

ESH GROUP

Equality and Diversity Policy

Policy Author

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Policy Owner

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1. Policy Statement

Esh Group is committed to providing a supportive working environment, where everyone is treated with fairness and respect. The company strives to be an employer of choice and understands that, to achieve this, it must act responsibly, provide equality of opportunity and value diversity.

The company aims to ensure that no employee, job applicant, service user or potential user will receive less favourable treatment on the grounds of the following protected characteristics:

- › Race (including colour, nationality, ethnic or national origin)
- › Religion and belief
- › Sex
- › Sexual orientation
- › Gender reassignment
- › Age
- › Marital and civil partnership status
- › Disability
- › Pregnancy and maternity

As a fully inclusive organisation, less favourable treatment will not occur in areas such as:

- › HIV status
- › Part time or fixed time work
- › Trade union membership

2. Definitions

2.1 Esh Group

Describes the parent and its associated companies, denoted as the company within this policy.

2.2 Direct Discrimination

Direct discrimination occurs when a person makes assumptions or judgements about another person based on inappropriate factors (for example their race, religion, or sexual orientation).

For example: refusing to offer a job to a person who has the required skills because they belong to a particular ethnic group.

2.3 Discrimination by Association

Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

For example: an employee is looking forward to a promised promotion. However, after they tell their manager that their mother, who lives at home, has had a stroke, the promotion is withdrawn. This is discrimination because of his/her association with a disabled person.

2.4 Discrimination by Perception

Perceptual discrimination 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.

For example: an employee is forty-five but looks much younger and it is assumed the employee is in his mid-twenties. He is not allowed to represent his company at a meeting because the Managing Director thinks that he is too young. The employee has suffered discrimination on the perception of age, a protected characteristic.

2.5 Indirect Discrimination

Indirect discrimination applies to sex, age, disability, race, religion or belief, sexual orientation, gender reassignment, marriage & civil partnership, takes place when someone applies a condition or requirement to something which, although applied equally to all, a number of people may have more difficulty than others.

For example: a specific height requirement for an employment position, which is not necessary to do the job. As men tend to be taller than women, the number of women who might be able to satisfy this requirement is likely to be less than the number of men.

Similarly, a rule against wearing headgear at work could indirectly discriminate against Sikh men who wear turbans in accordance with their religious practice.

2.6 Race

It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

2.7 Disability

Disability is a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to conduct normal day-to-day activities. The Group has a duty to make reasonable adjustments for employees to help them overcome a disability. Employees are also protected from discrimination arising from their disability (e.g., a tendency to make spelling mistakes arising from dyslexia).

2.8 Gender Reassignment

Gender reassignment is the act of changing a person's sex by a medical operation in which parts of their body are changed so that they become like a person of a different sex. The Equality Act no longer requires a person to be under medical supervision to be protected, so a woman who decides to live as a man but does not undergo any medical procedures would be protected. A transsexual person is a term used to describe someone who proposes to, starts, or has undergone gender reassignment.

2.9 Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.

2.10 Harassment

Harassment is the unwanted, unwelcome, uninvited behaviour which is related to a protected characteristic and has the purpose or effect of creating an intimidating, hostile, degrading, humiliating, or offensive environment, or violating a person's dignity. It may be a persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Examples of harassment include:

- Coercion/Intimidation
- Inappropriate jokes
- Unwanted sexual attention
- Unwelcome touching
- Sexualised conversations/jokes
- Persistent Date requests
- Insults

2.11 Bullying

Bullying is the inappropriate and unwelcome behaviour that causes distress, alarm, apprehension, or fear. It involves remarks, gestures, acts, or omissions that can be described or perceived as intimidating.

2.12 Prejudice

Involves making a pre-judgement about something before experiencing or fully understanding the true concept of the situation. It can lead to the development of discriminatory attitudes about certain kinds of people, produce negative views about different lifestyles, different value systems, standards of behaviour and the value we place on another people's right to choose to be different.

2.13 Stereotyping

The pre-judgement of people based on assumptions. Assumptions made about individuals or groups are often based on false or misleading perceptions.

3. Scope

This policy applies to all Group Companies and all their employees whether full time, part time or temporary status, and to prospective employees. Suppliers, sub-contractors, consultants, and agencies as part of our supply chain have responsibilities under Section 3.5.

