

EQUAL OPPORTUNITIES POLICY

Date for Next Review: April 2009

Company Registration Number 1340271



Building Success

The community contractor



Equal Opportunity Policy

1 Introduction

- 1.1 Diamond Build Plc is committed to Equal Opportunities, which is demonstrated through our employment policies, procedures, practices and Company values. We value diversity and encourage fairness and justice. We encourage equality of opportunity for all people and actively promote good relations. Diamond Build Plc understands that equality is essential to business success. A 'fairness at work' culture provides competitiveness in the labour market through improved organisational image making the company an employer of choice. A diverse workforce will provide different perspectives, ideas, talents and skills more able to meet our clients' expectations.
- 1.2 As a main contractor working with Local Authorities and Housing Associations to provide services to the public sector, the company has a responsibility for demonstrating good employment practice.
- 1.3 The aim of this policy is to establish a corporate approach to equality of opportunity and to foster a culture of awareness and respect for the principles that provide an environment free from discrimination and harassment.

2 Policy Statement

- 2.1 The Company is an equal opportunity employer. The aim of our policy is to ensure that no job applicant or employee receives unfavourable treatment or is subjected to harassment on the grounds of race, national or ethnic origin, nationality, colour, sex/gender, marital status, civil partner, sexual orientation, religion or belief, disability, age or is disadvantaged by a provision, criterion or practice which cannot be shown to be justified by a legitimate aim.
- 2.2 Recruitment, training, job evaluation and promotion procedures are designed to ensure that individuals are selected and treated on the basis of their merits and abilities and will, therefore, concentrate on job related criteria.
- 2.3 The effective implementation of the Company's policy is the responsibility of us all. You are required to co-operate with the Company to ensure that the equal opportunity policy is implemented in full. Additionally, you have a responsibility to draw to the attention of your Manager situations which you believe to be discriminatory. If you believe you have received less favourable treatment on any of the above grounds you should raise the issue with your Manager using the grievance procedure.
- 2.4 It is the responsibility of each Manager within the company to ensure that his or her treatment of workers, and the decisions and approach taken within their own sphere of operations are devoid of discriminatory practices.
- 2.5 The disciplinary procedure will be followed for acts of direct or indirect discrimination, harassment, bullying or victimisation against fellow members of staff, job applicants, tenants, clients and any other person acting in the course of employment. In serious cases such behaviour will be deemed to constitute gross misconduct and may result in summary dismissal.
- 2.6 The individual responsible for overseeing and checking upon the satisfactory implementation of this policy is John Gray, Chairman, who empowers the HR Department, to thoroughly investigate and, if appropriate, redress any identified or claimed discriminatory incident or practice. The Senior Management Team and Board of Directors will give full backing to this policy and will support all those who endeavour to carry it out.
- 2.7 The policy is continually reviewed using ethnic & gender monitoring to establish comparisons with the local labour market to help identify any misrepresentations. Our action plan is formulated on the results of this and progress reviewed each year.

3 Employment Legislation and Codes of Practice

- 3.1 This policy adheres to the requirements of the Race Relations Act (1976), the Sex Discrimination Act (1975), the Equal Pay Act (1970), the Disability Discrimination Act (1995), the Employment Rights Act (1996), the Employment Act (2002), the Employment Equality (Religion or Belief) Regulations (2003), the Employment Equality (Sexual Orientation) Regulations (2003) and the Employment Equality (Age) Regulations (2006) all as amended from time to time.
- 3.2 Each worker and Manager is required to be familiar with, and to implement the company policy and is required to comply at all times not only with the policy but with the spirit of equal opportunity legislation and Codes of Practice as issued by the Chartered Institute of Personnel & Development (CIPD), Equal Opportunity Commission (EOC), Commission for Racial Equality (EOC), the Disability Rights Commission (DRC), Section 22 of the Immigration and Asylum Act 1999 and Age Diversity in Employment.

