

# EQUALITY, DIVERSITY & INCLUSION

## POLICY STATEMENT

### Introduction

INFRATEC-UK Limited is committed to providing equal opportunities in recruitment and throughout the employee journey, to promoting equality and fairness within the working environment and throughout the supply chain and to achieving its objective to become an exemplar employer of choice in all equality, diversity & inclusion matters.

This policy aims to support the implementation and embedding of a culture of fairness and inclusion for all. It aims to ensure no employee or applicant for employment receives less favourable treatment on the grounds of any protected characteristic.

The Company will continue to actively work to foster a supportive culture that recognises the value of a diverse workforce. INFRATEC-UK Limited understands that people from different backgrounds and with a variety of experiences brings unique insights, contributions, and innovations to enhance the way we work and supports the foundations of a truly inclusive workplace that is reflective of society.

The Equality, Diversity & Inclusion policy gives strength to the Company's commitment to proactively tackle and eliminate discrimination (direct and indirect discrimination) and to be a fully inclusive employer. Every employee is entitled to a working environment that promotes individual and group dignity and respect to all.

The Company will not tolerate discrimination, intimidate, bullying, harassment, or victimisation in any form.

### Policy Statement

This policy should be read in conjunction with and considered during any change in policy, practice or provision to ensure matters of equality, diversity & inclusion are kept at the heart of all we do as a company, supplier, service provider and model to the communities in which we operate.

The rights, obligations and expectations set out in this policy apply to all employees, whether part-time or full-time, on a substantive or fixed-term contract and to associated persons such as agency staff, contractors, sub-contractors, suppliers, ex-employees and applicants.

It is each employee's personal responsibility to apply this policy to their own working practices and adhere to the obligations and expectations within

This policy applies at all times and should influence the way in which we treat all individuals whether they are colleagues, clients, business associates or members of the public.

All employees are expected to treat each other with dignity, respect, and fairness at all times.

Repeated or intentional failure to comply with the terms of this policy, to discriminate, intimidate, harass, or victimise colleagues or associated persons whether internal or external to INFRATEC-UK Limited may result in the Disciplinary Policy and Procedure being invoked. This may lead to disciplinary action or dismissal should the breach constitute gross misconduct.

### Definitions

#### The Company

The Company refers to and is interchangeably used in lieu of INFRATEC-UK Limited.

#### Equality

Equality is about ensuring that every individual has equal access to opportunity, this may mean providing different levels of support or resources to ensure equal access.

Equality also refers to the expectation and right for everyone to be treated with fairness, dignity, and respect.

## **Diversity**

Diversity refers to differences between us. The Equality Act 2010 provides for nine 'Protected Characteristics' where unfavourable treatment could amount to discrimination, but 'Diversity' extends further, whether that be physical, mental, social, economic or a huge range of other characteristics.

## **Inclusion**

Inclusion is the goal. It is the sense of belonging and the feeling of being respected and valued for who you are. The aim of inclusion is to embrace all people irrespective of their differences and recognise the benefit that diversity brings.

## **Equal Opportunity**

Equal Opportunity is the principle that everyone should be treated fairly and have equal access to opportunities such as applying for jobs, receiving pay equal to their peers, equal chance of promotion that is based on merit and not discriminated against for possessing a protected characteristic(s).

## **Equality Act 2010**

The Equality Act 2010 replaced and harmonised anti-discrimination laws (such as the Race Relations Act 1976 and the Disability Discrimination Act 1985) with a single Act. It simplifies the law, removed inconsistencies, and made it easier for employers to understand and comply with and provided more clarity for employees and service users as to their rights. It also strengthens the law in important ways to help tackle discrimination and inequality.

## **Discrimination**

Discrimination is the unfair treatment of a person or group because they possess, or are perceived to possess, certain characteristics as defined in the Equality Act 2010. It is illegal to discriminate against a person or group on the grounds of protected characteristics.

### **Direct Discrimination**

Directly treating an individual or group less favourably than another because of a protected characteristic.

### **Indirect Discrimination**

A practice, policy, or procedure that, whilst applied generally, has the effect of negatively affecting or disadvantaging a group or individual because they have a protected characteristic.

