

### **3.37 Equality, Diversity & Inclusion Policy**

#### **Issue 1**

The Company does not discriminate on the basis of "protected characteristics". Protected characteristics include gender, disability, race, colour, nationality, ethnic or national origin, sexual orientation, gender reassignment, religion or belief, marital status or civil partner status, age and pregnancy & maternity. This Equality, Diversity & Inclusion Policy applies equally to the treatment of our visitors, clients, customers and suppliers by our employees and workers and the treatment of our employees and workers by these third parties. The company values the diverse nature of its people and seeks to manage any diversity issues which arise in a fair and sensitive manner. Everyone has a duty to act in accordance with this policy and to treat colleagues with dignity at all times. The company will not tolerate any discriminatory practices or behaviour.

The company recognises that its success relies on developing the potential and ability of all its employees to the full. In order for this to occur, all employees will be given equality of opportunity and encouragement to progress within the organisation.

Everyone is asked to take responsibility for their personal involvement in the practical application of the Policy.

To facilitate this:

- Copies of the Policy will be made available throughout the organisation via the company manual and company notice boards. Everyone is responsible for the success of the Policy and must ensure that they familiarise themselves with the Policy and act in accordance with its aims and objectives.
- Those working at management level have a specific responsibility to set appropriate standards of behaviour, to lead by example and to ensure that those they manage adhere to the Policy.
- All legal obligations under the Equality Act 2010 and other relevant legislation will be recognised.
- The company grievance procedures are provided for any employee who believes they have been treated unfairly or subjected to discrimination, harassment, bullying or victimisation. Issues can be raised through the grievance procedure.
- The disciplinary procedure may be used where employees fail to observe their own responsibilities for this Policy.
- Discrimination may be considered an act of gross misconduct which can lead to dismissal.

#### **Forms of Discrimination - Principles**

- Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- Direct discrimination occurs where someone is treated less favourably than another person because of a "protected characteristic". The protected characteristics are referred to earlier in the Policy. Direct discrimination includes discrimination by association and discrimination by perception. Associative discrimination occurs when someone is treated less favourably than another person because of association with another person who possesses a protected characteristic. Discrimination by perception occurs when someone is treated less favourably because others think they possess a protected characteristic even if they do not actually possess that characteristic.
- Indirect discrimination occurs where someone is subjected to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of a protected characteristic. Indirect discrimination can be justified if it is a proportionate means of achieving a legitimate aim.
- It is also unlawful discrimination to treat a disabled person unfavourably because of something arising in consequence of their disability. This type of discrimination can be justified if you can show that the treatment is a proportionate means of achieving a legitimate aim. Disability discrimination also includes a failure to comply with a duty to make reasonable adjustments.
- Discrimination also includes victimisation which occurs when a person is subjected to a detriment because they have done a protected act or it is believed the person has done, or may do, a protected act. A protected act is, for example, when a person brings proceedings under the Equality Act 2010 or makes an allegation that someone has contravened the Equality Act 2010. Giving false evidence or information, or making a false allegation is not a protected act if the evidence or information is given, or the allegation is made, maliciously.
- Discrimination also includes harassment which occurs when a person is subjected to unwanted conduct related to a relevant 'protected characteristic' which has the purpose or effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or an offensive environment.

#### **Scope of the Policy**

The Policy applies to all aspects of the company's relationship with employees and to relations between employees at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, termination and post termination of employment.

## **Employee development and training**

The company wishes to ensure that no employee is disadvantaged in the provision of appropriate training and development opportunities. The following procedures should be followed:

- Where relevant employees should participate in the annual performance review exercise, which will assess their current level of job performance as well as their training and career development needs.
- Employees will have access to and be encouraged to take advantage of suitable job specific training and development opportunities.
- Decisions relating to career development should be based on objective criteria which are fairly applied. The ability to meet the requirements of the position successfully should be the main criterion for promotion.

Training is provided in order to increase the knowledge and skills of employees and all training course materials and content will reflect the company's position as an equality, diversity and inclusion employer.

## **Disability**

If someone is disabled, or becomes disabled in the course of their employment or engagement, they are encouraged to inform the company about their condition as soon as possible in order that they can be supported and reasonable adjustments made for them if required.

## **Bullying and harassment**

The company seeks to embed a culture which eliminates bullying and harassment. Everyone should treat others with the respect and dignity that they would expect for themselves. Bullying and harassment of others in any form will not be tolerated and will be dealt with under the company's disciplinary procedures. Bullying or harassment may be considered as acts of gross misconduct which can lead to dismissal.

## **Victimisation**

Victimisation occurs when an individual is subjected to a detriment because they have brought proceedings under the Equality Act 2010; or given evidence or information in connection with proceedings under the Equality Act 2010; or done any other thing for the purposes of or in connection with the Equality Act 2010; or raised a grievance/allegation about discriminatory behaviour. It is unlawful to victimise individuals. Employees found to have committed acts of victimisation or inducing others to discriminate in connection with their employment with the company, or intentionally failing to comply with the Policy will be subject to the company's disciplinary procedure, such conduct may be considered as acts of gross misconduct which can lead to dismissal.

## **Human rights**

The company's business activities are pursued with respect for human rights. It is not acceptable to abuse the human rights of either individuals or groups of individuals or to fail to operate in a manner consistent with the principles of the Human Rights Act 1998.

## **Management responsibilities**

Compliance with the Policy depends upon the commitment of everyone, including all directors, managers and supervisors who will take a lead in implementing the Policy and keeping the workplace free of discrimination (including harassment and victimisation) and bullying. Prompt action will be taken to resolve any complaints and prevent any further recurrence.

## **Individual responsibilities**

The company encourages all individuals to take responsibility for their personal involvement in the practical application of the Policy, and for creating a work environment which eliminates all forms of discrimination (including harassment and victimisation) and bullying. Any employee found to have breached the Policy in their working relations with others will be subject to the disciplinary procedures including dismissal.

## **How to make a complaint**

If anyone feels they have a grievance or a complaint under they should raise it via the company [Grievance Procedure](#).

Grievances or complaints linked to equality, diversity and inclusion will be dealt with in the strictest confidence and will not prejudice the employee's current employment status or future career prospects. Vexatious allegations, false allegations made maliciously or a breach of the Policy may, however, be considered a disciplinary offence. Vexatious allegations or false allegations made maliciously may result in disciplinary action and including dismissal. Allegations regarding potential breaches of the Policy will be treated in confidence and fully investigated.