

# EQUALITY & DIVERSITY POLICY & PROCEDURE

## 1.0 PURPOSE

- 1.1 To provide a framework to ensure that current, potential and former employees are treated with dignity, respect and fairness regardless of any '**protected characteristic**' including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (which includes skin colour, nationality and ethnic or national origins), religion and belief, sex, sexual orientation or any other non-relevant personal characteristic.
- 1.2 To ensure that the working environment is free from harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. The Company has a separate Dignity at Work Policy and Procedure, which deals with these issues.
- 1.3 To clarify that:
  - a) Part-time employees should not be treated less favourably than a comparable full-time employee,
  - b) Fixed-term contract employees should not be treated less favourably than a comparable permanent employee, and
  - c) Employees and job applicants should be treated fairly and equally irrespective of their trade union status.

## 2.0 SCOPE

- 2.1 This policy and procedure apply to all employees, former employees, job applicants, agency workers, consultants, contractors and internships of Green Element Limited and Compare Your Footprint (herein collectively referred to as the "Company") and applies to all aspects of the recruitment and employment cycle.

## 3.0 POLICY STATEMENT

### 3.1 The Company is committed to the promotion of a working environment that:

- a) ensures equality of opportunity for all job applicants, employees and others,
- b) values diversity between different people and the qualities they bring to the job,
- c) sustains meritocracy in the form of openness, fairness, honesty and transparency,
- d) eliminates discrimination on the grounds of any protected characteristics including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (which includes skin colour, nationality and ethnic or national origins), religion and belief, sex, sexual orientation or any other non-relevant personal characteristic.

## 4.0 PROCEDURE

For the purposes of this policy and procedure, the following definitions apply:

- 4.1 **Diversity** in our workforce means variety, beginning with individual difference and proceeding to any protected characteristic or any other non-relevant personal characteristic.
- 4.2 **Direct Discrimination** occurs when a person is treated less favourably than others are, or would be treated in the same or similar circumstances on a prohibited ground as defined by the law. An example of direct discrimination would be refusing to employ a woman because she is pregnant.
- 4.3 **Perceptive Discrimination** is a form of direct discrimination against a person because they are thought to have a particular protected characteristic. It applies even if that person does

not actually possess that characteristic. An example would be a Line Manager who mistakenly believes that an employee is suffering from HIV and consequently avoids giving them any challenging work. The employee has been discriminated against because of a perception of the protected characteristic of disability, even though they do not have HIV.

- 4.4 **Associative Discrimination** is a form of direct discrimination against a person because they associate with another person who possesses a particular protected characteristic. An example would be deciding not to promote an employee because it's considered they will not have time to concentrate on the job due to caring responsibilities for their disabled mother.
- 4.5 **Indirect discrimination** occurs where the employer or representative of the employer imposes a provision, criterion or practice, which, although applied to all job applicants or employees, has or could have a disproportionate adverse effect on people of a particular group e.g. women, older employees, age etc. An example of indirect discrimination could be requiring all employees to be of British origin without an objective reason, unrelated to nationality.
- 4.6 **Harassment** is where an employee is subjected to unwanted conduct that has the purpose or effect of violating his or her dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her. The motive of the harasser is irrelevant. An individual can complain of offensive behaviour even if it is not directed at them.
- 4.7 **Victimisation** occurs when an individual is treated less favourably, because they have made or supported a complaint or grievance under the Equality Act 2010, or are suspected of doing so.
- 4.8 **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 and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.
- 4.9 **A 'protected characteristic'** refers to a person's age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including ethnic or national origin), religion and belief, sex, sexual orientation or any other non-relevant personal characteristic.

## **The Law**

- 4.10 It is unlawful to discriminate directly or indirectly in recruitment or employment on the grounds of any 'protected characteristic'.
- 4.11 Discrimination after employment may also be unlawful, e.g.: in refusing to give a reference or in the form of reference given.
- 4.12 Certain forms of harassment and bullying may also amount to unlawful discrimination. Harassment will amount to discrimination if it relates to any protected characteristic.
- 4.13 It is unlawful to victimise someone because he/she/they has alleged unlawful discrimination or supported someone to make a complaint or given evidence in relation to another's complaint.

## **Equal Opportunities in Employment**

- 4.14 The Company is committed to eliminating any unlawful discrimination that may exist in all aspects of the employment cycle from recruitment and onboarding to the exit or dismissal of employees.
- 4.15 Job descriptions and job adverts 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.

- 4.16 Employees who are disabled should advise the Company of any “reasonable adjustments” he/she/they believe necessary to assist them in the performance of their duties. Careful consideration will be given to any proposals of this nature and where reasonably practicable, adjustments will be made. There may be circumstances where it will not be reasonable or reasonably practicable to accommodate such requests, and where less favourable treatment may be justified in accordance with statutory provisions.
- 4.17 If an employee becomes disabled during the course of their employment, every effort will be made to make reasonable adjustments to the individual’s job, work environment, working hours or other work arrangements in order to facilitate continued employment. Where this is not possible, the Company will look to reassign the employee, with suitable training and support, to alternative work. Only as a last resort will dismissal be considered. At all times, the specific requests of the employee will be taken into account.

