

# PUNCH

*Pubs. People. Possibilities.*

**Diversity and Inclusion**

**Policy 2020**

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# 1. Overview

Here at Punch we're an equal opportunities employer, welcoming pub lovers of all backgrounds regardless of a person's age, religious beliefs, marital status, race, gender, sexual orientation and physical ability. We know that a huge part of what makes our business such a fab place to work is our inclusive culture and environment, where all our people can truly be themselves, whilst realising their full potential.

We therefore apply policies which are fair, equitable and consistent. In employment terms, our policies will ensure that all employees are accorded equal opportunity for recruitment, training, promotion and access to benefits.

Compliance with this Policy should ensure that employees do not commit unlawful acts of discrimination.

The HR team will be able to provide guidance, support and advice on this Policy upon request.

## 2. Scope of the policy

This policy applies to all Punch employees including all full-time, part-time, permanent and fixed-term employees.

This policy also applies to those conducting business on behalf of Punch including (but not limited to):

- contractors
- agency temps

The purpose of this policy is to outline the company's commitment to:

- Providing equality of opportunity
- Avoiding unlawful discrimination in employment

It is intended to assist the Company to put this commitment into practice.

### When to use this policy

Use this policy to guide Managers and/or Employees as appropriate. The policy also extends to applicants for various positions within the group.

The policy applies to the following (including, but not limited to):

- Recruitment and selection
- Learning and development
- Career progression
- Probationary periods
- Performance development reviews
- Discipline and grievance
- Dismissal (including redundancy)
- Pay and other related benefits
- Any other employment issues

## 3. Responsibility for the policy

All employees are responsible for their own behaviour and for maintaining an environment free from discrimination, harassment and victimisation.

The business is responsible for communicating this policy, monitoring its application and investigating complaints.

Any intentional violation of the Diversity and Inclusion Policy by any employee will be treated as a potentially serious matter and may warrant disciplinary action under the Company's disciplinary procedures. An employee can also be held personally liable at an Employment Tribunal or Court of Law.

## 4. Aims and Principles

Punch are committed to a comprehensive Diversity and Inclusion Policy embodied in the following aims and principles.

The business aims to achieve:

- a working environment and conditions whereby all employees are treated equally and on the basis of their merits, abilities and potential, regardless of gender, colour, ethnic or national origin, disability, socio-economic background, religious or political beliefs, family circumstances, sexual orientation, age, or other irrelevant distinction.
- To establish a working environment free of harassment, bullying and victimisation.
- To employ a workforce which reflects our diverse customer base and to optimise commercial and personal opportunities.
- To promote positive action where necessary to advance equality in employment.

This policy is based on the following **Principles**:

- Discrimination, direct or indirect, based on a person's gender, colour, ethnic or national origin, disability status, socio-economic background, religious or political beliefs, family circumstances, sexual orientation or any other irrelevant distinction is unacceptable.
- Harassment of any kind, bullying, victimisation and any other unwanted behaviour of the kind described in this Policy and the Bullying and Harassment Policy currently in force are unacceptable.
- All employees have a personal responsibility to own, promote and uphold the policy by treating all job applicants, fellow employees and customers fairly and impartially, within the requirements and spirit of the policy.
- All employees whether permanent or temporary, agency personnel and contractors are required to abide by the Diversity and Inclusion policy.

## 5. The legislative background

It is unlawful to:

- Discriminate directly or indirectly in recruitment or employment on grounds of sex, gender, pregnancy, colour, race, nationality, ethnic or national origins, sexual orientation or religion or belief, age, or because someone is married or is a civil partner.
- Treat someone less favourably on grounds of disability than others without that disability are or would be treated, unless the less favourable treatment can be justified, or to fail to make reasonable adjustments to overcome barriers to employment caused by disability.
- Discriminate unjustifiably on grounds of age in relation to employment.
- Discriminate after employment, e.g. providing discriminatory information in a reference for a former employee, which is not correct.
- Discriminate directly or indirectly in the provision of goods, facilities or services to customers on grounds of sex (which may include gender reassignment), pregnancy, colour, race, nationality, age, or ethnic or national origins.
- Discriminate, without justification, on grounds of disability or to fail to make reasonable adjustments to overcome barriers to using services caused by disability.
- The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services.
- Victimise someone because he/she has alleged unlawful discrimination or supported someone to make a complaint or given evidence in relation to a complaint.