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4 Discrimination

- 4.1 Direct discrimination is where a person is treated less favourably than others are or would be treated in the same or similar circumstances on the grounds of race, national or ethnic origin, nationality, colour, sex/gender, marital status, civil partner, sexual orientation, religion or belief, disability or age. Direct Discrimination is unlawful whether it is intentional or not.
- 4.2 Indirect discrimination is applying a requirement, condition, policy provision, criterion or practice which, although applied equally to all persons, is such that a substantial proportion of a particular group could not comply with it, which puts them at a disadvantage or is to their detriment and which cannot be shown to be justifiable in achieving a legitimate aim.
- 4.3 We will take all reasonable steps to ensure our employment arrangements are accessible to all. We will strive to improve the accessibility of employment arrangements or physical features of the workplace to meet the needs of staff and applicants with disabilities or other needs.
- 4.4 It is unlawful to victimise a person by treating them less-favourably for bringing or intending to bring a complaint of discrimination or for giving evidence in someone else's complaint.
- 4.5 Diamond Build PLC welcomes applications from all sections of the community. Criminal records will be taken into account for recruiting purposes only when the conviction is relevant to the role. Having convictions will not necessarily debar you employment. This will depend on the circumstance and background of the offence/s. All staff will be required to complete a Criminal Staff Self Declaration form and depending on the post will be asked to disclose unspent convictions only or all convictions, reprimands and warnings, if working on or visiting sites. *Please see Criminal Records and Employment Policy.*

5 Harassment

- 5.1 Harassment is subjecting a person to unwanted conduct which has the purpose, intentionally or unintentionally, of violating dignity or which creates an intimidating, hostile, degrading, humiliating or offensive environment for them. The company will not tolerate harassment.

6 Bullying

- 6.1 Bullying is about the repeated intimidation of others by the real or threatened infliction of abuse whether physical, verbal, written, electronically transmitted, emotional or any other kind.
- 6.2 A repeated and constant stream of petty and unnecessary negative feedback will eventually result in the recipient believing the aspersions being thrust upon them.
- 6.3 Common bullying behaviour can include:
- high levels of criticism levelled at persons who are competent in their role
 - excluding persons from activities relating to work, i.e. meetings or critical information.

The company will not tolerate bullying.

7 Dismissal and Redundancy

- 7.1 In cases where employees are being dismissed, this decision will not be made on unlawful discriminatory grounds and decisions will be made solely in accordance with the Company's procedures.

8 Responsibilities

- 8.1 The responsibility for the prevention of unfair treatment lies with all employees, however specific responsibilities are as follows:-
- 8.1.1 Directors: It is the responsibility of the Chairman to ensure that the Equal Opportunities Policy is implemented and applied, and the Human Resources Manager to ensure the policy is monitored, evaluated and reviewed on a regular basis.
- 8.1.2 Managers: All Managers have a duty to ensure that unfair treatment does not occur in work areas for which they are responsible by: role modelling appropriate behaviour, explaining and promoting Diamond Build's Equal Opportunity Policy, responding to and supporting any individual complaining of unfair treatment, maintaining confidentiality and ensuring that no repetition or victimisation occurs after a complaint has been resolved.
- 8.1.3 Employees: All employees have a clear role in helping to eliminate unfair treatment and developing an equality culture by: ensuring appropriate standards of conduct for themselves and others apply, developing an awareness of equality issues, discouraging unfair treatment by making it clear to colleagues that they find such behaviour unacceptable, supporting individuals who suffer such treatment.

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9 Implementation

9.1 Recruitment

9.1.1 Recruitment difficulties for the building industry are well documented. A tighter labour market, ageing workforce and skills shortage mean that as part of good business practice Diamond Build needs to be attractive to as wide a range of potential recruits as possible.

9.1.2 Direct or indirect discrimination is not only unlawful & unethical but it is restrictive and defies good business sense. Through carefully written policies, procedures and training Diamond Build is actively seeking to eliminate potentially discriminatory practices.

9.1.3 Advertisements are placed in a variety of local publications, including free papers, ensuring that local people are targeted. Recruitment agencies are carefully chosen from the local area and worked with to ensure that they are matching candidates to our job profile in an objective & focused manner consistent with our policy. Specialist agencies such as Job Centre Plus will be consulted for advice if required and we will consider advertising in the BME media for job adverts. Human Resources is predominantly responsible for this section but has trained key decision makers & Managers in specific areas as illustrated below.

9.2 Selection & Interview

9.2.1 All Senior Managers have been trained to use tools such as a standard application form and ethnic & disability monitoring sheets ensuring that we are not unintentionally disadvantaging a particular group of applicants.

9.2.2 Training has been undertaken by all Senior Managers who are involved in recruitment with regards appropriate & inappropriate questioning at interview, direct & indirect discrimination and an exploration into types of prejudice and stereotypes that can cause bias.

