

## DIVERSITY AND INCLUSION POLICY

### Definition

Carillion will make every effort to ensure that staff and job applicants are treated with courtesy, dignity and respect irrespective of race (including colour, ethnic or national origin or nationality), gender, marital or civil partnership status, maternity and pregnancy, age, disability, sexual orientation, gender reassignment and religion or belief (throughout this policy referred to as the 'protected characteristics').

Our aim is to ensure that individuals are treated fairly and equally and this policy supports Carillion's objective of providing a working environment free from all forms of discrimination.

This is supported by the Carillion Values.

This policy is non-contractual and does not form part of an employee's terms and conditions of employment.

### Scope

This policy is integral with the Carillion Values.

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

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

The Head of Employee Relations is responsible for the effective operation of this policy and ensuring compliance with discrimination law. All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote Carillion's aims and objectives with regard to equal opportunities. Managers will be given appropriate training on diversity and inclusion awareness and equal opportunities recruitment and selection best practice. The Head of Employee Relations has overall responsibility for diversity and inclusion training.

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 create a working environment free from discrimination, harassment, victimisation and bullying.

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 tolerated

To work towards finding ways for under represented groups to fully realise their potential within Carillion and take reasonable steps to help such groups.

To ensure that all employees are aware of the Diversity and Inclusion Policy and provided with any necessary ongoing training to enable them to meet their responsibilities under it. Carillion 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 ensure that all applicants are treated fairly during recruitment processes and in accordance with relevant legislation and Codes of Practice.

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, because of any protected characteristic.

Carillion takes any breach of this policy seriously, and a breach could lead to formal disciplinary action being taken, which in some cases could lead to dismissal in accordance with the Disciplinary Policy.

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

## Definitions

### Protected characteristics

Equality legislation offers protection to people with a protected characteristic. For clarity these are listed again below:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (Including colour, ethnic or national origin or nationality)
- Religion or belief
- Gender
- Sexual orientation

### Types of Discrimination

There are several types of discrimination. The following are the types of discrimination that this policy aims to avoid:

#### Direct Discrimination

This occurs when a person is treated less favourably because of a protected characteristic that they have (or are thought to have - see 'Perceptive discrimination' below). For example making decisions about whether someone should be offered, or not offered, a job because of a protected characteristic or treating colleagues or customers differently because of a protected characteristic.

#### Associative Discrimination

Direct discrimination (above) can also occur by way of association, which is when a person is treated less favourably because, for example, their spouse, civil partner or relative has a protected characteristic.

### Perceptive Discrimination

Direct discrimination (above) can also occur because the discriminator thinks the person possesses a protected characteristic on which discrimination is based, even if they do not in fact do so.

### Indirect Discrimination

This occurs when a provision, criterion or practice is applied to everyone but has a disproportionate adverse impact on people with a particular 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.

To be justified the provision, criterion, or practice must be necessary for legitimate business reasons in circumstances where less discriminatory alternatives are not reasonably available.

### Victimisation

Victimisation is treating a person unfavourably because the person has 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.

Carillion will take all reasonable steps to ensure that employees are protected against victimisation and it is unlawful and a disciplinary offence to victimise 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. Employees should also notify Carillion of any harassment by a third party who is not a Carillion employee.

Carillion will take all reasonable steps to ensure that employees are protected against harassment and it will be and a disciplinary offence to harass an employee. Where harassment is related to a protected characteristic it will also be unlawful.

### Discrimination arising from Disability

In addition to the above, it is unlawful to treat a person unfavourably because of something that is the result, effect or outcome of their disability, unless the treatment is necessary and can be objectively justified. Furthermore, employers have a duty to make reasonable adjustments to ensure that disabled applicants, employees or other workers are not substantially disadvantaged.

### Guidelines

#### Recruitment and Selection

The recruitment and selection procedures will be free from bias or discrimination. Recruitment procedures will be conducted objectively and will be based upon specific and reasonable job-related criteria. Decisions regarding an individual's suitability for a particular role will be based on aptitude and ability.

To ensure all Recruitment and Selection 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.
- Interviewers will be trained and be equipped with the necessary skills to enable them to collect objective evidence and use standards or specific criteria which are consistent for the role.
- The Carillion People Success and Leadership factors are the tools against which Carillion measure competence.
- Adequate and full interview notes will be made to support any decisions and guidelines will be followed with regard to all aspects of the employment cycle.
- Carillion will take all reasonable steps to make recruitment decisions based on ability and qualification without regard to protected characteristics. No decision will be made which cannot be objectively justified.
- 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.
- Decisions will be based on job requirements and will be backed up with full documentation which should be retained on file.
- No assumptions will be made about an individual's ability to perform tasks and decisions will be made based on the information available.

Carillion will consider making appropriate reasonable adjustments to the recruitment process to ensure that disabled applicants are not substantially disadvantaged.

