



POL02: EQUAL
OPPORTUNITIES
& DIVERSITY
POLICY

Rev: 05

HENLEYS MEDICAL SUPPLIES LTD.

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1. Policy Statement

Henleys Medical Supplies recognises that discrimination and victimisation is unacceptable, and that no employee or job applicant should receive less favourable facilities or treatment, either directly or indirectly, on grounds of age, disability, gender, sex, sexual orientation, gender reassignment, marriage/civil partnership, pregnancy, race, religion, or belief.

Our aim is that our workforce is truly representative of all sections of society, and that each employee feels respected. We oppose all forms of unlawful and unfair discrimination or victimisation, and it is the purpose of this policy to provide equality and fairness for all in our employment.

All employees, whether part-time, full-time, temporary, or volunteers, shall 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 shall be helped and encouraged to develop their full potential, and the talents and resources of the workforce shall be fully utilised, in order to maximise the efficiency of the organisation.

Employees of Henleys Medical Supplies shall not discriminate, either directly or indirectly, or harass customers, clients, or colleagues, on any grounds as explained above.

Henleys Medical Supplies operate in accordance with the statutory requirements of the following: Equality Act 2010, National Minimum Wage Act 1998, Human Rights Act 1998, Gender Recognition Act 2004, Sex Discrimination Act 1975 (as amended), Disability Discrimination Act 2005, Employment Equality (Age) Regulations 2006. In addition, full account will be taken of any guidance or codes or practice issued by the Equality & Humans Rights Commission, the UK Government, and any other statutory bodies.

Company policies are available electronically at all times to internal employees, and externally upon request.

2. Policy

2.1. Scope

Henleys Medical supplies seeks to provide equal opportunities and treatment to all employees, and to eliminate discrimination.

The purpose of this policy is to document our commitment to creating an environment in which individual differences and contributions are recognised and valued. Every employee is entitled to a working environment that promotes dignity and respect to all. No form of bullying, intimidation, or harassment will be tolerated. Training, development, and progression opportunities are available to all staff.

This policy covers all of the following aspects of Henleys Medical Supplies.

2.1.1. Recruitment & Selection

Henleys Medical Supplies aims to promote a broad span of representation within our services.

Henleys Medical Supplies advertises via recruitment agencies, who are made aware of such policies when they engage with the agency. We shall:

- Ensure job advertisements contain a brief statement explaining that the company is an equal opportunities employer
- Recruit and select on the grounds of ability, with reference solely to objective and job-related criteria, eschewing all forms of less favourable treatment, direct and indirect discrimination, and victimisation

- Ensure all job applicants are enabled to complain in circumstances where they believe equal opportunities have been denied, by advising them of their rights under this policy
- Work closely with relevant agencies to ensure compliance with this policy and UK law.

2.1.2. Workplace

Henleys Medical Supplies aims to ensure there is equal and fair treatment of all employees. We shall:

- Promote understanding of equal opportunities principles amongst all employees, contractors, and volunteers, and expect all staff to treat each other with dignity and respect
- Take prompt action to stop discriminatory treatment as soon as it is identified
- Ensure that decisions concerning access to resources, training, promotion, and career management are based solely on merit, referring to objective and job-related criteria
- Ensure training and development strategies and programmes address training in anti-discriminatory practice
- Work toward the adoption of flexible working practices, including a job share scheme, maternity, paternity, and adoption leave schemes, and carer's support schemes, to be reviewed and undertaken as appropriate
- Treat seriously and address complaints or grievances by employees, or disciplinary matters affecting employees, by using the approved policy and procedures.

2.2. Responsibilities

2.2.1. Managing Director

The Managing Director has overall responsibility for ensuring the effective implementation and operation of the arrangements, and to ensure that the company operates within this policy and arrangements. The Managing Director is also responsible for monitoring the operation of this policy.

