

EQUALITY, DIVERSITY & INCLUSION (EDI) POLICY

1. INTRODUCTION

- 1.1 The Soil Association is committed to providing an inclusive culture in line with our values of Grounded, Inclusive and Nourishing. We want to ensure fair practices in employment, to our partner organisations, service and support beneficiaries, clients and customers.
- 1.2 This policy outlines how we put this commitment into practice and ensures compliance with relevant legislation, including the Equality Act 2010. Compliance with this policy also supports our effort to ensure that no employee (generally referred to as colleagues in this Policy) or stakeholder is subject to or commits any unlawful discrimination.
- 1.3 Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. The Soil Association has a separate Bullying & Harassment Policy which deals with these issues.
- 1.4 This policy should be read alongside the Soil Association's EDI Strategy, which sets out our long-term priorities, actions, and measures for building an inclusive culture.

2. SCOPE

- 2.1 This policy applies throughout the Soil Association and covers all job applicants and employees (colleagues), be they full or part time, job-sharing, temporary or casual, paid or volunteer/unpaid intern. It also covers trustees, non-executive directors (NEDs), and committee members and our beneficiaries engaging with our work and services

3. EQUALITY, DIVERSITY & INCLUSION AND THE LAW

- 3.1 The Soil Association is committed to meeting its legal responsibilities under UK legislation. It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics" under the Equality Act 2010. Discrimination after employment may be unlawful, e.g. in refusing to give a reference or in the form of reference given
- 3.2 Under the Equality Act 2010, employers must make reasonable adjustments to requirements, working practices or the physical features of the workplace where these put a disabled job applicant or employee at a substantial disadvantage. It is also unlawful discrimination where a disabled employee is at a substantial disadvantage due to the employer's unreasonable failure to provide an auxiliary aid or service to the disabled employee.
- 3.3 In addition, the Soil Association recognises its responsibilities under other key legislation, including:
 - **Employment Rights Act 1996** – protecting employees who raise concerns about discrimination, and providing rights to equal pay, family leave, and flexible working.

- **Health and Safety at Work Act 1974** – ensuring a safe working environment, including proactive support for mental health and wellbeing.
- **Data Protection Act 2018 (GDPR)** – safeguarding the appropriate collection, use, and storage of sensitive personal data, including information on protected characteristics.
- **Protection from Harassment Act 1997** – prohibiting harassment in the workplace, including bullying, intimidation, and repeated unwanted behaviour.
- **Public Order Act 1986** – relevant where hate speech or protest-related activity may impact the workplace or organisational activities.

Together, these laws place clear duties on the Soil Association and on individual employees. They establish the legal framework for ensuring fair treatment, protecting dignity, and embedding equality, diversity and inclusion into all aspects of our work.

4. **FORMS OF UNLAWFUL DISCRIMINATION**

- Direct Discrimination - where a person is treated less favourably than another because of a protected characteristic (as listed in the Equality Act 2010 as sex, sexual orientation, marriage or civil partnership, gender reassignment, race, religion or belief, age, disability, pregnancy and maternity.) An example of direct discrimination would be refusing to employ a woman because she is pregnant. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.
- Indirect Discrimination - where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.
- Associative discrimination - where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and, according to guidance from the Government and ACAS, pregnancy and maternity).
- Perceptive discrimination - where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).
- Harassment - where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity which are covered by direct discrimination provisions in the Equality Act

2010) that has the purpose or effect of violating a person's dignity; or is reasonably considered by that person to create an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

- Third-party harassment –an employer is potentially liable for harassment of its employees by people who are not employees of the company, such as customers or clients. An employer will only be liable when harassment has occurred on at least two previous occasions, the employer is aware that it has taken place and has not taken reasonable steps to prevent it from happening again.
- Victimisation - occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint in bad faith. There is no need for a complainant to compare their treatment with someone who has not made or supported a complaint under the Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behaviour could amount to victimisation.
- Failure to make reasonable adjustments - where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.
- Positive discrimination - where someone is treated more favourably solely because they have a protected characteristic is unlawful, except in limited circumstances.
- Positive action - is defined as proportionate steps taken to enable or encourage people who share a protected characteristic to overcome or minimise a disadvantage, to meet their needs or to participate, when the organisation reasonably thinks that people who share the protected characteristic suffer the disadvantage, or have needs that are different, or a disproportionately low number of such people participate in an activity.
- Occupational requirement - if an employer can show that possessing a particular protected characteristic is a crucial requirement for a job and is a proportionate means of achieving a legitimate aim, then the employer will not be acting unlawfully to refuse to employ someone who does not possess that characteristic. There are currently no SA Group roles where this applies and this requirement is usually used for example in roles working in women refuges or for a particular religious organisation. The exception applies where being of a particular sex, race, disability, religion or belief, sexual orientation or age is an occupational requirement. Since the



Supreme Court ruling on the definition of 'sex' and 'women', the term 'sex' in this context is legally defined as the gender an individual was born.

5. **EQUALITY, DIVERSITY & INCLUSION IN EMPLOYMENT**

5.1 The Soil Association will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

5.2 Recruitment

5.2.1 Recruitment processes will align with the principles and commitments in the EDI Strategy, ensuring consistent, transparent, and inclusive practices.

5.2.2 Job descriptions and person specifications will be fair and the requirements that are necessary for the effective performance of the job.

