

# Equality and Diversity Policy

## **Philosophy and Purpose**

Hughes Safety Showers is firmly committed to Equality and Diversity and complies with the Sex Discrimination Act 1986, the Race Relations Act 1976, The Fair Employment Acts 1976 and 1989, The Equal Pay Act 1970 and the Disability Discrimination Act 1995 .

We consider applications solely on the basis of merit - regardless of age, gender, gender reassignment, race, ethnic origin, religion, disability, marital status, sexual orientation, number of dependents, creed, colour, nationality, membership or non-membership of a trade union.

We also regularly audit our building to determine the best working environment and accessibility for employees, customers and visitors.

Any act of discrimination will be considered very seriously and may result in disciplinary action Diageo reserves the right to investigate and take immediate action to resolve any issues

## **Scope**

The details of this policy will be communicated to all HSS employees working under a UK contract of employment and new starters. All job applicants may also receive details of the policy upon request. Where necessary, any communication initiative will take account of literacy difficulties and communication disabilities and Managers should be aware if the recipients' first language is not English and act accordingly.

## **Responsibilities**

Everyone referred to in this policy is required to be familiar and comply with the terms.

All employees have a personal and legal responsibility not to behave in a manner that could be offensive to others.

Managers, HR and other designated employees have a responsibility to investigate any complaints of harassment, bullying or discrimination.

The HSS Leadership Team input to and endorse this policy.

The HR Team draft, maintain the data integrity and issue this policy for communication..

HR provide advice regarding queries on the application or interpretation of this policy.

HR and Managers implement and maintain governance for this policy.

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## **It is the responsibility of all Managers to:**

- set a good example, by ensuring that they do not participate in, nor condone bullying, harassing or discriminatory behaviour;
- address directly any incidents that they witness or of which they are informed;
- assist in the resolution of incidents raised through either formal or informal procedures;
- follow up any formal investigation and work with HR to continue a positive work environment and to ensure there is no victimisation.

## **It is the responsibility of all employees to:**

- co-operate with any measures introduced to ensure equality and diversity in the workplace;
- report any suspected discriminatory acts or practices;
- not induce, or attempt to induce others, to practice unlawful discrimination;
- not victimise anyone as a result of them having reported or provided evidence of discrimination;
- not harass, abuse or intimidate others on account of their race, gender etc;
- not canvass job applicants in an attempt to discourage them from applying or taking up a post;

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# Equality and Diversity Policy

## 1. INTRODUCTION

Hughes Safety Showers is proud to be a multi-cultural community operating in an increasingly competitive and diverse business world. We value equality and diversity and are committed to creating a work environment where we:

- treat all individuals fairly, with dignity and respect;
- provide open opportunities to all;
- provide a safe, supportive and welcoming environment - for employees and visitors.

We aim to be a true reflection of the nations and regions we serve, both in terms of output and employment.

## 2. DIVERSITY

HSS values and positively seeks diversity recognising that different people with different backgrounds and experiences can bring valuable insights contributing to the business.

## 3. GENDER AND ETHNICITY

All employees will be treated equally regardless of their gender, marital status, sexuality, religion or ethnic origin any individual who has gone through or who is going through gender reassignment will be treated with respect.

## 4. AGE

HSS has a flexible approach to retirement and wishes to retain the skills and experience of older workers wherever possible. Above normal retirement age where an employee would like to continue to work they should contact their Manager or HR.

## 5. DISABILITY

HSS will make every effort in order to meet the requirements of disabled employees.

### 5.1 Accidents, Illness and Injuries

Where an employee becomes disabled, whether through accident, illness or injury, every reasonable and practicable consideration will be given to ensure that they may remain in employment.

HSS will act on medical and specialist advice when coming to a decision about adjustments needed and whether these are reasonable and in consideration of whether or not the employee's prognosis is such that continued employment is possible.

All necessary advice and counselling will be provided for the employee concerned by HR.

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## 5.2 Job Design

Where disabled employees or individuals apply for a particular position then the job design will be considered as to whether reasonable adjustments are necessary in order to ensure the broadest possible catchment of recruits.

## 5.3 Advertisements

An exception to the above applies when special arrangements are made for the redeployment of personnel who would otherwise be at risk of redundancy.

