

## Equality & Diversity Policy

It is the policy of Tendercare Ltd to treat all employees and job applicants fairly and equally regardless of their Age, Disability, Pregnancy & Maternity, Race, Religion & beliefs, Gender Reassignment, Marriage & Civil Partnership, Sexual Orientation, Sex (Gender) (known as 9 protected characteristics).

Definition of the 9 protected characteristics are explained below:

- **Age:** this refers to a person belonging to a particular age (e.g. 50 year old) or range of ages (e.g. 18 to 30 year old). Age includes treating someone less favourably for reasons relating to their age (whether young or old).
- **Disability:** a person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
- **Pregnancy & Maternity:** pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. Protection against maternity discrimination is for 26 weeks after giving birth. This includes treating a woman unfavourably because she is breastfeeding.
- **Race:** race refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins.
- **Religion & Beliefs:** religion has the meaning usually given to it but belief includes religious convictions and beliefs including philosophical belief and lack of belief. Generally, a belief should affect your life choices or the way you live, for it to be included in the definition.
- **Gender Reassignment:** the process of transitioning from one gender to another. Gender Identity refers the way an individual identifies with their own gender, e.g. as being either a man or a woman, or in some cases being neither, which can be different from biological sex.
- **Marriage & Civil Partner:** marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.
- **Sexual Orientation:** a person's sexual attraction towards their own sex, the opposite sex or more than one sex.
- **Sex (Gender):** a man or a woman. Treating a man or woman less favourably for reasons relating to their sex.

Types of discrimination covered under this policy are defined as below:

- **Direct discrimination:** direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

- **Discrimination by association:** this is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- **Perception discrimination:** 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.
- **Indirect discrimination:** indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, i.e. that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision you make in running your business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including showing that you've looked at 'less discriminatory' alternatives to any decision you make.
- **Harassment:** harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual". Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.
- **Third party harassment:** the Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as customers or clients. You will only be liable when harassment has occurred on at least two previous occasions, you are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.
- **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. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Furthermore, Tendercare Ltd will ensure that no requirement or condition will be imposed without justification which could disadvantage individuals purely on any of the above grounds.

This policy applies to recruitment and selection, terms and conditions of employment including pay, promotion, training, transfer and every other aspect of employment.

Tendercare Ltd will regularly review its procedures and selection criteria to ensure that individuals are selected, promoted and otherwise treated according to their relevant individual abilities and merits.

Tendercare Ltd is committed to the implementation of this policy and to a programme of action to ensure that the policy is, and continues to be, fully effective. The overall responsibility for the policy lies with Amanda Adams, General Manager. However, all staff are required to comply with the policy and to act in accordance with its objectives in order to remove any barriers to equal opportunity.

Any act of discrimination by employees or any failure to comply with the terms of the policy will result in disciplinary action.