

Equality, Diversity and Inclusion policy

Our commitment

Barhale is fully committed to the principles of equality, diversity and inclusion. In addition to compliance with the relevant equality legislation, the Company strives to promote a culture where discrimination and other negative behaviours are eradicated and that actively values difference, recognising that people from different backgrounds and experiences can bring valuable insights and enhance the way we all work.

Our aim is to create an inclusive organisation where diversity is valued, respected and built upon, and in line with our Source | Train | Retain strategy, has the ability to recruit and retain a diverse workforce that reflects the communities it serves. We recognise that within our industry there looms an immense skills shortage which means the industry will struggle to meet the demands placed upon us without action being taken.

One approach to narrowing the skills shortage is therefore to ensure we source, train and retain great people from the full pool of available talent, encouraging groups who have traditionally been under-represented in the construction industry. In doing this we are embracing and proactively promoting the principles of Fairness, Inclusion and Respect; a recognised commitment developed within our industry to promote equality and diversity, and to work towards the eradication of discrimination. In addition we are committed towards working with our approved suppliers and ensuring that they are aligned to our approach. Please see the paragraphs below for further details.

It is Barhale's policy to treat all employees and potential employees/job applicants fairly and equally with regard to all aspects of employment, including but not limited to recruitment, conditions of work, pay, promotion, discipline, regardless of what is known in legislation as the protected characteristics (please see the policy statement below for further details on these).

As an equal opportunities employer, Barhale recognises the need to promote methods of encouraging diversity whilst ensuring the consistently fair treatment of all Barhale employees. Barhale will endeavour to ensure that no employee is disadvantaged by requirements or conditions which cannot be justified solely on objective job related criteria or substantiated business need. In order to accommodate a more diverse workforce, adjustments to working practices may be considered.

The imposition of any act which has a disproportionate adverse impact on someone for a reason related to the protected characteristics will not only be against the law but will be against the aims of this policy, the Company and the Barhale Values. Discrimination in employment can occur as a result of prejudice, misconception and stereotyping which hinders the proper consideration of individual's talents, skills, abilities and potential experience. It can be direct or indirect, intentional or unintentional.

Definitions

In order to support equality, diversity and inclusion and achieve fairness, we are committed to applying a transparent and consistent approach in all our people processes. Equality in employment can be described as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all groups, the basis of which is supported and protected by legislation.

Diversity means anything which can be used to differentiate groups and people from one another, empowering them by respecting and appreciating what makes them different. By doing so everyone can feel valued for their contributions which is beneficial, not only for the individual, but for the Company.

Inclusion may be defined as the effort and practices an organisation employs in order to ensure that different groups or individuals are culturally and socially accepted, welcomed, and treated equally. It is a sense of belonging which engages people, making them feel respected and valued. The key towards respect in Barhale is to treat others as you would wish to be treated.

These principles are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued, harnessed and taken account of.

Scope

This policy applies to all employees, contractors, temporary or casual workers and job applicants and also applies to organised work-related events regardless of the fact that these may be held outside of the Company's premises and in the employees' own time.

No employee in the provision of our services should discriminate against or harass any other employee, member of the public, subcontractor, customer or client or any other third party.

Employees can be held personally liable as well as, or instead of, the Company for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal act.

Where the Company's services are provided by external contractors or third parties on the basis of a specification set by the Company, these contractors or third parties are responsible for adhering to this policy whilst providing services on behalf of the Company.

