

Overview:

Our commitment is to provide a safe and inclusive working environment where people are treated fairly and with respect.

Scope:

This policy applies to [all personnel of AA plc or a member of the AA group, including all directors, officers, employees (whether employed on a temporary, fixed term, permanent or part-time basis), workers and contractors.] [This policy may also apply to third parties (for example, AA service providers); where this is the case, the third party will be notified and the policy should be construed accordingly.

Enforcement:

This policy is intended to protect the AA, our members, personnel and business partners; please read it carefully. Given its importance, any breach of this policy may result in an investigation under the AA's Discipline or Grievance policy (if applicable) and may result in disciplinary or (if you are not an employee) other enforcement action being taken against you. Employees should consult the Discipline and Grievance policies (available at [Policy Library](#)) for more information.

Policy:

The Law: It is unlawful to discriminate either directly, including by association or perception, or indirectly in respect of the following protected characteristics:

- Sex or gender.
- Gender reassignment (People who show that they have reached a definitive decision point and are representing themselves as the opposite sex, even if they only make their intentions known to someone and then do not take any further steps).
- Pregnancy and maternity leave.
- Disability.
- Age.
- Race (including ethnic or national origin, nationality and colour).
- Sexual orientation.
- Religion or belief; or
- Marriage and civil partnership.

Types of Unlawful Discrimination

Direct

Direct discrimination occurs where because of a protected characteristic a person is treated less favourably than another in comparable circumstances. An example of direct discrimination under the protected characteristic of pregnancy and maternity leave would be refusing to employ a woman because she is pregnant.

Indirect

Indirect discrimination is where a provision, criterion or practice is applied which is not meant to treat anyone less favourably but which has the effect of disadvantaging a group of people with a particular protected characteristic. Where an individual with that protected characteristic is disadvantaged, for example where a practice is introduced which disproportionately adversely affects women rather than men, this will amount to indirect discrimination - unless it can be objectively justified. An example of indirect discrimination would be requiring everyone to work full time and removing all the part time jobs from workplace. If there were a good

business based reason for this that can be objectively argued, then this will be lawful – if not then this could be indirect sex discrimination as more women than men work part time and therefore they would be more likely to be adversely affected by this change.

Harassment

Harassment is where there is unwanted conduct related to a relevant protected characteristic which has the purpose or effect 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 this effect even if this was not intended by the person responsible for the conduct. Marriage and civil partnership, pregnancy and maternity are not relevant protected characteristics for harassment purposes. However, unwanted conduct related to these matters could amount to sex or sexual orientation harassment.

Some examples of harassment are:

- The use of derogatory remarks which are offensive, e.g. jokes and banter related to race, religion or beliefs, sexual orientation, sex, gender (including gender reassignment), age or disability.
- Expression of racist, sexist or similarly offensive views.
- Spreading malicious rumours.
- Denying someone training or promotion opportunities where the reason cannot be objectively justified.
- Suggestive remarks, gestures, innuendo, leering, unwanted advances, compromising invitations or requests for sexual favours.
- Physical threats and abuse or unwanted physical contact.
- Physical assault.
- Offensive language or gestures.
- Offensive/threatening/demeaning electronic communications, displays of offensive or objectionable literature, graffiti or pictures.

Victimisation

Victimisation is where someone is treated less favourably than others because he or she has done (or might do) 'protected acts' such as bringing discrimination claims, complaining about harassment, or getting involved in another employee's discrimination complaint in some way, such as giving evidence.

Disability and Obligation to make Reasonable Adjustments

The definition of disability set out in the Equality Act 2010 is a physical or mental impairment which has a substantial, long term adverse effect on their ability to carry out normal day to day activities.

Physical and mental impairments include sensory impairments such as those affecting sight or hearing.

Generally, 'long term' means that the disability has lasted for, or is likely to last at least a year or for the rest of the life of the person affected. The effect may be judged as long term even if the symptoms are not continuous, provided that they are likely to recur.

Substantial means more than minor or trivial.

Procedure:**Informal procedure**

Any concerns of discrimination should be raised at the earliest opportunity to enable appropriate and effective action to be taken as soon as possible.

If you feel able, you should approach the individual who you believe is acting inappropriately and ask for their behaviour to stop. In some instances, an individual may not be aware that their behaviour is upsetting you and will willingly change once they become aware it is causing offence.

