



Diversity and Equality Policy

September 2017

This Policy applies to all HCT Group companies and employees.

This policy sets out HCT Group's policy on diversity and explains the law and our commitment in relation to equality of opportunity.

Introduction

We are committed to being an equal opportunities employer and oppose all forms of unlawful discrimination.

We believe that individuals should be treated on their merits and that employment-related decisions should be based on objective job-related criteria such as aptitude and skills. For these reasons, all employees, and particularly managers with responsibility for employment-related decisions, must comply with the policies described below.

We start by explaining the law and how it relates to certain employment practices. We then explain some specific legal issues relating to disability and go on to set out our policy on the following areas:

- recruitment;
- pay and benefits;
- promotion and training;
- disciplinary, performance improvement and redundancy procedures.

The law

1. It is unlawful to discriminate against employees and other workers because of sex, marriage or civil partnership, gender reassignment, pregnancy or maternity, sexual orientation, race (including national origin and nationality), religion or belief, disability and age. These are known as "protected characteristics".
2. The law divides discrimination into four broad categories – direct discrimination, indirect discrimination, harassment and victimisation.
 - (a) **Direct discrimination** involves treating a person less favourably because of a protected characteristic (for example not promoting an individual because of his or her race or sexual orientation). It includes discrimination because of perceptions or assumptions about a person's characteristics, even if these are incorrect (for example, not promoting an individual because he is assumed to be gay). It also includes discrimination because a person associates with someone who has a protected characteristic (for example, not promoting an individual because he or she has a disabled child). Direct discrimination cannot be justified (with the exception of age discrimination).
 - (b) **Indirect discrimination** occurs when an apparently neutral provision, criterion or practice is applied across all groups, but this would put those with a particular protected characteristic at a particular disadvantage when

compared with others who do not share this characteristic (for example imposing a requirement that candidates for promotion be over six foot tall, which would particularly disadvantage women). Indirect discrimination will not be unlawful if it can be justified.

- (c) **Harassment** is unwanted conduct related to a protected characteristic or of a sexual nature which has the purpose or effect of:
 - (i) violating an individual's dignity; or
 - (ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
 - (d) **Victimisation** has a particular legal meaning and involves subjecting a person to a detriment because he or she has complained about discrimination or assisted somebody else in doing so.
3. It is not normally an answer to an allegation of discrimination to say that the discrimination was not intentional or deliberate.
 4. The law makes it unlawful to discriminate against job applicants (in recruitment arrangements and decisions), employees and other workers (in relation to terms and conditions of employment/work, opportunities for training and promotion, dismissal and other matters) and to certain ex-employees (e.g. in relation to references).

Disability discrimination

5. The legislation covering disability discrimination is complex. As well as the types of discrimination explained above, the law also makes it unlawful to treat a disabled person unfavourably *because of something arising in consequence of his or her disability, unless this justifiable*. This is a broad test and includes, for example, treating someone unfavourably because they need to take time off work for medical treatment due to a disability. The law also imposes a duty to make reasonable adjustments to accommodate the needs of the disabled person, which could include alterations to work stations, duties, hours or working practices.
6. The group of people protected as "disabled" within the legislation is wider than you might think. It covers not just those with physical disabilities, such as people in wheelchairs, but also people with mental impairments and less obvious physical impairments (such as, for example, some forms of RSI and clinical depression). Depending on the circumstances, lack of knowledge that someone is disabled may not be a defence. You should always consider that an individual might have an impairment that counts as a disability without you knowing this.

Our policies

7. We have set out our specific policies on various employment situations below.

Recruitment

8. All advertising and recruitment literature should reflect our commitment to equal opportunities and not enhance stereotypes. Wherever possible, all vacancies should be advertised simultaneously internally and externally. [Where vacancies are to be filled by promotion or transfer, they should be published to all eligible employees in such a way that they do not restrict applications from particular groups
9. The recruitment process should not disadvantage disabled people and reasonable adjustments to the process (and particularly at any interview) should be considered.
10. The criteria for selection should be fair and appropriate. Any criteria which disadvantage those with certain protected characteristics should be retained only when justifiable in terms of the job to be done.
11. Questions at interview should relate to the requirements of the job. Questions should not be asked which could disadvantage certain groups, and questions should not be asked of those with a particular protected characteristic that would not be asked of everyone.
12. Selection procedures should be objective. Each candidate should be assessed according to his or her capability to carry out the job. It should not be assumed that certain groups should perform certain kinds of work or “will not fit in”.
13. When considering a disabled candidate’s suitability for the job, he/she should be assessed on the assumption that any reasonable adjustments have been made (for example, if someone needs a special keyboard and this is a reasonable adjustment, his/her ability to do the job compared with other candidates should be assessed on the assumption that the keyboard has been provided).
14. Wherever possible, more than one person should be involved in the recruitment process and all should have some training in equal opportunities.
15. The reasons for selection and rejection of candidates should, where practical, be recorded.

Pay and benefits

16. Equal pay should be paid for work of equal value, unless there is a material factor that accounts for the variation.
17. Benefits should be offered to all employees equally unless there is a good justification for not doing so. We will try to be flexible and accommodate cultural or religious holidays and religious restrictions on hours of work.

Promotion and training

18. Employees should have equal opportunities for promotion and training. When general ability and personal qualities are the main requirements for promotion to a post, care should be taken to consider properly candidates with differing career patterns and general experience. There should be no stereotypical assumptions about the ambitions or otherwise of any individual from a particular group.
19. Training and development should not stop because someone is pregnant or has childcare responsibilities. Nor should it be assumed that such employees are not interested in promotion.

Disciplinary, performance improvement and redundancy procedures

20. Care should be taken to ensure that those with a particular protected characteristic are not sanctioned for performance or behaviour that would be condoned or overlooked in another group. For example, a man who takes emergency time off to deal with a domestic situation should be viewed no less sympathetically than a woman would be viewed in the same circumstances.
21. If selection for redundancy becomes necessary, direct and indirect discrimination should not occur in the selection criteria or process. For example, be careful when using absence-related criteria (because these may disadvantage disabled or pregnant workers) and adjustments might need to be made to ensure that such criteria are fair.

Monitoring our effectiveness

22. In order to review and maintain progress against our policies (and for no other purpose) we carry out the following equal opportunities monitoring:
 - (a) Recruitment and Selection – programs will be reviewed and where applicable recommendation on future programs may be implemented.
 - (b) Training and Promotion – programs will be reviewed and where applicable recommendation on future programs may be implemented.
 - (c) Disciplinary, performance improvement and redundancy – programs will be reviewed and where applicable recommendation on future programs may be implemented.

Your co-operation in this process is valued, as is any feedback or suggestions you may have for improving this policy.

What to do if you have a complaint?

23. If you believe that discrimination is taking place, you could speak informally to the person responsible, your Manager or the HR Department. You may also consider a grievance or, if you are being harassed, a complaint under our bullying and harassment procedure.

Your responsibilities

24. Whilst overall responsibility for this policy rests with the Group Head of People and Talent, all Managers are responsible for ensuring that this policy is applied within their own area.
25. You have a personal responsibility to comply with this policy and do your best to ensure that it is adhered to in your day-to-day work. You must not discriminate or help others to do so in contravention of this policy. Breaches of this policy will be taken seriously and are likely to result in disciplinary action, up to and including dismissal. You may also be personally liable towards anyone you unlawfully discriminate against, and may have to pay compensation on top of any compensation we might be ordered to pay.

Status and application of this policy

26. This policy is not part of any contract of employment and does not create contractual rights or obligations. It may be amended by us at any time.

Next review date September 2018

HCT Group Executive