The Policy covers eight areas that we consider to be good practice, namely:

- › Service delivery.
- › Access to information and advice.
- › Customer care satisfaction.
- › Complaints.
- › Procurement and supply diversity.
- › Employee relations.
- › Dealing with discrimination and harassment
- › Monitoring Equal Opportunity

3.1 Service Delivery

The company will ensure that all services are delivered to an equal standard to all customers and clients. The services will provide equality of opportunity and will be free from prejudice. In the provision of services, we will always endeavour to act in a non- discriminatory, inclusive manner. Esh Group will:

- › Deliver services that are flexible and responsive.
- › Seek opportunities to work in partnership with other organisations, such as voluntary and community groups, local authorities, and housing associations.
- › Improve outcomes for specific communities or groups; conduct regular accessibility audits to ensure that our premises comply with the requirements of the Equality Act.

3.2 Access to Information and Advice

The Company will ensure all information is available to its stakeholders in a format that is accessible to them. We will ensure that we:

- › Provide information in accessible formats as required, such as community languages, large print, Braille, and audiotape.

3.3 Customer Care Satisfaction

The Company aims to ensure that all our customers are receiving the same high quality of services and that there is minimum disparity in satisfaction levels between diverse groups of customers and the majority.

The Company is committed to seek the views of its clients and customers to identify areas upon which we can improve.

To achieve this, we will:

- › Conduct regular analysis of satisfaction levels between diverse groups of customers for key service areas including overall satisfaction.
- › analyse/identify reasons for any disparity in satisfaction levels between specific groups and the majority and address any identified problems/differentials.

3.4 Complaints

Through the implementation of the Customer Complaints Procedure, we seek to manage complaints from customers fairly and with respect and professionalism, regardless of the personal characteristics of the person making the complaint.

Where required, assistance will offer to people who wish to make a complaint but have difficulty in doing so because of their circumstances e.g., disability or English comprehension difficulties. This may be the provision of translation/interpretation services, printing of documents in large print or home visits to housebound or vulnerable people.

The Company will monitor trends among groups of customers who access our comments and complaints system to ensure that we provide accessibility and customer satisfaction for all our stakeholders.

3.5 Procurement and Supply Diversity

The Company uses sub-contractors, consultants, and agencies to ensure its services are delivered efficiently to high quality and representing best value.

The Company requires that contractors and suppliers of services comply with equal opportunities requirements. A copy of this policy will be available to all sub-contractors, consultants and suppliers appointed to work for the Company. All such organisations must ensure, that in the delivery of services to the company, they do not conflict with this Policy. Failure to comply with the requirements of this Policy may lead to removal from the Company's Approved List.

The Company will promote equality of opportunity and will seek that:

- › contractors/suppliers with more than twenty direct employees must have a written equal opportunities policy which complies with the relevant Codes of Practice
- › contractors/suppliers with less than 20 direct employees and who do not have an equal opportunities policy will sign an undertaking to comply with the relevant Codes of Practice on equal opportunities.
- › To provide guidance, advice, and training to contractors/suppliers on equality and diversity issues as appropriate.
- › Major projects that are undertaken and included in the OJEU process of selection of contractors/suppliers will be fair and provide equality of opportunity.
- › contractors/suppliers, may as appropriate, provide the Group with them workforce statistics.
- › Complaints against external organisations will be monitored closely, any allegation of discrimination or harassment will be taken seriously and swiftly investigated.

- › contractors/suppliers will also be expected to take prompt and appropriate action against any member of their own workforce found in breach of this policy.

3.6 Employee Relations

The Company recognises that it is important to treat everyone with dignity and respect, and will endeavour to achieve equality of opportunity in the following ways:

- › All employees of the Esh Group have a personal responsibility to adhere to Esh values and treat everyone with dignity and respect.
- › Follow the CITB equality framework – Fairness, Inclusion and Respect (FIR).
- › Regularly review our recruitment and selection processes to ensure that they are fair and transparent.
- › All vacancies will be equally open to all members of under-represented sections of the community.
- › The workforce will be representative of the diverse communities we serve.
- › Use positive action to address workforce under-representation.
- › Have policies and practices which are inclusive and respectful of the needs and wishes of diverse groups.
- › Introduce relevant training for recruitment and selection.
- › Monitor diversity of both applicants for employment and the workforce as well as staff promotion, career developments, staff use of complaints and grievance procedures.
- › Provide training for all employees on equality and diversity.
- › Wherever reasonably practicable, undertake reasonable adjustments in relation to building access, equipment, working methods and arrangements with regards to staff, or new employees with disabilities
- › Flexible working arrangements will be offered to employees and workers to assist with individual personal circumstances, provided this does not conflict with service/business delivery commitments.

