

Southwark Council - Consolidated repairs and maintenance services contract for the council's operational estate

Kier Information Pack

The following information pack consists of the appendices identified below:

- Appendix A – Kier Group plc Statement
- Appendix B - Kier Business Ethics Policy; and
- Appendix C - Kier Equality & Diversity Policy.

This information pack is provided in support of the Council's Briefing Paper to be presented to the Overview & Scrutiny Committee on 09 March 2016.

Appendix A: Kier Group plc Statement

START/

As far as we are aware, blacklists are not used by or on behalf of Kier Facilities Services Ltd (KFS). Kier does not condone blacklisting in any form.

More specifically, as far as we are aware KFS has never been accused of using a Blacklist and has never had an adverse finding by a court or tribunal or other public body exercising similar functions against it.

However, in 2009, along with more than 40 other construction companies, another Kier Group company, Kier Limited, was investigated by the Information Commissioner's Office (the ICO) in relation to the use of a database belonging to an organisation known as "The Consulting Association". The database, which had been in operation since the early 1990s, contained details of individuals working in the construction sector. Kier co-operated fully with the requirements of the ICO. Having concluded its investigation and issued Kier Limited (as well as 13 other construction companies) with an enforcement notice, the ICO has taken no further action against Kier in respect of the matter. The Consulting Association database was subsequently closed down.

As you may be aware, Kier Limited, is the subject of on-going litigation in the High Court regarding its use of the services of the Consulting Association until early 2009 to carry out reference checks on employees in the construction industry. Kier Limited has unreservedly apologised for its part in this to the workers and their families who may have been adversely affected by this.

Kier Facilities Services Limited has never been found liable for any breach of the Employment Relations Act of 1999 (Blacklists) Regulations 2010 in any tribunal or court of competent jurisdiction.

Kier reiterates that it does not condone blacklisting in any form and has put in place structural and organisational measures and policies to ensure that blacklisting does not, and will not, occur in the future. Kier is a founding member of The Construction Workers Compensation Scheme (TCWCS). Blacklisting is contrary to Kier's policy of conducting its business in a responsible and ethical manner. Participating in, contributing to or obtaining information from any blacklist is expressly prohibited by Kier's Business Ethics and Equality & Diversity policies. Additionally, Kier's Human Resources department has issued guidance relating to proper referencing of workers. Kier has implemented comprehensive policies and processes relating to non-discriminatory hiring practices (including in relation to trade union membership). Kier has robust internal processes to deal with breaches of its policies, including its Business Ethics policy. As with any serious breach of policy, allegations of blacklisting would be investigated thoroughly and dealt with rigorously and properly.

I attach copies of the Kier Business Ethics and Equality & Diversity policies for your information.

David C Foster
Group Compliance Director

Kier Group plc | Tempsford Hall, Sandy, Bedfordshire, SG19 2BD

/END

Kier Group plc

Business Ethics Policy

Subject: Kier Group plc Business Ethics Policy		Author: Compliance
Document type: Policy	Authorised by: Kier General Counsel & Company Secretary	Version 3
Effective date: 2015	Last update: 03/02/2016	Next review: 31/01/2017

Introduction

Ethical business practice is one of the guiding principles of the Kier Group (“the Group” or “Kier”). The Group Board is committed to ethical business conduct and expects the highest standards of integrity to be followed by all employees in each of its businesses wherever work is undertaken, globally.

This Business Ethics Policy (“this Policy”) specifies the standard of behaviour the Group expects from its employees, and others acting on its behalf, when conducting business on behalf of the Group. It applies in addition to the other policies, procedures, codes and statements that have been issued by the Group and/or its operating companies.

Business ethics and legal compliance

The Group requires all employees to conduct business with honesty and integrity. It is the Group’s policy to comply with this requirement in all aspects of its business, and to ensure compliance by its employees and agents with all applicable legal and ethical standards of each country, state, province or local jurisdiction in which the Group’s business is conducted.