### **Recruitment and Selection**

- 4.18 We are committed to applying the principles of this Policy to all stages of our recruitment and selection process.
- 4.19 Each person who applies for a position within the Company externally, or for promotion or transfer internally should be considered on his/her/their merits against fair and consistent criteria, which relate to the duties and circumstances of the post or type of post.
- 4.20 Job descriptions and job adverts should be checked to ensure that they provide a fair and accurate specification for the duties of the post and the necessary qualifications and experience to perform them. They must not impose unreasonable or unfair requirements or qualifications, and consideration should be given to whether experience may be as appropriate as paper qualifications. In addition, careful consideration should be given to the language used in the job description/job advert so that it encourages diversity and inclusivity as opposed to discouraging certain individuals to apply. For example, the words ‘robust’, ‘competitive’, ‘assertive’ may be considered as more aligned to male candidates, likewise ‘committed’, ‘feel’ and ‘connect’ as more aligned to females.
- 4.21 External advertisements will encourage applications from all suitably qualified and experienced people. When advertising job vacancies, in order to attract applications from all sections of the community, we will, as far as reasonably practicable:
- a) ensure advertisements are not confined to those publications or media which would exclude or disproportionately reduce the numbers of applicants with a protected characteristic,
  - b) avoid prescribing any unnecessary requirements which would exclude a higher proportion of applicants with a protected characteristic,
  - c) where vacancies may be filled by an internal promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a protected characteristic.
- 4.22 To assess the Company’s progress in attracting a diverse workforce, the Company will conduct Equal Opportunities Monitoring for all job applicants on a confidential and voluntary basis.
- 4.23 The selection process for each vacancy will be carried out consistently for all jobs at all levels and all applications will be processed in the same way. The Line Managers responsible for shortlisting, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application.

- 4.24 Other than where legislation dictates, no category of work will be considered exclusive to any group and no assumptions or pre-judgements will be made by Line Managers or those involved in the recruitment process about the suitability of a person for a particular job.
- 4.25 In selecting for employment, training or promotion, Line Managers are required to make reasonable adjustments in the selection process for applicants or employees with disabilities. Such adjustments may include the timing or location of the interviews or training, specialist support at such events and sensitive application of tests and their interpretation.
- 4.26 If it is necessary to assess whether personal circumstances will affect the performance of the role (for example, if the job involves unsociable hours or extensive travel), this will be discussed objectively, without detailed questions based on the protected characteristics or assumptions about the protected characteristics.

### **Equal pay**

- 4.27 We are committed to equal pay in employment. We believe our male and female employees should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, we will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

### **Training**

- 4.28 The Company will provide training/support on this policy to Line Managers and others likely to be involved in recruitment, selection for training or promotion or other decision-making where equality issues may arise.
- 4.29 The Company will advise all existing and new employees of their rights and responsibilities under the Equality and Diversity and Dignity at Work policies and what they can do to help create a working environment free of discrimination, bullying and harassment.
- 4.30 Training on the Equality and Diversity and Dignity at Work policy will be provided where required and support will be given to any employee who expresses a concern as to their ability to abide by either policy.
- 4.31 Ability and competence will be the main criteria for promotion and development and all groups with differing backgrounds and similar ability will be considered.

### **Monitoring**

- 4.32 To assess the Company's progress in retaining a diverse workforce, the Company will conduct Equal Opportunities Monitoring for all employees on a confidential and voluntary basis from time to time.
- 4.33 The Company will monitor this policy and procedure and update it accordingly in line with legislation changes.
- 4.34 Information provided by job applicants and employees for monitoring purposes will be used only for monitoring purposes and will be dealt with in accordance with the Data Protection Act 1998.

### **Harassment & Bullying at Work**

- 4.35 The Company will not tolerate any form of harassment or bullying. Everyone is entitled to be treated with dignity, courtesy and respect.
- 4.36 The Company has a separate Dignity at Work policy containing issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

## **5.0 ACCOUNTABILITIES**

5.1 All employees are accountable for:

- a) being aware of and compliant with the requirements of this policy,
- b) their individual obligation to avoid acts of discrimination or harassment to others.

5.2 Line Managers are accountable for:

- a) forwarding any training requests to the HR Consultant regarding this policy for those involved in recruitment and selection, training, performance management, grievance and disciplinary practices,
- b) implementing appropriate local remedial action, where necessary.

5.3 The HR Consultant is accountable for:

- a) the administration and periodic review of this policy,
- b) ensuring that acts of discrimination are dealt with in a legally compliant manner,
- c) providing advice to Line managers and employees about the implementation of this policy,
- d) monitoring the implementation of this policy,
- e) ensure that it is always made available to view for all employees to whom it applies,
- f) supporting employees who require advice in the application of this policy to their own circumstances.