



AKW Medi-Care Ltd

Contour Showers Ltd

DLP Limited

Diversity, Equity and Inclusion Policy

Reviewed : March 2023

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Terms of Reference

AKW Medi-Care Ltd, Contour Showers Ltd and DLP Limited (“The Group”) is committed to providing equity of opportunity in employment and to avoiding unlawful discrimination in employment and against customers.

The Directors are committed to implementing and enforcing effective systems throughout the organisation to prevent discrimination, bullying and harassment in accordance with the Equality Act 2010 (Manx Equivalent : Equality Act 2017).

Introduction

The Group believes that fostering an inclusive culture helps each of us to benefit from a wider range of these different perspectives, experiences and skills. We believe that this creates a happier, more productive working environment for us all.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring diversity, equity, and inclusion in employment.

To support this inclusive culture, this policy:

- outlines our commitment throughout the employment lifecycle to diversity, equity and inclusion and sets out how we put this commitment into practice;
- explains the behaviours we expect of our people in support of this commitment; and
- sets out the key steps we take to make our culture as inclusive as possible, including our diversity and inclusion framework and how we ensure equality of opportunity throughout the employment lifecycle.

This policy does not form part of your contract of employment and we reserve the right to amend or withdraw it at any time.

All employees, whether part-time, full-time or temporary, should be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be utilised to maximise the efficiency of the business.

Scope

This policy applies to anyone working for us. This includes employees, workers, contractors, volunteers, interns and apprentices. The policy also relates to job applicants and is relevant to all stages of the employment relationship.

Our commitment to you

We strive to ensure that our recruitment, promotion and retention procedures do not treat people less favourably because of their:

- disability;
- gender, gender identity or gender reassignment status;
- marital status;
- race, racial group, ethnic or national origin, or nationality;
- religion or belief;
- sexual orientation;
- age;

- civil partnership status;
- pregnancy or maternity;
- paternity;
- [educational background;]
- [socio-economic background;]
- [caring responsibilities;]
- part-time status; or
- fixed-term status.

What we expect from you

Every employee is required to assist the organisation to meet our commitment to promote diversity, equity and inclusion across the employee lifecycle and to avoid unlawful discrimination.

Our culture is made in the day-to-day working interactions between us so creating the right environment is a responsibility that we all share.

Cultivating this culture does not happen by accident but requires ongoing commitment and nurturing. The reality is that we live in a world where areas of difference (whether gender, sexual orientation, ethnicity or others) often translate to biases, challenges and barriers that may not be faced by others. And the more areas of difference a person brings, the more this effect can be compounded. In this way, the experiences of a black woman with a disability may be very different to the experiences of a black woman without a disability and very different from the experiences of a white woman. This way of looking at diversity and inclusion is known as "intersectionality".

We expect you to treat your colleagues and third parties (including customers, suppliers, contractors, agency staff and consultants) fairly and with dignity, trust and respect. Sometimes, this may mean allowing for different views and viewpoints and making space for others to contribute.

By embedding such values and constructively challenging inappropriate comments or ways of working, you can help us achieve and maintain a truly inclusive workplace culture.

Any dealings that you have with colleagues or third parties must be free from any form of discrimination, harassment, victimisation or bullying.

If any of our people is found to have committed, authorised or condoned an act of discrimination, harassment, victimisation or bullying, we will take action against them (for those to whom it applies) under our Disciplinary procedure, up to and including dismissal.

There is no justifiable reason to discriminate against, harass, bully or victimise someone else. For example, observing a particular religion is not a legitimate reason for bullying or harassing a colleague because of their sexual orientation. Even if you do not intend to discriminate against, harass, bully or victimise someone else, this does not legitimise your behaviour as it is the impact on the recipient that is important.

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

Protected Characteristics

The Equality Act 2010 prohibits discrimination because of certain protected characteristics. These are:

Age

The Act protects people of all ages from unlawful discrimination. It is important to note that this is the only protected characteristic where direct discrimination may be justified, but employers may only be able to justify differential treatment on the grounds of age if they can demonstrate that the different treatment is a proportionate means of achieving a legitimate aim.

Disability

A person has a disability if they have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day to day activities. If someone discriminates against a disabled person and treats them unfavourably because of something arising in consequence of their disability and this treatment cannot be justified as a proportionate means of achieving a legitimate aim, it will be discriminatory. Reasonable adjustments are a duty under the Act.

If either as an employer or service provider you did not know and could not reasonably have been expected to know of the disabled person's disability, then unfavourable treatment will not amount to discrimination. However, you must do all you can reasonably be expected to do to find out if a person has a disability.

Gender Reassignment

The Act defines a transsexual person as someone, who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning a person's sex.

Marriage and Civil Partnership

It is unlawful for a person to be treated less favourably because of the protected characteristic of marriage or civil partnership.

Pregnancy and Maternity

This aspect of the Act concerns unfavourable treatment because of her pregnancy, or illness suffered as a result of her pregnancy.

Race

It is unlawful to discriminate on grounds of colour, nationality or ethnic/national origins.

Religion or Belief

It is unlawful to discriminate against anyone because of their religion or belief.

Sex

Where, because of the protected characteristic of sex, a person is treated less favourably than another person.

Sexual Orientation

Heterosexual, bisexual, gay and lesbian people remain protected under the Act.

Types of unlawful discrimination under the Equality Act 2010 (Manx Equivalent : Equality Act 2017)

Direct discrimination

Treating someone less favourably because of a protected characteristic compared with someone who does not have that characteristic (for example choosing not to recruit someone because they are disabled and you think they "wouldn't fit in" to the team).