## 6. Types of unlawful discrimination

**Direct discrimination** occurs where a person is treated less favourably than another in comparable circumstances on a prohibited ground. An example of direct sex discrimination would be refusing to employ a woman because she was pregnant.

**Indirect discrimination** occurs where a provision, criterion or practice is applied and as such would be to the detriment of a considerably larger proportion of the relevant group to which the individual belongs than to others, which is not objectively justifiable and which is to the individual's detriment. An example of indirect sex discrimination could be requiring everyone to work full time unless there is a good reason, unrelated to sex, as to why the particular job has to be done on a full-time basis, since requiring everyone to work full time will normally adversely affect a higher proportion of women than men.

**Harassment** occurs where there is unwanted conduct related to one of the prohibited grounds which has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person (or is reasonably considered by that person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her), even if this effect was not intended by the person responsible for the conduct.

**Bullying** can take many forms but is the result of misconduct through negative actions and practices. This involves the intentional intimidation or belittling of an individual or Groups of employees.

**Failure to make reasonable adjustments** occurs where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.

**Victimisation** occurs where someone is treated less favourably than others because he/she has alleged unlawful discrimination or supported someone to make a complaint or given evidence in relation to a complaint.

## 7. Customers, Suppliers and others not employed by the Company

The Company will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Company.

Employees should report any bullying or harassment by customers, suppliers, visitors or others to their Manager who will take appropriate action.

## 8. Working environment

The Company is committed to maintaining and developing a working environment which encourages all employees to contribute fully and on an equal basis to the success and attainment of the Company.

The Company will not tolerate sexual, racial or personal harassment or any behaviour whose effect is to undermine the dignity of individuals.

Guidelines on the definitions and procedures for dealing with sexual, personal, age and racial harassment have been covered separately in the Company's Bullying and Harassment Policy.

## 9. Working arrangements

Subject to operational requirements, the Company will give sympathetic consideration to members of staff whose personal circumstances change or to job applicants with special needs and will endeavour to accommodate these through agreements on retraining, redeployment, and/or alternative working arrangements and extended leave allowances.

## 10. Complaints and grievance procedures

Complaints arising from non-compliance with the Diversity and Inclusion Policy should be directed in the first instance to your Line Manager or to your HR Representative. Alternatively a complaint can be pursued through the Company's Grievance Procedure (see the Disciplinary and Grievance Policy).

# 11. Monitoring and review

The Company is committed to ongoing monitoring and review of the Diversity and Inclusion Policy and ensuring line management are appropriately coached on the policy.

The Company will ensure that those responsible for recruitment, promotion and development adhere to the policy by undertaking the following actions (this list is not exhaustive):

- Prepare clear and objective job descriptions and people specifications with regular reviews.
- Regularly examine the fairness of application forms, adverts, occupational tests and other recruitment materials in use from time to time.
- Developing appropriate training on equal opportunities from time to time.
- Regularly review all personal development documentation to ensure fairness and equality.

Where an employee is found to be in breach of the Diversity and Inclusion Policy, they may be subject to disciplinary action (see the Disciplinary and Grievance Policy).

## Effective Date

This policy is effective from June 2018

## Associated Policies

Disciplinary and Grievance Policy, Bullying and Harassment Policy, Recruitment and Selection Policy, Retirement Policy, Career Break Policy, Redundancy Policy

## Associated Legislation

Equality Act 2010 (replaced Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995)

Employment Equality (Religion or Belief) Regulations 2003

Employment Equality (Sexual Orientation) Regulations 2003

Employment Equality (Age) Regulations 2006

Disability Discrimination Act 1995

Disability Discrimination Act 1995 (Amendment) Regulations 2003

Disability Discrimination Act 2005

Race Relations Act 1976 (Amendment) Regulations 2003

Race Relations Act 1976 (Statutory Duties) Order 2001

Race Relations (Amendment) Act 2000

Race Relations Act 1976

Sex Discrimination Act 1975

Civil Partnership Act 2004

Civil Partnership Act 2004 (Amendments to Subordinate Legislation)

Equality Act 2006

Employment Equal Treatment Framework Directive

Equal Treatment Directive 76/207/EC as amended by Directive 2002/73/EC

Data Protection Act 1998