



EQUAL OPPORTUNITIES AND DIVERSITY POLICY

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POLICY STATEMENT

Hadden Construction Ltd is an equal opportunity employer and is fully committed to treating equally every person, group and organisation that we work with and employ. We will take all reasonable steps to provide a working environment in which everyone is treated with respect and dignity and which is free from unlawful discrimination, harassment and victimisation on grounds of:

- age
- colour
- disability including sensory impairment
- gender
- marital status
- ethnic origin or race
- faith, religion or beliefs
- sexual orientation
- trade union activity
- HIV status
- language

To ensure this, all employees, in particular those responsible for recruitment, interviewing, performance appraisal and career development will receive appropriate guidance, training and clear instructions on equal opportunities and diversity. This will be done in conjunction with the Company Training Policy and Plan.

The key pieces of legislation that inform our policy are:

- Sex Discrimination Act 1975 and 1986 (as amended)
- Disability Discrimination Act 2005 (amendment regulations 2003)
- Human Rights Act 1998
- Gender Recognition Act 2004
- The Sex Discrimination (Gender Reassignment) Regulations 1999
- Crime and Disorder Act 1998
- Asylum and Immigration Act 1999
- Working Time Regulations 1999
- Equal Pay Act 1975 (Amendment) Regulations 2003
- The Protection of Harassment Act 1997
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Employment Rights Act 1996 (provisions relating to maternity leave and dependant carer leave and redundancy)
- National Minimum Wage Act 1998
- Maternity and Parental Leave Regulations 1999
- Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Equality Act 2010
- Disability Equality Duty (DED) 2006
- Rehabilitation of Offenders Act 1974
- Trade Union and Labour Relations (Consolidation) Act 1992
- The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002

These are supplemented by Codes of Practice and guidance that inform our policy as follows:

- Code of Practice on the Duty to Promote Race Equality in Scotland
- Commission for Racial Equality Code of Practice on Employment and Occupation
- The McPherson Report (1999) (recommends various actions to overcome institutional racism)
- Commission for Racial Equality Code of Practice on Race Equality and Procurement in Local Government
- Equality Act 2010 Code of Practice: Employment Statutory Code of Practice

The main aims of the policy are:

- To provide a working environment in where people are able to give their best and are free from discrimination, intimidation, and harassment or bullying.
- To provide all employees with the training and development they need to fulfill their potential.
- To ensure our employment practices are non-discriminatory and support staff with specific religious or cultural beliefs or who need specific assistance to overcome disabilities.
- To have a workforce reflecting the communities which we work in with people from different groups represented at all levels in the staffing structure.

A commitment to this policy is required from all staff and any others with whom we may work e.g. contractors, consultants, suppliers, who all have a duty to co-operate with the company to ensure that this policy is effective in ensuring equal opportunities and diversity and in preventing discrimination. We also expect the same commitment from all those who receive a service from us and will promote this policy in all our dealings with them.

Implementation

In order to implement equal opportunity and diversity objectives the Company will take the following key actions:-

- The annual compilation of an Equality & Diversity Action Plan. This will be included in the Company's Business Plan and will address the extent and range of need in the area, objectives, proposed activities, outcomes and resources. Actions proposed in the plan will be implemented.
- In reviewing policies and procedures, ensure that these comply with statutory requirements and best practice in relation to equality of opportunity and diversity.
- Provide training on equalities and diversity for all management and staff to enable them to develop and implement this policy and the Action Plan.
- Develop monitoring frameworks with particular reference to careful definition of desired outcomes and developing practical means of measuring the same.
- Work with other agencies to develop its information base on ethnic minorities and disadvantaged groups, their needs for our services and the most appropriate means of accessing the same.
- Develop procedures and import appropriate information and practice from emerging guidance

Training

The Company will, on a continuous basis, provide training on equalities and diversity for both management and staff. All new employees will be made aware of the equalities and diversity policy during formal induction training. Training will aim to:

- Eliminate, wherever possible, actual or potential inequalities in the opportunities available to employees to develop skills relevant to their jobs and to develop their careers with the Association
- Inform all staff, particularly those responsible for employment or other management matters, about their obligations under anti-discrimination legislation and this policy; and provide guidance through training on how to translate policy into practice.
- Encourage staff to attend training courses on equalities & diversity

Discrimination, Harassment, Bullying or Intimidation

It is against the company's policy for anyone who works for us to harass, bully or intimidate another individual. Harassment occurs where a person engages in unwanted conduct which has the purpose or effect of violating the other's dignity or creating a hostile, degrading, humiliating or offensive environment for the other person.