### **Discrimination by Perception**

Discrimination against an individual or group because it is believed/perceived that they have a protected characteristic.

### **Discrimination by Association**

Describes the situation where an individual can bring a claim of discrimination not because they have a protected characteristic but because an association with someone who does. This is quite a far-reaching term and has been interpreted to include associations with family, friends, work colleagues and even members of the public.

### **Harassment (and Sexual Harassment)**

Harassment is the unwanted conduct related to a protected characteristic which has the effect of violating a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.

Sexual harassment applies in the same way as harassment but of a sexual nature and doesn't rely on a protected characteristic.

### **Bullying**

As with harassment, bullying is unwanted conduct which has the effect of violating a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. There is no legal definition of bullying and it is often used interchangeably or combined with harassment however it is understood to be unwanted behaviour that is not associated with a protected characteristic.

### **Victimisation**

Victimisation refers to unfavourable treatment or imposed disadvantage as a result of bringing proceedings under the Equality Act 2010. It also includes supporting others with bringing proceedings and making allegations, it does not cover false evidence or allegations made in bad faith.

## Protected Characteristics

The Equality Act 2010 lays out nine protected characteristics that have legal protection from discrimination, harassment, and victimisation. Case law has discovered through interpretation that the protected characteristics may allow for an extension to cover characteristics or situations other than those specifically stated. An example could be those with carers responsibilities may be protected from discrimination under the protected characteristic 'Disability' due to an interpretation of Discrimination by Association.

### Age

Age discrimination can be either direct or indirect. It involves unfair or unfavourable treatment of individuals or groups due to their age or the age of those they associate with.

Examples of Age Discrimination:

- Using inappropriate language to describe individuals or groups of a specific age or age band. Job adverts can inadvertently discriminate underage if they ask for specific years of experience or use language such as 'energetic', 'young' or 'recent graduate'.
- Treating younger employees differently from older employees, or vice versa.
- Dismissing employees on the basis of their age.
- Pressuring or insisting a member of staff retires.

### Disability

The Equality Act 2010 defines a person as having a disability when a physical or mental impairment (condition) has lasted or is predicted to last 12 months and affects their ability to carry out normal day to day activities. Such duties can include anything from eating, driving, writing, speaking, dressing themselves, reading etc.

The Act creates a duty to provide adjustments to premises, practices, systems, or provision of apparatus to remove barriers that result from a disability where deemed reasonable. This is a complex area as what is 'reasonable' to one company may not be reasonable or practicable to another. See Section 'Reasonable Adjustments for more information.

Examples of disabilities covered by the Act could include:

- Cancer
- HIV
- Multiple sclerosis
- Diabetes
- Depression/anxiety
- Musculoskeletal injury/damage

Examples of disability discrimination:

- Excluding or offensive practices or language that has the effect of offending the dignity of the individual or group.
- Dismissing an employee for disability related absences. (This is a complicated area for which legal advice must be sought).
- Withdrawing job offer on the discovery of a disability.

### Gender Reassignment

This is the changing of one sexual category to another. The Act specifically states discriminatory protection covers male to female or female to male transition and this commences from the moment a person proposes to undergo the process.

It is important to remember that a person is not required to undergo medical procedures to reassign their identity and to receive protection from discrimination.

Examples of gender reassignment discrimination:

- Having policies in place that put transsexual employees at a disadvantage.
- Comments that offend or degrade.
- Reassigning transitioning/transitioned employees to alternative roles to remove them from public view.

## **Marriage or Civil Partnership**

This protected characteristic refers to treating an employee(s) differently on account of their relationship status, specifically concerning marriage or civil partnership. The Act does not currently provide protection for unmarried, divorced/dissolved or engaged persons.

Examples of discrimination under this characteristic include:

- Dismissing or reducing working hours of an employee after marriage (unless requested) such as assuming that a recently married person should be at home in the evening.
- Favouring single employees for promotion over married employees on the assumption that a single person could commit more time to the role.