2.2.2. Senior Management/Department Managers

Management are responsible for ensuring that:

- All employees are aware of this policy and the arrangements, and the reasons for the policy
- Grievances concerning discrimination are dealt with properly, fairly, and as quickly as possible
- Proper records are maintained.

2.2.3. All Employees

All employees are responsible for:

- Complying with this policy and the arrangements
- Not discriminating in their day-to-day activities, or induce others to do so
- Not victimising, harassing, or intimidating anyone else, including colleagues
- Ensuring no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic
- Inform their manager if they become aware of any discriminatory practice.

2.2.4. Third Parties

Third party harassment occurs where an employee of Henleys Medical Supplies is harassed by third parties, such as clients or customers. Henleys Medical Supplies shall not tolerate such actions against employees, and anyone concerned should inform their manager at once. A full investigation will be undertaken, and we shall take all reasonable steps to ensure such harassment does not occur again.

2.3. Protected Characteristics

The Equality Act 2010 includes certain protected characteristics, which ensures employees are not discriminated against or harassed on the grounds of that characteristic.

a) Disability

A person is classed as having a disability if they have a physical or mental impairment that has a substantial and long-term, adverse effect on their ability to carry out day-to-day activities.

Employees with a disability shall not be discriminated against (either directly or indirectly), victimised, or harassed on the ground of their disability. If an employee informs their employer of their disability, and they are discriminated against due to something connected to it (for example, a tendency to make spelling mistakes arising from dyslexia), this is unlawful. It is unlawful to ask about a candidate's health, except in certain circumstances, prior to offering them work.

An employer is also expected to make reasonable adjustments for employees to help them overcome disadvantage resulting from an impairment.

Henleys Medical Supplies attaches particular importance to the needs of people with disabilities. Under the terms of this policy, managers are required to:

- Make reasonable adjustment to maintain the services of an employee who becomes disabled, for example, training, provision of special equipment, reduced working hours (NB: managers are expected to seek advice on the availability of advice and guidance from external agencies to maintain disabled people in employment)
- Include disabled people in training/development programmes
- Give full and proper consideration to disabled people who apply for jobs, having regard to making reasonable adjustments for their particular aptitudes and abilities, in order to allow them to be able to do the job.

b) Pregnancy

A pregnant employee is protected against direct discrimination or victimisation on the grounds of pregnancy and maternity during the period of pregnancy and statutory maternity leave.

c) Maternity & Paternity Rights

According to UK Government guidance, pregnant employees have four key, legal rights:

- Paid time off for antenatal care
- Maternity leave
- Maternity pay
- Protection against unfair treatment, discrimination, or dismissal.

'Antenatal care' includes medical appointments, as well as antenatal or parenting classes if a doctor or midwife has recommended them.

Henleys Medical Supplies shall not change a pregnant employee's contract terms and conditions without agreement. It would be illegal to refuse to give pregnant employees time off for antenatal care or refuse to pay their normal rate for this time off. Henleys Medical Supplies are open to supporting employees with pregnant parties, and invites employees to discuss their needs with the Managing Director.

If the employee is off work for a pregnancy-related illness in the 4 weeks before the baby is due, maternity leave and statutory maternity pay will start automatically, regardless of what has been previously agreed.

If the employee declines to take statutory maternity leave, they must take 2 weeks off work after the birth.

Employees shall inform Henleys Medical Supplies of their pregnancy at least 15 weeks before the week commencing their baby is due. If this is not possible, for example if the employee did not know they were pregnant, they must inform Henleys Medical Supplies as soon as possible.

Employees must also state when they want the statutory maternity leave and pay to begin. Employees cannot take time off for antenatal appointments until Henleys Medical Supplies is aware of the pregnancy.

Once Henleys Medical Supplies is aware that an employee is pregnant, any health and safety risks shall be assessed. Risks could be caused by:

- Heavy lifting or carrying
- Standing or sitting for long periods without an adequate break
- Exposure to toxic substances
- Working long hours

Where risks are present, Henleys Medical Supplies shall take reasonable steps to remove them, for example, by offering the employee different work, or changing their hours. If the risk(s) cannot be removed, the employee shall be suspended on full pay.

