

# Equality & Diversity Policy Statement

The Company is committed to the principle of equality and equal opportunities in employment.

The Company is opposed to any form of less favourable treatment or financial reward through direct or indirect discrimination, harassment, victimisation to employees or job applicants on the grounds of age, race, religion or belief, marriage or civil partnership, pregnancy or maternity, sex, sexual orientation, gender reassignment or disability.

The Company recognises its obligations under the Equality Act 2010 and The Codes of Practice published by the Equality and Human Rights Commission and the European Commission for the elimination of discrimination on the grounds of:

## Age

Age refers to a person or people who have a particular age, range of ages, or age group.

## Disability

The protected characteristic of disability refers to a person or people who:

- have a disability
- have had a disability

A person has a disability if they have a physical or mental impairment and the impairment **has a substantial and long-term adverse effect on that person's ability to carry out normal** day-to-day activities. Some examples of activities which may be impacted by an impairment include, but are not limited to:

- Mobility
- Manual dexterity
- Physical coordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech
- Hearing
- Certification by a consultant ophthalmologist as being blind, severely sight impaired, sight impaired or partially sighted
- Memory or ability to concentrate, learn or understand
- Perception of the risk of physical danger

Conditions such as HIV / AIDS infection, multiple sclerosis or cancer are deemed to be disabilities irrespective of whether or not the condition has yet begun to have any effect on a person's ability to carry out day-to-day activities, progressive conditions which are likely to have a substantial adverse effect in the future and severe facial disfigurements are considered to be disabilities.

Discrimination does not take place where an employer shows that they did not know, and could not reasonably have been expected to know, that a disabled person had the disability.

The Company recognises that many people acquire disabilities over time.

### **Disability: Exclusions**

The Equality Act 2010 (Disability) Regulations 2010 set out the conditions below which are specifically excluded from constituting a disability:

- Addiction to alcohol, nicotine or any other substance is to be treated as not amounting to an impairment for the purposes of the Act, unless the same addiction was originally the result of administration of medically prescribed drugs or other medical treatment.
- A tendency to set fires, steal, exhibitionism, voyeurism, and physically or sexually abusing others shall be treated as not amounting to an impairment.
- Seasonal allergic rhinitis (hay fever) shall be treated as not amounting to an impairment unless where it aggravates the effect of any other condition.
- A severe disfigurement is not to be treated as having a substantial adverse effect on the ability of the person concerned to carry out normal day-to-day activities if it consists of a tattoo (which has not been removed), or a piercing of the body for decorative or other non-medical purposes, including any object attached through the piercing for such purposes.

### **Gender reassignment**

A person or people have the protected characteristic of gender reassignment if they are proposing to undergo, are undergoing, or have undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

A reference to a transgender person or people within the Equality Act 2010 is a reference to a person or people who have the protected characteristic of gender reassignment.

Consideration will be given by the Company to:

- When the employee expects to change their name and to start presenting at work in the new gender
- How work colleagues and clients are to be informed of the change
- Whether the employee wishes to inform colleagues and clients of their transition or have someone from the Company do this
- What information or training is to be given to managers and work colleagues.
- The point at which the employee will start to use any single sex facilities, such as toilets, in their acquired gender
- Requests for time off work which an employee may require for medical or other treatment related to gender reassignment will be treated by the Company no less favorably than time off for illness or other medical appointments.

The Company recognises that people may identify as transgender but are not undergoing gender reassignment, examples may include people who are agender, gender fluid or gender non-binary and the Company is committed to ensuring that there is no discrimination of any employee regardless of their gender identity.

### **Race**

Includes:

- Colour
- Nationality
- Ethnic or national origins
- Caste

Discrimination on the grounds of race includes segregating a person or people from others.

### **Religion or belief**

- Religion means any religion and a reference to religion includes a reference to a lack of religion

- Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

The Company will endeavor, upon request, to alter an employee's working pattern so that breaks can be granted at times that coincide with their needs for religious observance. Alternatively, the Company will, where appropriate, endeavor to grant employees reasonable unpaid time off during working hours for religious observance insofar as this is possible and practicable, taking into account the needs of the business and whether or not such arrangements might cause disturbance or disruption to other employees and/or their work or work patterns.

### **Sex**

Refers to a person who was assigned as male or female at birth.

- Less favourable treatment of a woman includes less favourable treatment of her because she is breast feeding
- In the case of a man, no account is to be taken of special treatment afforded to a woman in connection with pregnancy or childbirth.
- Women have the right to be paid the same as a male comparator (and vice versa) where they do:
  - the same or broadly similar work;
  - work rated as equivalent; or
  - work of equal value

Unless the difference in pay is due to a "material factor" and that the factor is not due to a difference in sex such as length of service, skills and qualifications, performance and levels of responsibility.

