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# Equality, Diversity and Inclusion Policy

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## Approval Status F&L/HR/POL/012 Rev 04

Author	Sam Dalby	UK Group HR Manager	14/11/2023
Approved	Scott Jameson	UK Chief Executive Officer	14/11/2023



## Introduction

We are committed to providing equal opportunities in employment and to avoiding unlawful discrimination against our staff or customers.

This policy helps us to put this commitment into practice. By complying with this policy, you are helping to ensure that we create a work environment that is free from discrimination, where everyone can achieve their potential.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities and diversity and inclusion in employment. We have a separate anti-harassment policy to help us achieve this environment.

## The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment (ie transgender status), pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, eg refusing to give a reference for a reason related to one of the protected characteristics.

It is unlawful for an employer to fail to make reasonable adjustments to its requirements, working practices or the physical features of the workplace where these put a job applicant or employee who is disabled at a substantial disadvantage. Employers are also under a duty to take reasonable steps to provide an auxiliary aid.

When we are providing services, goods or facilities, you must not discriminate against or harass a member of the public. We are under a duty to make reasonable adjustments to overcome barriers to using services caused by disability including the removal, adaptation or alteration of physical features. In addition, we need to think ahead and make reasonable adjustments to address any barriers that may impede disabled people from accessing a service.

## Types of unlawful discrimination

**Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic (for example refusing to employ a woman because she is pregnant). In very limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

**Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim (for example requiring employees to have held a driving licence for 10 years may be indirect age discrimination, unless that requirement could be objectively justified).

**Harassment** is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity which are covered by direct discrimination provisions in the Equality Act 2010) that has the purpose or effect of violating a person's dignity; or is reasonably considered by that person to create an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

**Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the Government and Acas) pregnancy and maternity).

**Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).



**Victimisation** occurs where an employee is subjected to a detriment (essentially where the employee is treated badly), such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. 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. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint in bad faith.

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

## Equal opportunities in employment

We will strive to avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

We will consider any possible indirectly discriminatory effect of our working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. We will refuse requests for variations to working practices only if we have good reasons for doing so, that are unrelated to any protected characteristic. We will comply with our obligations in relation to statutory requests for contract variations and will also make reasonable adjustments to our working practices for individuals with a disability.

We will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

## Bullying and harassment

We have a separate Bullying and Anti-harassment policy that sets out our commitment to create an environment free from harassment and bullying, and the processes we have in place to support that.

## Customers, suppliers and other people outside our workforce

We will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by us.

If you are subjected to any bullying or harassment by customers, suppliers, visitors or any other person you come into contact with through your work, you should report it to your manager (or if you prefer the Group HR Manager) who will take appropriate action.

## Training

We will provide training in equal opportunities and diversity and inclusion to managers and anybody else likely to be involved in recruitment or other decision-making processes. Such training will address the steps that decision-makers can take to avoid unconscious bias.

We provide training to all existing and new employees and others engaged to work for us to help them understand their rights and responsibilities under the anti-harassment policy and what they can do to help create a working environment free of bullying and harassment. We will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.



## Your responsibilities

You need to play your part in helping us create a work environment that is free from harassment and bullying, and where everyone can achieve their potential.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under our disciplinary procedure. We treat this type of conduct extremely seriously and it may lead to dismissal without notice.

## Grievances

We encourage anyone who believes that they have been harassed or victimised to come forward and share their experiences and concerns with us. To facilitate this, we have robust procedures designed to assist our people to have open conversations, engage in dispute resolution and, where appropriate, implement a disciplinary process.

If you think you have been discriminated against, bullied or harassed you can raise this under our Grievance Policy.

We take any complaint seriously and you will not be penalised for raising a grievance, even if your grievance is not upheld, unless in the very unlikely situation that your complaint is both untrue and made in bad faith.

Using our Grievance Policy does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

## Data Protection

The organisation will provide training to all individuals about their data protection responsibilities as part of the induction process and at regular intervals thereafter.

Individuals whose roles require regular access to personal data, or who are responsible for implementing this policy or responding to subject access requests under this policy, will receive additional training to help them understand their duties and how to comply with them.

## Status of this policy

This policy does not give contractual rights to individual employees. We reserve the right to alter any of its terms at any time although we will notify you in writing of any changes.

Signed By:

A handwritten signature in black ink, appearing to read 'Scott Jameson'.

Scott Jameson

CEO