## 6. DIGNITY AT WORK

HSS regards harassment, bullying (which may lead to civil claims or prosecutions under the Harassment Act 1997 or to civil claims for personal injury) and discrimination as unacceptable and offensive to employees, employers and customers alike and is committed to their elimination.

Harassment and discrimination on sexual, racial, religious belief and disability grounds are unlawful: they are contrary to the Sex Discrimination Act, the Race Relations Act and the Disability Discrimination Act.

Often it is the impact of the behaviour, not the intent that makes it offensive. Our aim is to promote a climate in which employees feel able to raise complaints of harassment, bullying or discrimination without fear of victimisation.

### 6.1 Harassment

Harassment may be on the basis of an individual's race, creed, colour, nationality, ethnic origin, disability, age, religion, gender, gender reassignment, sexual orientation, marital status, connections with a national minority, national or social origin, or membership or non-membership of a trade union.

### 6.2 Bullying

Will be viewed as persistent unsubstantiated criticism and personal abuse and/or ridicule, either in public or private, which humiliates or demeans the individuals involved, gradually eroding their self-confidence.

### 6.3 Discrimination

Will be viewed very seriously and may lead to disciplinary action being taken against any individual found to be practising this behaviour.

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## 7. ADDRESSING EQUALITY AND DIVERSITY COMPLAINTS

Any individual who believes that they have been subjected to, or has witnessed discrimination, harassment, victimisation or bullying has access to channels through which complaints can be raised.

The nature of such complaints is recognised as being sensitive therefore the individual may not wish to discuss it initially with their immediate Manager. Under these circumstances any individual may discuss their concerns/complaints directly with HR

### 7.1 Principles for Addressing Complaints:

The following principles apply for any party during a complaints investigation:

- All cases will be addressed seriously and handled confidentially;
- Information communicated to others will be on a 'need to know' basis;
- Actions will be carried out as speedily as possible consistent with doing a thorough job, with due regard to the sensitivity of the issue;
- All parties to complaints will be protected from victimisation and retaliation; whether Complainant, Supporter, Witness or Person Complained About;
- Both the Complainant and the Person Complained About can be accompanied, at any or all of the stages, by a Colleague.
- At any stage the Person Complained About and/or Complainant may be suspended with pay;
- At any stage the Person Complained About and/or Complainant may be transferred, after consultation with the individual concerned, employee representatives and Management;
- Access to coaching, training or counselling will be given where appropriate.

### 7.2 Informal Action

It is possible that the person causing the problem may not realise that their behaviour is unwelcome or causing distress before any formal action is considered the matter may be discussed with HR.

### 7.3 Formal Action

At any time, whether or not informal action has been taken, any individual who feels that they or others have been or are the subject of discrimination, harassment, victimisation, bullying or any treatment that breaches this policy, can raise the matter directly with their Manager or HR in writing. For further information on what the letter should comprise, how it should be structured and the process view the Addressing Equality and Diversity complaints Formal Action FAQs.

A preliminary interview will be conducted by the HR Manager and the Complainant's Manager.

Once the complaint has been made in writing HSS's formal grievance policy will be effective. For further information view the **Grievance Policy**.

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## 1. FAQs Diversity

### Q. What are HSS doing to create a positive environment in so far as Equality and Diversity are concerned?

A. We recognise that we still have work to do to secure a truly inclusive community, and we are committed to a wide-ranging plan of action to tackle discrimination and to promote diversity.

## 2. FAQs Gender and Ethnicity

### Q. How does HSS support gender reassignment?

A. Sensitively and with understanding. Any employ undergoing gender reassignment should discuss it in confidence with their Manager, and HR.

## 3. FAQs Age

### Q. What is the normal retirement age at HSS?

A. Normal retirement age is the latest age at which members can normally retire, which is governed by the individual's contract of employment, usually between the age of 62 and 65.

## 4. FAQs Disability

### Q. What is the definition of 'Disability'?

A. Disability is defined as "a physical or mental impairment, which has a substantial and long-term adverse effect on (a person's) ability to carry out normal day-to-day activities".

