

## 1. Introduction

- 1.1 Van Elle is an equal opportunity employer and we are fully committed to treating our people and job applicants fairly and equally, and we encourage diversity.
- 1.2 Our aim is that our workforce will reflect all sections of society and each employee feels valued, respected, and able to give their best.
- 1.3 This policy provides equality and fairness for all in our people, and we do not to discriminate because of age, disability, gender, gender identity or reassignment, marital or civil partnership status, pregnancy or maternity leave, race, religion or belief, sexual orientation.
- 1.4 We believe in taking an anti-discrimination stance, and we oppose all forms of unlawful and unfair discrimination, and we are committed to eliminating discrimination.

## 2. Principles

- 2.1 Van Elle will avoid unlawful discrimination in all aspects of employment including recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.
- 2.2 Protected characteristics are defined as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, ethnic or national origins and caste), religion or belief, sex or sexual orientation.
- 2.3 We will take all reasonable steps to employ, train and promote our people on the basis of their experience, abilities and qualifications.

## 3. Responsibilities

- 3.1 You have a duty to co-operate with us to make sure that this policy is effective in ensuring equal opportunities and in preventing discrimination.
- 3.2 We expected you to act in an anti-discriminatory manner.
- 3.3 Disciplinary action will be considered for any breach of this policy and will be treated as potential gross misconduct and could result in dismissal.
- 3.4 You should also bear in mind that you can be held personally liable for any act of unlawful discrimination.
- 3.5 You should inform your line manager should you suspected any discriminatory acts or practices.
- 3.6 You must not victimise or retaliate against anyone who has made allegations or complaints of discrimination or who have provided information about discrimination.
- 3.7 You should support colleagues who suffer such treatment and are making a complaint.
- 3.8 We have a separate dignity at work policy which deals with bullying and harassment and sets out how complaints of that type will be dealt with.

### 4. Direct Discrimination

- 4.1 Direct discrimination occurs when a someone is treated less favourably than other people are treated or would be treated because their protected characteristic(s).
- 4.2 The treatment will amount to direct discrimination when it is based on the protected characteristic of a third party with whom the person is associated but is not the persons own protected characteristic. This is discrimination by association and can include cases where it is perceived that a person has a particular protected characteristic when in fact they do not.
- 4.3 Discrimination after employment is also unlawful if it arises out of and is closely connected to the employment relationship, for example refusing to give a reference or providing an unfavourable reference for a reason related to one of the protected characteristics.
- 4.4 We will take all reasonable steps to eliminate direct discrimination in all aspects of employment.

### 5. Indirect Discrimination

- 5.1 Indirect discrimination is treatment that may be equal in the sense that it applies to all people, but which is discriminatory in its effect on one particular group.
- 5.2 Indirect discrimination occurs when there is a provision, criterion or practice is applied to which is discriminatory in relation to a protected characteristic.
- 5.3 A provision, criterion or practice is discriminatory in relation to a protected characteristic if:
- it is applied, or would be applied, to persons who do not share the protected characteristic
  - it puts, or would put, persons who shares the protected characteristic at a particular disadvantage when compared with persons who do not share it
  - it puts, or would put, the person at that disadvantage, and
  - it cannot be shown to be a proportionate means of achieving a legitimate aim.
- 5.4 We will take all reasonable steps to eliminate indirect discrimination in all aspects of employment.

### 6. Victimisation

- 6.1 Victimisation occurs when a person is subjected to a detriment, such as being denied a training opportunity or a promotion, because:
- they have raised or supported a grievance or complaint of unlawful discrimination,
  - because they have issued employment tribunal proceedings for unlawful discrimination
  - or they have given evidence in connection with unlawful discrimination proceedings brought by another employee.
- 6.2 However, you are protected if you give false evidence or information, or make a false allegation, and done so in bad faith.
- 6.3 Post-employment victimisation is also unlawful, for example refusing to give a reference or providing an unfavourable reference because the former employee has done one of the protected acts set out above.
- 6.4 We will take all reasonable steps to eliminate victimisation in all aspects of employment.

### 7. Reporting complaints

- 7.1 All allegations of discrimination will be dealt with seriously, confidentially and speedily.
- 7.2 We will not ignore or treat lightly grievances or complaints of unlawful discrimination.
- 7.3 If you wish to make a complaint of discrimination, you should do so promptly and use the Grievance Policy.
- 7.4 If your complaint relates to bullying or harassment you should refer to the Dignity at Work Policy.