

# Equality Opportunity Policy

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Dated: 21<sup>st</sup> November 2023

Avenue3 Limited is an Equal Opportunity Employer and is committed to ensuring that our terms and conditions of employment for both current and future employees are equitable and non-discriminatory. This means that job applicants, employees, suppliers and clients will be treated fairly irrespective of any of the 'Protected Characteristics' as defined by the Equality Act 2010. The 9 protected characteristics are:

- race,
- religion or belief,
- age,
- disability including mental health,
- gender reassignment,
- marriage and civil partnership,
- pregnancy and maternity,
- sex,
- sexual orientation.

This policy applies to all our employees, workers, contractors and subcontractors, who provide services on our behalf. As a result, we are all obliged to uphold the ethos and values of this policy and treat each other fairly and with respect. We have a duty of care to our employees and clients to protect them from discrimination and harassment from others, including third parties who provide services for us.

To promote equal opportunities and prevent harassment and or bullying with all employees, we:

- share and communicate this policy,
- hold regular training for all employees on it,
- ensure all team members are aware of what the policy means in relation to their conduct and responsibilities,
- encourage an open culture where people share experiences to encourage diversity and inclusion,
- have an open-door policy where people are free to talk about any concerns they may have about equality with their senior team.

When it comes to equal opportunities, the following definitions are important:

- **Discrimination:** This means treating people less favourably because of a protected characteristic they have or are thought to have (see perceptive discrimination below), whether this be direct or indirect by applying a provision, criterion or practice, which disadvantages such persons.
- **Discrimination by Association:** This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

- Discrimination by Perception: This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.
- Discrimination Arising from Disability: This is treating a disabled person unfavourably because of something connected to their disability where there is no objective justification. This only applies if an employer knows or could reasonably be expected to know that the person is disabled.
- Sexual Orientation This means sexual orientation for a person of the same sex, different sex or for persons of both sexes. It does not include sexual practices or preferences. Discrimination can occur based on a perception of a person's sexual orientation, even if that perception is wrong. It can also include discrimination against a person by reason of the sexual orientation of someone they associate with.
- Age: Age is defined by the number of years an individual has lived.
- Gender Reassignment: This means a desire to be known or to become a person of a gender different to that to which they were born. It includes someone who proposes to or has completed a process to change his or her gender.
- Religion/Religious Beliefs: Religion or religious beliefs is defined as any religion, religious belief or similar philosophical belief. It does not include philosophical or political beliefs unless that belief is similar to a religious belief. Discrimination can occur based on a perception of a person's religion or beliefs even if that perception is wrong. It can also include discrimination against a person by reason of the religion or religious beliefs of someone they associate with.
- Disability A person is defined as being disabled if they have a physical or mental impairment that has a "substantive" and "long-term" negative effect on their ability to do normal daily activities. "Substantial" is more than minor e.g. it takes the person much longer than it usually would to

complete a day to day task such as getting dressed. "Long-term" means 12 months or more. Recurring or fluctuating conditions, such as Arthritis can also be included.

- **Harassment:**

Harassment is defined as any hostile, unwanted unreasonable and/or offensive conduct related to a relevant protected characteristic, which adversely affects a person's dignity, self-confidence and well-being and creates a hostile environment and which leads to that person feeling intimidated, degraded or humiliated. A person is also protected from harassment because of perception and association.
  
- **Third Party Harassment:**

An employer is liable for harassment of their employees by people (third parties) who are not employees of the organisation, such as clients and contractors. This will only apply if the harassment has occurred on at least two previous occasions and the employer has been made aware of this and has not taken reasonable steps to prevent this from happening again.
  
- **Racial Harassment:**

Racial harassment is defined as any action, conduct, comment, gesture or behaviour that is offensive, embarrassing, insulting or intimidating. It may include derogatory remarks, quips, jokes, innuendoes, taunts or physical abuse which is racially derogatory and potentially offensive and relates to a person's race, caste religion or ethnic origins.
  
