

THE NEALE AGENCY

The Neale Agency Group

Equality & Diversity

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1. What equality and diversity means for The Neale Agency

The Neale Agency believes that all of its people, and by this we mean our staff and stakeholders, should be valued and respected. We believe that business success will only be achieved through effective and efficient engagement with our people. This policy sets out the guiding principles for equality and diversity in all our activities.

Equality and diversity are interdependent and neither can be effective without the other. Equal opportunities is a means of eliminating discrimination against particular groups within society, especially, women, ethnic minorities and individuals with disabilities, who may be treated unfairly on the basis of group characteristics. The concept of managing diversity moves beyond equality of opportunity and recognises that any group of people can possess a range of individual, visible and non-visible differences (for example, gender, age, sexual orientation, race, disability, personality, economic class, language, religion, family/marital status and work style). The Neale Agency believes that these differences, if managed effectively, will create a positive and productive environment in which everybody feels valued and where their potential is realised. This will lead to achievement of organisational goals that benefit all of The Neale Agency's people as well as help towards building a stronger inclusive community.

The Neale Agency is committed to providing an environment that eliminates discrimination and actively promotes productive working relationships and effective service delivery based on the unique contribution that each individual brings to the organisation. The Neale Agency recognises and acknowledges individual contributions and will ensure that its staff have equal access to opportunities to training and promotion.

The Neale Agency will equip its people with the appropriate skills and knowledge to deliver equality and diversity through all parts of the organisation. The principles of this equality and diversity policy will inform our:

- Ways of working (location, timing etc)
- Service delivery
- Ways of communicating
- Approach to people management
- The way we behave towards each other

By maximising the potential and contribution that each of us can make, The Neale Agency will strengthen its business and with it, its external reputation as a service provider, a local employer, and an investor in the communities in which it works.

The Neale Agency will deliver its commitment to equality and diversity in accordance with its values.

2. Roles and responsibilities

All The Neale Agency's people have a responsibility to join in dialogue with The Neale Agency to ensure that different needs can be properly assessed.

Board, Managing Director and Managers. They champion the equality and diversity agenda across all services and provide leadership to establish an organisational culture in which equality and diversity can operate effectively.

All staff. They promote our policy through appropriate action and behaviour. They tell us what they think, we need their input and it is important that all our people participate.

We also want people to tell us if they are unhappy with any aspect of their treatment at work. We have specific procedures for responding to complaints from staff about harassment and discrimination. Harassment is a serious offence under our disciplinary procedure. Staff who do not comply with the requirements of this equality and diversity policy will be subject to disciplinary action. We will ensure that all potential staff have a fair access to employment.

Line managers. They ensure policy implementation and adherence and will responsibly deal with complaints and grievances from our people in accordance with the company's policy.

Other stakeholders - customers, suppliers, partners and anyone who works with us. We expect the highest standards from those we work with. We will expect stakeholders to have a code of practice on equality and diversity.

3. Codes of practice

The Neale Agency shall comply with statutory and non-statutory codes of practice issued by the Equality and Human Rights Commission, including its [Code of Practice on Employment](#) and shall seek to follow any additional guidance issued.

4. Types of discrimination

The new Act also extends some of these protections to characteristics that previously were not covered by equality legislation. Employers and business owners now need to be aware of the seven different types of discrimination under the new legislation.

These are:

Direct discrimination - where someone is treated less favourably than another person because of a protected characteristic.

Associative discrimination - this is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.

Discrimination by perception - this is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.

Indirect discrimination - this can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic.

Harassment - this is behaviour that is deemed offensive by the recipient. Employees can now complain of the behaviour they find offensive even if it is not directed at them.

Harassment by a third party - employers are potentially liable for the harassment of their staff or customers by people they don't themselves employ, i.e. a contractor.

Victimisation - this occurs when someone is treated badly because they have made or supported a complaint or grievance under this legislation.

5. Social model of disability

The Neale Agency adopts the social model of disability in all our work and recognises that primarily it is the loss or limitation of opportunities, due to environmental and social barriers, that prevents people who have impairments from participating in society on an equal level with others.

6. MacPherson inquiry report

The Neale Agency accepts the findings of the MacPherson Inquiry report. We accept the definition of institutional racism as:

"The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people."

We accept the MacPherson definition of a racist incident as: "Any incident which is perceived to be racist by the victim or any other person."

7. The Worker Protection (Amendment of Equality Act 2010) Act 2023

We are committed to observe The Worker Protection (Amendment of Equality Act 2010) Act 2023, and acknowledge The Neale Agency's mandatory duty to prevent sexual harassment in the work place.

Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity are all 'protected characteristics'.

8. Protected characteristics

Each characteristic is addressed in the new Act in summary as follows:

Age

The Act protects employees of all ages but remains the only protected characteristic that allows employers to justify direct discrimination, i.e. if an employer can demonstrate that to apply different treatment because of age constitutes a proportionate means of meeting a legitimate aim, then no discrimination will have taken place. The Act continues to allow employers to have a default retirement age of 65, as long as the default retirement age remains.

Disability

The Act includes a new protection arising from disability and states that it is unfair to treat a disabled person unfavourably because of something connected with a disability. An example provided is the tendency to make spelling mistakes arising from dyslexia. Also, indirect discrimination now covers disabled people, so a job applicant could claim that a particular rule or requirement disadvantages people with that disability.

It is The Neale Agency's duty to make reasonable adjustments which aims to make sure that, as far as is reasonable, a disabled worker has the same access to everything that is involved in doing and keeping a job as a non-disabled person.

The Act includes a new provision which makes it unlawful, with limited exceptions, for employers to ask about a candidate's health before offering them work.

Gender reassignment

It is discriminatory to treat people who propose to start to or have completed a process to change their gender less favourably, for example, because they are absent from work for this reason.

Marriage and civil partnership

The Act continues to protect employees who are married or in a civil partnership. However the legislation does not protect single people against discrimination.

Pregnancy and maternity

The Act continues to protect women against discrimination because they are pregnant or have given birth.

Race

The Act continues to protect people against discrimination on the grounds of their race, which includes colour, nationality, ethnic or national origin.

Religion or belief

The Act continues to protect people against discrimination on the grounds of their religion or their belief, including a lack of any belief.

Sex

The Act continues to protect both men and women against discrimination on the grounds of their sex.

Sexual orientation

The Act continues to protect bisexual, gay, heterosexual, lesbian and non-binary people from discrimination on the grounds of their sexual orientation.

9. Positive action

The Worker Protection (Amendment of Equality Act 2010) Act 2023 allows employers to take positive action if you think that employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

Employers must take a protected characteristic into consideration when deciding who to recruit or promote. However, employers can only do this when they have candidates who are “as qualified as” each other for a particular vacancy. This does not mean they have to have exactly the same qualifications as each other, it means that the selection assessment on a range of criteria rates them as equally capable of doing the job.

Employers also need to provide evidence to show that people with that characteristic face particular difficulties in the workplace or are disproportionately under-represented in the workforce or in the particular job for which there is a vacancy. In these circumstances, employers can choose to use the fact that a candidate has a protected characteristic as a ‘tie-breaker’ when determining which one to appoint.

Employers must not have a policy of automatically treating job applicants who share a protected characteristic more favourably in recruitment and promotion. This means employers must always consider the abilities, merits, and qualifications of all of the candidates in each recruitment or promotion exercise. Otherwise, the actions would be unlawful and discriminatory

10. Anti-discrimination legislation

The law does not require The Neale Agency to promote diversity, however it does impose obligations on all employers to prevent discrimination and promote equal opportunity in the workplace. The main pieces of UK legislation are (this list is not exhaustive):

- Equal Pay Act 1970
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975 (and 1979 and 1986)
- Race Relations Act 1976 and Race Relations (Amendment) Act 2000
- Employment Act 1989
- Disability Discrimination Act 1995
- Occupational Pension Schemes (Equal Treatment) Regulations 1995
- Pensions Act 1995
- Employment Rights Act 1996
- Protection from Harassment Act 1997
- Data Protection Act 1998
- Working Time Regulations 1998
- Human Rights Act 1998
- Employment Relations Act 1999
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Management of Health and Safety at Work Regulations 1999
- Maternity and Parental Leave etc Regulations 1999
- National Minimum Wage Regulations 1999
- Freedom of Information Act 2000
- Part-time Workers Regulations 2000
- Employment Act (Flexible Working Regulations) 2002
- Race Relations Act 1976 (Amendment) Regulations 2003
- Equality Act 2006
- Equality Act 2010
- The Worker Protection (Amendment of Equality Act 2010) Act 2023

11. Genuine occupational qualification

Where being a member of a particular racial group or one sex is a real occupational qualification for a job, i.e. to carry out personal services, promoting the welfare of a particular group, or where services can only effectively be provided by someone of a particular racial group or sex.