Responsibilities

Every employee is required to assist the Company to meet its commitment to equality, diversity and inclusion in employment and the eradication of discrimination. It is the duty of all employees to follow these principles and managers must ensure that all their people comply with this policy. The Company regards respectful behaviour as key to the Values which are an integral part of all that we do. In order to achieve this, all employees are required to:

- implement the policy in their day-to-day work and their dealings with colleagues and visitors
- report any suspected discriminatory acts or practices
- not induce or attempt to induce others to practice unlawful discrimination
- co-operate with any measures introduced to ensure equality of opportunity
- not harass, abuse or intimidate others
- not victimise anyone as a result of them having complained about, reported or provided evidence of discrimination
- ensure their behaviour is appropriate to this policy and that they treat people with respect and dignity

In addition to these requirements which are placed upon all employees, Barhale's Chief Executive Officer, the Directors, the Senior Management Team and Managers at all levels are responsible for:

- providing leadership on equality, diversity and inclusion strategy and policy, acting as overall champions to ensure the policy is implemented
- implementing the policy as part of their day-to-day management of employees and in applying employment policies and practices in a fair and equitable way
- ensuring equality and diversity issues are addressed in performance
- ensuring all staff act in accordance with this policy providing necessary support and direction

- effectively manage and deal promptly when investigating issues relating to potential discrimination, including any concerning members of the general public

HR is responsible for:

- developing employment policy and strategy with regard to equality, diversity and inclusion
- providing guidance to line managers and employees
- supporting managers in investigating issues relating to potential discrimination, including matters concerning members of the general public
- monitoring employment policies and practices
- championing the issues, internally and externally
- facilitating training and development initiatives on equality, diversity and inclusion

Policy statement

The Company will proactively promote the principles of equality, diversity and inclusion, treating everyone equally and with respect, in addition to tackling discrimination or disadvantage, aiming to ensure that no individual or group is directly or indirectly discriminated against for any reason with regard to employment or its services.

Barhale believes that the work environment must be fully inclusive and afford dignity to all and be free of unwanted conduct that violates another's dignity or is intimidating, hostile, degrading, offensive or humiliating to others in any way. No employee, worker, customer or client, subcontractor or any other third party should feel threatened, intimidated or degraded. An individual suffers a breach of the right to dignity at work where they suffer during their employment harassment, victimisation or bullying, or any act, omission or conduct which causes them to be alarmed or distressed. Employees are also reminded that any such behaviour may be considered offensive even where it is not directed personally at the complainant.

We are also mindful of the provision in discrimination law for the rare circumstances when an organisation may need to justify discrimination rather than have a disproportionate effect. This could be, for instance, for genuine occupational reasons. In such circumstances the Company is committed to following the required assessment and objective justification of any decision in order to demonstrate that the provision, criterion or practice concerned is a proportionate means of achieving a legitimate aim.

The Company is committed to ensuring:

- that existing employees, job applicants, or workers are treated fairly in an environment which is free from any form of discrimination based on the protected characteristics of age, disability, gender reassignment, marriage and civil partnerships, race, religion or belief, sex and sexual orientation
- that existing employees, job applicants, or workers are treated fairly in an environment which is free from any form of discrimination with regard to caring responsibilities, part-time employment, membership or non-membership of a trade union or spent convictions
- all employment-related policies, practices and procedures are applied impartially and objectively
- equality of opportunity to all and to provide employees with the opportunity to develop and realise their full potential
- that we promote an inclusive culture and work towards achieving a diverse workforce at all levels
- that employees of the Company can work in an atmosphere of dignity and respect

- that our approved suppliers concur with our approach towards equality, diversity and inclusion, and that this is reflected in their own policies and procedures

We aim to achieve the above by way of the following specific commitments.

Disability in the workplace – making reasonable adjustments

Under the Equality Act 2010, disabled people are protected against discrimination, either directly, or indirectly where a physical feature or provision, criterion or practice puts them at a substantial disadvantage compared with someone who does not have that protected characteristic.

The definition of 'disability' under the legislation is a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on a person's ability to do normal daily activities.

'Substantial' is more than minor or trivial, eg it takes much longer than it usually would to complete a daily task such as getting dressed. 'Long-term' means 12 months or more, eg a breathing condition that develops as a result of a lung infection. People with progressive conditions (ie. those which worsen over time) may also be classed as disabled.

Barhale therefore operates within the law in this regard but is also a **Disability Confident Committed Employer**, and we have enhanced our processes in order to help us to source, recruit and retain disabled people and those with health conditions. This means that we will proactively look to provide an inclusive environment which is accessible to those with physical or sensory impairments, or with learning disabilities.