- **Sexual Harassment:**

This is defined as:

  - a. Any action, conduct, comment, gesture or physical contact of a sexual nature that is unwelcome and might reasonably be seen by an employee or prospective employee as placing an implicit or explicit condition on employment.
  
  - b. Any persistent, unwelcome action, conduct, comment, gesture or physical contact of a sexual nature that is likely to cause offense, embarrassment or humiliation to an employee or creates an offensive working environment.
  
- **Bullying:**

This is defined as repeated treatment with the purpose of controlling individuals or making them

insecure in their roles or treatment that has that effect (whether it be direct or indirect/verbal or non-verbal).

➤ **Victimisation:**

Victimisation occurs when an employee is subject to a detriment because of something they have done under or in connection with asserting their rights under any employment legislation or regulations. This will not apply if the complaint was maliciously made or if an individual supports an untrue complaint.

➤ **Positive Action:**

This is allowed by the law to encourage disadvantage groups who have been under-represented in particular works areas.

## Monitoring Diversity at Work

As part of the application and new starter process, we ask all employees and job applicants to complete a form about their age, sex, race, ethnic origin and whether they suffer from any disabilities. This form is only used for the purpose of monitoring how effective our Equality and Inclusion policy is and help us see where we may need to focus our attention to be more diverse and inclusive. The information on this form is not used to decide someone's suitability for the role and will be kept secure (and destroyed) in line with our GDPR and Data Protection policy. Please see [General Data Protection Act 1998 and the General Data Protection Regulations \(2018\)](#) for more information.

## Disabilities, Equality and Inclusion

Under the Equality Act, we have an obligation to make reasonable adjustments for employees and job applicants who have a declared disability to help them attend interview and/or remain in work. Disabilities can be both physical, mental and neurological, including MS, Cancer, depression, bipolar, Autism, Dyslexia and ADHD to name a few.

Part of our approach towards a more diverse workplace is looking at how we can encourage our team members to talk about their experiences and we encourage our managers as part of 1-2-1's to talk with their team members about what we can do to help them generally. If you do discuss any disabilities with your manager, then we will do all we can to talk about these with you in an empathetic manner and work with you as far as is reasonably possible to make adjustments and tailor support offered to meet your needs.

## Accessibility

We will do our best to ensure individuals have the facilities and assistance to work wherever the need/client dictates. If the request is reasonable, we will make adjustments to the environment where possible.

## Diversity and Recruitment

We regularly review our recruitment and internal promotions process to make sure the selection process and criteria are fair, inclusive, and not discriminatory. This includes looking at whether certain groups are being excluded from either our recruitment process, or promotions and if there could be some form of indirect discrimination. This can include taking the following approaches:

- Advertising jobs in ethnic or female interest publications as appropriate.
- Encouraging under-represented groups to apply for suitable posts or undergo training.
- Making contact with disabled candidates via the local job centre.
- Partner with relevant charities and other bodies to help improve access to work.
- Use social media in a responsible, proactive and inclusive manner as part of our recruitment strategy.
- Considering whether any reasonable adjustment can be made to work premises or the working arrangements to accommodate a disabled employee or job applicant.
- Introducing assertiveness training.

As part of this, we will also review how certain members of the team may be disadvantaged by career breaks and look at how we can promote different career paths and development opportunities for them.

We do regular training with all managers who are involved in recruitment to help them be aware of unconscious bias and regularly review how and where we are recruiting so we can have as diverse a team as possible. More information on the methods we use can be found in the [Recruitment and Internal Promotions](#) section of the handbook.

## Discriminatory Conduct

If you feel that you have been discriminated against or have witnessed a colleague being treated in a discriminatory way, please bring it to our attention by using our grievance procedure. The complaint will be taken seriously, thoroughly investigated and considered based on the facts of the investigation. You will not be penalised for raising concerns unless they are found to be patently untrue and made in bad faith. If the matter relates to harassment or bullying of any kind, you should follow the anti-harassment and bullying procedure set out below.