### **Sexual orientation**

Sexual orientation within the Equality Act 2010 means a person's sexual orientation towards:

- People of the same sex
- People of the opposite sex
- People of either sex

The Company recognises that there are other forms of sexual orientation examples may include people who are asexual or pansexual and the Company is committed to ensuring that there is no discrimination of any employee regardless of their sexual orientation.

### **Marriage and civil partnership**

A person or people have the protected characteristic of marriage and civil partnership if they are married or have a civil partner.

And for the elimination of discrimination in pay between men and women who do the same work, or work of a similar nature or work of equal value.

### **Employment practices**

The Employee has a personal responsibility to adhere to the principles of equality and equal opportunity and maintaining racial harmony. GW Highways Ltd will actively promote equal opportunities in the Company to ensure that individuals receive treatment that is fair and equitable and consistent with their relevant aptitudes, potential skills and abilities. Employees will be recruited and selected, promoted and trained on the basis of objective criteria. Sexual, racial and other forms of harassment will not be tolerated. We will treat unfair discriminatory conduct by any member of staff as a disciplinary offence.

GW Highways Ltd aim to provide a working environment that respects the rights of each employee and where colleagues treat each other with respect. Any behaviour that undermines this aim is unacceptable. We do not tolerate any form of harassment and bullying under any circumstances. While implementing and upholding the policy is the duty of all of our managers and supervisors, all employees have a responsibility to ensure that harassment does not occur.

### **Recruitment**

Equal opportunities at work principles should always be applied when recruiting staff. This includes the wording of the advertisement, where the position is advertised, and the selection criteria used.

Criteria for selection, training, conditions of service, pay, career development and every other aspect of employment should be objective and justified for the requirements of the position.

### **Promotion**

When selecting staff for promotion the same principles should be considered as for recruitment. All employees, whether full-time or part-time, should be given the same opportunities.

### **Harassment**

Harassment is unwanted conduct that intentionally or unintentionally violates a colleague's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive working environment for them. Harassment will also occur where a colleague is treated less favourably because he or she has rejected or refused to submit to sex-based harassment, sexual harassment or gender reassignment harassment.

Where it cannot be established that there was an intention to offend, conduct will only be regarded as violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment if, taking all the circumstances into account, it would be reasonable to come to that conclusion.

Harassment is normally characterised by more than one incident of unacceptable behaviour, particularly if it reoccurs, once it has been made clear by the victim that they consider it offensive. One incident may constitute harassment, however, if it is sufficiently serious. Harassment on any grounds, including the above, will not be tolerated.

Employees must recognise that what is acceptable to one employee may not be acceptable to another.

### **Bullying**

Bullying is a gradual wearing down process comprising a sustained form of psychological and/or physical abuse that makes victims feel demeaned and inadequate. Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose, or effect of intimidating, belittling and humiliating the recipient, leading to loss of self-esteem for the victim and ultimately self-questioning his or her worth in the workplace and society as a whole.

Workplace bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone at work.

Any harassment or bullying will be classed as gross misconduct, for which employees may be summarily dismissed. GW Highways Ltd recognise the sensitive nature of harassment and bullying. Employees who believe they are being harassed or bullied may wish to discuss their situation before deciding what action to take. The Company operate an open-door policy to discuss workplace problems and employees can discuss the matter with their manager on an informal basis.

Employees can choose to solve the matter themselves by approaching the harasser/ bully, telling him or her that their behaviour is unwelcome and that it must stop. Otherwise a formal complaint will be made using the procedure outlined below.

Where informal solutions fail, or serious harassment/bullying occurs, employees can bring a formal complaint in the form of a grievance, with the procedure adapted to take account of the sensitivities of such situations.

Each step and action under the formal complaint's procedure will be taken without unreasonable delay.

Where a complaint is blatantly untrue and has been brought out of spite, or for some other unacceptable motive, the complainant will be subject to our disciplinary procedure, as will any witnesses who have deliberately misled us during our investigations.

#### Harassment at work by third parties

If Employees are ever subjected to harassment by anyone that they encounter in the course of their work, it is very important that it is brought to the Companies attention as soon as possible because action cannot be taken to prevent this occurring unless the Company are made aware of it. GW Highways Ltd will take all reasonable steps to prevent employees being subjected to any harassment in the course of their work.

Policy Authorised By



David Gibbins, Director



Luke Wenham, Director

POL007 RevA

12/03/2020