A big part of this is to give full consideration to reasonable adjustments, where this would help to make the environment more inclusive. Reasonable adjustments are administrative, environmental, or procedural alterations required to enable a person with a disability to work effectively and enjoy equal opportunity. The Company is committed to providing reasonable adjustments for job applicants and existing employees whether the disability is an existing or an acquired condition, or of a temporary or permanent nature.

The Company is committed to:

- Building a culture where employees feel comfortable in disclosing or discussing any disability or long term health condition. Barhale has a mentoring scheme in place which may help to facilitate these types of discussion
- Providing adequate resources to ensure that appropriate equipment and support services are available to employees with a disability where reasonably possible
- Encouraging disabled employees to seek progression in the workplace
- Having due regard for each person's right to privacy and confidentiality when seeking information about their disability for the purpose of making reasonable adjustments
- Reasonable adjustments can include alterations to the type of work employees are doing. In some cases, it may be appropriate to find new positions in the workplace as long as they do not compromise the employee's income, status, safety and wellbeing. It may be appropriate to have parts of roles absorbed by other employees
- Providing adequate car parking facilities and improving access to the normal place of work for employees with a disability
- Ensuring that managers are equipped to support employees who are sick or absent from work, with regard to maintaining contact, occupational health involvement, and support plans at the point where the employee is able to return to work

It is the responsibility of all managers and employees to treat disabled employees (or potential employees) fairly and to ensure that the possibility of making reasonable

adjustments to working/interview arrangements is considered in an open, positive and transparent manner and that any potentially unfair treatment or harassment is reported to HR and dealt with appropriately. If any reasonable adjustment made is likely to affect another employee, that person should be kept informed, in order to avoid misunderstanding or potential discrimination issues.

In the event of an employee becoming disabled as defined in legislation, or a potential employee applying for a position with the Company, we will take the lead in discussing their situation with them. The Company will pay regard to the individual's description of their condition and its impact on the job in question and will discuss:

- The prognosis regarding the condition(s)
- The possibility of making adjustments to the premises to facilitate access and mobility
- The possibility of task re-allocation to enable full employment within areas of capability
- The possibility of providing a support service in conjunction with official support providers
- Providing extra or tailored coaching to facilitate task achievement at the required level
- Amending hours of work to facilitate easier travel or acute fatigue
- Considering the location where the work is performed
- The provision of work-related auxiliary aids
- The possibility of adjusting the work method or materials used

The Company will seek medical advice and the employee/potential employee has a duty to co-operate in this process in a positive manner. The Company may also involve specialist support services and examine what grants may be available to support such provisions.

The possibility of providing such adjustments has to be practical and neither detrimental to efficiency or beyond cost constraints. It is the Company's policy that employees/potential employees falling under the scope of the prevailing legislation will not be disadvantaged wherever it is reasonably practical not to do so.

Transgender Equality

'Trans' or 'transgender' describes people whose gender identity differs from their sex assigned at birth and refers to people who are intending to undergo, are undergoing, or have undergone gender reassignment; identify as having a gender different from that which was assigned at birth who may or may not be planning to have or have had medical interventions such as hormones or surgery; are non-binary, that is, they are not solely male or female and may define themselves as both, neither, or something entirely different, and may or may not have had medical interventions.

Transgender people are legally protected by the UK Gender Recognition Act 2004 and the Equality Act 2010. Barhale respects and embraces this legislation and is fully committed to equality of opportunity for transgender people throughout the recruitment stage and during employment, including offering our support to transgender employees through any transitioning process. We will not tolerate discrimination, victimisation or harassment on the basis of a person's gender identity, gender expression, gender history or trans status.

We seek to provide a supportive environment for transgender employees and to create a culture and environment where they are able to thrive and are well-supported during any process of transition. Where this is the case, the transition process at work will be led by the employee concerned, and their manager should aim to make the process as smooth as

possible by discussing practicalities such as how others will be informed, dress code considerations, welfare facilities, update of records, and attendance at appointments. Further information may be found within CG801-01 Supporting Transgender Employees.

