



Equality, Diversity and Inclusion

Version: 8.1

Revision Date: July 2023

Contents

Purpose	Error! Bookmark not defined.
Commitment	Error! Bookmark not defined.
Discrimination	Error! Bookmark not defined.
Recruitment and Selection Exercises	Error! Bookmark not defined.
Disability.....	Error! Bookmark not defined.
Part-Time and Fixed-Term Work	Error! Bookmark not defined.
Breaches.....	Error! Bookmark not defined.
Reporting a Complaint	Error! Bookmark not defined.

Purpose

M.V. Kelly is an equal opportunities employer, committed to encouraging equality, diversity, and inclusion among our workforce (this includes but is not limited to employees, clients, customers, and the public), and eliminating unlawful discrimination.

This policy supports our vision and upholds our core values. It underlines our commitment to develop as an open and inclusive organisation.

All our Company policies are authorised by the Board of Directors. Our Commitment is embraced by our Directors and Senior Management Team.

How We Will Do This?

- Promoting equality, fairness, and respect for our workforce, irrespective of:
 - Hours (eg. Part time / Full time)
 - Contract (eg. Fixed, Agency, Self Employed, Permanent)
- Ensuring that no one is unlawfully discriminated against because of a protected characteristic under the Equality Act 2010, such as:
 - Age.
 - Disability.
 - Gender reassignment.
 - Marital or civil partnership status.
 - Pregnancy or maternity.
 - Race (including colour, nationality, and ethnic or national origin).
 - Religion or belief.
 - Sex or sexual orientation.
- Opposing and avoiding all forms of unlawful discrimination within:
 - Pay and benefits.
 - Terms and Conditions of employment.
 - Dealing with grievances and discipline.
 - Recruitment.
 - Dismissal.
 - Redundancy.
 - Leave for parents.
 - Requests for flexible working,
 - Selection for employment, promotion, training, or other developmental opportunities.

Commitment

It is vital for us to consistently review and improve on our commitment to:

- Encourage Equality, Diversity, and Inclusion within the workplace.
- 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.
- Provide Training to Managers on recognising and avoiding discrimination, harassment, and victimisation, plus training for all other employees about their rights and responsibilities. Responsibilities include staff conducting themselves to help the Company provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination. Further training will ensure all staff understand they, as well as M.V. Kelly, 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. This applies in the workplace, outside the workplace and on work-related trips, including social events.
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others during the organisation's work activities. Such acts will be dealt with as misconduct under the organisation's grievance or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice. Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations.

- Making 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. All decisions relating to recruitment, promotion, training, and benefits will be based on aptitude and ability.
- Make decisions concerning staff based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act 2010).
- Reviewing employment practices, policies, and procedures when necessary to ensure fairness, and update them and the policy to take account of changes in the law.
- Ensuring that diversity in the workforce is regularly monitored to ensure equality of opportunity, and where appropriate, measures will be taken to identify unnecessary obstacles and to meet the needs of disadvantaged or underrepresented groups.

Discrimination

The following forms of discrimination are unlawful, and prohibited under this policy:

- **Direct Discrimination**
 - Treating someone less favourably because of a Protected Characteristic
- **Indirect Discrimination**
 - A provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others and is not justified.
- **Harassment**
 - This includes sexual harassment and other unwanted conduct relating to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-harassment and Bullying Policy.
- **Victimisation**
 - Retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment. This includes where someone mistakenly believes that the person victimised has done so.
- **Disability Discrimination**
 - This includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Recruitment and Selection Exercises

Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted based on merit, against objective criteria that avoid discrimination. When recruiting or promoting, we will aim to take steps to improve the diversity of our workforce and provide equality of opportunity.

Job vacancies should be advertised to a diverse section of the labour market and advertising should avoid stereotyping or using wording that may discourage a particular group from applying.

Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. Job applicants should not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents before employment starts, to satisfy current immigration legislation.

Disability

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can consider any reasonable adjustments or support that may be appropriate.

Part-Time and Fixed-Term Work

Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.

Breaches

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination and victimisation may amount to gross misconduct resulting in dismissal.

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.

Reporting a Complaint

If you believe that you have suffered harassment, bullying or discrimination, or witnessed it happening to someone else in the workplace, you can raise the matter through our Grievance Procedure and through our Anti-Harassment and Bullying Policy as appropriate. Complaints will be treated in confidence and investigated as appropriate.

There must be no victimisation or retaliation against staff who complain about or report discrimination. If you believe you have been victimised for making a complaint or report of discrimination or have witnessed it happening to someone else in the workplace, you should raise this through the Grievance Procedure.

Please refer to our Company's grievance and disciplinary policies and procedures. Use of the Company's grievance and/or disciplinary procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

We encourage the reporting of all types of potential discrimination, as this assists us in ensuring that diversity, equity, and inclusion principles are adhered to in the workplace. However, making a false allegation in bad faith, or that you know to be untrue, will be treated as misconduct and dealt with under our Disciplinary Procedure.