## **Pregnancy and Maternity/Paternity**

Discrimination in this regard refers to unfair or unfavourable treatment during the term of the pregnancy and the period of maternity leave. It is worth noting that recent case law extends 'maternity leave' to fathers and additionally shared parental leave regulations were introduced in 2015 which allows for 52 weeks of shared leave and 39 weeks of pay between parents. This includes single fathers and same sex parents.

Examples of discrimination due to pregnancy or maternity/paternity/parental leave include:

- Policies, procedure, or practices unfairly putting individuals at a disadvantage or pay being cut due to the announcement of pregnancy or intention to take parental leave.
- Retracting an offer of employment due to sick leave that resulted from pregnancy.

## **Race**

The legislation provides for protection for individuals and groups as defined by their race which consists of colour (Black, White, Mixed etc.), nationality (British, Indian, Spanish etc.) and ethnic and national origin either as 1st generation or in heritage.

Examples of discrimination:

- Rejecting a job application because the candidate is of a different nationality and not based on skills.
- Requiring applicants to possess a certain school qualification that is only available in the UK and not accepting equivalent qualifications.

## **Religion or Belief (or lack of)**

This protected characteristic covers religious or philosophical beliefs, or lack thereof.

The Act requires, for protection, that religion of belief must be a genuine belief and not opinion which has to be a weighty and substantial aspect of human life. Case law continues to interpret, define, and extend or place boundaries on the interpretation of religion and belief.

Examples of religion or belief discrimination include:

- Refusing to hire or dismissing an employee or group on the grounds of their religion or belief.
- Enforcing meetings at specific times which indirectly disadvantage individuals/groups due to requirements to pray or go to temple.
- Authorising annual leave for certain religious holidays and not having consistency with all religious holidays.

## **Sex**

Sex for the purposes of the Act and other legislation refers to the sex of the individual on their birth certificate. In law sex is considered binary (male/female) but a trans person can change the sex on their birth certificate with a gender recognition certificate, if a gender recognition certificate and change to birth certificate has not been made the law will view them as their birth sex. The individual will still be covered under the protected characteristic of gender reassignment.

Intersex (people with non-normative sex characteristics) are not currently specifically mentioned in the Act but it would be presumed that case law would interpret the Act to extend to individuals.

Example of discrimination include:

- Asking questions at interview you would not ask males.

- Rejecting applications from a particular sex on the assumption that one can perform better or more loyally than the other.
- Not promoting women on the basis of their plans for motherhood.

## **Sexual Orientation**

The Act protects individuals from discrimination on the grounds of their sexual leaning, this includes:

- Bisexual
- Gay
- Lesbian
- Heterosexual
- Asexual (the absence of sexual attraction to any sex)

Examples of sexual orientation discrimination include:

- Not promoting an employee solely on the basis of their sexuality.
- Harassing, degrading, intimidating, offensive or generally unwanted conduct relating to their sexual orientation.
- Policies or practices that unfairly put an employee(s) at a disadvantage due to their sexual orientation.

## **Positive Action**

Defined as a range of measures allowed under the Equality Act 2010 which can be lawfully undertaken to encourage or support underrepresented groups. Such actions can include targeting job adverts towards publications aimed at particular groups of people with protected characteristics to encourage applications from a diverse group or partnering with organisations created to provide support and training for staff in post such as people with disabilities.

## **Positive Discrimination**

Positive discrimination is the act of unlawfully favouring a person or group who share a protected characteristic i.e., employing someone with a protected characteristic purely on the basis of that characteristic and not because of merit.

It is also illegal to set 'quotas' to recruit or promote a specific number/proportion of people with a particular protected characteristic. Positive Action and Positive Discrimination are often confusing or grey areas, seek advice from Company Secretary if you have queries.

## **Roles and Responsibilities**

### **The Senior Management Team (SMT)**

The SMT lead the Company in all matters of business, employment, and equality. The SMT ensure the provision of appropriate policy and consistency of application throughout the Company and take the visible lead on initiatives and change.

### **Company Secretary**

The Company Secretary represents the Company in all matters of Equality, Diversity & Inclusion (EDI) and Fairness, Inclusion & Respect (FIR).