Fairness, Inclusion and Respect (FIR)

Barhale is committed to the principles of fairness, inclusion and respect, as set out by the construction industry as a proactive way to promote equality and diversity. The aim of the FIR principle is to provide organisations with practical ways of ensuring an inclusive culture exists for all employees. We fully support and implement its objectives of treating people fairly, not discriminating, valuing and appreciating everyone's uniqueness and supporting our people to be the best that they can be.

Addressing this is important because of our mobile workforces, the subcontracting practices and the split working environment, both on site and in the office. Our workforce profile, which is heavily dominated by males and individuals whose ethnic origin is described as white British, reinforces the reason why we are committed to FIR objectives.

With that in mind we operate an FIR training course in line with these principles which encourages all delegates to display positive behaviours and attitude towards equality and diversity, as well as conducting toolbox talks on FIR. In addition our employee wellbeing strategy includes support and information on mental health and wellbeing which is aligned to the principles of FIR, and our hiring manager course promotes fairness and objectivity in recruitment decisions.

Skills shortage

We make every effort to contribute towards industry-wide practices which attempt to reduce the skills shortage. We follow the principles of the Procurement Skills Accord, set out by EU Skills, demonstrating our commitment to reducing the skills shortage in our industry by focusing upon workforce sustainability, strategic workforce planning and our programmes to recruit and develop across a broad spectrum.

All of our commitments towards equality, diversity and inclusion support this, as we widen our recruitment scope to attract potential employees from as many backgrounds as possible. For example, each year we recruit apprentices and graduates; we have involvement in schools careers programmes, using our Construction Ambassadors to encourage construction as a realistic option for young people, regardless of gender, from an early age; we have been involved in programmes to facilitate ex-offenders and ex-military personnel back into work; and we have undertaken partnerships with external organisations such as Women Into Construction, sharing ideas and best practice to address the gender imbalance of personnel in our industry. This allows us to recruit from larger talent pools, giving individuals an improved opportunity to get into the industry, where we can then further develop their existing skills to allow them to forge successful careers.

Along with this we seek to work with suppliers whose approach towards the skills shortage and the development of people matches our own (including whether or not they subscribe to any external initiatives themselves).

Recruitment and selection

In line with all of our commitments towards equality, diversity and inclusion, and our corporate social responsibility (detailed in our policy statement, PL106) we operate our recruitment and selection process with fairness at the top of our agenda. Decisions will be taken on the basis of skills, ability to do the job and the competencies of the applicant. Opportunities are regularly advertised in a variety of different ways and all advertisements

carry a commitment to equality in its broadest context. The Company will look to the development of internal talent as well as seeking external talent.

Selection decisions are to be taken purely on merit. The job role profiles will be limited to those requirements which are necessary for the effective performance of the job.

Questioning must be confined to relevant job related issues and selection decisions based on skills, aptitudes and competencies of the candidate. Recruiting managers will attend recruitment and selection training and interviews will follow a standard format which ensures that recruitment decisions are taken fairly and objectively on the basis of a person's ability to do the job.

No candidate will be rejected on the basis of trade union membership, spent conviction or any discriminatory reason.

Please see CPR820 Recruitment and selection procedure for further details.

Promotion

All employees are encouraged to take advantage of promotion and development opportunities. Promotion decisions will be based on capability or demonstrated potential to do the job.

Training and development

Barhale is committed to the development of all our employees. All employees are encouraged to take advantage of training and development opportunities. These may include training courses, workshops, formal qualifications, secondments, or being involved in the mentoring scheme.

Redundancy selection

Selection for redundancy will be based on objective business, job and performance-related criteria.

Monitoring

The Company recognises the importance of monitoring and reviewing our equality, diversity and inclusion policy, and regularly analysing diversity data in respect of employment matters to ensure compliance and to measure progress in meeting our policy statement. Where under-representation occurs, plans will be put in place to address imbalances.

