Upper Medway Internal Drainage Board
Equity, Diversity, and Inclusion Policy

The Upper Medway Internal Drainage Board (UMIDB) is committed to promoting and embedding the principles of equity, diversity, and inclusion in all aspects of its work. We aim to ensure that everyone who encounters the Board—whether as an employee, member, contractor, stakeholder, or member of the public—is treated fairly, with dignity, and respect.

Legal Framework

This policy applies to UMIDB's work in England and is underpinned by the Equality Act 2010, as amended, including the employment and public-functions provisions and the Public Sector Equality Duty (PSED). In exercising its public functions, UMIDB must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Equality Act 2010.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- In advancing equality of opportunity, consider removing or minimising disadvantage, meeting different needs and encouraging participation where it is disproportionately low. This explains the second PSED aim; it is not a separate statutory aim.
- Foster good relations between people who share a relevant protected characteristic and those who do not, including tackling prejudice and promoting understanding.

The PSED is a duty of informed consideration, not a guarantee of equal outcomes or authority to discriminate. Equality impacts must be considered before and during decisions and kept under review; the decision-maker remains responsible. Marriage and civil partnership is relevant to the elimination of prohibited conduct, but not to the PSED's advancement-of-opportunity or good-relations aims. Specific publication duties apply only to bodies covered by the relevant regulations; this policy's annual reporting and improvement objectives are Board commitments and must not be presented as a statutory duty without confirming applicability.

The protected characteristics under the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including colour, nationality and ethnic or national origins)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

Protected characteristics have their statutory meanings. For Equality Act purposes, sex means biological sex, as confirmed in For Women Scotland Ltd v The Scottish Ministers [2025] UKSC 16. Gender reassignment remains separately protected and does not require medical treatment or a Gender Recognition Certificate. The Board will respect privacy and dignity and protect everyone from unlawful discrimination, harassment and victimisation. Any sex-based provision or restriction must meet the applicable legal requirements; seek specialist advice where needed rather than assuming this policy authorises exclusion.

UMIDB prohibits direct and indirect discrimination, discrimination arising from disability, failure to make required reasonable adjustments, sexual harassment, unlawful harassment related to protected characteristics and victimisation. Applicable protections include discrimination by association or perception. Statutory coverage and exceptions differ between employment and services/public functions; the Board's behavioural standards also prohibit bullying and degrading treatment beyond the minimum legal protections.

Our Commitments

UMIDB will:

- Provide a safe, inclusive and accessible working environment for all staff and Board members.
- Actively promote a culture of respect and inclusion across the organisation.
- Ensure fair and inclusive recruitment, development and promotion practices.
- Identify and remove barriers to participation in our services and decision-making processes.
- Regularly assess and monitor our policies, practices and service delivery to ensure they are inclusive and non-discriminatory.
- Respond promptly, fairly and effectively to any concerns or complaints related to discrimination, harassment or victimisation.
- Ensure all staff, contractors and members receive appropriate training on equality, diversity and inclusion.
- Provide reasonable adjustments for disabled applicants, workers and others where required by law, and proportionate support to enable members and staff to carry out their duties. Equity does not authorise unlawful preferential treatment or override statutory eligibility, safety or decision-making requirements.

Accountability

The Board retains overall accountability for this policy and for informed equality consideration in its decisions. The Clerk coordinates implementation, maintains the action log and arranges training and reporting. Managers and contract leads apply the policy in daily work; all employees, members and those acting for UMIDB must uphold it. Obtain specialist legal or data-protection advice where necessary; delegating work does not transfer the Board's decision-making responsibility.

Monitoring and Review

The Clerk and Board will review this policy and its implementation annually, and sooner following a material legal change, incident or identified barrier. The Board will agree proportionate improvement actions, responsible officers and review dates, and monitor completion.

