

|                                   |   |
|-----------------------------------|---|
| <b>Policy</b>                     | <i>Equality, Diversity and Inclusion in Employment</i>  |
| <b>Scope</b>                      | The policy is applicable to all employees, clients, communities, suppliers and contractors, whether permanent or temporary. The policy applies to all processes relating to employment and training.  |
| <b>Purpose</b>                    | To set out the Group's approach to diversity and inclusion in employment.   |
| <b>Roles and Responsibilities</b> | <ul style="list-style-type: none"> <li>• <b>Human Resources</b> - policy owner; ensure this policy is up to date, incorporates best practice and is legally compliant; provide advice and support; oversight of consistency of application.</li> <li>• <b>Employee</b> – understand and adhere to policy; ensure actions are completed in a timely manner; ensure their own behaviour and conduct is appropriate; awareness of escalation of issues.</li> <li>• <b>Line Manager</b> – responsible for the implementation of the policy; decision making; carrying out the required actions in a timely manner; reporting, maintaining compliance and following the policy; escalation of issues.</li> </ul> |
| <b>Effective Date</b>             | January 2021<br>(next review date – 2024)   |
| <b>Version</b>                    | 2.0 (Supersedes all prior versions of this policy)<br>Lead Officer – People Director  |

## **Introduction**

### **General**

This policy is issued by way of guidance on the Group's policy and practice. It does not form part of an employee's contract of employment or otherwise have any contractual effect on Gentoo's Terms and Conditions.

This policy may be varied, withdrawn or replaced at any time by the organisation at its discretion.

### **Contribution to organisational goals**

The vision and values of the Group effectively set the headline rational and culture for the Group. This policy operates within the vision and values.

### **Monitoring and review**

This policy will be reviewed every three years, or in line with legislation or business need.

Overall accountability for this policy lies with the Executive Director (Corporate Services) and responsibility lies with the People Director. This policy is grade 1 and changes require the approval of the Appointments and Remuneration Committee.

### **Accessibility**

If any aspect of this policy causes you difficulty on account of any disability, or if you need assistance because English is not your first language, you should raise this issue with the HR team, who will make appropriate arrangements.

### **Regulation and Legislation**

- Employment Rights Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Employment Rights Act 1999
- Gender Recognition Act 2004
- Equalities Act 2010
- Modern Slavery 2015

## Policy

### Introduction

Gentoo is fully committed to the elimination of unlawful and unfair discrimination and values the differences that a diverse workforce brings to the business. The Group will not discriminate because of any other irrelevant factor and will build a culture that values openness, fairness and transparency.

All employees are responsible for the promotion and advancement of this policy. Behaviour, actions or words that transgress the policy will not be tolerated and will be dealt with in line with the Group's disciplinary policy.

We are committed to the principles of diversity and inclusion throughout the Group and we will:

- Treat everyone equally, fairly and with respect
- Welcome and value difference and not tolerate harassment or intimidation of any individual or groups and challenge the behaviour of those who do not uphold our values and go against our principles
- Oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities

### Diversity and inclusion

The Group is committed to the principle of diversity and inclusion for all employees, regardless of sex, race, religion or belief, age, marriage and civil partnership, pregnancy and maternity, sexual orientation, gender reassignment, or disability.

The Group is committed to diversity and inclusion in employment and to avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

We aim to 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.

The Group will review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.

### *Recruitment and selection activities*

The Group will monitor the composition of the existing workforce and of applicants for jobs (including promotion), and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

Decisions concerning staff will be based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act). All employees will be given equal consideration for promotion.

Person and job specifications 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.

All employees who participate in recruitment and selection activities will receive training in issues of diversity and inclusion in employment.

Candidates that identify with having a disability and meet the essential criteria will be shortlisted for interview for posts within the Group.

### *Training, education and development*

The Group recognises the need to invest in a range of different learning and development opportunities to develop employees.

The Group will make 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 Group.

Access to such opportunities will be provided on the basis of the needs of the business.

All employees will be given equal consideration for training and development.

The Group will provide training in diversity and inclusion to all employees. Training will be provided as part of the induction process for new starters and regular refresher training and additional workplace specific training will be made available.

### *Terms and conditions*

The Group will ensure all terms and conditions, relating to pay and benefits, disciplinary, grievance and selection for redundancy are inclusive and non-discriminatory.

The Group will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the business considers it has good reasons, unrelated to any protected characteristic, for doing so.

The Group will comply with its obligations in relation to statutory requests for contract variations. The Group may also make reasonable adjustments to its standard working practices to overcome barriers.

The Group will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the business. Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

#### *Leave and flexible working*

The Group operates a programme of work-life balance initiatives to support and promote a good work-life balance and recognise the variance in working patterns of employees.

The Group will ensure policies relating to flexible working, leave for parents, maternity and paternity are inclusive and non-discriminatory, recognising and reflecting the needs of all employees within the Group.

#### **Gender pay gap reporting**

In line with current legislative reporting requirements, the Group will carry out Gender Pay Gap reporting under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

This involves carrying out six calculations that show the difference between the average earnings of men and women within the Group.

The Group are required to publish its results on an annual basis, within one calendar year of April 5<sup>th</sup> every year, starting from 2017.

#### **Equal pay**

As part of its commitment to diversity and inclusion, the Group is committed to addressing inequality when it is identified.

The Group believes that its male and female employees should receive equal pay for:

- The same or similar work
- Work rated as equivalent under a job evaluation study; or
- Work of equal value.