If, however, the treatment continues or you feel unable for whatever reason to approach the person who is causing you offence, you may discuss the situation confidentially with an appropriate manager. The appropriate manager would normally be your own immediate manager. However, in some circumstances you may prefer to speak with someone else e.g. if you feel it is your manager who is the source of your concerns or you may want to discuss the situation with someone of the same sex. If that is the case you should consider speaking to another manager, your manager's manager or an HR Manager.

After your discussions this may result in the manager confidentially speaking with the individual about whom you have complained on your behalf to stop the inappropriate behaviour.

If this is not successful, you may then decide to make a formal complaint. It is not essential however, to raise the matter informally before making a formal complaint. In some instances, it is appropriate that a formal complaint is made immediately.

The informal stage is not intended to result in any formal investigation or disciplinary action but is intended to enable you to resolve the matter personally without it going any further in the Company. However, if the informal complaint is felt to be so serious that when it is brought to the Company's attention that it is thought best that it should be fully investigated and the appropriate disciplinary action taken then a formal procedure will be followed. This will be explained to you at the time and action will be undertaken as quickly and sensitively as possible.

Formal Procedure

Acts of discrimination, harassment, or victimisation against employees, or customers, suppliers, visitors are disciplinary offences and will be dealt with under the AA's disciplinary procedure. Discrimination, harassment, or victimisation may constitute gross misconduct and could lead to dismissal without notice.

If you consider that you may have been unlawfully discriminated against, the AA's Grievance Policy and Procedure may be used to make a complaint.

The AA will take any complaint seriously and will seek to resolve any grievance which it upholds. You will not be penalised for raising a grievance, even if it is not upheld, unless your complaint is found to be both untrue and made in bad faith.

Responsibilities

1. Managers

Managers have a responsibility to create a positive working environment in which unfair discrimination, victimisation, harassment, or bullying does not occur and in which everyone is treated with dignity and respect.

This includes challenging any inappropriate behaviour of others, and to:

- Take immediate action if any form of inappropriate behaviour is identified.
- Be aware and have an understanding of the Equality and Diversity policy.
- Deal with all complaints whether informal or formal, fairly, sensitively and as quickly and confidentially as possible. This includes complaints about the behaviour of customers, suppliers, and other third parties.
- Use an appropriate leadership style to positively influence others. Ensure that you are appropriately trained in this respect and that you are familiar with what is required of you; and/or
- Ensure that no detriment, victimisation or retaliation is applied to anyone who has been the victim of a harassment situation.

2. Employees

You should ensure that you treat everyone you meet in the course of your work with respect and dignity. You should always try to ensure that your conduct does not cause offence or misunderstanding to others.

Employees can be held personally liable as well as, or instead of, the AA for any act of unlawful discrimination, Employees who commit serious acts of harassment may be guilty of a criminal offence.

We all have a personal responsibility under this policy. We can all play a part in creating a working environment in which everyone feels valued, included and respected and able to make a full contribution by:

- Treating all our colleagues with dignity and respect
- Valuing the difference in our colleagues Being aware of the existence of unfair discrimination, harassment, victimisation, bullying and its impact.
- Making sure your conduct does not cause offence or misunderstanding.

- Understanding the Equality and Diversity policy and by taking part in relevant briefings, training etc. which will be available to you from time to time.
- Refer any experience of discrimination appropriately to the informal or formal procedure outlined in this policy and procedure.

If you have a disability it is your responsibility to raise the issue of your disability and the consideration of reasonable adjustments through your manager. The manager will consult with you to consider the type of reasonable adjustment(s) that would be appropriate. Occasionally it will be appropriate to consult with external suppliers/organisations for assistance and advice. This will be done following consultation and agreement with the person that has the disability.

3. Customers and Suppliers who are not Employees of the AA

You should report any discrimination, victimisation or harassment by customers, suppliers, visitors or others to your manager who will take advice and appropriate action.

Review:

This policy does not form part of any employee's contract of employment and may be amended at any time.

The AA will review this policy at least every two years and may at any time withdraw this policy or publish replacement or revised versions of this policy to reflect developments in the business, or changes to legislation or procedures.

Printed copies of this document are uncontrolled copies of a controlled document. The current version of the policy can be found on the "My Employment" section at [Policy Library](#).

The HR Department is responsible for implementing, reviewing and maintaining this policy, and ensuring it remains current.