Delivery Procedures

Policy Integration

EDI considerations will be integrated into recruitment, procurement and the Board's statutory drainage and flood-risk work. Assess relevant impacts when prioritising maintenance and capital works, determining consents and enforcement, communicating rates and levies, and consulting landowners, occupiers and affected communities. Use accessible, proportionate engagement; consider people who may not respond through digital channels. Contract requirements must be relevant, lawful and proportionate, with standards communicated and compliance monitored.

Reasonable Adjustments and Accessible Services

The Clerk will arrange prompt discussion of disability-related barriers, assess reasonable adjustments, record decisions and reasons, and review effectiveness with the person concerned. Adjustments may concern recruitment assessments, working arrangements, equipment, premises, meeting access and communication formats. The services/public-functions duty is anticipatory: consider disabled people's needs in advance rather than waiting for a request. Do not charge the disabled person for a required adjustment. Safety requirements must be assessed objectively alongside possible adjustments, not used as a blanket exclusion.

The Board must comply with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 for content within scope. Maintain and review an accessibility statement, test against WCAG 2.2 AA, address identified barriers and offer accessible alternatives. Any exemption or disproportionate-burden claim must be assessed and documented; it does not remove Equality Act reasonable-adjustment duties.

Fair Recruitment and Lawful Positive Action

Use objective, role-related selection criteria and accessible recruitment, pay, training and promotion processes. Do not ask pre-offer health or disability questions except within the limited exceptions in section 60 Equality Act 2010; keep equality-monitoring information separate from selection decisions. Any positive action must be evidence-based and proportionate under section 158. A recruitment or promotion tie-break under section 159 may be used only where all statutory conditions are met, including candidates being as qualified as each other, with no automatic preference policy. Do not operate unlawful quotas. Disability-specific lawful measures and reasonable-adjustment duties remain distinct.

Board membership must follow the applicable Land Drainage Act 1991 election, qualification and charging-authority appointment arrangements. Encourage eligible participation and accessible information, but do not use this policy to alter statutory seats, voting rights or eligibility.

Preventing Harassment and Raising Concerns

UMIDB must take all reasonable steps to prevent sexual harassment and must not permit harassment of its workers by third parties, reflecting the Employment Rights Act 2025 changes effective from 30 October 2026. Assess risks involving site visits, lone working, landowner and contractor contact, online communication,

power imbalances and work-related events. Implement and review reasonable controls, communicate expected behaviour to members and third parties, provide practical training and record incidents and corrective actions. Action must be preventative, not only a response to complaints.

Staff, applicants, members, contractors and the public may raise concerns with the Clerk, orally or in writing, with reasonable adjustments or support where needed. Concerns about the Clerk may be raised with the Chair; concerns about the Chair, or where both are implicated, may be raised with the Vice-Chair or another unconflicted Board member for independent handling. Do not require a person to confront the alleged perpetrator. Apply the appropriate grievance, complaints, member-conduct or whistleblowing procedure, explaining the process, expected timescales, impartial investigation, written outcome and review or appeal route. Limit disclosure to those who need to know, without promising absolute confidentiality. Protect complainants and witnesses from retaliation or victimisation; internal procedures do not remove external legal rights or stop statutory claim deadlines.

Confirmed breaches may lead to proportionate action under the applicable employment, member-conduct or contractual procedure, with fair investigation and an opportunity to respond. The Board must not assume it has power to remove an elected or appointed member outside the statutory arrangements.

Equality Monitoring and Privacy

Diversity monitoring must be necessary, proportionate and voluntary for respondents, with a prefer-not-to-say option. Before collecting identifiable information, document the UK GDPR Article 6 basis and, for special-category information, an Article 9 condition and any applicable Data Protection Act 2018 condition and appropriate policy document. Provide privacy information, restrict access, separate monitoring from employment decisions, and apply justified retention and secure disposal rules. Do not assume consent is valid merely because an employee completes a form. Assess re-identification risks in a small workforce: use genuinely anonymous or aggregated information and suppress small groups and revealing free text in reports.