Duty to report non-compliance

If employees have knowledge of any activities which they have reason to believe may violate this Policy, they must report such activities immediately. Kier relies on its employees’ vigilance to notify it when something isn’t quite right.

Employees are able to raise their concerns with their line managers or business unit director. In addition, Kier has a whistleblowing hotline telephone service (“Speak Up”), which is run by an independent, external company. The contact details for the hotline are available [here](#).

Conflicts of interest

The integrity of all employees must be capable of scrutiny at all times. While the Group respects the right of employees to privacy in their personal activities and financial affairs, employees must not have personal interests which conflict, or could conflict, with those of the Group.

Gifts and hospitality

All gifts and hospitality given or received by an employee must comply with the Group’s Gifts and Hospitality policy.

Improper payments

No employee may offer, pay, promise or authorise the payment of money or anything of value to any other person where (s)he knows or believes that the money or thing of value will be improperly given or promised in order to obtain, retain, facilitate or expedite business for the Group. No payments may be made for the purpose of improperly influencing the action or decision of the recipient, inducing the recipient to do or refrain from doing any act in breach of his or her lawful duty, or inducing the recipient to exert influence on any foreign government or its department or agency. The Group has a zero tolerance policy to bribery and corruption and has undertaken a Group-wide training programme of staff to raise awareness of the Bribery Act 2010.

Compliance with laws prohibiting anti-competitive activity

The Group complies with all aspects of competition law, globally. The Group's policy and procedure to ensure no anti-competitive contact takes place is available to all employees and rigorous training is undertaken throughout the business. Potentially anticompetitive contact is reported.

Political contributions and activities

The Group makes no political contributions and is not affiliated to any political party.

Supplier relations

Our relationships with the people and organisations that supply goods or services to the Group are of paramount importance. Suppliers are selected impartially, on the basis of price, quality, performance and suitability of product or services.

Health, safety and environmental protection

Employees are responsible for conducting the Group's business in a manner that protects the health and safety of Group employees and the public, as well as the environment. They should act at all times in a manner that ensures the Group complies with all applicable health, safety and environmental requirements. Please refer to the Group Health and Safety, and Environmental Policies.

Equality, diversity and inclusion

The Group values the diversity provided by gender, race, colour, ethnic or national origin, sexual orientation, religion, or marital status. The principles and practices of equal employment opportunity and workforce diversity contribute to the achievement of the Group's business objectives. Please refer to the Group's Equality and Diversity Policy.

The Group expects its employees to maintain a workplace that is free from any form of discrimination, harassment or bullying.

Human rights

The Group's business activities are pursued with respect for human rights. As such, it needs to ensure and to demonstrate that it treats all employees and contractors fairly, legally, with respect and with dignity. The Group endeavours to operate in a manner consistent with the principles of the United Nations Universal Declaration of Human Rights and the core International Labour Organisation Convention areas (freedom of association, collective bargaining, non-discrimination, prohibition of child labour and of forced labour).

We will not participate in, contribute to or obtain information from any blacklist or other similar service which undermines these principles and as part of this obligation we will ensure that compliance with our Equality and Diversity Policy, as well as this Business Ethics Policy, will form part of the selection process for appointing subcontractors and other members of our supply chain.

Confidentiality

During the course of employment, employees may acquire information not generally known to the public, including knowledge of a commercially sensitive nature, business plans or outlook, marketing or sales programmes, customer lists, significant new

services or price changes, mergers and acquisitions, offering or redemption of shares, changes in management and other proprietary and confidential information. Employees must not disclose, during or after their employment by the Group, any non-public information regarding the Group's business or operations to any outsider unless disclosure is authorised in writing by Senior Management.

Whenever possible, authorised third party recipients of the Group's confidential information should be required in advance to execute agreements acknowledging their confidentiality obligations to the Group.

