

EMPLOYMENT POLICY

# Diversity & Inclusion

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# 1. Scope & Purpose

- 1.1. This policy applies to all employees within the Lothian Group.
- 1.2. The Lothian Group is committed to encouraging diversity and inclusion and eliminating unlawful discrimination. As an employer we aim to employ a workforce that is truly representative of all sections of society and for each employee to feel respected and valued.
- 1.3. The organisation, in providing goods, services and/or facilities, is also committed to providing an environment for customers free from unlawful discrimination.
- 1.4. The key principles of this policy are to:
  - Provide equality, fairness and respect for all of our employees, whether temporary, part-time or full-time.
  - Not unlawfully discriminate on the grounds of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including

colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.

- Oppose and eradicate all forms of unlawful discrimination in employment, including pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.

## 2. Key Principles

The Lothian Group commits to:

- 2.1. Encouraging diversity and inclusion in the workplace. Creating a working environment free of bullying, harassment, victimisation and unlawful discrimination is fundamentally important to the Lothian Group, along with promoting dignity and respect for all, where individual differences and the contributions of all staff are recognised and valued.

- 2.2. Reviewing employment practices and procedures to ensure fairness and updating them to take account of legislative change and best practice.
- 2.3. Ensuring all Lothian managers have received relevant Diversity and Inclusion training and have an understanding of how best to support colleagues.
- 2.4. Monitoring the make-up of the workforce including information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging diversity and inclusion, and in meeting the aims and commitments set out in the policy.
- 2.5. Taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.
- 2.6. Striving to achieve that all employees receive equal pay for the same work, work rated as equivalent and work of equal value.

### **3. Training**

- 3.1. If any employee is unsure of what constitutes as diversity and inclusion, training sessions can be provided. Any such requests should be made through the relevant line manager in the first instance.
- 3.2. The Lothian Group is committed to making opportunities for training, development and progression available to all staff, who will be supported and encouraged to develop their full potential, ensuring their talents and resources can be fully utilised to maximise the efficiency of the organisation.

### **4. Harassment & Bullying**

- 4.1. The Lothian Group is committed to creating a working environment free from harassment and bullying, where everyone is treated with dignity and respect.
- 4.2. Harassment can arise as a result of a single incident where the nature of the incident is sufficiently serious, or from a series of incidents. Employees are encouraged to consider whether their actions or behaviour could cause offense or upset to others.

4.3. Examples of harassment includes but is not limited to:

- Unwanted sexual advances.
- Unwelcome jokes or comments of a sexual or racial nature.
- The use of obscene gestures.
- The display of pictures or objects with sexual or racial overtones.

4.4. Bullying refers to offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power intended to undermine, humiliate or injure a colleague.

4.5. Examples of bullying includes but is not limited to:

- Ridiculing or demeaning others.
- Excessive use of power or authority.
- Unjustifiably excluding colleagues from meetings/ communications.

4.6. Bullying and harassment can happen:

- Face to face
- By letter
- By phone
- By text message
- By email
- On any social media platform
- By online messaging services such as WhatsApp or Facebook Messenger

## 5. Misconduct

- 5.1. This policy covers bullying and harassment which occurs both in the workplace itself and in settings outside the workplace such as business trips, events or social functions organised for or on behalf of the organisation and on or off of the workplace premises. This includes cyberbullying.
- 5.2. Any employee can be held liable for acts of bullying (including cyberbullying), harassment, victimisation and

unlawful discrimination in the course of their employment, against fellow employees, customers, suppliers and the public.

5.3. Such acts will be dealt with as misconduct under the grievance and/or disciplinary procedures, and any appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

5.4. Furthermore, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997, which is not limited to circumstances where harassment relates to a protected characteristic, is a criminal offence.

## 6. Breaches of this Policy

6.1. All employees have a right to equality of opportunity and dignity at work, as well as a responsibility to comply with this policy.

6.2. If an employee considers that the way they have been treated during the course of their employment is unfair

and/or discriminatory they should speak with their line manager or consider raising the matter through the grievance policy.

- 6.3. If an employee considers themselves to be bullied or harassed they should initially attempt to resolve the matter informally, explaining to the person responsible that their behaviour is not welcome and that it offends or makes them feel uncomfortable. The employee can seek support from their line manager or from a member of the People Team. If the employee cannot resolve this informally then they should raise the matter through the grievance policy.
- 6.4. The Lothian Group will always treat allegations regarding breaches of this policy seriously and sensitively and will try, wherever possible to maintain confidentiality.
- 6.5. Employees who make allegations in good faith will not be victimised or treated less favourably as a result.
- 6.6. Employees who are found to have made malicious allegations about a person or persons will be dealt with through the disciplinary procedures.

## 7. Monitoring & Review

7.1. This policy is for guidance only and does not form part of your contractual rights. The contents will be reviewed in line with changes in legislation and is subject to revision from time to time.

## 8. Linked Policies

- Disciplinary Policy
- Grievance Policy
- Transitioning in the Workplace Policy

## 9. Useful Links

- [Enable Home \(www.enable.org.uk\)](http://www.enable.org.uk)
- [Accessible Travel Hub | Scotland's one-stop-shop for accessible travel information and resources \(www.accessibletravelhub.scot\)](http://www.accessibletravelhub.scot)

## 10. Version Control

Version No.	Date of Change	Change made by:	Key Amendments
V1.0	21/06/2019	D Nicolson	Published
V2.0	20/12/2023	P Butler	Changes to 4.6 and addition of cyberbullying to 5.1 and 5.2  Inclusion of Transitioning in the Workplace policy as a linked policy, addition of useful links