

IMSP060AR: FAIRNESS AND INCLUSION POLICY

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Document History			
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1.0	AL	06/08/2012	
1.1	AL	16/12/2014	Review and update policy statement. Insertion of commitments
1.2	AL	25/01/2016	Review and update policy statement
1.3	AL	01/06/2017	Review and update policy statement
1.4	AL	16/07/2018	Review and update policy statement
1.5	HR	01/08/2021	Review and amended to new template
1.6	HR	01/10/2023	Reviewed in line with Approach to FI&W; process for declaration of disability status added
1.7	HR	20/08/2024	Minor amends following recommendations from Mind Policy Review as part of Index 2023/24

1. PURPOSE

Through the strong delivery of this policy, Mears Group will create a fair, inclusive work environment, which prohibits unlawful discrimination, thereby ensuring all individuals are treated fairly and respectfully, with equity of access to opportunities and resources where everyone can achieve their potential and contribute fully to the business success.

2. SCOPE

This policy applies to all Mears Group Plc employees and its subsidiary companies. It does not form part of any employee's contract of employment, and it may be amended at any time. It sets out how Mears expects colleagues to treat each other.

3. DEFINITIONS

Fairness - Ensuring equal access to opportunities for all regardless of socio-economic background or individual make up, race, gender, gender identity, sexual orientation, disability, faith and belief or age.

Inclusion - Recognising, embracing and valuing everyone's individuality and creating a sense of belonging, acceptance and value for who you are; feeling welcome and supported as you bring your authentic self to work.

Equality – To ensure that any unlawful discrimination in the workplace because of any of the protected characteristics does not occur. Protected characteristic is defined as: age; disability; gender reassignment, marriage or civil partnership status; pregnancy or maternity; race (including colour, nationality and ethnic or national origin); religion or belief; sex; or sexual orientation. For the purposes of this policy 'discrimination' includes direct and indirect discrimination and other 'prohibited conduct' under the Equality Act 2010. Discrimination may take the form of:

- Direct discrimination - this is treating someone less favourably (or, in the case of pregnancy and maternity, unfavourably) because of a protected characteristic. This treatment is unlawful unless, it can be objectively justified and the Company can show that it is a proportionate means of achieving a legitimate aim.
- Indirect discrimination - this is treating a group of people in the same way, but in a way which adversely affects those with a protected characteristic. Such treatment is unlawful unless it can be objectively justified.
- Victimisation - this is treating someone less favourably because they have alleged discrimination or asserted their right not to be discriminated against because of a protected characteristic.
- Harassment - this is unwanted conduct, related to a protected characteristic, which has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for someone or violating their dignity. Harassment may also be of a sexual nature. It may also occur where someone harasses the victim, the victim either rejects or submits to the harassment and, because of that rejection or submission, that person then treats the victim less favourably. More information on what can constitute harassment is contained in the Bullying and Harassment Policy.

In the case of disability only, discrimination arising from disability - this is unfavourable treatment of the disabled person because of something arising in consequence of their disability. Such treatment is unlawful unless it can be objectively justified.

In the case of disability only, the duty to make reasonable adjustments - this duty comprises three requirements, each of which arises where a disabled person is at a substantial disadvantage in relation to a 'relevant matter':

- the first is a requirement, where a provision, criterion or practice puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage;
- the second is a requirement, where a physical feature puts a disabled person at substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage; and
- the third is a requirement, where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to provide the auxiliary aid.

Equity - Through the equity of access to opportunities and resources we ensure everyone can achieve their potential and contribute fully to the business success inclusive work environment which prohibits unlawful discrimination, thereby ensuring all individuals are treated fairly and respectfully.

Health and Wellbeing - Health is a state of complete physical, mental and social wellbeing – not limited to the absence of disease or infirmity. Wellbeing is a state of feeling healthy and happy.

4. RESPONSIBILITIES

Under the policy, responsibilities are devolved as follows:

Workforce Group:

- Each member of the Workforce Group is responsible for ensuring the effective cascade and embedding of the requirements of this policy within their areas of responsibility within the business.

