

## **Equal Opportunities and Diversity Policy**

### **Purpose**

KPS Contractors Ltd / KPS Composting Services Ltd (refer to as KPS Group) recognises the merits of developing a workforce that incorporates the many diverse skills and backgrounds available from within the total population and accordingly, will strive to become an organisation that recognises values and understands diversity and provides its employees with genuine opportunities to improve and, disability, age or marital status.

KPS Group will make every effort to ensure that all employees are treated with courtesy, dignity and respect irrespective of gender, race, religion, nationality, colour, sexual orientation, disability, age or marital status.

Our aim is to eliminate all bias and unlawful discrimination in relation to job applicants, employees, our business partners and members of the public.

### **Scope**

The scope of this policy and its associated ways of working goes beyond immediate colleagues and will encompass:

- All existing employees
- All potential employees
- Sub-contractors
- Workers (as defined by employment legislation, and including agency temps)
- Partners
- The self-employed

Everyone has a role to play and is responsible for challenging questionable behaviour and practice which is not in line with our values and culture.

### **Objectives**

- To have a workforce that represents and responds to the diversity of our customers and society in general.
- To improve safety and quality provided by a balanced and productive workforce.
- To reduce staff turnover, absenteeism and sickness levels.
- To provide a fair working environment in which discrimination will not be tolerant.
- To create a working environment free from discrimination, harassment, victimisation and bullying.
- To work towards finding ways for under –represented groups to fully realise their potential within KPS Group and take reasonable steps to help such groups.
- To ensure that all employees are aware of the Equal Opportunities and Diversity Policy and provided with any necessary on-going training to enable them to meet their responsibilities under it.

- KPS Group, recognises the merits of developing a workforce that incorporates the many diverse skills and backgrounds available from within the total population and accordingly, will strive to become an organisation that recognises, values and understands diversity and provides its employees with genuine opportunities to improve and reach their full potential.
- To regularly review procedures and selection criteria for promotion to ensure that individuals are selected and treated according to their relevant individual abilities and merits.

## **Principles**

It is unacceptable for any applicant, employee, worker, supplier or member of the public to be discriminated against, either directly or indirectly, on such grounds as race, colour, ethnic or national origin, gender, marital status, pregnancy, age, disability, part-time or fixed term status, responsibility for children or dependants, sexual orientation, gender re-assignment, religious or political beliefs, trade union membership or irrelevant criminal convictions (throughout this policy referred to as "**all grounds for discrimination**" ).

KPS Group take any breach of this policy seriously, and breach could lead to formal disciplinary action being taken, which in some cases could lead to dismissal in accordance with the Disciplinary and Dismissal Policy.

By addressing these issues KPS Group adheres and complies with all relevant legislation.

## **Definitions**

Protected characteristics

Equality legislation offers protection to people with 'protected characteristics', which are: Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, Religion or belief, Gender, Sexual orientation

## **Direct discrimination**

- Making decisions about whether someone should be offered, or not offered, a job because of gender, race etc.
- Treating colleagues or customer differently because of their gender race etc.

## **Indirect discrimination**

- Where a policy applies to everyone but has a disproportionate impact on people with a protected characteristic. For example:
- Setting height restrictions which indirectly discriminate against women or certain ethnic groups.
- **Introducing a 'no headwear' policy for all employees. The policy, although applied to all employees, disadvantages Sikh employees who wear turbans for religious reasons.**

## **Perceptive discrimination**

- Discrimination against a person because the discriminator thinks the person possesses a characteristic on which discrimination is based, even if they do not in fact do so.

### **Victimisation or Retaliation**

Victimisation is treating a person less favourably than others in circumstances where the person has, in good faith, made a complaint, acted as a witness to a complaint or initiated proceedings connected with a complaint of discrimination. Victimisation is also in itself a form of unlawful discrimination and the KPS Group will take all reasonable steps to ensure that employees are protected against victimisation or retaliation for bringing a complaint on any aspect covered by this policy and it is unlawful and a disciplinary offence to victimise or retaliate against an employee for bringing a complaint in accordance with the policy.

### **Harassment**

Harassment is unwanted conduct related to a relevant protected characteristic, **which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.**

**Employees can complain of harassment even if they don't personally possess the** protected characteristic or the harassment is not directed at them. This definition also covers harassment by a third party who is not a KPS Group employee.

### **Recruitment**

To ensure all Recruitment decisions adhere to the specific legislation, the following guidelines should be followed:

- Advertise so that the widest possible pool of applicants is reached.
- Ensure procedures and decisions are supported by documentation based on job requirements.
- Design role profiles and person specifications that are job specific.
- Ensure that interviews and other selection methods are conducted fairly and consistently and outcomes recorded.

### **Job Applications and Interviews**

- All interviews should be properly conducted.
- Interviewers will be trained and be equipped with the necessary skills to enable them to collect objective evidence.
- Use standards or specific criteria which are consistent for the role.
- The aim is to undertake process that is consistent and fair to all so as not to unlawfully discriminate against particular applicants.