Section 5(2)d Race Relations Act 1976

Section 7(2)d Sex Discrimination Act 1975

12. Equality and diversity

The Neale Agency is committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that all staff, stakeholders, visitors and partners feel respected and enjoy being in a comfortable environment.

Therefore, the purpose of this policy is to ensure fairness and not to discriminate on grounds of gender, race, age, religion or belief, disability or sexual orientation. We oppose all forms of illegal and unfair discrimination. Recruitment, training and promotion will be based on aptitude and ability and all employees will be encouraged to develop their full potential to maximise the efficiency whilst with The Neale Agency.

We aim to ensure the workforce at all levels is representative of the local population.

13. Equality impact assessments

Public authorities have to publish details of the 'Equality Analysis' they have undertaken. Equality Analysis is similar to Equality Impact Assessment, but with more emphasis on demonstrating how information, data and consultation results have been used to inform decisions, policies and service development.

Equality impact assessment and equality analysis involve considering the effect on different groups protected from discrimination by the Equality Act, such as people of different ethnicity. This will highlight any unintended consequences for some groups and if the policy or service is fully effective for all target groups. It is done using equality information and results of engagement with protected groups and others, to understand the actual effect or the potential effect of our functions, policies or decisions. It helps us identify practical steps to tackle negative effects or discrimination, to advance equality and to foster good relations.

Equality Impact Analysis should be used under the following circumstances

- Policies and procedures
- Staff away days/ training events
- Any other activity that the team agrees needs accessing (for example meeting spaces)

14. Scope

The Neale Agency employees, contractors, freelancers and board and all who use the services or act on behalf of The Neale Agency are expected to adhere to and promote this policy. Where there are incidents of discrimination these may be dealt with under the disciplinary process.

Procedure

The Neale Agency has a range of policies which support its stance on diversity and equal opportunities.

15. Employment

The Neale Agency will demonstrate its commitment to equality in all aspects of employment, including recruitment and promotion, staff welfare and discipline, redundancy and training.

15.1 Recruitment and promotion

We believe that diversity in the workforce provides us with valuable knowledge. We have a recruitment strategy that aims to encourage and support applications from individuals from under represented backgrounds. The Neale Agency's Staff Recruitment and Selection Policy makes an explicit commitment to equal opportunities in recruitment, this policy is available to anyone interested in applying to work for The Neale Agency either on request or via the Internet.

15.2 Staff Development

The Neale Agency's Staff Support Development and Performance Appraisal Policy sets out our goal to deliver Equal Opportunities and achieve diversity within the team; it ensures people are valued, their full potential realised and they have equality of opportunity in all aspects of their development.

15.3 Training

All employees undergo core training that includes diversity training. Diversity training raises awareness of the issues surrounding diversity and developing diversity work within the service.

15.4 Annual Compliance

In order to equip all staff with the appropriate skills and knowledge to deliver equality and diversity through all parts of the organisation, they are required to read this policy and the code of conduct as part of their induction and then again annually, in addition to diversity training.

15.5 Harassment, Bullying and victimisation

We have a procedure for dealing with incidents of discrimination, bullying or harassment, combined with follow up procedures to prevent future incidents.

15.6 Code of Conduct

The code of conduct sets parameters around the ways in which employees are expected to conduct themselves whilst in the employment of The Neale Agency. It is expected that all employees model good practice and challenge behaviour they think is discriminatory.

15.7 Complaints Procedure

The complaints procedure enables stakeholders, other agencies and people who use, act on behalf of or come into contact with The Neale Agency, to raise concerns.

15.8 Whistle Blowing Procedure

Employees are able to raise concerns regarding malpractice or misconduct in the work place by other employees where their concerns are not covered by other policies.

15.9 Grievance and Discipline Procedures

We have policies and procedures which enable employees to raise grievances and which outline the process for these to be dealt with. The Disciplinary Procedure and Grievance

Procedure may be used where there are allegations of discrimination, prejudice, harassment or bullying.

15.10 Redundancy

Any redundancies will be in line with The Neale Agency's Equality and Diversity policy.

15.11 Monitoring

We have an annual review process that includes monitoring the effectiveness of our equal opportunities practice and reviewing our Equality and Diversity Policy. Any actions from this review feed into our Equality and Diversity Action Plan. Monitoring will include the extent to which the workforce at all levels is representative of the local and national population.

The Neale Agency has processes and policies in place to ensure we consult with staff and stakeholders about decisions that may affect them so they can influence policy and practice.

Signed 

Date: 

Martin Neale - Managing Director