Employee Director:

- Through the Employee Forum, the Deputy Employee Director and Trades Representative, the Employee Director is responsible to take all reasonable steps to obtain a wide range of feedback as to the day-to-day practice in the implementation of the policy.

Group HR Director:

- HR people aims, strategy and policies are fully and demonstrably embedded within the organisation.
- Monitoring and reporting systems are accurately maintained in a timely and verifiable manner.
- The Group Board is updated with all matters relating to fairness and inclusion.
- Identified issues are actively addressed and resolved fairly and consistently. All issues are reported to appropriate Board members detailing the corrective action that has been taken.
- Ensure that the aims and the values embodied in this policy are appropriately reflected in all job descriptions, person specifications and annual personal development reviews.

Line Manager:

- Read and understand the contents of the policy and procedure and ensuring that the policy is cascaded to their direct reports and provide opportunity for employees to clarify any points in the policy they are uncertain of.
- Have due regard to equality issues in all decision-making.
- Ensure that due consideration is given to fairness and inclusion within their own areas for employees, as well as customers and clients.
- Promote an environment where respect is shown to all, and mutual understanding is fostered.
- Challenge any actions or behaviour which are in conflict with the aims and commitments in this policy.
- Ensure employees know how to report any instances of discrimination, bullying and harassment without fear of victimisation.
- Deal with complaints fairly, thoroughly, quickly and confidentially.

HR Business Partner / HR Advisory Team:

- Ensure local People Plans adopt the principles and requirements of this policy.
- Provide advice and guidance on the application of the policy and related policies to employees and managers.
- Identify instances of potential discrimination and take swift action as appropriate in line with policy.
- Ensure that inappropriate behaviour is challenged, and actions taken to rectify, for example, through training or coaching.
- For requests for specialist equipment:
 - Maintain regular contact with the Central Service team supporting any request, the Line Manager and the employee.

- Take responsibility to escalate any cases where there is undue delay.
- Liaise with the employee to ensure their satisfaction, prior to closing the ticket.

Talent Acquisition Team (TA):

- When the team is made aware that a candidate has declared a disability, they will follow the process as set out in this policy.
- Follow the principles for Recruitment and Selection set out below and reinforce these in day to day interactions with Hiring Managers.

Mears Learning:

- Co-ordinate the provision of training in this policy, in conjunction with the relevant internal and external Subject Matter Experts.
- Take steps to ensure that all training programmes are accessible and embed the policy principles within all relevant training and development opportunities.
- Arrange to meet any reasonable adjustments requested by delegates or their line manager.
- Monitor take-up of training to identify any potential areas of concern or under-representation.

Employee:

- Read and understand contents of the policy and procedure.
- Maintain a professional working environment treating all employees, customers and clients equally and with respect.
- Challenge inappropriate behaviour and report when appropriate.

Central Services Teams (Fleet, IT, Procurement, Health & Safety):

- Read and understand contents of the policy and procedure.
- Support any requests for specialist equipment, in conjunction with the HR team, avoiding undue delays wherever possible.

5. PRINCIPLES

5.1 AIMS

- To ensure that no employee is treated less favourably than another or is denied access to facilities (either directly or indirectly) because of their age; disability; gender reassignment, marriage or civil partnership status; pregnancy or maternity; race (including colour, nationality and ethnic or national origin); religion or belief; sex; or sexual orientation (the protected characteristics) or socio-economic background.
- To work towards embedding fairness, inclusion and an approach to equality that is devoid of discrimination within all our policies and day to day operating practices.
- To oppose, challenge and eliminate all forms of unlawful discrimination and victimisation to provide fairness and inclusion for all.
- To have a workforce that is truly representative of all sections of society, and the communities we serve, where each employee feels respected and able to give their best.

5.2 COMMITMENTS

The Company is fully committed to providing equal opportunities for all employees, workers and candidates and to eliminating unlawful and unfair discrimination. The Company aims to create a culture that encourages and values diversity, and that appoints, rewards and promotes employees based on merit. The Company will not unlawfully discriminate against any employee, worker or job applicant because of any 'protected characteristic', namely: age; disability; gender reassignment, marriage or civil partnership status; pregnancy or maternity; race (including colour, nationality and ethnic or national origin); religion or belief; sex; or sexual orientation.