Sexual Harassment includes unwelcome sexual advances, requests for sexual favours, engaging in any other unwelcome verbal or unwanted physical conduct of a sexual nature, subjection to obscene or other suggestive comments and sexual jokes or pictures.

Racial Harassment includes engaging in unwelcome verbal or physical conduct of a racial nature, subjection to racist comments and racist jokes or pictures. Harassment may comprise intentional bullying which is obvious or violent but it can also be unintentional such as the use of nicknames or teasing.

Religious Harassment includes ostracising or picking on an individual and using racially or religious derogatory and offensive remarks, even in fun.

It is also against the company's policy for an employee to harass another employee on the grounds of his or her race, colour, ethnic origin, nationality, religion or belief, age or disability.

Gender

The Company is opposed to all forms of sex based discrimination and is committed to achieving gender equality both in the provision of services and in employment.

To achieve our aims the Company will:

- Strive to create an environment that is free from harassment and sexist language and behaviour;
- Give equal consideration to applications based solely on their ability to do the job, and give equal opportunity to men and women for training, career development and promotion for employees;
- Develop specific initiatives, where required, to address gender imbalance in the workforce;
- Set targets to achieve a balanced gender mix at a senior level within the Company and support the attainment of this goal by creating family friendly working practices;
- Challenge sexist attitudes and practices in evidence within other organisations with which Hadden works;
- Create a flexible working environment where work and home life responsibilities are recognised and supported.

Disability

We recognise that people with a Disability are disadvantaged both by the environment and by social attitudes which reflect principally the needs of non-disabled people. Our approach is therefore to apply a social understanding of disability to ensure equality of opportunity for disabled people.

To achieve our aims the Company will:

- Strive to provide services that are relevant to the needs of people with disability;
- Make sure that all our services and information about them are accessible and available to people with a disability;
- Ensure that any disabled person applying for a vacancy within the Company will be judged solely on their ability to do the job;
- Wherever possible modify our procedures or equipment to make full use of an individual's ability and adapt our facilities as necessary to accommodate people with a disability;
- Regularly audit our premises, services and processes to make sure the requirements of the Disability Discrimination Act are met;
- Train managers and staff in awareness and confidence to support people with a disability where needed;
- Continue employing, whenever practicable, employees who become disabled during their employment and assist in their retraining.

Age

We acknowledge the valuable role of older people within our workforce. We will seek to ensure that our employment policies are relevant and fair to all age groups and we will work to create an environment where people are judged on their talents, skills and experience rather than on misconceptions and prejudices about age.

The Company also values the contribution that younger people make to society. Similarly, Hadden values the contribution of our younger workforce and traineeships have been developed to encourage those leaving school and/or higher education to commence their career with the Company. This programme will be expanded and developed over time.

To achieve our aims we will:

- Follow the Government's Voluntary Code of Practice for Age Diversity and Employment;
- Remove age related criteria in our employment practices (subject to present retirement ages);
- Provide recruitment, promotion and training on the basis of need regardless of age;
- Work to ensure that older workers are enabled to leave the organisation with dignity and flexibility in both timing and working arrangements.

Sexuality

Hadden recognises the very real discrimination that people face in their lives due to their sexuality and life choices. We want to create an environment where lesbians, gay men and bi-sexual people are free from unfair treatment and harassment and feel safe to be open about their sexuality and difference if they choose to do so.

To achieve our aims we will:

- Respect an individual's right to define their sexual identity;
- Protect the dignity of women and men at work;
- Work towards enabling employees to feel safe in being open about their sexual identity;
- Ensure that appropriate awareness training is provided in existing training courses and where necessary make additional provision for such training.

Religion

Hadden aims to tackle unlawful discrimination and harassment on the grounds of religion and belief and to promote good relations between people of different religions and beliefs.