Carillion will consider taking appropriate positive action to enable or encourage applications from persons with a protected characteristic that is under represented in the organisation.

### 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 managers 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.

### 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, skills training and experience, and in accordance with the future needs of the business

Training on Diversity and Inclusion 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 any protected characteristic.

Reward in line with performance and relative benchmarking information.

### Discipline and Grievance

Ensure that all disciplinary and grievance cases are conducted in accordance with the relevant policies:

- Diversity and Inclusion Policy
- Grievance Policy
- Disciplinary Policy

### Raising a Complaint

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, who 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.

If the individual is not an employee they should put their complaint in writing to the HR Advisory Desk at Carillion's registered address.

- 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 Manager, make a note of when you first raise your concerns
- Take a colleague with you for support if necessary
- Ask the Line Manager what steps they are going to take and when you can expect to hear from them
- If you prefer, contact the HR Shared Service directly
- 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.

Any employee who is found to have committed an act of discrimination, or breached this policy in any other way, will be subject to action under the Disciplinary Procedure, up to and including dismissal. Non-employees will be subject to appropriate formal action that may, depending on the circumstances, involve terminating any contract or agreement.

Carillion will also take seriously any malicious or, in its opinion, unwarranted allegations of discrimination and will take appropriate action, disciplinary or otherwise, where necessary. 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.

### Other forms of detrimental treatment

In addition to the discrimination referred to above, there are other types of detrimental treatment which are prohibited by law and are unacceptable.

These include any detrimental treatment (including dismissal) related to part-time or fixed-term status and for trade union membership or non-membership. This policy does not list all of the types of detrimental treatment prohibited by law but Carillion would like employees to be mindful that there are other situations which, whilst not amounting to unlawful discrimination, may be unlawful and unacceptable. Advice can be sought from HR at any time about any particular situation.

Carillion respects an individual's right to choose whether or not to belong to a trade union and membership status will have no bearing on an applicant's suitability for employment or result in any detrimental treatment when working for Carillion.

### Diversity and Inclusion Monitoring

Carillion will monitor the effectiveness of this policy to ensure it is achieving its objectives.

[As part of this process it will monitor:

- the composition of job applicants and decisions in recruitment
- the composition of Carillion's workforce
- access to training, promotion and other opportunities and benefits
- the impact of Carillion's employment policies, including use of the disciplinary and grievance procedure
- dismissals and other terminations

Information collected for monitoring purposes will be treated as confidential and will not be used for any other purpose.  
]

The policy is regularly reviewed at least annually and may be amended at any time.

[A copy of this policy can be found on the Intranet. Job seekers and applicants [can access the policy via Carillion's website and] will be sent a copy of the policy on request. In addition, all [employees] will receive [specific training/a briefing] on this policy [and the induction process for new employees includes a briefing on this policy].

### Related Policies

This policy is supported by all of Carillion's policies and procedures (which can be found on the intranet and are available on request) including but not limited to:

- Grievance Policy
- Disciplinary Policy

- Recruitment Policy
- Employing Foreign Workers Policy
- Sickness Absence Policy
- Parental, Maternity, Adoption, Paternity and Shared Parental Leave Policies
- Flexible Working Policy

**Roles and Responsibilities**

<b>Role</b>	<b>Responsibilities</b>
Business Group MD/ Professional Head	Via the HR Director for ensuring that all staff are aware of changes in legislation, that Carillion observes the relevant Codes of Practice in relation to equality and that failure to comply may result in Carillion and an individual having legal proceedings taken against them
Managers and Supervisors	<p>Ensure that no unacceptable behaviour takes place 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.</p> <p>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.</p> <p>Failure to carry out their duties in respect of equal opportunities may result in disciplinary action being taken against the Manager or Supervisor concerned. Failure to comply may result in Carillion and an individual having legal proceedings taken against them.</p>
All Employees	<p>The duty to co-operate with Carillion in ensuring that the Diversity and Inclusion Policy is effective and that they and their colleagues are treated with respect and dignity.</p> <p>A positive duty to report any incidents of bullying, harassment or discrimination of which they become aware.</p> <p>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 unacceptable.</p>

## Information

### Version Control

Version	Date	Revision
1.	March 2004	Second issue.
1.1	July 2006	Policy Standardisation
1.2	January 2007	Wording update
2.0	September 2010	Legal review
3	April 2012	Review and reformat into Phoenix
4	September 2012	Authoriser changed from Susan Morton to Susannah Clements
5	December 2013	Wording update
6	March 2015	Wording update
7	May 2015	Legal review and update. Amendment of policy title to Diversity and Inclusion

### Feedback

Comments and suggestions regarding this policy should be addressed to:

- Liz Keates Carillion House

### Authorisation

Janet Dawson Group HR Director