



WE OPEN THE WAY

# Equality & Diversity Policy

This policy will be communicated throughout the organisation including subsidiaries: Colas Isle of Man, Colas SIAC projects, Allied Infrastructure and Colas UK Projects Ltd and is readily available to interested parties on request and will be kept as documented information.

## Introduction

Colas is fully committed to promoting equality and diversity and maintaining a culture of fairness, transparency and respect for all employees, clients, communities, suppliers, contractors and other stakeholders. Colas aims to be inclusive, meet diverse needs and promote awareness and ownership in the workplace and the communities in which we serve.

Colas values the strength and differences that a diverse workforce brings to the organisation and believes that by harnessing these differences, we will foster a productive environment where equity and mutual respect are intrinsic, where talents are being fully utilised and organisational goals are met.

## Definition of Equality and Diversity

Diversity means having a mixture of different people. They can be different because of their race (which includes colour, nationality and ethnic or national origins), age, sex, religion or belief, sexual orientation, disability, pregnancy and maternity, marriage and civil partnership or gender reassignment. Accepting diversity means being open to people's differences. By doing this we can recognise the talent and potential that people from all different backgrounds have to offer.

Equality in the workplace is about ensuring the equal treatment of people irrespective of social or cultural differences. These can be along the dimensions of their race (which includes colour, nationality and ethnic or national origins), age, sex, religion or belief, sexual orientation, disability, pregnancy and maternity, marriage and civil partnership or gender reassignment.

We aim to promote a culture of Equality and Diversity within the organisation in order to:

- Select and recruit the very best people, basing our judgements solely on suitability for the job.
- Maximise people's abilities by removing artificial and irrelevant barriers to their development, training and promotion.
- Draw from the widest pool of possible candidates.
- Maintain a fair working environment free from harassment and intimidation (regarding race, sex, religion or beliefs, age, disability, sexual orientation, marriage or civil partnership, gender reassignment and pregnancy or maternity).
- Encourage diversity in the workforce reflecting the diversity in the working population.
- Ensure compliance with European and UK legislative requirements.
- Assist in the achievement of business objectives, as employee development is an essential objective of a proactive company.
- Develop positive, long-lasting working relationships with our stakeholders, underpinned by integrity and professionalism.
- Create an engaged workforce.



WE OPEN THE WAY

## Nature and Scope of the Policy

The organisation will not discriminate because of race, age, sex, religion or belief, sexual orientation, disability, pregnancy and maternity, marriage and civil partnership or gender reassignment. It will not discriminate because of any other irrelevant factor and will build a culture that values openness, fairness and transparency.

The company recognises its responsibility to ensure that the terms of the following relevant legislation are observed:

- Equality Act 2010
- Protection from Harassment Act 1997
- Employment Rights Act 1996
- Employment Relations Act 1999
- Part-time Workers Regulations 2000 SI 2000/1551
- Prevention of Less Favourable Treatment Regulations 2002
- Employment Act 2002

The company will ensure a positive attitude towards inclusion, equality of opportunity and celebrating diversity and will communicate the terms of this policy to each employee.

The overall implementation of this policy is the ultimate responsibility of the Chief Executive.

All employees have a personal responsibility for the practical application of this policy in their day-to-day activities and working relationships with colleagues, customers and other third parties. Behaviour or actions that contravene the policy will not be tolerated and will be dealt with in line with the organisation's disciplinary policy.

The scope of this policy applies to all stakeholders, including employees, clients, customers, governments, regulators, suppliers, joint venture partners and subcontractors, whether permanent or temporary.

Decisions relating to customers and communities will be based on business-related criteria only and any irrelevant information will not form part of the process.

This policy and the associated strategy will be reviewed by the HR Department on an ongoing basis to reflect changes in the law, demographics and internal business requirements. Training to support this policy will be co-ordinated by the HR Department and compliance will be monitored.

The company will ensure that all policies including compensation, benefits and any other relevant issues associated with Terms and Conditions of Employment are formulated and applied without regard to race, sex, religion or beliefs, age, disability, sexual orientation, marriage or civil partnership, gender reassignment and pregnancy or maternity.

## Types of Discrimination

Discrimination is defined as direct (which includes perception discrimination and discrimination by association) or indirect. It is unlawful to discriminate against individuals either directly or indirectly due to a 'protected characteristic' e.g. their race, age, sex, religion or belief, sexual orientation, disability, pregnancy and maternity, marriage and civil partnership or gender reassignment does not take place in the services we provide, the workplace and the communities we serve:

- **Direct discrimination** occurs when a person is less favourably treated than somebody else, because of a protected characteristic they have or are thought to have.



WE OPEN THE WAY

- **Indirect discrimination** occurs when an unjustifiable provision, condition or policy is applied equally to all groups but has a disproportionately adverse effect on one particular group of employees sharing a protected characteristic. This does not apply where the provision, condition or policy can be objectively justified by a legitimate aim and that the means of achieving that aim are fair and reasonable.
- **Perception discrimination** is a form of direct discrimination whereby the person is treated less favourably because they are perceived to possess a protected characteristic. This applies even if the individual does not possess the characteristic.
- **Discrimination by association** occurs when a person is treated less favourably than someone else due to the fact that they associate with other (s) that possess a protected characteristic..
- **Third party harassment** is harassment of employees by people (third parties) who are not employees of Colas Limited.
- **Victimisation** occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

## Harassment

Harassment is unwanted conduct in relation to a relevant protected characteristic which has the purpose or effect of violating the individual's dignity or creating a threatening, degrading, intimidating or offensive environment.

Harassment may occur where an individual finds the behaviour of another person offensive in relation to a protected characteristic, even if the behaviour is directed at someone else, or if the person does not possess any of those characteristics.