### Q. What is the DDA?

A. The DDA is Disability Discrimination Acts designed to stop people with Disabilities being treated unfairly. It was introduced on 2<sup>nd</sup> December 1996.

### Q. What does the DDA cover?

A. Mainly Employment and the provision of goods, facilities.

### Q. What are the provisions of goods, facilities?

A. Service providers must take reasonable steps to ensure that they have taken account of the needs of people with disabilities.

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**Q. What happens if I become disabled whilst working for HSS?**

- A. The steps HSS may take under these circumstances include:
- making adjustments to premises;
  - allocating some of the disabled employee's duties to another person;
  - transferring an employee to an alternative position which is vacant;
  - alteration of working hours;
  - transferring an employee to a different location/place of work;
  - allowing time off during working hours for rehabilitation, assessment or treatment;
  - training and/or re-skilling;
  - modification or purchase of appropriate equipment;
  - modification to instruction and/or reference manuals and literature;
  - modification to testing and/or assessment procedures;
  - provision of a reader or interpreter;
  - provision of supervision and assistance.

**Q. How could unlawful discrimination against current employees who are disabled occur?**

- A. Unlawful discrimination against current employees who are disabled can occur:
- in the terms of employment afforded to the person;
  - in the opportunities afforded to the person for promotion, a transfer, training or receiving any other benefit, or by refusing to afford, or deliberately not affording him/her any such opportunity;
  - by dismissing the person or subjecting him/her to any other detriment.

**Q. What is considered to be a detriment in unlawful discrimination against current employees who are disabled?**

- A. Detriment includes demotion, reduction of pay, other disciplinary measures and the harassment of disabled employees.

## **5. FAQs Dignity at Work**

**Q. Why is harassment, bullying and discrimination viewed by HSS as unacceptable and offensive behaviour?**

- A. These types of behaviour are not acceptable on ethical, moral and in some cases legal grounds and can create a negative work environment.

It can subject individuals to fear, stress and anxiety and great strains can be put on work, personal and family life.

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These behaviours can lead to illness, accidents, absenteeism, poor performance, an apparent lack of commitment and people leaving employment.

It can therefore impact badly on health and morale as well as organisational effectiveness.

**Q. What behaviour is acceptable and unacceptable behaviour?**

A. Views on what behaviour is acceptable or unacceptable vary from one individual to another, from one situation to another. As a rule one should operate with dignity and respect to others at all times.

**Q. Who undertakes liability for harassment in HSS?**

A. Employers are liable for acts carried out by employees in the course of their employment whether or not they are done with the employer's knowledge or approval ("employee" for this purpose includes independent contractors).

**Q. What is an act of 'Unwanted Physical Contact'?**

A. Anything such as unnecessary touching, patting, pinching, brushing against another individual's body, insulting or abusive behaviour or gestures, physical threats, assault, or coerced contact.

**Q. What is 'Unwanted Verbal Conduct'?**

A. Anything such as unwelcome advances, patronising titles or nicknames, propositions or remarks, innuendo, lewd comments, jokes, banter or abusive language, which refer to an individual or a group's gender, colour, race, nationality, religion, ethnic or national origins, disability, sexual preference, etc., repeated suggestions for unwanted social activities inside or outside the workplace.

**Q. What is 'Unwanted Non-Verbal Conduct'?**

A. Anything such as racially or sexually based graffiti referring to an individual's characteristics or private life, abusive or offensive gestures, leering, whistling, letters or e-mails, display of pornographic or suggestive literature or other items, pictures or films/videos or inappropriate use of visual display units (VDUs), including screensavers. or network systems for this purpose.

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**Q. What is 'Unlawful Victimisation'?**

**A.** Anything that consists of treating an individual less favourably than others are, or would be treated in the same or similar circumstances, because they have made a complaint or allegation of discrimination or have acted as a witness or informant in connection with proceedings under any Discrimination Legislation.

**Q. What is 'Other Conduct'?**

**A.** Any other conduct, which denigrates, ridicules, threatens, intimidates or is physically abusive of an individual or group or which may lead to bribery or blackmail allegations.

## **6. FAQs Addressing Equality and Diversity Complaints**

**Q. What informal action can I take if I have a complaint about any area of equality and diversity?**

**A.** You could seek advice without naming other persons and conversations can be held without any records being kept, if this is preferred.