The terms and conditions of employment for all employees make it clear that all information which becomes available as a direct result of their employment is confidential to the Group and should not be disclosed except as required in order to achieve the Group's business objectives.

The Group undertakes to protect the personal data of all persons with whom it holds a record in accordance with the Data Protection Act 1998.

Insider dealing

Employees who may be in the possession of any material, non-public ("inside") information about the Group are required not to deal, including the purchase or sale of share and options, in the securities of Kier Group plc. As a publicly quoted group, Kier and certain members of staff will also not be permitted to deal during "close periods".

Please refer to the Kier Share Dealing Code.

Corporate governance

The Group Board recognises the importance of high standards of corporate conduct and is committed to managing the Group's operations in accordance with the best principles of corporate governance as contained within The UK Corporate Governance Code. The Group's corporate governance statement is published annually in its Annual Report & Accounts, which is also available on the Kier Group plc website.

Personal conduct outside the work place

Kier's reputation as a group depends largely upon its people and how they interact with stakeholders within and outside the organisation as well as how they behave in the public domain outside their place of work.

Communications – government inquiries, investigations, consultations and lobbying

From time to time, the Group may be obliged to permit various government agencies to review certain of its policies and practices. It is the Group's policy to ensure that inquiries from government agencies are properly handled to minimise the Group's exposure and liability. In the event that copies of specific Group procedures or practices are requested by representatives of government agencies or interviews with Kier staff are requested, such requests should be handled in a manner consistent with such procedures or practices. For non-routine requests by government representatives, the Group requires that any such request be referred immediately to the Group's Director of Corporate Communications, General Counsel & Company Secretary and Compliance Director without any further discussions with such contact.

From time to time Kier may present its position on a particular topic to government, or other official bodies, whether during a review of policies/legislation, part of a

consultation process or because of its expertise in a particular area. Consultation of this type may also occur through any of the trade organisations to which it is a party. On other occasions, Kier may lobby on a particular issue to ensure that the policy makers understand the issues fully and are therefore able to develop appropriate policies.

In any of these circumstances, Kier and its employees will:

- Ensure that views put forward are fair, true and accurate and free from any personal bias and that they represent the Company's views;
- Not bring the Company into disrepute;
- Comply with the wider requirements of this Business Ethics Policy to report any conflicts of interest and to act with honesty and integrity.

Communications – new media relations

It is important that inquiries from the news media are properly handled in order to maintain effective public relations and to protect the Group's competitive position and propriety information. Employees must not discuss Group business with any member of the news media, even on an informal basis. This will minimise news stories based on rumour or unofficial "tips" which can be damaging to the Group's best interest. All requests for information from the news media (including, in particular, those relating to financial or commercial matters) must be referred to the Group Corporate Communications Department.

Communications – email, internet and social media

Employees are required to follow the provisions detailed in the Group Use of Business Systems Policy (and related guidelines), as well as the Group Social Media Usage Policy (and related guidelines), when using email and the internet.

Management has responsibility on a day to day basis for ensuring that access to the business systems is used prudently. Managers must ensure that contract or temporary staff are informed and familiar with these policies and that they agree to be bound by the terms listed.

Key issues with regard to the use of these IT facilities are:

- Misuse of email, internet or social media for personal communications;
- Risk of defamation by an individual or organisation;
- Bringing into the workplace via email, the internet or social media material of a racist, pornographic, sexist, obscene, abusive, defamatory or other inappropriate nature or material that may be in breach of copyright;
- Unwittingly creating a binding contract with a supplier, client, etc; and
- Knowingly introducing a virus to company equipment or forwarding a virus.

Other policies etc.

Elements of ethical business practices are referred to in many other Group publications and several of the topics raised in this Policy also appear in more detailed and defined policies, procedures, codes and/or statements already in place within the Group. Similarly, the Group's participation in third party bodies or groups, including membership of Business in the Community, the Considerate Constructors Scheme and Constructing Excellence, and its listing on the London Stock Exchange, create certain obligations that contribute to the Group's ethical business commitments. In this context, where any questions or doubts arise over the interpretation of this Policy, please refer in the first instance to the appropriate subject-specific policy (or procedure guidance, if applicable). Employees should also contact the Group Legal Department.

