

## EQUALITY AND DIVERSITY POLICY

### 1. Introduction

Lucas UK Group Ltd is dedicated to encouraging a supportive and inclusive culture amongst the workforce. It is within our best interest to promote diversity and eliminate discrimination in the workplace.

Our aim is that each employee will be respected and valued. This policy reinforces our commitment to providing equality and fairness to all in our employment.

Our policy will be monitored and reviewed annually to ensure that equality and diversity is continually promoted within the workplace.

Lucas UK Group Ltd recognises that it is essential to provide equal opportunities to all persons without discrimination. This policy sets out the organisation's position on equal opportunity in all aspects of employment, including recruitment and promotion, and provides guidance and encouragement to employees at all levels to act fairly and prevent discrimination to other employees, course candidates, awarding body officials and or members of the public.

We recognise the nine protected characteristics and fully endorses the requirements of the Equality Act 2010, which seek to prevent unfair treatment via direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person or to staff or client course candidates, due to their; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

Furthermore, we will ensure that fair undertakings are also considered when we seek to providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations with other companies.

### 2. Definition of Discrimination

- a) **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 perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below).
- b) **Discrimination by association** - Already applies to race, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because

they associate with another person who possesses a protected characteristic.

- c) **Perception discrimination** - Already applies to age, race, religion or belief and sexual orientation. Now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a protected characteristic. It applies even if the person does not actually possess that characteristic.
- d) **Indirect discrimination** - Applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership, disability and gender reassignment. 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 have looked at 'less discriminatory' alternatives to any decision you make.
- e) **Harassment** – Harassment (bullying/the act or threat of verbal or physical abuse) 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
- f) **Third party harassment** - Applies sex, age, disability, gender reassignment, race, religion or belief and sexual orientation. 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.

- g) 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. 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 Act.

### **3. Statement of policy**

- a) It is the policy of Lucas UK Group Ltd to ensure that no job applicant or employee, course candidate, awarding body official or member of the public receives less favorable
- b) treatment on the grounds due to their; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, or is disadvantaged by conditions or requirements that cannot be shown to be justifiable. The organisation is committed not only to its legal obligations but also to the positive promotion of equality of opportunity in all aspects of employment.
- c) The organisation recognises that adhering to the Equality & Diversity Policy, combined with relevant employment policies and practices, maximises the effective use of individuals in both the organisation's and employees' best interests. Lucas UK Group Ltd recognises the great benefits in having a diverse workforce with different backgrounds, solely employed on ability.
- d) The application of recruitment, training, and promotion policies to all individuals will be based on job requirements and the individual's ability and merits.
- e) All employees of the organisation will be made aware of the provisions of this policy.

### **4. Recruitment and promotion**

- a) Advertisements for posts will give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post. Information about vacant posts will be provided in such a manner that does not restrict its audience in terms of sex, race, marital status, disability, age, part-time or fixed

term contract status, sexual orientation or religion.

- b) Recruitment literature will not imply a preference for one group of applicants unless there is a genuine occupational qualification which limits the post to this group, in which case this must be clearly stated.
- c) All vacancies will be circulated internally.
- d) All descriptions and specifications for posts will include only requirements that are necessary and justifiable for the effective performance of the job.
- e) All selection will be thorough, conducted against defined criteria and will deal only with the applicant's suitability for the job. Where it is necessary to ask questions relating to personal circumstances, these will be related purely to job requirements and asked to all candidates.
- f) At no point prior to a job offer will we enquire about any medical condition that would prevent any applicant from being selected. Naturally once selected we then reserve the right to make such enquiries that would be considered fair in pursuance of the relevant due diligence in relation to the candidate's suitability to conduct the advertised post.

## **5. Employment**

- a) Lucas UK Group Ltd will not discriminate on the basis due to their; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, part-time or fixed term contract status, in the allocation of duties between employees employed at any level with comparable job descriptions.
- b) Lucas UK Group Ltd will put in place any reasonable measures and/or adjustments within the workplace for those employees who become disabled during employment or for disabled appointees.
- c) All employees will be considered solely on their merits for career development and promotion with equal opportunities for all.

## 6. Blacklists

- a) Lucas UK Group Ltd does use or support the use of any 'blacklist' which aims to pre- deselect any individual or company from the tender process.

## 7. Training

- a) Employees will be provided with appropriate training regardless of sex, race, marital status, disability, age, part-time or fixed term contract status, sexual orientation or religion.
- b) All employees will be encouraged to discuss their career prospects and training needs with their Line Manager or the Office Manager.

## 8. Monitoring

- a) It is the responsibility of the Head of HR to ensure that all aspects of this policy are kept under review and are operated throughout the organisation.
- b) Where it appears that applicants/employees are not being offered equal opportunities, circumstances will be investigated to identify any policies or criteria which exclude or discourage certain employees and, if so, whether these are justifiable.

## 9. Grievances and victimisation

- a) Lucas UK Group Ltd emphasises that discrimination is unacceptable conduct which may lead to disciplinary action under our Disciplinary Procedure.
- b) Any complaints of discrimination will be pursued through our Grievance Procedure



Andrew Price  
CMIOSH  
HSQE Director

3<sup>rd</sup> January 2023