Equality, Diversity and Inclusion Policy

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MVKELLY
CIVIL ENGINEERING

CONTENTS

Policy Overview 2
Definitions 2
Our Commitment 2
Recruitment and Selection Exercises 3
Disability 4
Part-Time and Fixed-Term Work 5
Reporting a Complaint 5
Breaches 5
Responsibilities 5

Policy Overview

M.V. Kelly Limited are committed to providing a workplace where every individual is treated with dignity, fairness, and respect. We value the diversity of our employees and recognise that an inclusive culture leads to better decision-making, improved performance, and a positive working environment.

We are committed to ensuring that no employee, job applicant, contractor, or visitor receives less favourable treatment on the basis of a protected characteristic or personal attribute. We will actively oppose all forms of unlawful discrimination and work to remove barriers that prevent individuals from participating fully in the workplace.

The purpose of this policy is to:

- Promote equality, diversity, and inclusion across all working practices and decision-making processes.
- Ensure compliance with the Equality Act 2010 and other relevant UK legislation.
- Set out clear expectations for employees, managers, and HR in maintaining an inclusive and respectful environment.
- Provide guidance on how discrimination, harassment, and victimisation will be prevented, addressed, and resolved.
- Support a culture where difference is valued and individuals are encouraged to reach their full potential.

This policy applies to all persons working for or on behalf of M.V. Kelly Limited in any capacity.

This policy covers all work-related activities, including on-site work, remote work, training, social events, business travel, and interactions with clients or customers.

This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

Definitions

- **Equality:** Ensuring individuals or groups are not treated less favourably based on protected characteristics.
- **Inclusion:** Creating an environment where everyone feels valued, respected, and supported to participate fully.
- **Direct Discrimination:** Treating someone less favourably because of a protected characteristic.
- **Indirect Discrimination:** Applying a provision, criterion, or practice that appears neutral but disadvantages individuals who share a protected characteristic.
- **Harassment:** Unwanted conduct related to a protected characteristic that violates someone's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment.
- **Victimisation:** Treating someone unfavourably because they have made or supported a complaint or allegation under equality legislation.
- **Disability Discrimination:** Failing to make reasonable adjustments or treating a person unfavourably because of something arising from their disability.
- **Associative Discrimination:** Discrimination against someone because they are associated with a person who has a protected characteristic.
- **Perceptive Discrimination:** Discrimination based on the belief that someone has a protected characteristic, whether or not they actually have it.

Our Commitment

It is vital for us to consistently review, develop and strengthen our approach to Equality, Diversity and Inclusion. We are committed to:

- Encourage Equality, Diversity, and Inclusion within the workplace, ensuring all individuals feel respected, supported and able to contribute fully.
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, where dignity and respect are at the forefront of everyday behaviour, and where individual differences and contributions are recognised and valued.
- Provide training to managers on recognising and preventing discrimination, harassment, and victimisation, and ensuring all employees receive training on their rights and responsibilities.
    - Responsibilities include upholding equality of opportunity, supporting diversity in recruitment, development and promotion, and prevent bullying, harassment, victimisation and unlawful discrimination.
    - Regular refresher training will be provided so all employees understand this policy and are aware that both they and M.V. Kelly Limited may be held liable for acts of discrimination or harassment again colleagues, customers, suppliers, or members of the public.
    - This applies both within and outside the workplace, including work-related travel, events, and social occasions.
    - Following training, all employees will be required to confirm that they have read, understood and will comply with this policy.
- Take seriously all complaints of bullying, harassment, victimisation and unlawful discrimination, whether made by employees, customers, suppliers, visitors, the public or others involved within the business.
    - All complaints will be treated as misconduct and addressed under the Company's grievance or disciplinary policy.
    - Serious complaints may constitute gross misconduct and could result in dismissal without notice.
    - Sexual harassment may amount to both an employment rights issue and criminal offence, such as sexual assault, and may be reported to the appropriate authorities where necessary.
- Ensure opportunities for training, development and career progression are available to all employees, enabling individuals to reach their full potential so that their talents and skills are fully utilised to maximise the efficiency of the Company.
    - Decisions relating to recruitment, promotion, training and benefits will be based solely on merit, skills and ability.
- Make employment-related decisions based on merit, except where a limited exemption may apply under the Equality Act 2010.
- Regularly review employment practices, policies and procedures to ensure fairness and legal compliance, and update them to reflect changes in legislation or best practice.
- Monitor workforce diversity to ensure equality of opportunity, identifying barriers affecting disadvantaged or underrepresented groups, and taking appropriate action to remove obstacles and support inclusion.

Recruitment and Selection Exercises

M.V. Kelly Limited are committed to ensuring that all recruitment, promotion and selection processes are fair, transparent, inclusive, and based solely on merit. All decisions will be made using objective criteria that avoid discrimination and support equality of opportunity.

Merit-Based and Objective Selection

- All recruitment, promotion and other selection exercises (including redundancy selection) will be conducted on the basis of merit, suitability, and skills relevant to the role.
- Where possible, shortlisting will be conducted by more than one person to minimise the impact of unconscious bias.
- Recruitment and selection procedures will be reviewed regularly to ensure they remain fair, consistent, and compliant with current legislation.

Inclusive Advertising and Wording

- Job vacancies will be advertised to reach a diverse section of the labour market.
- Job adverts and recruitment materials must:

    - Use inclusive, accessible, and non-stereotypical wording.
    - Avoid language that may deter individuals from protected groups from applying.
    - Clearly specify essential and desirable criteria.
- We will actively seek opportunities to attract candidates from underrepresented backgrounds where appropriate.