Training and Awareness

Staff and Board members will receive induction and regular, role-appropriate refresher training covering lawful recruitment, reasonable adjustments, sexual and third-party harassment, reporting routes, victimisation and monitoring-data privacy. Those handling complaints receive appropriate training for impartial investigations. Record attendance and check understanding and practical effectiveness.

Monitoring

Consider and record equality impacts at the design stage and before approving new or materially changed policies, projects and decisions, and review actual effects afterwards. A proportionate equality impact assessment or recorded screening may support the PSED; a two-year review alone does not discharge the ongoing duty. Reassess existing policies at least every two years as a Board practice and sooner when risks or circumstances change.

Reporting and Review

The Clerk will provide an annual EDI implementation report to the Board and additional reports when significant concerns arise. The Board will review barriers, adjustment requests, training, complaints trends and

progress against measurable improvement objectives. Publish an accessible, suitably anonymised summary; do not publish information that identifies individuals through small numbers or context.

Annual review will include the policy, risk framework and delivery checklist. Record evidence, accountable owners, actions and review dates; quarterly checklist dates are planning milestones, not a reason to delay a legal duty or an urgent response.

EDI Risk Assessment Framework for UMIDB

1. Governance and Leadership

- **Risk**: Absence of formal EDI policies may lead to unintentional exclusion or discrimination.
- **Mitigation**: Maintain Board oversight, annual review, an accountable action log and recorded consideration of equality impacts before relevant decisions; preserve statutory membership arrangements.

2. Recruitment and Staffing

- **Risk**: Potential biases in hiring practices could result in a non-diverse workforce.
- **Mitigation**: Use objective selection criteria, accessible assessments and trained panels; comply with section 60 health-question restrictions, reasonable adjustments and positive-action safeguards.

3. Community Engagement

- **Risk**: Lack of diverse community input may overlook the needs of underrepresented groups.
- **Mitigation**: Seek proportionate input from affected landowners, occupiers and communities before relevant drainage decisions, including people facing disability, language or digital barriers.

4. Service Delivery

- **Risk**: Services may not be accessible or equitable for all community members.
- **Mitigation**: Consider impacts of maintenance priorities, capital works, consents and enforcement; anticipate disability-related barriers, arrange reasonable adjustments and check digital accessibility.

5. Training and Development

- **Risk**: Staff may lack awareness or understanding of EDI principles.
- **Mitigation**: Implement ongoing EDI training programs for all employees and board members.

6. Policy and Procedure Review

- **Risk**: Existing policies may inadvertently perpetuate inequalities.
- **Mitigation**: Screen new or changed policies and decisions before approval, record relevant equality evidence and mitigation, and review actual impacts; do not rely solely on a periodic review.

7. Monitoring and Evaluation

- **Risk**: Without proper monitoring, EDI initiatives may lack effectiveness.
- **Mitigation**: Use an annual Board action and reporting cycle with accountable owners and evidence of completion; protect monitoring and complaint information, including small-group re-identification risks.

8. Harassment, Adjustments and Safe Reporting

Risk: Site visits, lone working, third-party contact and unequal power relationships may expose workers to harassment; inaccessible processes or conflicted reporting routes may prevent concerns being raised.
Mitigation: Assess sexual and third-party harassment risks, take all reasonable preventative steps, communicate standards, train staff, provide accessible and unconflicted reporting routes, protect against victimisation and review controls after incidents. Record adjustment requests, decisions and effectiveness promptly.

November 2026 Amendments

- Clarified the Public Sector Equality Duty, its three aims and decision-stage equality assessment, and distinguished statutory duties from Board reporting commitments.
- Added explicit reasonable-adjustment and digital-accessibility requirements, fair-recruitment safeguards and limits on positive action.
- Added all-reasonable-steps sexual-harassment prevention and third-party harassment controls following the Employment Rights Act 2025 changes effective from 30 October 2026.
- Added accessible, impartial complaint routes, alternatives where senior officers or members are implicated, and protection against victimisation.
- Clarified statutory sex and gender-reassignment protections following the Supreme Court judgment in For Women Scotland [2025] UKSC 16.
- Applied EDI requirements to drainage works, consents, enforcement, rates and community engagement while preserving statutory Board election and appointment arrangements.
- Added lawful equality-monitoring and privacy safeguards, including special-category data and small-workforce re-identification risks; aligned annual review, reporting, the risk framework and delivery checklist.