5.2.3 Selection criteria for appointments will be clearly defined and reflected in the job description. Shortlisting and interviewing processes will be thorough, carried out objectively and without illegal discrimination. All colleagues involved in recruitment must complete appropriate training and be aware of relevant employment legislation

5.2.4 In some roles it may be required to complete a self-disclosure and eligibility check via the appropriate disclosure and barring service. The Soil Association applies this requirement after assessment and in line with the procedures outlined in the Disclosing and Barring (DBS) Policy. Some guidance for supporting transgender individuals is being developed.

5.2.5 We are committed to fair and inclusive recruitment practices. As part of our process, we have a selection phase where candidate names are anonymised to reduce the risk of unconscious bias and discrimination. We also participate in the Disability Confident scheme and offer a guaranteed interview to disabled candidates who meet all the essential criteria for the role.

5.3 Working Practices

5.3.1 The Soil Association wants to support our colleagues' work life balance and wellbeing and offers flexible working under the Working Hours Policy. Colleagues who are based in an office, work under the Hybrid Working policy which supports colleagues working up to 60% of their time at home.

5.3.2 The Soil Association will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the Soil Association considers it has good reasons, unrelated to any prohibited grounds of discrimination, for doing so. We will comply with our obligations in relation to statutory requests for contract variations. The Soil Association will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

5.4 Monitoring



- 5.4.1 The Soil Association may, where data is made available to us by colleagues and job applicants, monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs, and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems which may be identified as a result of the monitoring process.
- 5.4.2 The Soil Association cannot lawfully discriminate in the selection of colleagues for recruitment or promotion, but we may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group which the Soil Association identifies as being underrepresented, in particular types of job.

5.5 Learning & Development

- 5.5.1 The policy of the Soil Association is to develop and use the talent, skills and ability of its colleagues. Where training is available to colleagues, a fair and transparent process will be applied to ensure that there is equal access to the support of personal and professional development.

5.5 Bullying and Harassment

- 5.5.1 The Soil Association has a separate Bullying and Harassment Policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with. A copy of this can be found on the PeopleHR system. All colleagues should report any bullying or harassment by customers, suppliers, visitors or others to their line manager who will take appropriate action.

6. RELATIONSHIPS WITH EXTERNAL STAKEHOLDERS

- 6.1 The Soil Association will not discriminate unlawfully against partner organisations, project beneficiaries, clients and customers using or seeking to use goods, facilities or services provided by the Soil Association.

6.2 Roles & Responsibilities

All Employees: Every colleague is responsible for supporting the Soil Association's commitment to provide equal opportunities in employment and prevent unlawful discrimination. Colleagues may be held personally liable as well as, or instead of, the Soil Association, for any act of unlawful discrimination. Those who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against colleagues or customers are disciplinary offences and will be dealt with under the Soil Association's Disciplinary Procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Copies of the Bullying and Harassment Policy and the Disciplinary Procedure are available on the PeopleHR system

Board of Trustees: The Board of Trustees and all our Group Boards are responsible for providing strategic leadership on Equality, Diversity and Inclusion (EDI), ensuring that these principles are embedded within governance and oversight functions. Trustees are



expected to champion a culture of inclusion and accountability across the organisation; they must ensure that appropriate policies, resources and infrastructure are in place to support inclusion and fairness.

Senior Management teams (including CEOs, Directors and Heads of roles): Senior leaders are responsible for modelling inclusive behaviors and creating respectful and equitable environments. They are required to translate the organisation's EDI strategy into operational actions and ensure their teams comply with all relevant policies. Senior leaders should use data and insight to inform decisions and address inequalities, promoting accountability within their areas of responsibility.

Line Managers: Line managers are responsible for creating and maintaining inclusive and respectful team environments. They must take prompt action to address any discriminatory or inappropriate behavior and ensure fair and inclusive practices. Managers are expected to support individual needs, including making reasonable adjustments, and to integrate EDI principles into team communications and decision-making, ensuring all voices are heard and valued.

People Team: the People Team are responsible for developing and maintaining EDI-related policies, guidance and procedures, ensuring they are aligned with best practice and legal requirements. The team supports leaders and managers in embedding inclusive approaches across the employee lifecycle, delivers EDI training and awareness activities, and provides insight through the analysis and reporting of diversity data. The People Team also advises on and supports the resolution of complex employee relations issues with an inclusive and fair approach.

7. **GRIEVANCES**

- 7.1 If an employee considers that they may have been unlawfully discriminated against, they may use the Soil Association's Grievance Procedure to make a complaint. If their complaint involves bullying or harassment, the grievance procedure is modified as set out in the Bullying and Harassment Policy.
- 7.2 The Soil Association will take any complaint seriously and will seek to resolve any grievance which it upholds. An employee will not be penalised for raising a grievance, even if their grievance is not upheld, unless their complaint is both untrue and made in bad faith.
- 7.3 A copy of the Grievance Procedure can be found on the PeopleHR system.

8. **MONITORING AND REVIEW**

- 8.1 This policy will be monitored periodically by the Soil Association in accordance with the results shown by the monitoring. If changes are required, the Soil Association will implement them.
- 8.2 Information provided by job applicants and colleagues for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 2018 (GDPR).

9. RELATED SOIL ASSOCIATION POLICIES & PROCEDURES

- EDI Strategy
- Recruitment Policy
- Disciplinary Procedure
- Bullying and Harassment Policy
- Grievance Policy
- Disclosure and Barring (DBS) Policy
- Recruitment of Ex-Offenders
- Hybrid Working Policy
- Working Hours Policy
- Safeguarding Policy

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