Alternatively, you might prefer to put your complaint in writing to the Manager, keeping a dated copy of the letter.

Or you might ask a work colleague, their Manager, or HR to speak to the individual(s) on your behalf.

A note should be kept of the date(s) and what was said by all involved this may be needed as evidence should discrimination, harassment, victimisation or bullying continue or subsequently recur.

This is often sufficient to correct the situation, particularly if the individual(s) involved was/were unaware that the behaviour was causing offence.

**Q. What happens if I don't want to take informal action?**

**A.** An individual who feels unable to take informal action or who continues to be subjected to behaviour which is in breach of this policy may choose to discuss the matter with an HR Advisor in confidence.

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**Q. If I decide to take formal action, what should my letter of complaint state?**

**A.** The letter or statement must:

- Set out the basis of the complaint;
- Indicate who is being complained about ;
- Give details of the unwanted behaviour;

Where the complaint is submitted to the Complainant's Manager it is to be forwarded to the appropriate HR Manager promptly.

**Q. What is the purpose of a preliminary interview?**

**A.** The purpose of this interview is to:

- Confirm that the informal procedure has either been tried or is not considered appropriate;
- Ensure that the Complainant and the person(s) being complained about are aware of the support available from Advisors.
- Explain the procedures involved in the formal complaint process;
- Ensure that the written complaint is comprehensive, and signed;
- Identify the Complainant's witnesses, if any;
- Confirm that the Complainant wishes to proceed with a formal complaint - but not in any way to attempt to dissuade them from their preferred action.
- Advise the employee complained about, that a formal complaint has been made and by whom, and to explain the general nature of the complaint;
- Ensure confidentiality continues to be maintained;
- Offer an initial opportunity to comment or reply to the complaint;
- Explain how the investigation process will take place.

**Q. Can I bring someone along with me to meetings?**

**A.** At any time during the procedure, the Complainant can be accompanied by a work colleague.

**Q. If I am the person being complained about can I bring someone along to the meetings?**

**A.** Where the Person complained about is asked to attend this or any other meeting, then they will also have the same right of accompaniment.

**Q. What happens once I have made a complaint?**

**A.** The appropriate Manager sets up an investigation, which normally consists of an HR Manager and a Manager independent of the Complainant and Person Complained About.

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## **The following guidelines will be followed as appropriate:**

- Investigations may be stressful therefore appropriate support will be offered to all parties;
- Interviews with the Person Complained About, the Complainant and any relevant witnesses will be conducted separately;
- The signed statement of the Complainant will be made available to the Person Complained About;
- Notes of interviews with any witnesses are to be agreed and signed by the witness;
- General witness evidence will be incorporated into the final report of the investigation to which the Person Complained About will have access if the complaint proceeds to disciplinary action;
- Records of complaints which are upheld will be held on personal files for a period deemed appropriate by Management in the light of the seriousness of the matter in line with the Disciplinary Policy;
- Records of complaints not upheld, will be kept by HR for 6 months.

## **Interview with the Complainant**

The Complainant will be interviewed first.

The Person complained about cannot be expected to answer vague and non-specific allegations, full details of the behaviour complained about must be obtained.

For example dates, times, places, what was said/done, who else saw / heard should all be noted.

## **Interview with Person Complained About**

The Person Complained About will already have been advised in general terms of the complaint at the preliminary interview stage.

Prior to the formal investigation interview the HR Manager will give the Person Complained About a copy of the written complaint and confirm the time for the interview.

At the interview the Person Complained About will be informed in general terms of the team's findings and will be given a full opportunity to respond to the allegations.

The Manager will inform the Complainant and the Person Complained About of the outcome as soon as possible following the conclusion of the investigation.

If, following the investigation, the Manager decides that there is a case to answer, they will immediately invoke the Disciplinary Procedure.

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The rights of the Person Complained About will be in accordance with the Disciplinary Policy. Disciplinary action will be taken against a Complainant who is believed to have made a malicious accusation.

Other action taken as a result of the investigation may include training and counselling, or any other activity deemed capable of recreating a positive work environment.