Other affiliated Group policies and statements, all of which are available on MyKier or through the appropriate Departments, include the following:

- Whistleblowing Policy (and procedures)
- Gifts and Hospitality Policy
- Competition Law Policy and Procedures
- Counter-Fraud Policy
- Health and Safety Policy
- Environmental Policy
- Equality and Diversity Policy
- Kier Share Dealing Rules
- Use of Business Systems Policy (and related guidelines)
- Sustainable Procurement Policy • Social Media Usage Policy (and related guidelines)

Equality and Diversity Policy

August 2015



Contents

Page no.

Kier Group Plc	3
Statement of Intent	3
Core Policy	4
Forms of discrimination – principles	4
Equality and diversity in recruitment, selection, development and training	5
Recruitment of employees	5
Recruitment procedures	5
Selection	6
Employee development and training	6
Disability	7
Bullying and Harassment	7
Victimisation	7
Human Rights	7
Fixed-term employees and agency workers	7
Part-time work	7
Management responsibilities	8
Individual responsibilities	8
Monitoring	8
How to make a complaint	8
Employee assistance programme	9
Equality and the law	10

Kier Group plc

Kier Group recognises that its underlying success depends on recruiting and retaining the right people and encouraging them to reach their full potential.

We recognise the need for our employees to possess the levels of skill and knowledge appropriate to the roles they perform in delivering the quality of service our clients expect. This approach and mutual respect creates a culture of co-operation and achievement that underpins the high quality of the services we offer.

Statement of intent

Kier Group plc and its subsidiary companies (the Companies) do not discriminate on the basis of "protected characteristics". Protected characteristics include gender, disability, race, colour, nationality, ethnic or national origin, sexual orientation, gender reassignment, religion or belief, marital status or civil partner status, age and pregnancy and maternity. This policy applies equally to the treatment of our visitors, clients, customers and suppliers by our employees and the treatment of our employees by these third parties.

The Companies value the diverse nature of their people and seek to manage any diversity issues which arise in a fair and sensitive manner.

Everyone has a duty to act in accordance with this policy and to treat colleagues with dignity at all times. The Companies will not tolerate any discriminatory practices or behaviour.

This equality and diversity policy (the Policy) does not form part of any employee's contract of employment and it may be amended at any time.

Haydn Mursell
Chief Executive
Kier Group

Core policy

In accordance with its statement of intent, the Companies commit themselves to the following:

1. The Companies recognise that for them to be successful both now and in the future they need to develop the potential and ability of all employees to the full. In order for this to occur, all employees will be given equality of opportunity and encouragement to progress within the organisation.
2. Everyone is asked to take responsibility for their personal involvement in the practical application of the Policy.

To facilitate this:

- i. Copies of the Policy will be made available throughout the organisation via the Group intranet and company notice boards. Everyone is responsible for the success of the Policy and must ensure that they familiarise themselves with the Policy and act in accordance with its aims and objectives.
- ii. Those working at management level have a specific responsibility to set appropriate standards of behaviour, to lead by example and to ensure that those they manage adhere to the Policy. Management development programmes will raise awareness of the Policy as well as providing support to managers in promoting equality and diversity in the workforce.
- iii. All legal obligations under the Equality Act 2010 and other legislation detailed on the last page of this Policy will be recognised.
- iv. This Policy will be reviewed annually or as necessary from time to time.
- v. Grievance procedures are provided for any employee who believes they have been treated unfairly or subjected to discrimination, harassment, bullying or victimisation. Issues can be raised through the grievance procedure in our employee handbook.
- vi. The disciplinary procedures in our employee handbook may be used where employees fail to observe their own responsibilities for this policy.
- vii. Discrimination may be considered an act of gross misconduct which can lead to summary dismissal or summary termination of contract/engagement.
- viii. The Group HR Director at Tempsford Hall will assume the main responsibility for implementation and revision of the Policy.