Creating, reviewing, and implementing relevant policy and practice to ensure compliance with legislation. Training and developing employees in EDI and monitoring diversity statistics in order to influence the focus of resources to address inequalities in the business.

### **Managers**

Managers and Line Managers are first line of contact for Equality queries and resolution. They signpost employees to appropriate contacts and resources and provide guidance, support and training and ensure their teams adhere to policies and procedures.

### **Employees**

Employees are responsible for adhering to all policies, practices and following all reasonable instructions given by their Line Manager.

There is an expectation for employees to treat each other with respect and dignity and to challenge intimidating, offensive and unacceptable behaviours.

## **Equality Impact Assessments (EIAs)**

Equality Impact Assessments are tools used to encourage the consideration of potential impact on to groups and individuals who have or share a protected characteristic. EIAs should be conducted before or as early as possible when reviewing, creating, or implementing policies, practices, projects, decisions, and events.

EIAs are not a legal requirement but form part of best practice and provide a check and balance on the way we work and the things we do. Detailed guidance and a template can be found in *Appendix 1*.

## **Recruitment and Selection**

All recruitment practices will be undertaken in accordance with the Inclusive Recruitment Policy and Process.

Every consideration will be shown to job applicants and employees who are disabled and those who meet minimum criteria for the post will be invited for interview.

Employees who become disabled during the course of their employment will have a regular review with their manager to consider how best to utilise and develop their abilities. Any adjustments to their employment or working conditions which are deemed to be reasonable and practicable that would assist them in the performance of their duties will be made.

Recruitment activities will be based on job requirements and a person specification which will be free of unjustifiable requirements. Selection decisions will be based on merit and competence.

## **Positive Action for Equality in Employment**

Under the terms of the Equality Act 2010, an employer may take positive action to address underrepresentation within the workforce. This means an employer may take the following steps to address underrepresentation:

- encouragement,
- training,
- different working arrangements,
- return to work schemes.

The Company will however select people for employment based on merit and will not positively discriminate with the aim of redressing underrepresentation.

The Company will not discriminate in the course of recruitment and selection of candidates or employees for recruitment or promotion but the Company may use appropriate lawful methods, including positive action, to address identified underrepresentation in the whole company and specific types of jobs.

## **Promotion**

Promotion to posts will be in accordance with equal opportunities selection process, the Equality, Diversity & Inclusion Policy and on a basis of aptitude and ability to undertake the role as specified in the job description and person specification.

Job descriptions and person specifications should be reviewed and updated to accurately reflect the role and essential requirements for applicants.

## **Reasonable Adjustments**

The Equality Act 2010 lays out a duty to provide adjustments to workplace, employment, and ways of working to reduce or remove barriers to work that create substantial disadvantage for employees and candidates with disabilities as compared to non-disabled people.

The Company recognises the duty to provide reasonable adjustments but also the value that implementation provides to wellbeing, experience, and performance of the workforce.

Reasonable adjustments may take many different forms, examples include (but by no means limited to):

- alterations to working times i.e. flexible hours, day/night shifts, regular breaks etc,
- adaptations to environment i.e. height adjustable desks, wheelchair ramp, accessible toilets, back support for chairs, specialised lighting, heating/ventilation/air conditioning etc. accessible parking,
- computer software such as Dragon, Texthelp and Read & Write,
- computer equipment such as reader pens, earphones, large keyboard, ergonomic mouse,
- clearly defined duties and workday schedule

When reviewing whether an adjustment is reasonable, the following factors should be considered:

- How effective is the proposed adjustment reducing or removing the disadvantage?
- Is the adjustment physically practical?
- What is the cost involved?
- Could Access to Work support financially?
- What would be the effect on business?

Contact the Company Secretary for further guidance on reasonable adjustments.

## **Learning and Development**

Equality, Diversity & Inclusion has been identified as a mandatory subject for all employees.

An introduction presentation to Equality, Diversity & Inclusion is included in the Company induction and annual EDI training is to be introduced to the training matrix.

Selection decisions for learning and development activity, where this is not part of a programme of positive action, will be assessed on training needs, merit, and potential.