To achieve our aims we will:

- Strive to create an environment which recognises and respects all religions and beliefs and is free from unlawful discrimination or harassment;
- Develop employment practices and services in ways which recognise and respects religion and belief;
- Improve the understanding of religion and belief amongst our staff so that they can sensitively address the needs of individuals and of different faith communities;
- Work with other companies and agencies to ensure that they are aware of the need to respect and be sensitive to the religion and beliefs of all our staff

Recruitment of ex-Offenders

The Company undertakes to treat all applicants for positions within the organisation fairly and not to discriminate unfairly against the subject of a disclosure on the basis of conviction or other information revealed.

We will only request a Standard or Enhanced disclosure where it is necessary and relevant to the position sought. Where a position requires a disclosure we will make this clear on the application form, job advert and any other information provided about the post.

Family Commitments

The Company is aware that employees may have family commitments in terms of childcare and eldercare. Managers should deal constructively and sympathetically with requests from employees for adjustments in their working hours to accommodate family commitments. Part-time and job share opportunities will be considered where appropriate, and such workers will enjoy pro-rata pay and benefits comparable to full-time employees.

Reporting Complaints

All allegations of discrimination or harassment will be dealt with seriously and confidentially. Employees should report any discriminatory acts or practices or suspected cases of harassment to the Director of Finance and Administration - Anne Nicol, who is the Senior Manager responsible for our policy's implementation. The allegation will be promptly investigated and the complainant will be interviewed and asked to provide a statement setting out the details of their allegation. Once the investigation has been completed the complainant will be informed of the outcome and the company's conclusions.

Employees must not victimise or retaliate against any other employee who has made allegations or complaints of discrimination or harassment.

Action will be taken under the company's disciplinary procedure against any employee who is found to have committed an act of unlawful discrimination.

Recruitment, Advertising and Selection Procedures

The company is committed to applying its equal opportunities and diversity policy statement at all stages of recruitment and selection. Our objective is to recruit the most suitable candidate for the position in terms of experience, abilities and qualification.

Recruitment is carried out on an "Open" basis with advertisements being placed in the local Job Centre along with local and national Press, clearly stating Hadden Construction Ltd is an Equal Opportunities Employer.

When advertising job vacancies we will adhere to the following procedure:-

- Prepare Job Descriptions which accurately describe the skills and knowledge requirements of the required role.
- Avoid prescribing any requirements which would exclude applicants from a particular gender, race, political or religious grounds, disability, age, sexuality, educational background or marital status.
- Invite applications from internal candidates simultaneously with external advertising.

All job applicants will be provided with a copy of the Equal Opportunities and Diversity Policy as part of the recruitment process.

The selection process will be carried out consistently for jobs at all levels. All applications will be processed in the same way. The staff responsible for shortlisting, interviewing and selecting candidates will be clearly informed of the selection criteria and the need for their consistent application. Where possible, all applicants will be interviewed by at least two interviewers and all questions asked will relate to the requirements of the job.

In accordance with our statutory obligations we will give equal consideration to applicants with physical or mental disabilities and will provide appropriate and equivalent training along with making reasonable adjustments to work arrangements or to work premises to ensure that the disabled person is not placed at a disadvantage in comparison with those who are not disabled.

We will not discriminate unfairly or unlawfully in the application of disciplinary action, redundancy or dismissal.

We will monitor the numbers and type of staff terminating their employment to establish their reasons for leaving.

The Company will not discriminate against any member of staff in relation to the provision of pay and other terms and conditions of employment and will seek to eliminate any anomalies found.

INSTRUCTIONS TO RECRUITING PERSONNEL

Read carefully and understand clearly the Company Equal Opportunities and Diversity Policy Statement also read and understand the various types of Discrimination that must be avoided during and after the selection of candidates for employment as follows -

1. Direct Sex Discrimination

This is unlawful and occurs where a person of one sex is treated less favourably, on the grounds of sex, than a person of the other sex would be treated in the same or not materially different circumstances.

2. Indirect Sex Discrimination

This is unlawful and occurs when an unjustifiable requirement or condition is applied equally to both sexes, but has a disproportionately adverse effect on one sex, because the proportion of one sex which can comply with it is considerably smaller than the proportion of the other sex which can comply with it and it cannot be shown to be justifiable of the grounds other than sex.

3. Stereotyping

Avoid attributing certain characteristics to people because they belong to a particular group.