Indirect discrimination

Indirect discrimination: Where a policy, procedure or way of working that applies to everyone puts people with a particular protected characteristic at a disadvantage, compared with people who do not have that characteristic, unless there is a good reason to justify it. An example is introducing a requirement for all staff to finish work at 6pm. It is arguable that female employees, who statistically bear the larger share of childcare responsibilities could be at a disadvantage if the new working hours prevent them from collecting their children from school or nursery.

Harassment

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of:

- violating someone else's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else.

Sexual harassment is:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

You should refer to our Anti-harassment and anti-bullying policy for further information on our procedure for reporting harassment.

It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination

Treating someone less favourably because they are associated with someone who has a protected characteristic, for example because their partner is transgender.

Perceptive discrimination

Treating someone less favourably because you perceive them to have a protected characteristic even if they do not, for example choosing not to promote someone because you mistakenly perceive them to be gay.

Victimisation

Victimisation is treating another person detrimentally either because that person has made a complaint of discrimination or harassment, or because they have supported someone else who has made such a complaint, for example by giving a witness statement that supports the allegations.

Failure to make reasonable adjustments

Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage. Failing to comply with this duty is unlawful. Examples of reasonable adjustments might include:

- allocating some of the disabled person's duties to a colleague;
- changing their working hours or place of work;
- adjusting procedures for assessing job candidates; and
- modifying disciplinary and grievance procedures.

Diversity, equity and inclusion throughout the employment lifecycle

Recruitment

We take reasonable and appropriate steps to encourage job applications from as diverse a range of people as possible.

- Anyone making a decision about recruitment must not discriminate in any way and must have attended appropriate diversity and inclusion training.
- Every decision-maker should challenge themselves, and other members of the recruitment selection panel, to make sure that any stereotypes, unconscious bias or prejudice do not play any part in recruitment decisions.

Employment and training

The Group will treat all employees and job applicants equally and fairly and not discriminate unjustifiably against them. This will, for example, include arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, bonus schemes, work allocation and any other employment related activities.

Promotion and career development

Promotion within the Group will be made without reference to discrimination. The selection criteria and processes for promotion will be kept under review to ensure that there is no unjustifiably discriminatory impact on any particular group.

Whilst positive action measures may be taken to encourage under-represented groups to apply for promotion opportunities, recruitment and promotion to all positions will be based solely on merit.

All employees will have equal access to training and other career development opportunities appropriate to their experience and abilities and encourage them to take up training and career development opportunities.

Any decision you make relating to a person's promotion or career development must be free from discrimination.

We ensure that selection criteria and processes for recruitment and promotion are reviewed on a regular basis so that there is no discriminatory impact on a certain group.

Promoting diversity, equity and inclusion

If you are involved with making decisions about a person's employment, you must attend appropriate equality, diversity and inclusion training.

All new starters must attend equality, diversity and inclusion training as part of their onboarding programme.

Every current employee must attend regular equality, diversity and inclusion training on at least an [annual] basis.

We expect all our people to proactively support our equality, diversity and inclusion initiatives by attending events and workshops organised by the [employee resource groups/workstreams/support

groups] to educate themselves on the challenges faced by others and how to help alleviate these in the workplace.

Disability inclusion

Recruiting people with a disability

The recruitment team will consider disability in advance of a recruitment campaign so that advertising, application forms and assessments, arrangements for interviews, job descriptions and employee specifications, and selection criteria are appropriate and as inclusive as possible.

We will ask applicants at the outset if they require any reasonable adjustments to be made to the recruitment process. These may include [ensuring easy access to the premises for an interview/adapting psychometric tests/replacing psychometric tests with an alternative option/providing an alternative to a telephone interview for a deaf candidate/providing a suitable chair for an interview with a candidate suffering from back problems]. This list is not exhaustive.

If you are involved in the interview process, you must not ask job applicants about their health or disability.

Talking about disability

We understand that some people find it hard to discuss their disabilities and that disability can be invisible.

Psychological safety, where people feel able to speak up about their experiences without fear of negative consequences, is paramount to ensuring disability inclusion.

However, this is only possible if we treat people with dignity, trust and respect and we expect everyone to uphold these values.

We do not tolerate ableist language in our organisation. Ableist language is language that is negative, inappropriate or offensive towards people with a disability and may take the form of jokes or "banter". If you adopt such language, we will take action against you including (for those to whom it applies) under our Disciplinary procedure.

Reasonable adjustments

If you have a disability, you do not have to tell us. However, we would encourage you to let us know so that we can support you, for example by making reasonable adjustments to our premises or to aspects of your role, or to our working practices.

If you are experiencing difficulties at work because of your disability, please contact [your line manager/the HR team] to discuss potential reasonable adjustments that may alleviate or minimise such difficulties. We may need to discuss your needs with you and your medical adviser to help us get the right support in place.

For colleagues who are returning from long-term disability-related absence, we have a return-to-work support programme in place. For further information, please contact [your line manager/the HR team].

Complaints of discrimination

The Group will treat seriously, and will take action where appropriate concerning, all complaints of discrimination, victimisation or harassment on the grounds of sex (including marital status); race or racial

group; ethnic or national origins; colour; nationality; religion or belief; sexual orientation; or unreasonably on the grounds of disability made by employees or third parties.

All complaints will be investigated in accordance with the organisation's grievance procedure and the complainant will be informed of the outcome.

Monitoring and review

The policy will be reviewed annually to measure its progress and judge its effectiveness.

Breaches of this policy will be dealt with under disciplinary procedure. Any complaints in respect of non-compliance with this policy should be reported to the HR department, who will investigate in accordance with the grievance procedure.

Dignity at Work

The Group is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.

Harassment

Please refer to the organisation's anti-harassment policy.

Bullying

Please refer to the organisation's anti-bullying policy.