

EQUAL OPPORTUNITIES POLICY AND PROCEDURE			
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For use by:	All employees of Burgess Farms and its subsidiary Companies		
Purpose:	This policy is intended to assist the Company's commitment to put in to practice equal opportunities within the workplace and strive to ensure that all employees, job applicants and workers are treated with dignity and respect.		
This document supports: <i>Standards and legislation</i>	Equality Act 2010 Employment Rights Act 1996 Data Protection Act 1998 & 2018 (GDPR)		
Key related documents:	BFPHRPO13 Disability Policy & Procedure BFPHRPO22 Grievance and Dispute Policy & Procedure BFPHRPO14 Disciplinary Policy & Procedure BFPHRPO29 Recruitment Policy & Procedure BFPHRPO012 Dignity at Work Policy & Procedure BFPHRPO09 Communication Policy & Procedure		
Review date:	Changes to legislation / Changes to Company policy		



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Definitions

“**Company**” means Burgess Farms

“**Subsidiary Companies**” means all Companies owned by Burgess Farms Limited

1. Policy Statement

The Company is committed to providing equal opportunities in the workplace and to avoiding and eliminating unlawful discrimination. This includes customers and/or clients in the provision of goods and services. The Company is committed to maintaining an inclusive, productive working environment free from any form of discrimination. The Company aim to encourage, value and manage diversity and is committed to equality for all employees.

The Company will not tolerate any discriminatory practices or behaviour as set out in section 5 below and all employees and workers have a duty to act in accordance with this policy. The principles of equality and non-discrimination also apply to the manner in which our employees treat clients, customers, business partners and visitors.

2. Key Principles

- The Company will not tolerate discrimination in the workplace including, without limitation, in respect of advertising of jobs, recruitment and selection, promotion and appraisal, opportunities for training and development, conditions of service including pay and benefits, conduct at work, grievances and discipline and termination of employment including selection for redundancy. The Company will not tolerate unlawful discrimination in respect of the provision of goods and services to clients and customers
- Compliance with this policy is intended to ensure that employees and/or workers do not commit unlawful acts of discrimination
- The Company strives to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect

3. Scope

This policy applies to all employees employed by Burgess Farms Limited whether permanent, temporary, or casual, part-time or on fixed term contracts, and to all workers such as agency staff and consultants.

The Company has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. All employees are responsible for the success of the policy and must ensure that they familiarise themselves with the content and act in accordance with its aims and objectives.

This policy is non-contractual and may be varied or revoked by the Company at any time with or without notice. The principles set out in this policy apply in the workplace and outside the workplace in a work related context such as on business trips, customer or supplier events or work-related social events (and at any time whilst a member of staff is wearing a work uniform).

4. The Law

The Company will not tolerate any discrimination, bullying and/or harassment of any employees, workers or third parties by any other employees, workers or third parties on any grounds including, without limitation, on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (the "Protected Characteristic(s)") The Company will not tolerate any discrimination, bullying and/or harassment of any employee, worker or third party because they associate with or are perceived to have a Protected Characteristic.

Discrimination after employment is also unlawful, e.g. refusing to give a reference for a reason related to one of the Protected Characteristic(s).

Employees should not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

5. Types of Unlawful Discrimination

The types of discrimination that are prohibited are explained below:-

5.1 Direct discrimination is where a person is treated less favourably than another because of a Protected Characteristic(s) or because they are thought to have a Protected Characteristic(s) (whether or not this perception is correct) or because they associate with someone who has a Protected Characteristic(s). An example of direct discrimination would be refusing to employ a woman because they are pregnant.

5.2 Indirect discrimination is where an organisation's practices, policies or procedures have the effect of disadvantaging people who share certain Protected Characteristic(s). Indirect discrimination may not be unlawful if any employer can show that there is an 'objective justification' for it. This involves demonstrating a 'proportionate means of achieving a legitimate aim'.

5.3 Harassment is unwanted behaviour by one or more people, whether intentional or not, which violates an individual's dignity and creates feeling of anxiety, humiliation, discomfort, distress or awkwardness. Harassment is judged on the consequences of actions, not the intent. Examples of harassment are; unwanted physical contact, offensive jokes, inappropriate banter or abusive language, offensive pictures or graffiti, pressure for sexual favours, isolating or not cooperating with colleagues. Please refer to the Dignity at Work Policy and Procedure.

5.4 Victimisation occurs where there is less favourable treatment because of action taken to assert legal rights against discrimination or to assist a colleague in that regard. For

example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings; such behaviour could amount to victimisation.

5.5 Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that Protected Characteristic(s) and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

6. Dignity at Work Policy

The Company has a separate Dignity at Work Policy and Procedure outlining how complaints of this type will be dealt with.

7. Customers, Supplier & Other People not Employed by the Company

The Company will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Company.

Employees should report any discrimination by customers, suppliers, visitors or others to their manager who will take appropriate action.

8. Training

The Company will provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The Company will provide training to all existing and new employees and others engaged to work at the Company to help them understand their rights and responsibilities under the Equal Opportunities Policy and what they can do to help create a working environment free of discrimination. The Company will provide additional training to managers to enable them to deal more effectively with complaints of discrimination.

9. Responsibilities

Every employee and worker is required to assist the Company to meet its commitment to provide equal opportunities in the workplace and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, the Company for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation are disciplinary offences and will be dealt with under the Company's Disciplinary Policy and Procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

10. Grievances

Employees, who consider that they (or a colleague or other employee, worker or job applicant) may have been unlawfully discriminated against on any of the unlawful grounds listed above, are encouraged to use the Company's Grievance Policy and Procedure to make a complaint. If your complaint involves bullying or harassment, you can raise a grievance as set out in the Dignity at Work Policy and Procedure.

The Company will take any complaint seriously and will seek to resolve any grievance that it upholds. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith. False allegations of a breach in this policy, which are found to have been made in bad faith, will be dealt with under our disciplinary procedure.

The Company will not tolerate retaliation against, or victimisation of any person involved in bringing a complaint under this policy. Such retaliation or victimisation will itself constitute a disciplinary offence, which may constitute gross misconduct and lead to dismissal without notice.

11. Monitoring and Review

This policy will be monitored periodically by the Company to judge its effectiveness and will be updated in accordance with changes in the law.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

12. Complaints

Any employee who is dissatisfied with the application of this procedure can raise a grievance using the Company Grievance Policy and Procedure.

13. Breach of Policy

Any breach of the Equal Opportunities Policy, following a full and thorough investigation, may be regarded as misconduct which may lead to disciplinary action.