Criteria for learning and development selection will be free of unjustifiable requirements.

## **Monitoring Diversity**

The Managing Director shall update the Senior Management Team (SMT) on at least an annual basis on compliance with this policy and report on diversity statistics.

## **Supply Chain**

The Company continues to foster good relationships with its Supply Chain to encourage industry growth in Equality, Diversity & Inclusion matters and share best practice.

INFRATEC-UK is keen to work with companies that share the same values. The Company does so by supporting the Supply Chain with clear expectations around policy and practice. Subcontractor Questionnaires are utilised to understand where additional support and resources can be provided in order to guide subcontractors, and ultimately the industry, towards positive practice and inclusion.

## **Modern Slavery**

INFRATEC-UK operates a zero-tolerance approach to exploitation of workers in any form.

The Company is committed to raising awareness throughout the Supply Chain and will not support or deal with any business knowingly involved in modern slavery

It is the responsibility of all employees to inform management if there is a suspicion of exploitation. More information on Modern Slavery can be found in the Company Modern Slavery Statement.

## **Whistleblowing**

Whistleblowing applies to a worker who reports certain types of wrongdoing. Whistleblowing is a protected act, which means those who 'blow the whistle' and report wrongdoing can expect to be protected from unfair treatment.

Please refer to the company's Whistleblowing Policy & Procedure.

In the first instance, the individual should raise the issue with their immediate superior. However, if an individual feels they cannot tell their immediate superior, for whatever reason, they should raise the issue through the whistleblowing facility for escalation to a designated person, i.e. Managing Director, Operations Director, Commercial Manager and/or Financial Controller.

## **Bullying and Harassment**

The Company firmly opposes all forms of bullying and harassment and will take any allegation seriously.

It is the responsibility of everyone to challenge unacceptable behaviour and report any incidents witnessed to ensure action can be taken.

The Company will address all allegations and take action to protect staff where appropriate. More information can be found in the Workplace Bullying Policy.

## Equal Pay

The Company recognises that equal pay between men and women who perform like work is a legal right under UK and European Law. Like work is defined as work which is the same or broadly similar.

The Company will undertake regular pay reviews of core staff in line with guidance issued by the Equality and Human Rights Commission.

## Leaving the Company

Upon leaving the Company, an exit interview should be conducted which encourages openness and honesty. An exit interview provides exiting employees the opportunity to give honest feedback whether that be positive or learning points.

Exit interviews should be arranged and conducted by Line Managers where practicable and where this is not appropriate or feasible, Senior Management.

A copy of the exit interview should be sent to HR in Head Office to be reviewed for learning and praise and filed in personnel file.



**David Bullock**  
**Managing Director**

For and on behalf of the Senior Management Team





## **Appendix 1 – Equality Impact Assessment**

### **Equality Impact Assessment Guidance and Template**

This document provides guidance when completing an Equality Impact Assessment (EIA). The EIA template can be found at the end of this document.

INFRATEC-UK Limited is committed to promoting equality and participation in all their activities, whether this is related to the work we do with our external stakeholders or whether this is related to our responsibilities as an employer. We have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations when making decisions and developing policies. To do this, it is necessary to understand the potential impacts of the range of internal and external activities on different groups of people.

### **What is an Equality Impact assessment (EIA) and why do we need to complete one?**

An equality impact assessment (EIA) is an evidence-based approach designed to help organisations ensure that their policies, practices, events, and decision-making processes are fair and do not present barriers to participation or disadvantage any protected groups from participation. This covers both strategic and operational activities.

The term ‘policy’, as used throughout this document, covers the range of functions, activities, and decisions for which the company is responsible, including for example, strategic decision-making, arranging meetings, conferences, training courses and employment policies.

The EIA will help to ensure that:

- we understand the potential effects of the policy by assessing the impacts on different groups both external and internal,
- any adverse impacts are identified, and actions implemented to remove or mitigate them,
- decisions are transparent and based on evidence with clear reasoning.