The gender profile of job applicants is monitored on a regular basis. Should inequalities in this regard become apparent, positive action will be taken to redress this including such measures as; examining and where necessary changing the Company's employment policies and practices, providing training and re-training opportunities for those involved in the selection of job applicants or the promotion of employees, changes to job descriptions and person specifications.

We will also use this information to measure our performance against our employment practices such as recruitment, promotions, turnover, grievances, training and performance management.

Breach and Remedy

If at any time there are grounds to believe that an employee, subcontractor, customer or any other third party has been discriminated against, bullied, harassed, victimised or otherwise caused offence to, the Company will instigate an investigation into the alleged behaviour.

This will be the case whether or not there has been a formal complaint. Furthermore, any employee who witnesses an incident that may reasonably be viewed as offensive is obliged to report in factual terms what he or she saw or heard to a senior manager or member of HR.

Action will be taken against third parties where there has been any discrimination, harassment, bullying or victimisation towards another in the employment context.

Employees should report any bullying or harassment by employees, customers, suppliers, visitors or others to their manager who will take appropriate action and anyone who believes that he or she may have been discriminated against or has been subjected to unfair treatment in contravention of this policy is entitled to raise the matter through CPR823 Grievance procedure. If a worker (engaged through or by an employment agency or contractor) considers they have been discriminated against, they should raise the matter directly with their employer, who will liaise with our HR team where necessary.

All employees are assured that where a grievance concerns any discrimination or harassment issues then the complaint will be taken seriously, investigated objectively and confidentiality will be maintained throughout the investigation of the allegation to the maximum extent possible.

No employee, subcontractor, customer or any other third party will be penalised, victimised or subjected to any detriment for complaining that his or her dignity has been breached through a colleague's or third party's (e.g. customers, suppliers or member of the public) words or actions.

However if a complaint is found to be untrue and has been brought maliciously, disciplinary action may be taken against the complainant.

The importance and gravity of this policy are such that breaches of it will be treated as a disciplinary offence, as will any attempt to victimise or retaliate against an employee or other third party bringing a complaint. Disciplinary proceedings will be invoked in accordance with CPR822 Disciplinary procedure. Employees are reminded that conduct or behaviour which is discriminatory and breaches this policy may constitute gross misconduct, the sanction for which is dismissal without notice.

Explanation of terms

Discrimination concerning sex, pregnancy or maternity, gender reassignment, sexual orientation, religion or belief, marriage and civil partnership, age, race or disability is covered by the Equality Act 2010 and these forms of discrimination are therefore illegal.

It is also unlawful to; instruct another person to discriminate; put pressure on someone to discriminate and/or to aid someone in committing an unlawful discriminatory act.

Discrimination which disadvantages a person can be carried out in a number of ways. The below are non-exhaustive examples of discrimination.

Direct discrimination

Direct discrimination occurs where a person is treated less favourably than another because of a protected characteristic. This would include using inappropriate, biased or prejudiced methods in any employment matter by refusing employment, promotion, training or other benefits, facilities and services or having unfair opinions about people or groups of people and using these opinions to make unfair decisions. An example of this would be if an employer refused to employ a woman because she is pregnant.

Direct discrimination can only be justified in relation to a protected characteristic where there is an occupational requirement. The occupational requirement must be crucial to the post and proportionate means of achieving a legitimate aim.

Direct discrimination by association

Associative discrimination occurs where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although not included would be harassment because of marriage or civil partnership and pregnancy and maternity).

An example of associative discrimination would be, for example, excluding someone because s/he is associated or connected with someone with a protected characteristic (other than those above) such as discriminating against someone because they care for a disabled relative.

Direct discrimination by perception

Perceptive discrimination is where an individual is directly discriminated or harassed based on a perception that s/he has a protected characteristic when s/he does not, in fact, have that protected characteristic (excluding marriage/civil partnership, pregnancy and maternity).

An example of perceptive discrimination would be ignoring an individual because s/he is perceived to have a protected characteristic when s/he does not, in fact, have that protected characteristic.