UMIDB EDI Checklist

1. Governance and Leadership

Task	Responsible	Due Date	Status	Notes
Review and update EDI Policy	Clerk	Q1	☐	Ensure legal compliance and relevance
Ensure EDI is a standing agenda item in board meetings	Chairperson	Ongoing	☐	Include updates, incidents, or training needs
Report on EDI performance	Clerk	Q4	☐	Annual Board review, with additional reporting for significant concerns.

2. Workforce and Recruitment

Task	Responsible	Due Date	Status	Notes
Analyse workforce diversity data	Clerk	Q1	☐	Use only necessary categories; distinguish statutory sex data from any separate gender-identity question. Apply privacy safeguards and suppress small groups.
Conduct anonymous employee inclusion survey	RFO	Q2	☐	Participation voluntary; check re-identification risks and avoid collecting unnecessary identifiable or revealing free-text responses.
Review recruitment processes for bias	Clerk/Chair	Q3	☐	Update job ads, interview panels, etc.
Provide recruitment bias training	External	Q2	☐	For all involved in hiring

3. Staff Development and Culture

Task	Responsible	Due Date	Status	Notes
Deliver regular EDI training to all staff	External	Q2	☐	Include unconscious bias and inclusive language
Provide development opportunities to underrepresented staff	Clerk/Chair	Ongoing	☐	Remove access barriers; targeted support must satisfy lawful positive-action conditions. No automatic preference in promotion.
Review internal grievance/complaints related to EDI	Clerk	Q3	☐	Identify patterns or concerns

4. Service Delivery and Accessibility

Task	Responsible	Due Date	Status	Notes
Review accessibility of services (physical and digital)	Clerk	Q2	☐	Include signage, website and documents; test digital accessibility and review the accessibility statement and reasonable adjustments.
Engage affected communities proportionately before relevant decisions, including underrepresented groups and people unable to use digital channels	Clerk/Chair	Q2	☐	Hold consultations or feedback events
Translate key documents or provide alternative formats	Clerk	Q3	☐	Assess needs proactively and respond promptly to required adjustments; do not wait for Q3.

5. Data, Reporting and Accountability

Task	Responsible	Due Date	Status	Notes
Collect and analyse EDI-related complaints or incidents	RFO/Clerk	Q3	☐	Restrict access; use anonymised trends and record action without exposing complainants or witnesses.
Set annual EDI improvement objectives	Board	Q1	☐	Measurable, evidence-based and proportionate; distinguish Board commitments from any applicable statutory publication duties.
Publish EDI report on website	Clerk	Q4	☐	Publish an accessible, anonymised summary; suppress small groups and identifiable complaint details.

6. Policy and Legal Compliance

Task	Responsible	Due Date	Status	Notes
Review compliance with Equality Act 2010 and other regulations	Clerk	Q3	☐	Ensure all activities align with law
Audit all internal policies for EDI considerations	Clerk/Chair	Q4	☐	Pay, recruitment, parental leave, etc.
Assess sexual and third-party harassment risks and implement all reasonable preventative steps	Clerk/Chair	Now; ongoing		Include site visits, lone working, contractors, public contact, online work and events; review controls after incidents.
Check accessible, impartial reporting and review routes	Clerk/Chair	Now; ongoing		Provide an alternative where the Clerk or Chair is implicated; protect complainants and witnesses from victimisation.

Task	Responsible	Due Date	Status	Notes
Record and review reasonable adjustments	Clerk	Promptly; ongoing		Assess recruitment, work, meeting and service barriers; record reasons and effectiveness; no charge for required adjustments.

Annual Review Summary

- What went well?
- What needs improvement?
- What are the EDI objectives for next year?