

EQUAL OPPORTUNITIES AND DIVERSITY POLICY

OVERVIEW

This policy is designed to prevent discrimination and to attract the best employees. To ensure that diversity is embedded in Company culture reflected in our staff and to better serve our customers/clients, the company will endeavour to:

- Attract applications from all sections of society irrespective of race, gender, marital / civil partnership status, age, disability, religion or belief, colour, national origin or sexual orientation and ensure fair treatment throughout the recruitment process;
- Improve performance within any role, develop skills and prepare all individuals for other roles and responsibilities through effective appraisal and training procedures;
- Ensure that employment decisions are based on business needs and the individual's ability to undertake the role;
- Enhance decision-making and innovation by encouraging interaction and involvement;
- Increase the company's ability to relate to existing and potential customers / clients wherever they exist;
- Identify the various behaviours and barriers that discrimination can take, and understand the negative effect these can have on the company and its employees and customers / clients;
- Provide training for managers and employees involved in key decision-making areas on the potentially discriminatory effects of imposing practices, conditions, and criteria on minority groups, and the importance of being able to justify decisions;
- Monitor the application of this policy, and work towards eliminating any discriminatory practices which may be limiting the company's ability to achieve its objectives.

LEGISLATION / STANDARD

- The Equality Act 2010

This policy covers all employees, contractors, temporary workers and job applicants including any individuals working on company premises via a third party. It applies to all aspects of employment, from recruitment and selection through to termination of employment.

To be successful, this Policy will be implemented throughout the company and therefore commitment is required from the whole workforce. Directors and Senior management have the responsibility for ensuring that this policy underpins all aspects of company policy and for promoting an organisational culture that is supportive of the benefits of diversity.

Junior / line managers will have an important role in ensuring that policies and procedures relating to diversity are implemented and communicated to all existing staff and new staff on their commencement. This will be achieved through induction training. Managers will promote a professional and positive work environment by ensuring that this policy is put into practice by challenging behaviour, actions or decisions that breach the policy.

All individual employees have a responsibility to comply with this policy and to be aware of the various behaviours and barriers that discrimination can take, and to understand the negative impact these can have on the company and colleagues.

All employees will co-operate with management in the elimination of any discriminatory practices which may be identified and any instances of apparent discrimination will be reported immediately to a line manager.

Unlawful Discrimination

All managers at all levels must understand that it is unlawful to discriminate against people at work on the grounds of their: sex, sexual orientation, status as a married person/civil partner, race, colour, age, nationality, ethnic origin, religion, political or other beliefs, because of a disability, pregnancy, childbirth, maternity leave, are a member or non-member of a trade union.

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It is also unlawful to discriminate against part-time or home workers. The company will comply with all relevant legislation and no individual will be unjustifiably discriminated against.

Age

The company is fully committed to promoting age diversity. In valuing the contribution of its employees, regardless of age, the company will seek to eliminate age 'stereotyping' and discrimination on the basis of age. The underlying premise of this is that employees will be assessed on the basis of their skills, ability and potential, not their age. This means that employment opportunities and personal/career development will be available, irrespective of a person's age. This will involve:

- basing employment decisions on objective, job-related criteria;
- encouraging staff of all ages to develop their careers;
- ensuring that staff of all age groups participate in training, and have the chance to improve their skills and experience;
- avoiding assumptions about the physical abilities and career intentions of older job applicants or employees.

The Employment Equality (Age) Regulations 2006 covers people of all ages. It is unlawful to discriminate against young workers as well as against older workers. There is no statutory upper age limit on the right to claim unfair dismissal or to receive redundancy payments. The default retirement age is 65, making compulsory retirement below 65 unlawful unless objectively justified. In addition, all employees have the right to request to work beyond 65 (or any other retirement age set by the company) and the company will give such requests consideration.

Equal Pay

Men and women doing equal work and work rated as of equal value are entitled to equal pay.

Race, Religion or Belief

The company recognises it's unlawful to discriminate against a job-seeker, worker or trainee on the grounds of race, colour, nationality and ethnic or national origins or because of their religion or belief or lack of religion or belief. The company is sensitive to the cultural and religious needs of employees and makes provision to accommodate any formal requests that are made.

Disability

The company recognises its responsibility towards disabled employees and seeks to eliminate unjustified discrimination on the grounds of disability by:

Recognising the wealth of talent and skill possessed by disabled people;

Interviewing all disabled job applicants who meet the minimum selection criteria for a job vacancy and consider them on their abilities; Ensuring that all disabled employees are smoothly and effectively inducted into the company;

Identifying and providing any 'reasonable adjustments' to working arrangements or the working environment necessary for the effective performance of their job; Making every effort to retain employees who become disabled whilst in the employment of the company.