4. Discrimination by way of Harassment

The harassment of an employee by another employee is unacceptable conduct and, in cases of racial or sexual harassment, may be unlawful discrimination. Harassment is seen as repeated, unreciprocated and unwanted verbal or physical abuse, intimidation or attention by one employee towards another, which is offensive to the injured employee and interferes with their job performance, job security or otherwise causes them to suffer a disadvantage in the nature or quality of their employment. Harassment also includes displays of any materials that are held to be offensive, in terms of this policy, to employees in the workplace environment. In terms of the Company's Equal Opportunities and Diversity Policy discrimination by way of harassment will be considered a breach of the Company's Policy.

The Company does not discriminate against part-time members of staff and will ensure that the conditions of service apply equally to part-time staff on a pro-rata basis as appropriate.

Responsibilities

The person who has overall responsibility for the full implementation applying, enforcing and monitoring the Company's Equal Opportunities and Diversity Policy is the Director of Finance and Administration - Anne Nicol.

The Director of Finance and Administration will be responsible for ensuring that this policy underpins all aspects of Hadden's work.

This will involve:

- Developing an organisational culture in which this policy can operate effectively and monitoring regularly to ensure that it is properly implemented throughout Hadden.
- Co-ordinating the monitoring of the policy.
- Reviewing and developing Hadden's procedures and practices in association with Directors, Management and Staff.
- Providing guidance and information to Managers and Staff on equality and diversity issues.

Managers and Supervisors have a responsibility to ensure that the requirements of this policy are being respected and complied with in the areas of the business for which they are responsible and to take appropriate action if they are not.

This will involve:

- Communicating the company culture and policy.
- Ensuring the successful implementation of the policy.

All employees/workers/managers/contractors/consultants have a responsibility for ensuring that they have read, are familiar with this policy and will put it into practice/implement it in carrying out their role within the Company.

We expect that all our employees/workers/managers:

- Are committed to making the policy and strategy effective and to setting an exemplary standard for others to follow.
- Ensure that they avoid any unfair or unlawful discrimination in service provision.
- Do not bully, harass or intimidate any other employee or service user or victimise any person who has raised a complaint regarding discriminatory practice.
- Draw to the attention of their line manager or the Personnel Department any instances of apparent discrimination or any perceived “equality of opportunity” issue in relation to employment or to the provision of services.

Members of staff have a duty to respect and act in accordance with this policy and treat colleagues with respect and dignity. They must report any incidents of bullying, harassment and discrimination which they observe or become aware of to their Manager.

Sub-contractors and Suppliers are advised of the company's equal opportunities and diversity policy at induction. The appropriate Manager should be notified of any complaints regarding the behavior of sub-contractors or their employees. Sub-contractors and Suppliers breaching this policy may be regarded as in breach of contract which may lead to an individual being removed from site or termination of contract.

Organisations we deal with may be asked to provide information on any complaint relating to their organisation which has been referred to a court or industrial tribunal in respect of any discrimination. Organisations who have been involved in such litigation may be considered for removal from our Approved Lists if found to be discriminating.

All service providers will be expected to comply with the goods and services code of practice issued under the Disability Discrimination Act.

Any visitor to our construction sites or head office is covered by this policy and may complain under the procedure outlined.

The Company recognises that the existence of an Equal Opportunities and Diversity Policy does not in itself guarantee equality in access, opportunity or outcome, and that the success of the policy depends on the degree of commitment in practice, by all members of staff and Management.

Monitoring, Review and Continual Improvement

Hadden will collect and analyse statistical information in various aspects of its activities in order to assist in monitoring its equal opportunities and diversity policy. Any information gathered will be used solely for this purpose.

The main objectives of monitoring are to:

- Identify if objectives and targets are being met;
- Establish and highlight where possible inequalities may be occurring;
- Determine which weaknesses or omissions within policies, procedure or practices are responsible;
- Examine how policies or procedures can be improved to address inequality.

This STATEMENT of COMPANY POLICY will be displayed prominently at all workplaces. The policy will be brought to the attention of all employees, self-employees, sub-contractors, suppliers and clients. The organisation and arrangements for implementing the Policy will also be available at Head Office for reference by any employee as required. It will also be provided to all members of staff upon commencement of employment with the Company as part of the staff induction procedure and is available on the company website to download.

The Company Equal Opportunities and Diversity Policy will be reviewed annually or as required when new or changed legislation occurs, or should there be a change in the Company's activities.

Scott Hadden

**Chairman & Construction Director
Hadden Construction Limited**

13 March 2015