Equally, the Company will not treat any employee, worker or candidate less favourably because they are (or are not) a trade union member; they work part-time or on a fixed-term basis; of their socio-economic background; they have caring responsibilities.

It is acknowledged that experiences of discrimination, marginalisation and racism may impact employee mental health and that employees may face overlapping discrimination to do with many aspects of their identity. We will ensure that employees have access to appropriate support and resources both internally and externally.

Commitments will be delivered by the Company:

- Creating an environment in which individual differences and contributions are recognised and valued.
- Building a fair and inclusive culture that goes beyond protected characteristics, attracting and retaining the best talent, enabling all employees to thrive.
- Enabling an environment that promotes dignity and respect to all.
- Having a workforce which is representative of the communities we serve, enabling us to deliver a fair and inclusive service to all our residents/tenants and service users.
- Being clear on our expectations of suppliers (through the Supplier Commitments) including ensuring they actively promote and work to their own Diversity and Inclusion Policy and focus on increasing the representation of women and underrepresented groups in their business.
- Making training, development, and progression opportunities available to all employees.
- Promoting fairness and inclusion in the workplace because we believe this constitutes good management practice, promotes the health and wellbeing of our employees and makes sound business sense.
- Regularly reviewing all our employment practices and procedures to ensure fairness for all.
- Ensuring breaches of our fairness and inclusion policy will be regarded as serious misconduct and may lead to disciplinary proceedings, which could lead to dismissal.

6. FAIRNESS AND INCLUSION POLICY SCOPE

Maximise opportunities to attract, develop support and retain diverse representation across all job levels within our workforce.

- Continue to build inclusive attraction and recruitment practices to ensure they are bias free and encourage job opportunities for all.
- Establish and maintain Diversity Partnerships with professional organisations to help develop a pipeline of diverse internal and external candidates.

Develop and embed an inclusive culture.

- Support managers to create engaged, inclusive teams with an open culture increasing employee engagement from underrepresented groups in the workforce.
- Engage with colleagues to understand requirements around establishing employee network groups, recognition of diversity through increased story-telling.
- Deliver internal communications that support fairness, inclusion and wellbeing (FI&W) with increased visibility of diversity issues campaigns.
- FI&W Training including mandatory training to all employees on FI&W matters with refresher training every 3 years.
- Performance Reporting including annual gender pay gap reporting, expanding pay gap reporting to include ethnicity.
- Integrate and embed FI&W into our key employee and customer policies and practices throughout the employee lifecycle.
- Ensure our systems are enhanced to support our ambitions and ensure effective monitoring and reporting via Workday.

Recognition as a thought leader on FI&W in the housing sector

- Maintain participation in external FI&W groups who are at the forefront of FI&W developments.
- Our leadership team continue to raise awareness of the importance of FI&W both across our industry sectors and internally within the organisation by acting as a positive influence on our industry sectors.

7. POLICY

Recruitment and Selection

The Company will apply the following principles in recruiting or selecting for positions, whether externally or internally:

- hiring managers have undertaken training on inclusive recruitment/ unconscious bias training. Where possible encourage the use of a diverse hiring panel to also manage potential unconscious bias.

- individuals will be assessed according to their personal capability to carry out a given job.
- assumptions will not be made that only certain types of people will be able to perform certain types of work.
- the required level of skills, knowledge or qualifications will not be overstated.
- avoid specifying an age requirement.
- avoid asking for 'so many years' experience'—again, this will amount to indirect discrimination unless it can be objectively justified.
- avoid recruiting only internally or by word of mouth unless there is a good reason for doing so—advertising more broadly may help increase applications from a more diverse pool of talent.
- selection tests should be specifically related to job requirements and should measure the person's actual or inherent ability to do or train for the work.
- review selection tests regularly to ensure they remain relevant and free from any unjustifiable bias, either in content or in scoring mechanism.
- process all applications in the same way and ask the same questions at interview.
- keep records of interview on Workday and reasons for appointment and non-appointment.
- ensure that questions at interview relate to the requirements of the job.
- if a provision, criterion or practice for recruitment and selection puts disabled people at a substantial disadvantage for a reason connected with their disability, ensure that reasonable adjustments are made to eliminate or, if that is not reasonably practicable, reduce the disadvantage.
- decisions regarding the method of recruitment or selection or who is recruited or selected should only be made by a person who has read and understood this policy and undergone relevant training.