Employment rights are protected while an employee is on statutory maternity leave. This includes the right to:

- Pay rises
- Accrue holiday
- Return to work

d) Age

Any treatment on the grounds of an individual's age, whereby that individual is treated less favourably than others are or would be treated, and/or where any provision, criterion, or practice applying to an individual which would not be applied to persons of a different age group, puts that individual at a particular disadvantage. Such treatment, if it cannot be shown to be proportionate means of achieving a legitimate aim (i.e. it cannot be objectively justified) is unlawful.

Age is the only protected characteristic which allows employers to justify direct discrimination. The employer must demonstrate that such discrimination is a proportionate means of meeting a legitimate aim.

e) Sex

People of any sex are protected from direct or indirect discrimination, victimisation, or harassment on the grounds of their sex, or an assumption of their sex. Indirect discrimination includes when a provision, criterion, or practice is applied that puts a person of one sex at a particular disadvantage when compared to a person of another sex.

f) Sexual Orientation

People of all sexual orientations are protected from direct or indirect discrimination, victimisation, or harassment on the grounds of their sexual orientation, or an assumption of their sexual orientation.

g) Marriage & Civil Partnership

Employees who are married or in a civil partnership are protected against discrimination on the grounds of their marital status. Henleys Medical Supplies extends this definition to include all employees, regardless of marital status.

h) Gender Reassignment

A person who is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex, is protected from discrimination under this characteristic. It also includes those who have not undergone medical procedures, but choose to permanently live as another sex.

Such medical procedures shall not be classed as a “lifestyle choice”, and employees undergoing such procedures are therefore protected from being treated less favourably.

i) Race

Race includes colour, nationality, and ethnic or national origins. A racial group can be made up of two or more different racial groups. Employees of any race shall not be discriminated against on the grounds of their race.

j) Religion or Belief

Employees of any religion, or a lack thereof, shall not be discriminated against. Belief includes any religious or philosophical belief, or a lack thereof. In order to be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour, and that it is compatible with human dignity and does not conflict with the fundamental rights of others.

2.4. Definitions

Term	Definition
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 (see Perceptive Discrimination), or because they associate with someone who has a protected characteristic (see Associative Discrimination).
Indirect Discrimination	Although already applied to age, race, religion or belief, sex, sexual orientation, and marriage and civil partnership, the Equality Act 2010 extended its coverage to include disability and gender reassignment. Indirect discrimination can occur where there is a provision, criterion, or practice that applies to everyone, but particularly disadvantages people who share a protected characteristic, and the individual who is bringing the complaint of indirect discrimination. Generally, indirect discrimination can be justified if the employer can show that it acted reasonably in managing its business (i.e. that the policy, criterion or practice that it followed was ‘a proportionate means of achieving a legitimate aim’). A legitimate aim could include any lawful decision made by the organisation in managing its business. Being proportionate really means acting in a fair and reasonable manner, including showing that the organisation has considered ‘less discriminatory’ alternatives before decisions are made.
Associative Discrimination	Although already applied to race, religion or belief, and sexual orientation, the Equality Act 2010 extended its coverage to include age, disability, gender reassignment, and sex. This is Direct Discrimination against someone because they associate with another person who possesses a protected characteristic.
Perceptive Discrimination	Although already applied to race, religion or belief, and sexual orientation, the Equality Act 2010 extended its coverage to include disability, gender reassignment, and sex.