3.7 Dealing with Discrimination and Harassment

The Company endeavours always to provide a working and living environment that is free from discrimination and harassment.

The Company will not tolerate the bullying, harassment or victimisation of employees, customers or stakeholders by other employees, sub-contractors, managers, directors, customers, contractors, or members of the public in any circumstances.

In October 2024, the company implemented a sexual harassment risk assessment to identify the potential areas of risk, and the steps to prevent sexual harassment in the course of employment. The risk assessment is reviewed annually by HR team as a minimum, or sooner if an incident occurs.

Allegations of discrimination and harassment will be investigated in a sensitive manner and with the utmost discretion.

All claims of discrimination and harassment from employees, consultants, contractors, and customers will follow the procedure as detailed in Appendix A.

4. Governance & Responsibilities

- 4.1 Overall responsibility and implementation for this policy rests with the Chief Executive.
- 4.2 The Executive Board of Directors will provide leadership and direction in relation to equality and diversity and promote improvement.
- 4.3 All directors, senior managers and line managers have responsibility for promoting equality of opportunity and diversity within their own areas.
- 4.4 The day to day, responsibility for implementation of the policy rests with the Human Resources Director, who will exercise this responsibility through Esh Group directors and managers. Furthermore, all employees have a collective responsibility and obligation to ensure that this policy is adopted and implemented successfully.
- 4.5 The Human Resources Department will:
 - › Regularly review the company's key staff processes to ensure that they are fair and transparent
 - › Implement practices which are inclusive and respectful of the needs and wishes of diverse groups.
 - › Maintain a staff profile by protected characteristics such as race; religion/belief; disability; age, sexual orientation, and gender identity in accordance with data protection.

- › Provide statistical staffing data to directors and senior management team for monitoring, analysis, and evaluation purposes.
- › Ensure line managers receive training in equality and diversity and are aware of their responsibilities.
- › Ensure employees are aware of CITB equality framework.
- › Wherever reasonably practicable, undertake reasonable adjustments in relation to building access, equipment, working methods and arrangements with regards to staff, or new employees with disabilities.
- › Ensure all employees are notified of the details of this policy through the New Starter Pack and Induction process.
- › Staff surveys will be undertaken with employees to measure if the workplace is free from discriminatory practice.

4.6 Line Managers are responsible for:

- › Making employees aware of this policy.
- › Making employees aware of CITB equality framework
- › Implementing and enforcing this policy, ensuring that staff, contractors, and consultants are aware of their responsibilities.
- › Ensuring that respectful standards of behaviour are maintained in the workplace by all employees and contractors.

Employees are responsible for:

- › Ensuring that they adhere to this policy.
- › Ensuring that they do not behave in a way that treats others unfairly or that they unfairly discriminate against any other employee.
- › Ensuring that they advise and alert management of any unfair discrimination if the matter is not resolved between themselves and another employee, and that they do wish to make a formal complaint.

5. Implementation

- 5.1 All directors and managers have a particular responsibility for promoting equality of opportunity and diversity within their own areas.
- 5.2 The Human Resources Director will develop procedures which will ensure effective implementation of this policy.
- 5.3 All employees receive details of this policy and will be aware of its implications through the New Starter Induction process.
- 5.4 Individual employees at all levels have responsibility for ensuring that equality of opportunity and diversity is observed in all company activities. Individuals may be personally liable in law for acts of discrimination that they commit, authorise, contribute to, or condone in relation to other staff.

6. Monitoring and Review

- 6.1 The Company will monitor and review employment practices, to assess there is no unlawful discrimination.
- 6.2 The HR team will periodically review the policy to ensure that it continues to be fit for purpose. The Board will monitor the effectiveness of this policy by receiving an annual report on its implementation. Changes in statute or case law and advice will also prompt a review of this policy.
- 6.3 The HR team will review sexual harassment risk assessments annually, as a minimum, or as incidents occur.

7. Legislation

The following list of statutes and guidance is not exhaustive, but outlines the current frameworks that exist to contribute to the development of this policy:

- › Equality Act 2010
- › Worker Protection Act 2024
- › Equal Pay Act 2010
- › Agency Workers Regulations 2010
- › Data Protection Act 2018
- › Employment Act 2008
- › Immigration, Asylum and Nationality Act 2006
- › Rehabilitation of Offenders Act 1974

Appendix A

Bullying, Harassment, Victimisation Procedure

1. Introduction

The Company will not tolerate the harassment or victimisation of employees or workers by other employees, workers, board members, customers, contractors, or members of the public in any circumstances and will take appropriate action against the perpetrator(s).