9.2.3 Interviews are carried out by more than one person using a 'pro-forma' ensuring that only questions relevant to the candidate's ability to carry out the job role are asked.

9.2.4 The HR Manager carries out a pre-interview meeting with the interviewer to discuss the job criteria & agree the questions to be asked. This supports the previous training and ensures compliance.

9.3 Offer & Appointment

9.3.1 Training has been given in the process as stated above which should ensure that legitimate facts have been obtained from which an unbiased decision can be made. The decision is discussed with HR to ensure objective justification & feedback data with regards the monitoring sheets for inputting onto the Personnel Database.

9.4 Transfer/Promotion/Training

9.4.1 Each of the Contracts Managers involved in weekly labour meetings has received training with regards transferring, promoting & training opportunities for their staff. If a position arises that requires filling through a transfer, each Manager has learnt to apply the same objective criteria for the job role requirements and source an employee who most closely matches the criteria through their performance review. The labour meetings support the Company's aim to maintain a flexible, multi-skilled workforce able to fit into a multi-cultural team representative of our local area. Recruitment procedures from advertisement to appointment have been developed in line with best practice and work towards the elimination of possible direct & indirect discrimination. Selection for training, promotion or transfer is based on objective criteria relating solely to the skills of the job.

9.5 Communication

9.5.1 A copy of the Equal Opportunity Policy is given to all potential candidates in the company application pack. The Equal Opportunity monitoring sheets allow any concerns to be raised with regards the application process. The policy forms part of the company induction programme and is detailed in the Employee Handbook given to all employees, which is required to be signed and returned to confirm that he/she has read and understood the policy. Our Equal Opportunity statement '*Diamond Build Plc is committed to Equal Opportunities and welcomes applications from all sections of the community*' is included in job advertisements. Our Equal Opportunity Policy can also be found on the Company's website and information features in the company newsletter from time to time. Discriminatory conduct is always linked to the disciplinary procedure supporting the commitment to equal opportunities.

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9.6 Equal Opportunity Training

- 9.6.1 All Supervisors and Managers responsible for any workers will attend the Equal Opportunities and Cultural Diversity programme specifically designed for Diamond Build Plc through an external consultancy.
- 9.6.2 All staff will be trained in equal opportunities to ensure they treat everyone fairly, equally and to a high standard of behaviour, not using any discriminatory practices.
- 9.6.3 We will take disciplinary action against staff in breach of the policy. We will endeavour to provide a safe and harassment free environment for staff. We will make sure staff are comfortable and clear about their rights and responsibilities
- 9.6.4 Diamond Build PLC values its customers and has a duty of care to ensure that all customers are treated fairly and without prejudice. We have an expectation that our customers will not harass or discriminate against their staff and will treat our staff fairly and equally.
- 9.7 All policies within Diamond Build Plc will reflect the principles and aims of the Equal Opportunity Policy. For example the internet & e-mail policy inform staff of acceptable & unacceptable conduct with regards offensive and discriminatory communication in the workplace.

10 Monitoring and Evaluation

- 10.1 Monitoring will take place to test the effectiveness of our equal opportunity policy; to provide a profile of the company and highlight areas of concern such as adverse trends that need to be looked into i.e. misrepresentation of a specific group; to benchmark against local population; to feedback to Managers raising awareness for their input into recruitment etc.
- 10.2 The Human Resources Department will monitor and evaluate all applicants for posts during application, short listing and selection, promotions, training and career development opportunities. To ensure that the policy is operating effectively Diamond Build PLC will maintain records of employees' and applicants' racial origins, gender and disability.
- 10.3 Equality information will be collected, stored and analysed, and reports prepared quarterly for presentation to the Board of Directors.
- 10.4 Where the monitoring process identifies areas of possible inequality, the underlying reason will be investigated and action taken to remove any unfairness or disadvantage.
- 10.5 Selection criteria (job description and employee specification) will be kept under constant review to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job. Wherever possible, more than one person will be involved in the selection interview and recruitment process, and all will receive training in equal opportunities.

11 Review of the Policy

- 11.1 It is the responsibility of the Human Resources Manager to review and monitor the progress of this policy in light of changes in legislation or recommended practice.
- 11.2 Diamond Build commits itself to regular review of the effectiveness of this policy. We check our practices for any shortfalls and develop recommendations to implement changes where appropriate. Workforce composition is monitored quarterly and reported to the Board of Directors. The overall policy is reviewed on an annual basis.