Gentoo aims to ensure that it operates a fair and transparent pay system based on objective criteria and free from gender bias. The Group will do this by:

- Carrying out regular audits of pay and benefits for existing employees and initial pay and benefits for new starters within the Group, including those on maternity leave, sick leave and career breaks

- Providing training for all managers and those members of staff who are involved in salary reviews on equal pay issues
- Informing employees how their pay has been determined
- Treating any grievance in relation to equal pay as a priority

Terms and conditions of employment covered by collective agreements will be negotiated between Gentoo and recognised trade unions through HR. As part of those negotiations, the Group will consult on equal pay issues.

## **Transgender**

Gentoo is committed to welcoming and supporting transgender employees and removing barriers to their recruitment, promotion and retention. Providing a working environment that is free from discrimination, harassment or victimisation because of gender identity is an important step in ensuring that transgender employees are respected and valued.

We recognise that transgender job applicants and employees are not required to inform the Group of their gender status or gender history. The gender in which an individual chooses to present will always be acknowledged and respected.

To promote a workplace that is inclusive of transgender people, please refer to the Transgender Toolkit for further advice.

## **Protected characteristics**

The Group recognise its responsibilities in respect of each of the nine protected characteristics specified in the Equality Act 2010 and will not unlawfully discriminate because of age, disability, gender reassignment, race (which includes colour, nationality and ethnic or national origins), religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity.

The Group will:

- Commit to ensuring that all individuals are treated with dignity and respect
- Ensure that support is available to all employees to support them to fulfil their roles
- Provide training and guidance for all employees and managers on protected characteristics
- Ensure that where an employee requires any workplace adjustments during the course of their employment, the appropriate adjustments are put in place
- Be committed to inclusion and equality of opportunity for all employees regardless of a protected characteristic
- Strive to ensure that the work environment is free from harassment and bullying
- Support employees in their role who are returning from a period of leave
- Report on its gender pay gap, in line with legislation
- Monitor the make-up and composition of the workforce regarding information relating to protected characteristics in encouraging diversity and inclusion,

recruitment practices and any other information relating to protected characteristics the Group believe appropriate to monitor

### **Overcoming barriers**

Gentoo recognises the importance of taking proactive measures to remove barriers from the working environment. As an organisation, we firmly believe that equality matters.

The Group is committed to removing barriers and challenging discriminatory behaviours. It is recognised that this will benefit not only employees and prospective employees but also in many cases customers and visitors. It will ensure that the Group is able to recruit and retain the best employees on the basis of their abilities and individual merit.

The diversity and inclusion action plan aims to address physical access to premises, access to benefits of employment, terms and conditions of employment, recruitment and arrangements for recruitment, performance assessment, promotion and retention.

### **Group responsibilities**

Gentoo acknowledge that encouraging diversity in the workplace is good practice and makes business sense.

As part of our commitment to diversity and inclusion, the Group will:

- Ensure that there is a supportive working environment
- Enable and encourage staff to attend network groups
- Ensure that staff know what standards of behaviours are expected of them
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities
- Initiate disciplinary proceedings against any employee who is found to have committed an act of unlawful discrimination

### **Employee responsibilities**

Every employee is required to assist the Group to meet its commitment of diversity and inclusion in employment and avoid unlawful discrimination.

Employees should not discriminate against or harass a member of the public in the provision of services or goods.

Employees can be held personally liable as well as, or instead of, the Group for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

All employees should intervene, if possible, to stop harassment or bullying and give support to recipients. Employees are expected to report such issues to their manager or HR and support the Group in the investigation of complaints.

Employees should refer to the Group's Social Media policy for guidance on expected behaviours in relation to social media.

### **Modern slavery and human trafficking**

The Group is absolutely committed to preventing slavery and human trafficking in its corporate activities and to ensuring that its supply chains are free from slavery and human trafficking. The Group recognises that it has a responsibility to take a robust approach to slavery and human trafficking.

To ensure its employees are not subject to undue influence and are treated with dignity and respect, Gentoo has robust policies and procedures in place across all its operations to ensure compliance with employment legislation and prevent unethical working practices. Gentoo is committed to ensuring that all staff receive fair remuneration for the job they perform and undertakes regular reviews of terms and conditions across the workplace.

When using agencies and other bodies associated with the employment of the Group, the Group will ensure that steps are put in place to ensure that no slavery or human trafficking is in these supply chains and that thorough checks and procedures are in place to work with such bodies.

The Group produces an annual statement on modern slavery and human trafficking which details the actions to understand all potential modern slavery risks related to its business and the steps put in place to ensure this doesn't occur in its supply chains.

Gentoo also has a whistleblowing policy which allows concerns to be reported on a confidential basis and without fear of recrimination.

### **Complaints**

If an employee or candidate for employment considers that they have been unlawfully discriminated against under this policy, they should follow the Group's grievance procedure to make a complaint. Details of any complaints will be retained confidentially for monitoring purposes.

## **Related Policies**

This policy should be read in conjunction with the following policies:

- Diversity and Inclusion in Service Provision Policy and Toolkit
- Code of Conduct



- Prevention of Bullying and Harassment
- Recruitment and Selection
- Disciplinary
- Grievance
- Learning and Development Policy
- Data Protection Policy
- Information Security Handbook

If you are unhappy about the application of this policy, please refer to the Group's Grievance or Whistleblowing policies.

### Version Control

| Version | Reason   | Issuer  | Date         |
|---------|--|---------|--------------|
| V1.0    | Approved   | A Bell  | 2018         |
| V2.0    | <ul style="list-style-type: none"> <li>• 'General' deleted reference to 'orange book and red and green book</li> <li>• 'Contribution and Goals' deleted detail of vision and values</li> <li>• General Formatting</li> <li>• A&amp;R Approval</li> </ul> | N Young | January 2021 |