defined as repeated (usually) and unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks, which are offensive to employees. However, in serious cases one incident or remark may constitute sexual harassment. This behaviour may cause the employee who is the victim to feel threatened, humiliated, patronised or harassed and affect performance, undermine job security and create a threatening or intimidating work environment. This behaviour may be targeted at an individual or it may consist of a general culture which, for instance, appears to tolerate sexual banter or the telling of sexist jokes.

Racial Harassment

Racial harassment is defined as repeated (usually) and unwanted verbal or physical behaviour. It includes derogatory statements, or discriminatory remarks, which are offensive to employees. It may also include unnecessary references to a person's racial origin or colour, the playing of pranks, the use of graffiti and/or deliberate exclusion. However, in serious cases one incident or remark may constitute racial harassment. This behaviour may cause the employee who is the victim to feel threatened, humiliated, patronised or harassed and affect performance, undermine job security and create a threatening or intimidating work environment. This behaviour may be targeted at an individual or it may consist of a general culture which, for instance, appears to tolerate the telling of racist jokes.

Disability Harassment

Disability harassment may take the form of insensitive remarks or jokes about appearance or mobility, the playing of pranks and/or deliberate exclusion from conversations. This behaviour may cause the employee, who is the victim, to feel threatened, humiliated, patronised or harassed and affect performance, undermine job security and create a threatening or intimidating work environment. This behaviour may be targeted at an individual or it may consist of a general culture which, for instance, appears to tolerate the telling of jokes about people with disabilities.

Sexual Orientation Harassment

Sexual orientation harassment is defined by the Regulations as unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Such conduct could include teasing, name-calling, tormenting, the use of nicknames, the telling of jokes (including those passed on by email), verbal abuse, ridicule and violence. It may be about the person's sexual orientation or perceived sexual orientation or it could be about the orientation of someone with whom the person associates such as a friend, relative or colleague. This behaviour may be targeted at an individual or it may consist of a general culture which, for instance, appears to tolerate the telling of homophobic jokes.

Religion or Belief Harassment

Harassment on the grounds of religion or belief is defined by the Regulations as unwanted conduct that violates the person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment having regard to all the circumstances and the perception of the victim. Such conduct could include nicknames, teasing, name-calling, or other behaviour which may not be intended to be malicious but nevertheless is upsetting. It may be about the individual's religion or belief but it could be about the religion or belief of someone the individual associates with such as a friend, relative or colleague. The behaviour may be targeted at the individual or it may consist of a general culture which, for instance, appears to tolerate the telling of religious jokes.

For more specific details and guidance please see individual policies for Religion or Belief, Sex, Marital Status and Gender Reassignment, Race, Disability and Sexual Orientation.

If you have any questions or queries please seek advice from the Personnel Department.