Monitoring

The company will maintain records of the age, race, gender, marital/civil partnership status, and disability of job applicants and existing employees. Any patterns of under representation (for example, where one gender or race appears to have a consistently reduced chance of promotion) will be fully investigated and any discriminatory practices identified and eliminated.

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Bullying and Harassment

All staff will expect to be treated with dignity and respect whilst at work, and have an equal responsibility to treat their colleagues similarly.

The company is committed to creating a harmonious working environment which is free from harassment, including discrimination, victimisation and bullying, and which protects the dignity of female and male employees irrespective of their race, religion or belief, colour, age, national origin, disability or sexual orientation. Harassment is offensive and prejudicial to a productive working environment. It is indicative of a lack of respect for the person harassed, undermines his or her position and may have a negative impact upon health, job performance and sense of personal security.

Grievances

Any employee who feels they have not been treated in accordance with this policy will make a complaint using the company's Grievance Procedure. All complaints will be dealt with seriously, promptly and confidentially. If a member of staff is found to have breached the Diversity Policy they may be subject to disciplinary action under the company's Disciplinary Procedure, which could result in dismissal.

FOREIGN NATIONALS' ARRANGEMENTS

Non-English-Speaking Operatives

In line with the Company's Policy on Equal Opportunities it is the policy of John Desmond's Ltd not to discriminate between English and non-English speaking applicants. It is therefore necessary to effectively manage the safety of persons who do not have English as their first language. Operatives shall be assessed in their level of understanding and speaking of the English language and then supervised accordingly.

Assessing persons who do not speak English:

Before such persons are engaged to start work an assessment will be undertaken to determine their ability to understand and speak English. This assessment will determine who may need the help of a translator, or who may be allowed to work on site without any assistance and carry out their duties in a safe manner.

Site manager duties:

The Site Manager shall undertake a brief interview with the non-English speaking operative using the assessment form. The site rules and duties required of the operative shall be explained to the operative and then they shall be asked to indicate their level of understanding of the information given. The Site Manager will rate the operative from 1 (being the lowest) to 5 (being the highest) on their level of understanding. The operative will also be rated on their ability to speak English; and again rated 1 to 5. The operative must be able to demonstrate a minimum rating of 4 to work without a nominated translator. Those persons who do not understand, even with assistance of a translator, or if in the case where operatives are rated 1 to 3 but there is no translator on site, the operative shall not be engaged to work on site.

Operatives shall be rated as follows:

<i>Rating Level 1:</i>	No understanding of English either written or spoken. These operatives are to have the assistance of a nominated 'translator' throughout their work shift.
<i>Rating Level 2 - 3:</i>	Poor to fair understanding of English either written or spoken shall be placed with someone rated ability 4, to enable them to carry out their duties safely.
<i>Rating Level 4:</i>	Good understanding of English both written and spoken. These shall take some responsibility to guide and help those rated ability 2 - 3.
<i>Rating Level 5:</i>	Full understanding of English both written and spoken. Act as translator to work with operatives of levels 1 or 2 to ensure information relative to their task and safety of their workplace is understood and complied with.

Assistance of translator:

Operatives rated 1 - 2 shall be given the assistance of a translator to enable them to understand safety instructions, company safety procedures and risk and method statements applicable to their work.

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Operatives rated at 3: shall work in gangs having a person rated 4 with them at all times.

Safety inductions / translation:

Operatives rated 1 - 3 shall attend Principal Contractor site-based Safety Inductions with a nominated 'translator' in attendance. Before the induction starts, the Translator must explain to the trainer, that they need to translate the induction requirements as the trainer goes through the induction programme.

It is essential that included in the induction programme are what hand signals / word / actions will be used to alert non-English speaking operatives of imminent danger

Ensuring the quality of translations:

John Desmond's Ltd will establish those employees competent to be translators. To ensure that those translating an instruction are cognisant of the requirements of the instruction themselves, the Site Manager shall instruct the translator on the materials to be translated e.g. safety induction, risk assessment, method statement, safe work procedures, PPE etc. to ensure their understanding prior to translation to operatives.

Translators.

Translators shall be volunteers obtained from the existing workforce. Translators will be deemed competent using the same assessment format, and be required to sign a brief declaration at the foot of the form. The Site Manager should ensure that the translator is fully aware of the requirements of any instructions given by themselves with regard to site rules, induction etc

Ensuring there are enough translators in a group of operatives:

Each work gang rated 1 - 3 are to have a minimum of one translator working alongside them. Larger working gangs are to have a minimum of one translator and two persons rated level 3. (*Work groups of more than 15 people may require additional translators*).

Project Staff wishing to communicate with level 1 - 3 operatives:

Principal Contractor's Project Management, company staff and other Site Management e.g. sub-contractors management, who wish to communicate with non-English speaking personnel shall in the first instance communicate through the employing Site Supervisor / Manager.

Name: Mr. I. Desmond

Signed:



Position: Managing Director

Date:

01/08/2023