Promotions, transfers and training

The Company will apply the following principles to appointments for promotion, transfer and training:

- examine assessment criteria and appraisal schemes carefully to ensure that they are not discriminatory, whether directly or indirectly.
- monitor assessment criteria and appraisal schemes on a regular basis and, where such criteria or schemes result in predominantly one group of workers gaining access to promotion, transfer or training or being awarded a particular appraisal grade, check them to make sure this is not due to any hidden or indirect discrimination.
- Monitor take-up of training to ensure accessibility for all employees and address any potential areas of concern or underrepresentation.
- regularly monitor promotion and career development patterns to ensure that access to promotion, training and career development opportunities is not denied to particular groups or types of workers.

- avoid traditional qualifications and requirements for promotion, transfer and training, such as length of service, years of experience or age unless they can be objectively justified by reference to the job requirements.
- ensure that policies and practices regarding selection for training, day release and personal development do not result in an imbalance in training between groups of workers, and
- if any provision, criterion or practice relating to promotion, appraisal, transfer or training puts disabled workers at a substantial disadvantage for a reason connected with their disability, ensure that reasonable adjustments are made to eliminate or, if that is not reasonably practicable, reduce the disadvantage. For example, this could be making training available for a disabled worker in a different way, in a different location or at a different time.

Terms of employment, benefits, facilities and services

The Company will apply the following principles to terms of employment, benefits, facilities and services:

- review regularly the terms of employment, benefits, facilities and services available to workers to ensure that they are provided in a way which is free from unlawful discrimination.
- ensure that part-time workers receive pay, benefits, facilities and services on a pro-rata basis to their full-time comparator unless otherwise objectively justified.
- if any provision, criterion or practice relating to terms of employment, benefits, facilities and services puts disabled workers at a substantial disadvantage due to a reason connected with their disability, ensure that reasonable adjustments are made to eliminate or, if that is not reasonably practicable, reduce the disadvantage. Managers responsible for disabled workers should, in particular, take advice from the HR department when assessing pay and benefits for disabled workers.
- examine carefully and monitor regularly pay and bonus criteria, policies and practices and, if it appears that any group of workers are disadvantaged by them, check them to make sure that this is not due to any hidden or indirect discrimination.
- comply with its obligations in respect of gender pay gap reporting.

Grievances, disciplinary procedures, dismissals and redundancies

- Workers who, in good faith, bring a grievance (or assist another to do so) either under this policy or otherwise in relation to an equality or equal opportunities matter will not be disciplined, dismissed or otherwise suffer any adverse treatment for having done so.
- No member of a particular group of workers will be disciplined or dismissed for performance or behaviour which would be overlooked or condoned in another group, unless there is genuine and lawful justification for different treatment.
- Redundancy criteria and procedures will be carefully examined to ensure that they are not applied and do not operate in an unlawfully discriminatory manner.

- The provision of any voluntary redundancy benefits will be equally available to all workers unless there is a genuine and lawful justification for doing otherwise.

8. PEOPLE PLANNING

Local People Plans implement the Group's People agenda, ensuring all policies, procedures and HR initiatives are effectively cascaded. The Group People Plan confirms a series of People KPI's to be achieved in the year. Specific group metrics to Fairness & Inclusion include:

- % Black, Asian or other ethnicity
- % Women grade 5 or above
- Gender Pay Gap – median hourly pay
- Ethnicity Pay Gap – median hourly pay
- Workers with up-to-date personal data in Workday to include EDI
- % branches with at least 1 Mental Health First Aider

In addition, the plans confirm the branches' approach to the range of employee life cycle events. Plans are signed off bi-annually by senior operational leaders and HR.