Forms of Discrimination - Principles

- Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- Direct discrimination occurs where someone is treated less favourably than another person because of a "protected characteristic". The protected characteristics are set out in our Statement of Intent referred to earlier in the Policy. Direct discrimination includes discrimination by association and discrimination by perception. Associative discrimination occurs when someone is treated less favourably than another person because of association with another person who possesses a protected characteristic. Discrimination by perception occurs when someone is treated less favourably because others think they possess a protected characteristic even if they do not actually possess that characteristic.
- Indirect discrimination occurs where someone is subjected to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of a protected characteristic. Indirect discrimination can be justified if it is a proportionate means of achieving a legitimate aim.

It is also unlawful discrimination to treat a disabled person unfavourably because of something arising in consequence of their disability. This type of discrimination can be justified if you can show that the treatment is a proportionate means of achieving a legitimate aim. Disability discrimination also includes a failure to comply with a duty to make reasonable adjustments.

- Discrimination also includes victimisation which occurs when a person is subjected to a detriment because they have done a protected act or it is believed the person has done, or may do, a protected act. A protected act is, for example, when a person brings proceedings under the Equality Act 2010 or makes an allegation that someone has contravened the Equality Act 2010. Giving false evidence or information, or making a false allegation, is not a protected act if the evidence or information is given, or the allegation is made, in bad faith.
- Discrimination also includes harassment which occurs when a person is subjected to unwanted conduct related to a relevant 'protected characteristic' which has the purpose or effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her.

Equality and diversity in recruitment, selection, development and training

Recruitment of employees

The Policy applies to all aspects of the Companies' relationship with employees and to relations between employees at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

The intention of the Companies is to recruit the most suitable person for any position in a fair and non-discriminatory manner. It is essential that recruitment and selection procedures are based on objective criteria related to the needs of the job, and that such criteria are applied equally at all stages during the process to all applicants at all levels within the organisation.

Recruitment procedures

- i. All advertisements should conform to the Companies' standard. Recruitment and publicity literature will state that the Companies are equality and diversity opportunities employers. If in doubt contact askHR for advice and guidance.
- ii. Each role advertised should be accompanied by a full job description and person specification.
- iii. Vacancies should be publicised appropriately to as wide a range of suitable candidates as possible. Personal word of mouth recommendations should not be used as the sole method of recruitment.
- iv. Employment agencies, where their use is required, should be made aware that the Companies are equality and diversity employers. Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying.
- v. All job applicants are required to complete the Companies' online application process. Equal opportunity information gathered at application stage should be stored anonymously on a central database for reporting purposes only. It should not be used to form part of the short-listing process under any circumstances; short-listing should be done by merit of application and by no other means. Disclosure of such information should be optional to candidates.
- vi. Applicants will not be asked about past or current pregnancy or childbirth or future intentions related to pregnancy or childbirth.
- vii. Candidates will not be asked health-related questions before a job offer is made except where the question is necessary to decide whether any reasonable adjustments should be made to the selection process, to establish whether a candidate will be able to carry out a function that is intrinsic to the job or to monitor diversity amongst people applying for jobs.

- viii. Should a candidate with a disability be invited to attend for interview, the Companies shall make any reasonable adjustments necessary to facilitate their attendance. Candidates should advise the Companies where such adjustments are necessary.
- ix. The Companies take appropriate and reasonable steps to accommodate the requirements of candidates' religions, cultures and domestic responsibilities.
- x. Directors may, at their discretion, use professional search consultants if the appointment is of a senior or specialist nature, and where obtaining suitably qualified candidates by traditional recruitment methods is regarded as unlikely to secure the most talented candidates.
- xi. Reasons for rejection of all candidates should be recorded.
- xii. Any psychometric testing or examinations used as part of the recruitment process will be carried out by qualified personnel only.
- xiii. The Companies are required by law to ensure that all employees are entitled to work in the U.K. Assumptions about immigration status will not be based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documentation (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from askHR or the UK Border Agency.