Examples of unacceptable behaviour include but are not limited to, the following:

- › Unwelcome sexual advances, requests for sexual favours, other conduct of a sexual nature
- › Subjection to obscene or other sexually suggestive or racist comments
- › Gestures, or other derogatory comments or gestures related to a protected characteristic
- › Jokes or pictures of a sexual, sexist, or racial nature
- › Demeaning comments about an employee's appearance
- › Questions about an employee's sex life
- › Use of nicknames related to a protected characteristic whether made orally or by email.
- › Picking on or ridiculing an employee because of a protected characteristic
- › Isolating an employee or excluding an employee from social or work-related activities because of a protected characteristic.

All claims of harassment and discrimination will be actively investigated in a sensitive manner. All claims will be treated sympathetically and with the utmost discretion.

2. Procedure

- 2.1 Those who experience bullying, harassment and/or victimisation are advised if possible or appropriate to explain clearly to their harasser that the behaviour is unacceptable to them- that it is offensive/makes them feel uncomfortable/interferes with their work (whichever is appropriate) and must stop. HR are available to guide and support colleagues at any time.
- 2.2 If informal resolution of the matter is unsuccessful or considered inappropriate in the circumstances, employees are advised to use the company's grievance procedure outlined in the Employee handbook to bring a formal complaint of bullying, harassment, and/or victimisation to their director or alternatively the Human Resource Director

- 2.3 The Director / HR Director dealing with the complaint will manage it with sensitivity and will conduct a thorough investigation as quickly as possible, always maintaining confidentiality and respecting the rights of both the complainant and the alleged perpetrator. The Director/HR Director will be independent from the allegation and will always be objective.
- 2.4 Any behaviour constituting bullying, harassment or victimisation is subject to a range of measures including disciplinary action, up to and including dismissal of staff and may lead to criminal prosecution, where the Group deems it appropriate to contact the Police.
- 2.5 In cases where serious bullying, harassment and/or victimisation is alleged, action will be taken to separate the complainant and the alleged perpetrator where possible. This may involve the suspension of one or both parties with pay until the complaint has been resolved.
- 2.6 All employees involved in the investigation must respect the need for confidentiality. Failure to do so is deemed a disciplinary offence. The complainant will be advised how long the investigation is likely to last and that the alleged perpetrator will receive full details of the alleged offence to put forward his/her views in response.
- 2.7 Copies of any statements made by witnesses will be made available to the complainant and the alleged perpetrator. Witnesses will be encouraged to be present at any hearings where this will not cause them distress. Where they do not wish to attend the Director /HR Manager will, if necessary, adjourn the hearing to ask any supplementary questions of witnesses in private.
- 2.8 The alleged perpetrator and the complainant may be accompanied and represented by a work colleague or trade union representative of their choice.
- 2.9 The severity of the penalty imposed upon an employee guilty of bullying, harassment and/or victimisation will be consistent with those detailed in the disciplinary procedure, i.e., gross sexual harassment will normally result in summary dismissal. Where a lesser penalty is appropriate, e.g., an improvement note or a final written warning, further action may be required to ensure that the victim is able to continue working without embarrassment or anxiety. No element of penalty will attach to the complainant where the complaint is upheld. The result of the action will, however, remain confidential between the perpetrator and the Company.
- 2.10 Where a complaint is upheld, and it is determined that is necessary to relocate or transfer one party, consideration should be given to allow the complainant to choose whether he/she wishes to remain in post or to transfer to another department/location (subject to practical limitations).

- 2.11 It is fully expected that all employees will act responsibly regarding the issue. An employee who brings a complaint of sexual or racial harassment will not be victimised for having brought the complaint. However, false accusations can have a serious effect on innocent individuals. Therefore, should an investigation show that a false accusation has been made in bad faith (e.g., spite), appropriate disciplinary action will follow.
- 2.12 Where the complaint is not upheld because the evidence is regarded as inconclusive, consideration will be given to transfer or reschedule the work of one of the employees concerned rather than requiring them to work together against the wishes of either party where this is practicable.
- 2.13 An employee who receives a warning or is dismissed for bullying, harassment and/or victimisation may appeal against the penalty in accordance with the Groups appeals procedure.

- Ends -