An individual may complain of harassment, where there is unwanted conduct towards them because of their association with another person who possesses a protected characteristic.

## Recruitment

The company will not discriminate directly or indirectly when advertising posts by including any requirements or criteria which are unnecessary for the effective performance of the job.

All vacant posts will be advertised by the appropriate method. All advertisements will be directed by HR to ensure compliance to the policy.

The company will place advertisements in locations and publications which attract applicants from a broad range of the population in order to encourage applications from all sections of the community. Advertisements will state that the company is an equal opportunities employer and that it will welcome applications from all sections of the community.

Application forms include a statement to the effect that the company is an equal opportunities employer who recognises the value of having a diverse workforce. Data regarding ethnic origin will be obtained from the application form and monitored. Appropriate action will be regularly taken in respect of recruitment, training etc.

Recruitment will be based on up to date job descriptions and person specifications. The contents of the person specification should not be unnecessarily restrictive so as to exclude any sector of the community and will not be subjective or contain irrelevant criteria.

Objective and relevant criteria for short listing and selection will be applied consistently and fairly to all candidates. The final decision will be made based solely on the merits and abilities appropriate to the job.



**WE OPEN THE WAY**

Questions asked at interviews must be related to the requirement and circumstances of the job, and must not be of a discriminative nature.

Staff responsible for short listing, interviewing and/or selecting candidates shall be informed through training programmes of the affects that generalised assumptions and prejudices about protected characteristics can have on selection decisions.

Staff shall be advised of this policy during their Induction.

## **Training, Development and Promotion**

In order to ensure fairness and equality, managing diversity must be integrated into all training concerned with selection skills, assessments, counselling, development and the management and supervision of people on a day to day basis. The importance of equality and diversity in customer care initiatives is recognised.

The status of a person has no relevance when assessing ability or potential.

Staff involved in recruitment, transfers, promotions, appraisal, counselling and training must be able to demonstrate that any decision made is based solely on objective criteria, after a careful assessment of the individual. Colas believe that everyone should be merited solely on the basis of their personal ability, skills, experience, performance and potential for the job. Preconceptions and assumptions have no place in the company's equal opportunities and diversity policies and practices.

## **Employees with Disabilities**

It is the policy of Colas to give full and fair consideration to every application for employment from disabled persons; the abilities and aptitudes of each disabled applicant will be examined in relation to the vacancy available. People with disabilities should not be discouraged from applying for employment merely because of their disability when in other respects they might be suited to the job.

When interviewing a disabled candidate, the interviewer should:

- Be prepared to leave out the assessment of a disability which has no relevance to the performance of the job.
- Undertake reasonable adjustments to the job, to equipment or to the working environment.

Following normal induction, any problems should be identified and discussed with a view of finding ways to overcome them. Appropriate training should be considered for the immediate Manager/ Supervisor in understanding the nature of the disability and any extra problems in supervision that might result.

With regard to employees who become disabled, where practicable, it will be standard practice either to provide the means for such staff to continue their existing duties or, if this is not possible, to seek to re-deploy them to other suitable duties within the company. Where practicable the company will provide any special facilities and equipment.

Where appropriate, flexible approaches will be adopted in respect of work procedures, if this would enable a suitable job to be adapted for a disabled person.

Care should be taken to ensure that disabled employees are not denied opportunities for training, extra responsibility or more demanding work because of pre-conceived ideas about the limitations imposed by their disability.

The development of disabled people should be based on a realistic assessment of their abilities, with specialist advice where appropriate.

The Company and its employees must ensure that a disabled person is not treated unfavourably because of something connected to their disability.



WE OPEN THE WAY

## Flexible Working

The Company recognises the benefits of flexibility in working arrangements. Moreover, we recognise the rights of all employees working under such arrangements to be treated fairly and consistently in comparison to full-time, permanent employees and to be given the same opportunities for development.

Pay and benefits for employees on flexible working arrangements is consistent with full-time entitlements, wherever possible, and provided on a pro rate basis.

## Supply Chain

Equality, Diversity and Inclusion (EDI) is a critical component of creating and managing a resilient and sustainable supply chain. As well as ensuring compliance with our statutory obligations, it allows us to reach a wider talent pool and leverage the power of diversity - this policy is embedded within the procurement process and procedures across Colas Ltd.

We also collaborate with our supply chain partners, particularly SMEs, so that they understand the benefits of diversity and fulfil their own commitments to EDI when delivering works on our behalf.

## Monitoring

Examining the effects of policy and programmes of action on a regular and structured basis is fundamental to the success of establishing and maintaining a culture of equality and diversity. The objectives of monitoring are:

- To identify areas of, and reasons for, under-representation of particular groups in the workforce.
- To assess the effect of employment procedures and practices and identify any unintentional adverse impact on particular groups.
- To enable the company to review and reshape its equal opportunities and diversity policy and programme of action.
- To identify if any employees are discriminating against others and to enable the company to take appropriate disciplinary action.

Monitoring will be undertaken by HR who will:

- Centralise equality and diversity monitoring within the company.
- Collect information on individual's nationality, ethnic origin, gender, sexual orientation, religion or belief and disability for the sole purpose of monitoring the effectiveness of this policy.
- Ensure such information is not misused.
- Collate the statistical information and review it at 12 monthly intervals.

## Grievances and Discipline

The company will take seriously and deal with all complaints of discrimination on the grounds of any protected characteristic. Anyone who makes a complaint or who gives evidence will not be victimised or treated less favourably than other employees.

Employees who believe that they have experienced unfair or unlawful discrimination, abuse or harassment should raise their concern through the company's grievance procedure.

**Chief Executive Officer**  
C. Fergusson

September 2021