Selection

The following guidelines should be observed when short-listing and interviewing candidates:

- i. Short-listing criteria should be objective, based on those skills, expertise and knowledge necessary to carry out the job. The requirement for formal academic or professional qualifications may be waived if candidates clearly demonstrate their suitability by other means. Willingness to undergo training should be taken into account.
- ii. Similarly, it should not be assumed that overseas degrees or diplomas are of a lower standard than their equivalents in the UK. If in doubt there are a number of agencies such as UCAS who are able to determine the level of equivalence of overseas qualifications.
- iii. Interview questions should be relevant to the job; care being taken to ensure that no assumptions are made or leading questions asked relating to personal circumstances and future plans. If job requirements are likely to affect a candidate's personal life (eg. unsociable hours or travel arrangements) then the same questions regarding these should be asked of all applicants.
- iv. Companies' interview report forms should be completed.
- v. Skills, knowledge, ability and competence will be the main criteria for selection and promotion.

Any interviewer should have had relevant training to ensure that they are familiar with these requirements.

Employee development and training

The Companies wish to ensure that no employee is disadvantaged in the provision of appropriate training and development opportunities. The following procedures should be followed:

- i. All employees should participate in the annual performance review exercise, which will assess their current level of job performance as well as their training and career development needs.
- ii. All employees will have access to and be encouraged to take advantage of suitable training and development opportunities.
- iii. Decisions relating to career development should be based on objective criteria which are fairly applied. The ability to meet the requirements of the position successfully should be the main criterion for promotion.

Training is provided in order to increase the knowledge and skills of employees and all training course materials and content will reflect the Companies' position as an equality and diversity employer.

Disability

If someone is disabled, or becomes disabled in the course of their employment or engagement, they are encouraged to inform the Companies about their condition as soon as possible in order that they can be supported and consideration can be given to making reasonable adjustments.

Bullying and harassment

The Companies seek to embed a culture which eliminates bullying and harassment. Everyone should treat others with the respect and dignity that they would expect for themselves. Bullying and harassment of others in any form will not be tolerated and will be dealt with under the Companies' disciplinary procedures. Bullying or harassment may be considered as acts of gross misconduct which can lead to summary dismissal or summary termination of contract/engagement.

Individuals should read and adopt the procedures detailed under the section 'How to make a complaint' where they consider acts of bullying or harassment have taken place.

Victimisation (see also the earlier section in the Policy headed "Forms of Discrimination – Principles")

Victimisation occurs when an individual is subjected to a detriment because they have brought proceedings under the Equality Act 2010; or given evidence or information in connection with proceedings under the Equality Act 2010; or done any other thing for the purposes of or in connection with the Equality Act 2010; or raised a grievance/allegation about discriminatory behaviour. It is unlawful to victimise individuals. Employees found guilty of victimisation or inducing others to discriminate in connection with their employment with the Companies, or intentionally failing to comply with the Policy will be subject to the Companies' disciplinary procedure, and such conduct may be considered as acts of gross misconduct which can lead to summary dismissal (see also the clause on the 'Right to dignity at work' in our employee handbook.)

Human rights

The Companies' business activities are pursued with respect for human rights. As such, the Companies need to ensure and to demonstrate they treat everyone fairly, legally, with respect and with dignity. It is not acceptable to abuse the human rights of either individuals or groups of individuals and the Companies endeavour to operate in a manner consistent with the principles of the United Nations Universal Declaration of Human Rights and the core International Labour Organisation Convention areas (freedom of association, collective bargaining, non-discrimination, prohibition of child labour and of forced labour).