Non-Discriminatory Interview and Questioning

- Job applicants must not be asked questions that could indicate an intention to discriminate based on a protected characteristic.
- Questions about an applicant's health or disability must not be asked before a conditional offer is made, except where permitted by law (e.g., to establish adjustments needed for the recruitment process or determine if the applicant can perform an intrinsic part of the job).
- Where required, job offers may be made conditional upon a satisfactory medical check.

Health and Disability Information

- Monitor forms relating to equality, diversity and inclusion may include disability or health questions, but this information must not be used for selection or decision-making.
- Such data must be handled confidentially and in compliance with UK GDPR.

Right to Work in the UK

- We have a legal obligation to ensure that all employees are entitled to work in the UK.
- No assumptions must be made about an individual's immigration status based on appearance, name, accent or nationality.
- All prospective employees must provide original documents to demonstrate their right to work before employment begins.
- Checks will be carried out consistently for all candidates, regardless of background.

Commitment to Workforce Diversity

- When recruiting or promoting, we will take steps to improve the diversity of the workforce wherever possible.
- All applicants will be considered fairly and consistently, and reasonable adjustments will be offered throughout the recruitment process to ensure equitable access.

Disability

M.V. Kelly Limited are committed to ensuring that employees and applicants with disabilities are treated fairly and are supported to carry out their roles effectively. We will take all reasonable steps to remove barriers, provide adjustments, and create an environment where disabled individuals can flourish.

We are committed to:

- Promote an inclusive workplace that actively supports employees with disabilities and long-term health conditions.
- Ensure that no employee or applicant is placed at a disadvantage due to disability, or something arising from their disability.
- Make reasonable adjustments to working conditions, job duties, hours, or the physical environment wherever practicable.
- Ensure recruitment, selection, induction, and training processes remain accessible and inclusive.
- Treat disability-related information sensitively and confidentially, sharing only where necessary and with consent.
- Review adjustments regularly to ensure they continue to meet the needs of the individual.
- Seek occupational health advice or external specialist input where appropriate.
- Provide adjustments at any stage of the recruitment process when requested or where need is identified.
- Avoid asking health or disability-related questions before a conditional offer of employment, except where legally permitted.
- Ensure all applicants have equal opportunity to demonstrate their abilities.

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can consider any reasonable adjustments or support that may be appropriate.

Part-Time and Fixed-Term Work

We are committed to ensuring that part-time and fixed-term employees are treated fairly and are not subjected to less favourable treatment than comparable full-time or permanent staff, unless objectively justified.

We will ensure that:

- Pay, annual leave, and other benefits are applied on a pro-rata basis where appropriate.
- Part-time and fixed-term employees have equal access to training, development, and promotion opportunities.
- Contract type or working hours do not disadvantage employees in relation to workload, communication, or participation in workplace activities.
- The use of fixed-term contracts is appropriate and reviewed regularly, with opportunities for permanency considered where suitable.
- Part-time and fixed-term employees are included fairly in processes such as redundancy selection.

Reporting a Complaint

If you believe that you have suffered harassment, bullying or discrimination, or witnessed it happening to someone else in the workplace, you can raise the matter through our Grievance procedure and through our Anti-Bullying and Harassment Policy as appropriate. Complaints will be treated in confidence and investigated as appropriate.

There must be no victimisation or retaliation against staff who complain about or report discrimination. If you believe you have been victimised for making a complaint or report of discrimination or have witnessed it happening to someone else in the workplace, you should raise this through the Grievance procedure.

We encourage the reporting of all types of potential discrimination, as this assists us in ensuring that diversity, equity, and inclusion principles are adhered to in the workplace. However, making a false allegation in bad faith, or that you know to be untrue, will be treated as misconduct and dealt with under our Disciplinary Policy.

Breaches

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination and victimisation may amount to gross misconduct resulting in dismissal.

Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 (which is not limited to circumstances where harassment relates to a protected characteristic) is a criminal offence.

Responsibilities

Employees

- Understand and comply with this policy at all times.
- Treat colleagues, clients, customers, partners, and members of the public with dignity and respect.
- Contribute to an inclusive, welcoming, and supportive environment.
- Report incidents of harassment, bullying, or discrimination, in accordance with this policy.
- Participate in required equality, diversity, and inclusion training.

Managers/Directors

- Lead by example through inclusive and respectful behaviours.
- Ensure that all employment decisions (e.g., recruitment, promotion, training) are free from bias and follow Company procedures.
- Address inappropriate behaviour promptly and appropriately.
- Take appropriate action where inappropriate behaviour is observed or reported, even where a formal complaint has not been made.
- Handle complaints sensitively, fairly and without unreasonable delay.
- Ensure reasonable adjustments are identified, implemented, and reviewed.
- Encourage open communication, psychological safety, and equal participation in team activities.
- Seek advice from HR where necessary and ensure appropriate action is taken to protect employees.

HR

- Ensure this policy is applied consistently throughout M.V. Kelly Limited.
- Develop, maintain, and monitor EDI policies and procedures.
- Advise managers and employees on equality and inclusion matters.
- Support investigation of complaints relating to discrimination or harassment.
- Monitor diversity data to identify and address inequalities.
- Ensure the business meets its legal obligations under equality legislation.
- Ensure confidentiality and compliance with data protection requirements.