Indirect discrimination

Indirect discrimination occurs where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be a detriment or disadvantage to people who share that protected characteristic compared to people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

An example of indirect discrimination would be requiring qualities or standards which are unjustified and which some groups or people cannot satisfy, for example, number of years' experience/residence in the UK.

Victimisation

Victimisation is where a person is treated less favourably or suffers a detriment because they have brought proceedings, given evidence or supported a complaint or alleged a contravention of the Equality Act 2010 or because they are suspected of doing so.

An example of victimisation would be where an employee raises a grievance that an employer has failed to make reasonable adjustments for them to fulfill their role and then is systematically excluded from all meetings, or other business-based activities.

Please note that an employee will not be afforded this protection if it transpires that s/he has acted maliciously or made or supported an untrue complaint.

Harassment

Harassment is where there is unwanted conduct related to one of the protected characteristics (other than marriage/civil partnership, pregnancy and maternity) that has the

purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment or any behaviour that is unwanted or offensive to the recipient or which causes them to feel threatened, humiliated or harassed. This includes any conduct which interferes with the individual's performance, undermines their job security or creates a threatening or intimidating work environment. It may be either an isolated incident or persistent behaviour.

The conduct or behaviour does not have to be intended, but if it is construed as harassment by the individual affected, then it may still constitute harassment.

Everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others. Behaviour that any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to him/her, for example, sexual touching. It may not be so clear in advance that some other forms of behaviour would be unwelcome, or could offend a particular person, for example, certain banter or flirting. In these cases first-time conduct that unintentionally causes offence will not be harassment but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him/her.

An individual can complain of behaviour they find offensive, humiliating, hostile or offensive even if that behaviour is not directed to them specifically. They need not have the relevant protected characteristic themselves in order to complain of the behaviour (excluding marriage/civil partnership, pregnancy and maternity).

Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour and/or abuse of or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end and can undermine the confidence and capability of the victim.

It may take the form of verbal abuse, violent gestures, physical violence, allocation of 'blame' and 'picking on' workers unfairly, public humiliation or a more subtle 'war of words' to undermine confidence, exclusion from group/team activity, silent treatment. The behaviours are unwelcome to the victim and are undertaken in circumstances where the victim has difficulty in defending themselves. The behaviours may be carried out as a deliberate act or unconsciously but it is the impact of the behaviour, rather than the intent, which is the key to understanding whether bullying has occurred. An example of bullying would be making threats or comments about someone's job security without good reason.

Both bullying and harassment may be by an individual against an individual, or involve groups of people. It may be physical, verbal or non-verbal; obvious or insidious, but in whatever form it is unwarranted and unwelcome to the individual.

Examples of bullying and harassment include (but are not limited to):

- physical conduct ranging from unwelcome touching to serious assault
- unwelcome sexual advances
- threats for rejecting sexual advances
- demeaning comments about a person's appearance
- unwelcome jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion
- unwanted nicknames related to a person's age, race or disability
- excluding an individual because s/he is associated with someone with a protected characteristic
- ignoring an individual because s/he is perceived to have a protected characteristic,
- the use of obscene gestures

- the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, eg. magazines, calendars or 'pin-ups' (whether male or female)
- Spreading malicious rumours or insulting someone
- Picking on someone or setting him/her up to fail
- Making threats or comments about someone's jobs security without good reason
- Isolation or non cooperation at work
- Excluding someone from social activities

Examples of grounds other than the legislative grounds noted above upon which people may be harassed include (but is not limited to):

- membership, or not, of a Trade Union
- status as ex-offenders

Training and communication

Barhale is committed to regular reviews of this policy and to communication of these standards to our employees through induction and written policies and procedures, all of which are available via the Portal.

The Company is also committed to providing training to ensure its employees and managers are able to operate and comply properly with this policy, for example, recruitment and selection training.



Matthew Behan
Chief Executive Officer
July 2019



Andy Flowerday
Executive Director
Director responsible for HSEQ
July 2019