The Companies will not participate in, contribute to or obtain information from any blacklist or other similar service which undermines these principles and as part of this obligation the Companies will ensure that compliance with the Business Ethics Policy, as well as this Equality and Diversity Policy, will form part of the selection process for appointing subcontractors and other members of the Companies' supply chain.

Fixed-term employees and agency workers

The Companies monitor the use of fixed-term employees and agency workers and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities.

Part-time work

The Companies monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. The Companies will ensure requests to alter working hours/work flexibly are dealt with appropriately (under the Flexible Working Policy).

Management responsibilities

Compliance with the Policy depends upon the commitment of everyone, including all directors, managers and supervisors who will take a lead in implementing the Policy and making themselves aware of what the law requires of them. Management is responsible for ensuring that the workplace is free of discrimination (including harassment and victimisation) and bullying, and must take prompt action to resolve complaints and prevent any further recurrence.

Individual responsibilities

The Companies encourage all individuals to take responsibility for their personal involvement in the practical application of the Policy, and for creating a work environment which eliminates all forms of discrimination (including harassment and victimisation) and bullying.

Any employee found to have breached the Policy in their working relations with others will be subject to the disciplinary procedures detailed in the employee handbook, up to and including summary dismissal.

Anyone else found to have breached the Policy in their working relations with others will be subject to action up to and including summary termination of contract/engagement.

Monitoring

As part of the Companies' commitment to equality and diversity, monitoring will be carried out at the recruitment stage, and at subsequent regular intervals during the individual's career. The Companies' online application process includes sections which enable all applicants and employees to declare their ethnic origin and any disability they may have. Information from monitoring will assist with a system of management reporting which assesses the success of its equality and diversity policy, and the periodic reviews of this policy. In particular, the Companies will report on key measures which include gender composition of the workforce, age, race & ethnic origin and sexual orientation, disability, religion or belief.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

How to make a complaint

If anyone feels they have a grievance or a complaint under the Policy they may in the first instance (if they wish and feel comfortable to do so) make the issue known to the person responsible for the behaviour and request that it should cease. Individuals may also, as an alternative, seek the direction and guidance of their director/managing director, or member of askHR in attempting to resolve matters in an informal manner. Individuals should make any concerns known to a director or a member of askHR as soon as possible.

Where it does not prove possible to reconcile issues informally, or if a person does not for any reason want a matter dealt with informally, employees have the right to a formal hearing using the Companies' grievance procedure (and complaints by anyone else would also be dealt with formally). The grievance procedure is set out in the employee handbook which is provided to all employees on commencement of their employment and is also displayed on notice boards. Additional copies can be obtained from askHR.

Grievances or complaints linked to equality and diversity will be dealt with in the strictest confidence and will not prejudice the employee's current employment status or future career prospects (or a worker's/contractor's current status or future prospects with the Companies). Vexatious allegations, false allegations made in bad faith or a breach of the Policy may, however, be considered a disciplinary offence. Vexatious allegations or false allegations made in bad faith may result in disciplinary action up to and including summary dismissal or summary termination of contract/engagement.

Allegations regarding potential breaches of the Policy will be treated in confidence and fully investigated.

Employee assistance programme

If any employee feels they have been victimised, harassed, bullied or discriminated against they may also wish to use the confidential helpline for information and support, where confidentiality can be guaranteed. The service operates 24 hours a day, 365 days a year. No information on any calls will be fed back to the company unless there is a serious risk of harm to an employee or any other person.

To use the service employees should contact 0800 917 9330 and quote reference number 72221 at any time of the day or night. Please note that this number may change from time to time. Up-to-date information is available on the Group intranet.

Equality and the law

The following legislation provides further relevant information and guidance:

- Employment Rights Act 1996
- Equal Pay Act 1970
- Rehabilitation of Offenders Act 1974
- Protection from Harassment Act 1997
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Equality Act 2010
- Enterprise and Regulatory Reform Act 2013