Any employee who discriminates against any other employee or client because of a protected characteristic will be taken through our disciplinary procedure as set out in the [disciplinary policy](#). In serious cases where the behaviour is found to be gross misconduct, it will result in summary dismissal if there are no mitigating circumstances.

In addition, we will not tolerate discriminatory action against anybody employed by us or acting on our behalf. If you feel you have been treated or spoken to inappropriately by a client or someone using our services, then you must come forward and speak with your manager/ a Director.

If a complaint is raised, then we will inform you and let you know what action is being taken. If an incident is reported to you and you are unable to seek advice from a senior manager, then you are able to act as you think right in the circumstances; for example, ending a training course.

## Anti-Harassment and Bullying Procedure

As well as our commitment to equality and diversity, we are committed to providing a work environment for everyone which is free from harassment or bullying because of a protected characteristic. This may include embarrassment, intimidation, threats or discrimination.

We will take reasonable steps to prevent harassment and or bullying at work and we do not condone any conduct which may be construed as sexual harassment.

Any complaints of harassment or bullying should be made to Avenue3 Limited who will involve the relevant people to consider your complaint. The matter will be dealt with in a discreet and confidential manner and appropriate action will be taken. It is the duty of all employees, and in particular management and supervisors, to ensure that the anti-harassment & bullying policy is implemented. Harassment or bullying will be taken to have occurred if a reasonable individual would feel that the behaviour was unwelcome or offensive.

Harassment and bullying are disciplinary offences that can, in the most serious cases, lead to dismissal. You should be aware that in some circumstances you may be held personally liable for your actions if they are discriminatory and unlawful.

Incidents of sexual or racial harassment can be taken to amount to gross misconduct which will be dealt with under our [disciplinary policy](#) and may lead to summary dismissal. Less serious infringements may lead to an apology from the harasser, letter of reprimand, suspension or relocation of the harasser.

In dealing with reports of harassment or bullying the following principles will apply:

- All reports will be taken seriously, treated in confidence and investigated by Avenue3 Limited who are independent of the situation (this may lead to an external, neutral third party being appointed to investigate the complaint).
- All complaints will be progressed and dealt with according to our grievance and disciplinary procedure.
- Where we have reason to believe that there is a risk to the personal safety of the complainant or of another person, or that a criminal offence has been committed, we may take legal advice and/or inform the police before proceeding with any internal action.
- The victimisation or harassment of a complainant, the respondent, or any witnesses will be regarded as a disciplinary offence.
- Malicious complaints will be seen as a disciplinary offence.

## Positive Action to Encourage Diversity

We will ensure that all employees receive training on both this policy and what equality, diversity and inclusion mean for us as a company, both during induction and then at regular ongoing intervals. This will include training for those who interview, recruit new team members, manage others, train others and select people for training.

## ED&I and Team Development

All employees can request and attend training depending on business need, their role and developmental needs. No employee should be refused or denied training because of their age, race,

religion, belief, sexual orientation, sex, maternity status or disability. We will do all we can to ensure all employees are included in training opportunities relevant to their role and development and able to attend training. This will include using different methods of training and personal/professional development and more information on this can be found in the [Training and Development](#) policy.

## Proactive Performance Management

Our approach towards performance management and appraisals works on the principal one size doesn't fit all and we commit to training all those with responsibility for managing others in positive and proactive ways to help their teams perform at the best level they can. This includes training our managers on what good support and management styles look like in practice, tailoring their style and providing them with regular feedback and support so they can adapt their style to suit the needs of their diverse teams.

## Equal Pay

Under the Equal Pay Act 1970 and the Equality Act 2010, we will ensure all employees are treated fairly and equally, both in general, and specifically, in relation to pay. We regularly review our pay to ensure there is no unfair treatment between men and women and both are paid equally and fairly for doing the same job.

Gender pay reporting requires all employers with more than 250 employees to report annually on their pay structures and the gaps in pay between male and female employees. As an employer with less than 250 employees we do not have to report this information at the current time, however, we believe in being open and are regularly reviewing this information to ensure we are fair and compliant.