	<p>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 characteristics.</p>
Harassment	<p>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, humiliating, or offensive environment for that individual'. Protection from Harassment also includes protection from Third Party Harassment (see below).</p> <p>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 protected characteristic themselves. Employees are also protected from harassment because of perception and association relating to a Protected Characteristic (see Perceptive Discrimination and Associative Discrimination). Examples of harassment at work may include the following due to one of the Protected Characteristics:</p> <ul style="list-style-type: none"> • Offensive or inappropriate 'jokes', banter, insults, taunts, gibes, literature & graffiti; shunning a person; excluding a person from conversations; making insinuations; being condescending or deprecating about the way a person dresses or speaks; and picking on people unnecessarily • Conduct that can constitute harassment (of any type) can include the following types of behaviour • Unwanted physical contact • Unwanted oral or written abuse including offensive language, suggestive remarks, suggestive whistling, or emails containing material of a sexual or racial nature or relating to an individual's disability or age (NB whether you consider this material to be amusing is not relevant) • Visual display of offensive posters, graffiti, suggestive gestures, or use of pornographic or inappropriate internet sites; and conduct such as sexual or racial ridicule, offensive flirting, leering, intimidation, or abuse because of an individual's sex, race, age, or disability. <p>In addition to the protection from harassment under the Act, the Protection from Harassment Act 1997 also makes it unlawful to pursue a course of conduct that an individual knows or ought to know amounts to harassment of another. Harassment of a person in this regard includes causing the person alarm or distress.</p> <p>Henleys Medical Supplies expects all employees to conduct themselves in a professional manner with respect and concern for their fellow employees.</p>
Third Party Harassment	<p>Although already applied to sex, the Equality Act 2010 extended coverage to include age, disability, gender reassignment, race, religion or belief, and sexual orientation.</p> <p>Under the Act, an employer can be held liable for harassment of an employee by people (i.e. third parties) who are not employees, such as customers or clients. The employer will only be liable when harassment occurred on at least two previous occasions, it is aware that it has taken place, and has failed to take reasonable steps to prevent it from happening again.</p>
Victimisation	<p>Victimisation occurs when an employee is subjected to a detriment because they have done a 'protected act', or the employer believes that the employee has done or may do a 'protected act'.</p> <p>A 'protected act' can include bringing proceedings under the Equality Act 2010, giving evidence, or giving information under the Act (e.g. made or supported a complaint or raised a grievance under the Equality Act 2010 or because they are suspected of doing so). An employee is not protected from victimisation if they have given false evidence or information, or made a false allegation, and the evidence/allegation is given, or allegation is made in bad faith.</p>

	There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Equality Act 2010.
Bullying	<p>Behaviour which is directed against an individual or group of individuals and is cruel, offensive, intimidating, malicious, or insulting. It is often a misuse of power calculated to humiliate, denigrate, or injure the recipient, and which may also undermine the confidence and self-esteem of the recipient. Bullying can be experienced at all levels and perpetrated up and down management lines and across teams.</p> <p>Conduct which constitutes bullying, can include the following types of behaviour:</p> <ul style="list-style-type: none"> • Behaviour that is threatening, insulting or abusive • Aggressive gestures, bodily posture or physical contact • Intimidation and assault • Constant innuendo, belittling, and 'putting down' • Shouting in order to force others to give way • Foul and abusive language, especially when used to convey intentions that should be communicated in a civilised manner • Continuing unjustified criticism of an employee's work, especially in front of others.

2.5. Training

Training shall be provided for managers on this policy and the associated arrangements. All managers who have an involvement in the recruitment and selection process shall receive specialist training.

2.6. Grievances/Discipline

Employees have the right to pursue a complaint concerning discrimination or victimisation via the Company Grievance or Harassment Procedures in the Company Handbook. Discrimination and victimisation shall be treated as disciplinary offences, and shall be dealt with accordingly.

3. Review

This policy shall be maintained and reviewed by the Managing Director.



Danielle Henley, Managing Director

4. Revision History

Revision	Modified by	Date	Description of Change
01	Andy Cleveland	April 2015	Initial issue.
02	Andy Cleveland	April 2016	Annual review. Mobile numbers updated.
03	Vikki Patis	April 2017	Annual review.
04	Vikki Patis	April 2018	Annual review. New format.
05	Vikki Patis	December 2020	New format.