

Policy Title: Equality, Diversity, and Inclusion
Version: 2.0
Date: 02/02/2023
Author(s): Agenda HR Manager
Distribution: Public
Relevant to: All employees

Revision History

Version	Date of Revision	Revision Author	Summary of Changes
2.0	03/02/2023	Agenda HR Manager	Inclusion of links to further information

Change History Record

Issue	Date of Issue	Approval	Description of Change
1.0	17/01/2023	Agenda Compliance Team	Policy overhaul and re-write

AGENDA RESOURCE MANAGEMENT LIMITED

EQUALITY, DIVERSITY, AND INCLUSION

1. Purpose

The purpose of the Equality, Diversity and Inclusion Policy is to:

1.1 Provide equality, fairness, and respect for all in our employment, whether temporary, part-time, or full-time and not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex, and sexual orientation.

1.2 Oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and disciplinary matters, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training, or other developmental opportunities.

1.3 One of Agenda's core values is respect and as such, the Company commits to:

- a) Encourage equality, diversity, and inclusion in the workplace as this is both best practice and good business sense
- b) Create a working environment free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

1.4 This commitment includes training managers and all other employees about their rights and responsibilities under the Equality, Diversity, and Inclusion Policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation, and unlawful discrimination.

1.5 All employees should understand that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation, and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.

1.6 Agenda take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others during Agenda's work activities.

1.7 Such acts will be dealt with as misconduct under Agenda's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to summary dismissal, without pay in lieu of notice.

1.8 As with other acts of harassment, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence. More information about the Protection from Harassment Act 1997 can be found here: <https://www.legislation.gov.uk/ukpga/1997/40/contents>

1.9 Agenda will make opportunities for training, development, and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.

1.10 The Company will review employment practices and procedures when necessary to ensure fairness and update them, and the policy, to take account of changes in the law.

1.11 The make-up of the workforce will be monitored regarding information such as age, gender, ethnic background, sexual orientation, gender identity, religion or belief, and disability in encouraging equality, diversity, and inclusion, and in meeting the aims and commitments set out in the Equality, Diversity, and Inclusion Policy.

1.12 Monitoring will also include assessing how the Equality, Diversity and Inclusion Policy, and any supporting action plans, are working in practice, reviewing them annually, and considering and taking action to address any issues.

2. Objectives of this Policy

2.1 To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010.

2.2 To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined based on capability, qualifications, experience, skills, and productivity.

2.3 To seek to give all employees equal opportunities and encouragement.

2.4 To distribute and publicise this policy statement throughout Agenda and elsewhere as appropriate to ensure that all employees of Agenda are aware of the provisions of this policy.

3. Definition of Discrimination

3.1 Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy, and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age, or sexual orientation. Discrimination may be direct or indirect and includes discrimination by perception and association.

4. Types of Discrimination

4.1 Direct Discrimination

This occurs when a person or a policy *intentionally* treats a person less favourably than another on the grounds of race, sex, pregnancy, and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age, or sexual orientation.

4.2 Indirect Discrimination

This is the application of a policy, criterion, or practice which the employer applies to *all* employees, but which is such that:

- a) It is detrimental to a considerably larger proportion of people from the group that the person (s) the employer is applying it to represents;
- b) The employer cannot justify the need for the application of a policy or practice on a neutral basis; and
- c) The person to whom the employer is applying it suffers detriment from the application of the practice or policy.
- d) Example: Satish has recently moved to the UK from India. He's looking for a job and sees one that he wants to apply for. But the job advert specifies that all candidates must have UK qualifications. Satish doesn't have these so doesn't apply for the job.

5. Harassment

5.1 This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Please see *Agenda Bullying and Harassment Policy*.

6. Victimisation

6.1 Victimisation may be when someone subjects you to harmful behaviour because you have, or you're suspected of reporting a case of discrimination. The Equality Act 2010 includes protection against victimisation to urge people to report incidents of discrimination without fear.