9. NOTIFICATION OF DISABILITY

Self-notification by candidates

As soon as the Talent Acquisition ("TA") or HR Team are alerted to a self-declared disability whether via a declaration on the application or verbally, the candidates record will be updated to identify this.

NB - When a candidate declares a disability and meets the minimum criteria for the position, an interview will be guaranteed.

When the team is made aware that a candidate has declared a disability, they will:

- make contact with the candidate directly and discuss any reasonable adjustments required to support interview attendance, with the candidate's Workday record being updated accordingly.
- notify the hiring manager of these reasonable adjustments, reminding them of the Group's commitments to guarantee an interview for candidates who meet the minimum criteria.
- ensure interview notes support that the reasonable adjustments identified were made.
- collate monitoring data to understand the effectiveness of recruitment campaigns in attracting and hiring underrepresented groups, where appropriate.

If an offer is made to the candidate with self-declared disability or requiring reasonable adjustments, the relevant TA team member will speak to the candidate to understand whether any further reasonable adjustments may be required during their employment.

Following this conversation, the TA team member processing an offer would indicate on Workday if reasonable adjustments were applicable (Y/N) and any further information. The TA team will also raise a ServiceNow case for the HR Advisory team to ensure that the reasonable adjustments identified are actioned.

Notification made by existing employees or post-recruitment

An employee with a disability or long-term condition may declare it by completing the personal data field in Workday. Once submitted, the line manager will receive an email notification that one of their team has made a declaration and they will be asked to arrange a meeting with that employee to discuss this further. A discussion form template is also sent to the line manager which will assist them in having the conversation with their team member and recording the content of that discussion.

If the line manager requires further advice, then they should raise a case in ServiceNow for the HR Advisory team. The HR Advisory team will support the Line Manager to ensure all relevant information pertaining to supporting the employee's disability is documented and uploaded to the employee's Workday record. The HR Advisory team will also provide practical advice in respect of reasonable adjustments as soon as they are notified of the needs. Further medical advice may be required to support this process, particularly if the employee requires specialist equipment, e.g. IT, Fleet. The HR Advisory team will ensure the line manager logs any requests with the relevant department and will open a ServiceNow ticket to monitor progress and ensure that reasonable adjustments have been successfully accommodated. They will also take responsibility for escalating any cases where there is an undue delay.

The Line Manager should maintain regular contact and monitor reasonable adjustments to ensure that they remain applicable through one-to-one meetings and other regular meetings.

The HR Advisory team will ensure that line managers are trained on Mears' approach to reasonable adjustments. Following training completion, the HR Advisory team will provide a list of all attendees to the Learning Administrator to update their Workday training records accordingly.

To measure and ensure reasonable adjustments remain appropriate and applicable for the employee a formal assessment will be undertaken annually, either by the Line Manager or via a Workday survey. Further medical advice may be required in support of this review.

Training

Mears Learning and/or the Subject Matter Expert delivering the training will take reasonable steps to ensure that the course venue, delivery methods and other arrangements are accessible for all employees.

Employees (or their manager, on their behalf) must declare any reasonable adjustments required when they book training; for new starters the HR Advisory team will notify Mears Learning directly. The Learning Administrator will then ensure that any reasonable adjustments are met; where this is not possible, they will escalate the matter to the Head of Learning for further advice on alternative options.

Any requests for reasonable adjustments will be recorded on the system for the future reference. This will enable Mears Learning to ensure that all training provision takes account of the actual needs of potential delegates.

Considerations relating to disability and neurodiversity.

Disabled people, including candidates and employees, should be able to participate in all the Company's activities fully, on an equal basis with people who are not disabled.