- Be aware of cultural differences – for example, it is important to realise that for some ethnic minority groupings, eye contact may not be usual behaviour.
- Ensure that you have full information on the candidate.
- KPS Group **Success and Leadership factors are the tools in which** we measure competence.
- Adequate and full interview notes must be made to support any decisions.
- Follow the guidelines with regard to all aspects of the employment cycle.

### **Applicants/Employees with a Criminal Record**

- There are important social and business arguments for employing people with criminal records in a responsible and balanced way that maintains a duty of care to employees and customers, protect business interests and gives access to the widest pool of talent.
- We also need to ensure compliance with the Rehabilitation of Offenders Act.
- In making employment decisions, line Contracts Manager s should make objective assessments, adopt an open mind and focus on merit and ability to do the job.
- Consideration should be given to extenuating circumstances, the nature and relevance of the offence, the potential risks involved in employing the offender, if and how these could be sensibly and effectively managed.
- When making decisions we must also consider our duty to provide a safe working environment for all employees.

### **Selection**

- Take all reasonable steps to make recruitment decisions based on ability and qualification without **regard to 'all grounds for discrimination'**
- Selection will be based on the job requirements and the individual's suitability and ability to do, or train for, the job in question. All applicants will be treated equally.
- Ensure all decisions are based on job requirements and are backed up with full documentation which should be retained on file.
- When assessing the suitability of an employee for a particular post, no decision should be taken which cannot be objectively justified. Disabled applicants may be treated differently in order to enable them to compete at the same level.
- **Don't make assumptions about an individual's ability to perform tasks without evidence.**

### **Training and Development**

- Everyone must have access to learning and development opportunities

- These opportunities will be provided based on individual and organisational need and wherever possible linked to the PDR process
- Ensure all documentation relating to participation in learning activities is completed
- If you have responsibility for selecting employees for training, you have a duty not to discriminate on the grounds referred to above
- Employees will be given opportunities for promotion and career progression within the business depending on job related competencies ( as laid down in the agreed role profile) qualifications, abilities, skill training and experience, and in accordance with the future needs of the business
- Training on Equal Opportunities and Diversity is available and details can be found on the intranet

#### Reward and Appraisal

- Ensure that all employees have regular appraisals
- Document all appraisals fully
- **Ensure that all no one is treated unfairly on the basis of “all grounds for discrimination”**
- Reward in line with performance and relative benchmarking information

#### What happens if you believe you are a victim and make a complaint?

- Be assured that your complaint will be taken seriously
- Whilst your complaint will be treated in confidence, it may be necessary to involve others; if that is the case, you will, of course, be told.
- Speak to your Line Contracts Manager , make a note of when you first raise your concerns
- Take a colleague with you for support if necessary
- Ask the Line Contracts Manager what steps they are going to take and when you can expect to hear from them
- If you do not believe that you have been taken seriously then escalate the complaint to the next level
- Avoid discussing your complaint with others apart from the trusted colleague
- Be assured that you will not be ignored or suffer victimisation because of your complaint
- All cases of harassment will be monitored

#### General Points

- In the spirit of our value of openness, in the first instance, all employees are encouraged to resolve any situation of perceived discrimination, harassment or

bullying, by talking directly, politely and unambiguously to the person concerned, which may be unaware that their behaviour is unacceptable.

- If this informal approach is not possible, or does not have the desired effect and the conduct continues, or it is not appropriate to resolve the problem informally, then employees should follow the formal procedure contained in the Grievance Policy.
- Unfounded complaints, which are not upheld but made in good faith, will not be subject to disciplinary action
- All parties concerned are obliged not to discuss the matters under investigation either with each other or any other person not directly related to the investigation.



### **Role Responsibilities**

It is the role of the Directors for ensuring that all staff are aware of changes in legislation, that the KPS Group observes the relevant Codes of Practice in relation to equality and that failure to comply may result in KPS Group and an individual having proceedings taken against them.

Managers and Supervisors ensure that no unacceptable behaviour takes in the specific areas of the business for which they are responsible and that the people for whom they are responsible know that such behaviour is unacceptable and what to do if it occurs. Ensure that they do not ignore, trivialise, or treat lightly grievances or complaints from members of a particular group or any complaint of discrimination on the assumption that the individual is over-sensitive about discrimination. All complaints must be treated seriously.

Failure to carry out their duties in respect of equal opportunities may result in disciplinary action being taken against the Contracts Manager or Supervisor concerned. Failure to comply may result in the KPS Group and an individual having legal proceedings taken against them. All Employees The duty to co-operative with KPS Group in ensuring that the Equal Opportunities and Diversity Policy is effective and that they and their colleagues are treated with respect and dignity.

A positive duty to report any incidents of bullying, harassment or discrimination of which they become aware. Support colleagues who suffer harassment, discrimination or who are being bullied and making a complaint. Make it clear to their colleagues that they find such behaviour is totally unacceptable!

**Jody Smyth / Danny Smyth**