### **When might I need to complete an EIA?**

Whether an EIA is needed or not will depend on the likely impact that the policy may have and relevance of the activity to equality. The EIA should be done when the need for a new policy or practice is identified, or when an existing one is reviewed. Depending on the type of policy or activity advice can be sought from your Line Manager or the Company Secretary.

*Ideally, an EIA should form part of any new policy, strategy development or event and be factored in as early as one would for other considerations such as risk, budget or health and safety.*

### **Who is responsible for completing and signing off the EIA?**

Depending on the nature of the policy, event or activity, the responsibility of who should complete the assessment, who should be consulted, and who should sign off the EIA will vary. Ultimate responsibility on whether an EIA is required lies with the person leading the change or introduction of or amendment to policy, event or activity and any required action or change needs to be communicated and recorded with Senior Management to action.

Further advice is available from the Company Secretary.

### **What is discrimination?**

Discrimination is where someone is treated less favourably or put at a disadvantage because of their protected characteristic. The different groups covered by the Equality Act 2010 are referred to as protected characteristics: age, disability, gender reassignment, marriage or civil partnership status, pregnancy and parental leave, race, religion or belief, sexual orientation, and sex.

Discrimination is often unintended and can at times remain undetected until there is a complaint. Improving or promoting equality is when you identify ways to remove barriers and improve participation for people or groups with a protected characteristic.

### **Building the evidence, making a judgement**

In cases of new policies or management decisions there may be little evidence of the potential effect on protected characteristic groups. In such cases you should make a judgement that is as reliable as possible.

### **Provisional Assessment**

At the initial stages, you may not have all the evidence you need so you can conduct a provisional assessment. Where a provisional assessment has been carried out, there must be plans to gather the required data so that a full assessment can be completed after a reasonable time. The scale of these plans should be proportionate to the activity at hand. When there is enough evidence a full impact assessment should be prepared. Only one EIA should be created for each policy, as more evidence becomes available the provisional assessment should be built upon.

### **Valuing Differences**

EIAs are about making comparisons between groups of employees, service users or stakeholders to identify differences in their needs and/or requirements. If the difference is disproportionate, then the policy may have a detrimental impact on some and not others.

*'You are looking for bias that can occur when there are significant differences (disproportionate difference) between groups of people in the way a policy or practice has impacted on them, asking the question "Why?" and investigating further'.*

### **Evaluation Decision**

There are four options open to you:

1. No barriers or impact identified, therefore activity will proceed.
2. You can decide to stop the policy or practice at some point because the evidence shows bias towards one or more groups.
3. You can adapt or change the policy in a way which you think will eliminate the bias, or
4. Barriers and impact identified, however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore, you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.

In most cases, where disproportionate disadvantage is found by carrying out EIAs, policies and practices are usually changed or adapted. In these cases, or when a change has been justified you should clearly and concisely record justification for proceeding with caution and your plan to monitor any potential impact in the future.

Completed Equality Impact Assessments should be forwarded to Company Secretary for filing.

## EQUALITY IMPACT ASSESSMENT (EIA)

Question	Response
Name of policy/activity/event being assessed	
Summary of aims and objectives of the policy/activity/event	
What involvement and consultation has been done in relation to this policy? (e.g., with relevant groups and stakeholders)	
Who is affected by the policy/ activity/event?	
What are the arrangements for monitoring and reviewing the actual impact of the policy/activity/event?	

Protected Characteristic Group	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact (e.g., adjustment to the policy)
Age			
Disability			
Gender reassignment			
Marriage or civil partnership			
Pregnancy and maternity			
Race			
Religion or belief			
Sex			
Sexual orientation			

**Evaluation:**

Question	Explanation / Justification	
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?		
<b>Final Decision</b>	<b>Tick Relevant Box Below</b>	<b>Include any explanation / justification required</b>
No barriers identified, therefore activity will <b>proceed</b> .		
You can decide to <b>stop</b> the policy or practice at some point because the data shows bias towards one or more groups		
You can <b>adapt</b> or <b>change</b> the policy in a way which you think will eliminate the bias		
Barriers and impact identified, however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore, you are going to <b>proceed with caution</b> with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.		
<b>Date Completed</b>		
<b>Review Date</b>		