

Equality & Diversity Policy

1 - POLICY STATEMENT

Drew Smith is fully committed to ensuring that its workplace is free from unlawful discrimination at every level and at every stage of the employment relationship, that there is equality of opportunity for all so that employees are recruited and promoted solely on merit, and that everyone is treated with dignity and respect at work.

Drew Smith recognises the value of contributions that can be made to the Company by individuals from different backgrounds and the benefits to its business of maintaining a diverse and inclusive workforce which reflects its customer base and location.

2 - UNDERSTANDING THIS POLICY

Employees should familiarise themselves with this policy and the guidance set out within it and, if in any doubt about what is and is not acceptable behaviour, they should seek immediate guidance from their Office Manager, the HR Department or the Managing Director of Drew Smith.

Responsibility for the practicable application of this policy falls upon Managers and Supervisors involved in the recruitment, selection, promotion and training of employees. The Managing Director is ultimately responsible for the effective operation of this policy.

3 - LEGAL REQUIREMENTS

The vast majority of the UK's anti-discrimination law is now found in the **Equality Act 2010** (the "Act"). Since 1 October 2010 this replaces previous discrimination legislation such as the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995.

Most of the familiar concepts of discrimination and equal pay law are replicated in the Act although in some areas there is now greater protection for individuals than there was previously.

The Act is long and complex and employees are not expected to be legal experts in this area. However, employees do need to have an understanding of what is and is not acceptable behaviour in the workplace.

Not only may employees be subject to internal disciplinary action but they can also incur personal liability if an employment tribunal finds that they were responsible for a breach of the Act.

This policy summarises (in paragraphs 4 to 7 below) some of the main provisions the Act. This is intended purely to assist employees in understanding their obligations and should not be regarded as a definitive statement of the law, which may change from time to time.

4 - WHO IS PROTECTED?

The Act protects individuals who suffer discrimination, harassment or victimisation because of a "Protected Characteristic".

The "Protected Characteristics" are:

- Age (includes both older and younger people)
- Disability (to be protected a person must satisfy the legal definition which is: a physical or mental impairment which has a substantial and long-term adverse effect on ability to carry out day-to-day activities)
- Gender re-assignment (where someone has, is currently or is proposing to undergo a sex change)
- Marriage and civil partnership (a person must actually be married or in a civil partnership)
- Pregnancy and maternity
- Race (colour, nationality, ethnic or national origins)
- Religion or belief (or lack of religion or belief)
- Sex (male or female)
- Sexual orientation (heterosexual, homosexual or bi-sexual)

5 - PROHIBITED ACTS

A person does not have to actually have a Protected Characteristic themselves in order to suffer unlawful discrimination.

For example, it is unlawful to discriminate against someone because you mistakenly think they have a protected characteristic but they do not ("**perceptive discrimination**") and to discriminate against someone because they associate with someone who has a protected characteristic ("**associative discrimination**").

The Act makes it unlawful to do a "Prohibited Act". The following are all Prohibited Acts.

Direct discrimination	Less favourable treatment where the reason for the treatment is because of a protected characteristic Includes perceptive discrimination and associative discrimination.
Indirect discrimination	Where a seemingly neutral policy or requirement applies to everyone but disadvantages a group with a particular protected characteristic and this can not be justified.
Harassment	Unwanted conduct related to a protected characteristic which has the purpose or effect of: <ul style="list-style-type: none"> • Violating a person's dignity; or • Creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment may occur in the workplace as a result of conduct by other employees or third parties who are not employees.
Sexual harassment	Unwanted conduct (as set out above) of a sexual nature.
Victimisation	Subjecting someone to a detriment because they have done a "protected act" or are suspected of doing a protected act. A protected act includes, complaining about discrimination, bringing legal proceedings for discrimination and giving evidence or information on behalf of others complaining of discrimination.

6 - DISABILITY

The Act recognises that disabled people are in a unique position and may need extra help to assist them to participate in the workplace. Under the Act, disability is treated slightly differently from the other protected characteristics: there are some provisions that apply only to disability which are explained below.

Duty to make reasonable adjustments	Where employees are disabled within the meaning of the Act and they are placed at a substantial disadvantage in comparison to a nondisabled person an employer has a duty to make reasonable adjustments for them. This is a positive duty to help reduce the disadvantage suffered by a disabled employee in the workplace. Examples of what might be a reasonable adjustment include: <ul style="list-style-type: none"> • Doing things differently such as altering working hours • Altering the physical environment such as access to the building • Providing equipment or aids such as a wrist rest or special chair
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6 - DISABILITY cont...

Discrimination arising from disability	<p>Treating a disabled person unfavourably because of a reason arising from the disability rather than the disability itself. For example, dismissing someone because they have had lots of disability-related absence.</p> <p>However, where the treatment can be justified it will not be unlawful. In addition, if an employer does not know (and could not reasonably be expected to know) that the employee is disabled they will not be liable.</p>
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7 - PREGNANCY AND MATERNITY

Women are protected against unfavourable treatment because of their pregnancy, or an illness related to it, from the time they become pregnant to the time they return to work after any period of ordinary or additional maternity leave.

8 - EMPLOYEE RESPONSIBILITY

All employees are required to ensure that they act within the law when carrying out their duties and to ensure that they treat all job applicants, employees, contractors, clients and others with whom they may come into contact in the course of their employment, fairly, consistently and appropriately at all times.

In particular, without limitation, employees should be particularly aware of equality requirements in the following areas:

- Recruitment
- Pay and benefits
- Terms and conditions of employment
- The working environment
- Work patterns
- Access to facilities
- Training and career development
- Following the end of the employment relationship e.g. the provision of references

9 - RAISING CONCERNS

Where an employee feels that they have not been treated in accordance with this policy or they suspect there may have been a breach of this policy, they should raise a grievance using the Company’s grievance procedure without delay.

10 - BREACHES OF THIS POLICY

Given the importance that Drew Smith places on creating an inclusive environment, employees who are found to be in breach of this policy will be subject to disciplinary action up to and including dismissal. In serious cases Drew Smith may regard a breach of this policy as an act of gross misconduct entitling it to dismiss an employee without notice or payment in lieu of notice.

11 - MONITORING

To ensure that this policy is being implemented effectively Drew Smith may carry out monitoring on an on-going basis including collecting data from applicants and employees. All such data will be processed in accordance with the Data Protection Act 1998.

12 - STATUS OF THIS POLICY

This policy is non-contractual and is not a term of employment: it does not confer any additional contractual rights upon any individual. Drew Smith reserve the right to amend and/or withdraw this policy from time to time for any reason, including, without limitation, to take account of changes to the law, best practice and/or business requirements.