7. Unlawful Reasons for Discrimination

- a) Sex - It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to everyone. Sexual harassment of people can be found to constitute sex discrimination. Example: Asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.
- b) Age - It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. *This does not currently apply to the calculation of redundancy payments.*
- c) Disability - It is not permissible to treat a disabled person less favourably than a non-disabled person. As outlined in the Equality Act: *"a person has a disability if: they have a physical or mental impairment, the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities"*. Reasonable adjustments *must* be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.
- d) Race - It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality, or their ethnic origin.
- e) Sexual Orientation - It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because they are homosexual, heterosexual or bisexual.
- f) Religion or Belief - It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

8. Positive Action in Recruitment

8.1 Under the Equality Act 2010 organisations can, if they wish, take positive action in recruitment and promotion to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions or promotions within the Company.

You can read more about using positive action in recruitment and promotion here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/85046/positive-action-recruitment.pdf

8.2 Although Agenda do not currently follow this practice, they may do so in a tie-break situation, when there are two candidates of equal merit applying for the same position.

9. Reasonable Adjustments

9.1 Agenda has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:

- a) Adjusting premises;
- b) Re-allocating some or all a disabled employee's duties;
- c) Transferring a disabled employee to a role better suited to their disability;
- d) Relocating a disabled employee to a more suitable office;
- e) Giving a disabled employee time off work for medical treatment or rehabilitation;
- f) Providing training or mentoring for a disabled employee;
- g) Supplying or modifying equipment, instruction, and training manuals for disabled employees; or
- h) Any other adjustments that the Company considers reasonable and necessary provided such adjustments are within the financial means of the Company.

9.2 If an employee has a disability and feels that any such adjustments could be made by the Company, they should speak to their line manager.

10. Responsibility for the Implementation of this Policy

10.1 All employees, workers, contractors and agents of the Company are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination, harassment, or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age, or sexual orientation.

10.2 The co-operation of all employees is essential for the success of this policy. Senior employees are expected to follow this policy and to try to ensure that all employees, workers, contractors and agents do the same.

10.3 Employees may be held independently and individually liable for their discriminatory acts by the Company and in some circumstances an employment tribunal may order them to pay compensation to the person who has suffered because of discriminatory acts. Compensation in discrimination claims is uncapped which means there is no statutory maximum.

10.4 The Company takes responsibility for achieving the objectives of this policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

10.5 All employees have a responsibility to accept their personal involvement in the practical application of this policy, but specific responsibility falls upon managers and others involved in recruitment, employee administration and training.

10.6 Initial responsibility on a day-to-day basis for the observance of this policy lies with Supervisors and Line Managers, final responsibility lies with the Directors.

10.7 It is Agenda's policy to provide equality in accordance with legislation to protect against discrimination in employment.

10.8 Agenda is committed to ongoing equality and non-discrimination for all and will ensure that all persons are selected, promoted, and treated equally based on their relevant aptitudes, skills, and abilities with no regard to any of the characteristics listed above.

10.9 It is the duty of all employees to accept their personal responsibility for the practical application of the policy.

10.10 To safeguard individual rights under the policy, if an employee believes that Agenda have applied inequitable treatment to them, they may raise the matter through the Grievance Procedure.

11. Advice and Support on Discrimination

11.1 Employees may obtain advice and support through discussions with their Line Manager. If an employee's concern relates to their Line Manager, then they may approach any other Line Manager, Director or the Human Resources department for advice and support.

11.2 All employees of Agenda are required to indicate their awareness of this policy and are expected to abide by it. Any breach of the policy will result in disciplinary action.

11.3 Related legislation:

- a) Equality Act 2010
- b) Health and Safety at work Act 1974
- c) Sex Discrimination Act 1975
- d) Protection from Harassment 1997

11.4 This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral, or express terms to any contract made with the Company. The Company reserves the right to amend and update this Policy at any time.