

Model Anti-Discrimination Policy

Our Commitment on Discrimination

PainSmith (“the Firm”) are committed to eliminating unlawful discrimination and promoting equality and diversity in our own policies, practices and procedures and in influencing others to do the same in our dealings with staff, clients, tenants, and third parties.

We aim too treat everyone equally and with the same attention, courtesy and respect regardless of their age, disability, gender, marital status, race, racial group, colour, ethnic or national origin, nationality, religion, belief or sexual orientation.

We are committed to complying in both letter and spirit with all anti-discrimination legislation and associated codes of practice in force either now or in the future.

Unlawful Grounds for Discrimination

Discrimination on any of the following grounds is unlawful:

- age (in respect of employment matters *only*);
- race, racial group, colour, ethnic or national origins;
- gender, pregnancy, or marital status;
- disability;
- sexual orientation;
- religion or belief.

Forms of Discrimination

The following are the kinds of discrimination, which are against the firm’s policy:

(a) **Direct discrimination**, where a person is treated less favourably on the basis of a ground which is unlawful;

(b) **Indirect discrimination**, where a provision, criterion or practice which seems to be lawful would create a significant disadvantage for a substantial number of one group of persons compared with other persons on the basis of an unlawful ground unless that provision, criterion, or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary;

(c) **Victimisation**, where someone is treated less favourably than others because he or she has taken action in respect of discrimination on unlawful grounds;

(d) **Harassment**, when unwanted conduct related to any unlawful ground takes place with the purpose or effect of creating an intimidating, hostile, degrading, humiliating, or offensive environment for any person. This is not limited to physical acts and may include verbal and non-verbal communications and gestures.

Employment and Training

As an employer, we will treat all staff and job applicants equally and fairly and not discriminate unlawfully against them. We will ensure, for example, that arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, bonus schemes, work allocation and any other employment related activities do not constitute unlawful discrimination against any person or group of persons.

Recruitment

We recognise the value of a diverse workforce and will take steps to ensure that:

- (i) we recruit from the widest pool of qualified candidates possible;
- (ii) employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit;
- (iii) selection criteria and processes do not discriminate unjustifiably on any of the unlawful grounds other than where we are exercising permitted positive action;
- (iv) all recruitment agencies acting for the Firm are aware of this policy and act in accordance with it.

Conditions of service

We will treat all staff equally and endeavour to create and maintain a working environment which is free from discrimination and harassment and which respects, wherever possible, the differing backgrounds and beliefs of employees. Terms and conditions of service for employees will comply with antidiscrimination legislation. The provision of any staff benefit such as working hours, leave and maternity leave arrangements, performance appraisal schemes, bonus schemes, dress codes, or any other conditions of employment will not discriminate against any employee on any unlawful grounds. Where it is possible and reasonable to do so, the Firm will endeavour to provide appropriate facilities and conditions of service which take into account the specific needs of employees which arise from their ethnic or cultural background; gender; responsibilities as carers; disability; religion or belief; or sexual orientation.

Promotion and Career development

Promotion within the Firm will be made without reference to any of the unlawful grounds and will be merit based. The selection criteria and processes for recruitment and promotion will be regularly reviewed to ensure that there is no unjustifiably discriminatory impact on any particular group. Although positive action measures may be taken in accordance with the relevant anti-discrimination legislation to encourage under-represented groups to apply for promotion opportunities; recruitment, or promotion to all posts will be based entirely on merit. All employees will have equal access to training and other career development opportunities appropriate to their experience and abilities. However, the Firm may take appropriate positive action measures where permitted or required by anti-discrimination legislation to provide special training and support for groups which are under-represented in the workforce and encourage them to take up training and career development opportunities.

Tenants

PainSmith will not discriminate against any current or prospective tenant or their lawful occupiers on the basis of any unlawful grounds without proper justification and will not accept any instructions from any of our client to do so. This includes, but is not limited to, decisions regarding the granting of tenancies, the renewal of tenancies, assignment of the tenancy to another party, change of occupiers, and any actions taken where tenants or occupiers break any term of their tenancy agreement. Where anti-discrimination legislation requires us to do so and where it is reasonable we will advise our clients to make adjustments to their property or to their working practices or will make adjustments to our own working practices to accommodate the needs of any person falling under the appropriate anti-discrimination legislation.

Contractors, Suppliers, Agents, and Third Parties

Any decisions regarding the suitability of suppliers and contractors, agents or other third parties to provide goods or services to us or to our clients will be made in accordance with this policy and not on any of the unlawful grounds. All suppliers, contractors, agents, or other third parties instructed by the Firm, whether for itself or on behalf of clients, will be made aware of this policy and the need to adhere to it. Failure of any supplier, contractor, agent or other third party or of any of its staff to adhere to the principles set out in this policy or to carry out any discrimination on unlawful grounds will be investigated and appropriate action taken which may include immediate termination of our relationship with them.

Clients

We are free to decide whether to accept instructions from any particular client, but any refusal to act or decision to terminate our services will not be based upon any unlawful grounds. We will not accept instructions from clients who contravene this policy. Where we are required by anti-discrimination legislation to do so and where it is reasonable we will make adjustments to our own working practices to accommodate the needs of any person falling under the appropriate anti-discrimination legislation. We will advise all clients of this policy on taking instructions from them. Where tenants or occupiers make requests under anti-discrimination legislation we will advise clients regarding the reasonableness of these requests; and where the client chooses not to comply with the request and we believe that non-compliance to be unlawful we will make our position clear to all parties in writing and reconsider whether to terminate our services.

Promoting Equality and Diversity

Just as we are committed to anti-discriminatory practices within our organisation we are also committed to promoting equality and anti-discrimination in areas in which we have influence. All staff will be informed of this policy and will be provided with training appropriate to their needs and responsibilities. All those who act on our behalf will be informed of this policy and will be expected to act in accordance with it when conducting business on our behalf. In all our dealings, including those with tenants, suppliers, contractors and recruitment agencies, we will seek to promote the principles set out in this policy.

Implementing the Policy

Responsibility

Ultimate responsibility for implementing the policy rests with Marveen Smith. All our staff are expected to be aware and take notice of the provisions of our anti-discrimination policy and are responsible for ensuring compliance with it when fulfilling their duties or representing the Firm. Acts of discrimination or harassment on any of the unlawful grounds or failure to comply with this policy by our staff will result in disciplinary action.

Acts of discrimination or harassment on any of the unlawful grounds by those acting on behalf of the Firm will lead to appropriate action including termination of employment or services where appropriate.

Acts of discrimination or harassment on any of the unlawful grounds by clients or requests by clients for us to carry out any act of discrimination or harassment on any of the unlawful grounds will lead to termination of our service agreement with them.

Complaints of discrimination

We will treat seriously, and, where appropriate, will take action regarding all complaints of discrimination or harassment on any of the unlawful grounds made by employees, clients, tenants, contractors or other third parties. All complaints will be investigated in accordance with our grievance or complaints procedure and the complainant will be informed of the outcome.

Questionnaires

We will endeavour to fully and promptly answer any statutory questionnaires served on us under the provisions in the Equality Act 2010 and any similar or future legislation.

Monitoring and review

The policy will be monitored and reviewed on a regular basis (and in any event at least annually) to measure its progress and judge its effectiveness.

In particular, we will record and consider the number and outcome of complaints of discrimination made by staff, clients, tenants, contractors and other third parties and the details of any potentially unlawful grounds for discrimination involved in any disciplinary action taken against employees. This information will be used to review the progress and impact of the Anti-Discrimination policy. Any changes required will be made and implemented.