Due to the wide variety of potential disabilities, and the likelihood of an impairment affecting different people in different ways, the Company does not prescribe rigid rules on how any issues arising should be dealt with. What is essential is that all managers and supervisors take all reasonably practical steps to ensure that disabled and neurodivergent people are not less favourably treated or disadvantaged by comparison to people who are not disabled, in relation to their work, working environment, or by any provision, criterion or practice used by the Company. Managers and supervisors need to be aware in particular that an employee on long-term sick leave or with intermittent sickness absence may be considered to be disabled and reasonable adjustments to the process agreed.

For the purpose of this policy, a disability is a physical or mental impairment that has a substantial and long-term effect upon a person's ability to carry out normal day-to-day activities. Cancer, HIV infection and multiple sclerosis are disabilities from the point of diagnosis.

Some disabilities are immediately obvious, for example use of a wheelchair, while other disabilities may not be apparent at all, for example HIV infection, or a long-term mental health condition. Certain conditions are not considered to be disabilities, for example poor eyesight that is corrected simply by wearing prescription spectacles, or addiction to alcohol or other substances. Decisions about whether a particular condition should be considered to be a disability are complex and you should contact the HR department for further advice.

The general equality and equal opportunity principles set out earlier in this policy will apply in relation to disabled people whether they currently have a disability or have had a disability in the past.

The Company will take all reasonably practicable steps to ensure that disabled and neurodivergent people are able to participate in its business and activities on an equal basis with people who are not disabled.

10. TRAINING & COMMUNICATION

This policy will be available on Connect.

The Company will ensure that all managers and supervisors with responsibility for any of the aspects of the employment relationship above are provided with more detailed training on how to manage

fairness and inclusion issues in the workplace. All employees will also be required to complete fairness and inclusion training as identified based on their role and responsibilities.

11. MONITORING AND REVIEW

The HR department will regularly monitor the effectiveness of this policy to ensure that it is working in practice and that the aims set out in the policy are being met. Monitoring will include the key areas of:

- recruitment and promotion, including the range of candidates applying for work.
- pay and benefits.
- training.
- appraisals.
- disciplinary and grievance matters.
- dismissals and reasons for resigning.

HR will undertake research into developments in legal guidance and best practice on an on-going basis in conjunction with other Central Services such as Health and Safety and Procurement, along with the Employee Director and Deputy Employee Director.

The Company will report back to Workforce Group, managers and the Employee Forum on progress, and whether the objectives of this policy are being achieved. In order to monitor diversity in these areas, the Company will need to process personal data and special category data (formerly known as 'sensitive personal data') in accordance with its Data Protection Policy and Data Classification and Handling Policy.

Reports concerning fairness and inclusion are produced on a monthly basis for the Mears Group PLC Board of Directors. Here, compliance is monitored, areas of concern are discussed and actions to address them agreed.

Where necessary, nominated managers will undertake investigations into the concerns identified in conjunction with HR and the Employee Director, Deputy Employee Director, as appropriate. This may result in initiatives to provide additional training or support for employees, programmes to raise awareness of the issues or formal action where a breach of the Company's policies is identified.

12. LEGAL COMPLIANCE

As a Company we both comply with and strive to go beyond, the following legal requirements:

- Equality Act 2010 which consolidated the whole spectrum of Equality Legislation
- Criminal Justice and Immigration Act 2008
- Human Rights Act 1998

More information is available from the following sources (this list is not exhaustive):

Equality and Human Rights Commission:	www.equalityhumanrights.com
Government Equalities Office website:	www.equalities.gov.uk
Gov.UK:	www.gov.uk
Acas:	www.acas.org.uk
Citizens Advice Bureau:	www.adviceguide.org.uk
Age UK:	www.ageuk.org.uk
Carers UK:	www.carersuk.org

13. OTHER RELATED POLICIES & PROCEDURES

- Maternity, Paternity, Adoption and Parental Leave Policies
- Authorised Leave Policy
- Hybrid Working Policy
- Flexible Working Policy
- Grievance Policy and Procedure
- Disciplinary Policy and Procedure
- Recruitment Policy
- Bullying and Harassment Policy
- Code of Conduct
- Code of Ethics
- Whistle Blowing Policy
- Learning and Development Policy