

# EMPLOYMENT POLICIES

## 2024



## Employment Policies Index

1. Equal Opportunities, Diversity & Inclusion Policy
2. Anti-Victimisation and Harassment Policy
3. Modern Slavery Policy
4. Recruitment & Employment Policy
5. Vetting & Barring Policy
6. Training Policy

### Approval

All six of these employment policies contained in this document have been reviewed and approved by the organisation's board of directors.



Paul Birdsall  
Managing Director  
Birdsall Services Ltd

Date: 2<sup>nd</sup> January 2024

## 1. Equal Opportunities, Diversity & Inclusion Policy

### Policy Statement

The Company values a diverse workforce and the contribution everyone makes. We are committed to promoting inclusivity, equality and diversity in our policies, practices and procedures.

This policy applies to the Company's dealings with all its people as well as others engaged by or who work with the Company including, for example, customers, job applicants, sub-contractors and other third parties.

The Company believes in treating everyone equally and with the same attention, courtesy and respect regardless of their age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex and sexual orientation. These will be referred to in this policy as the "protected characteristics".

For the purpose of this policy "the Company" relates to both Birdsall Services Ltd & Birdsall Ltd.

### Objectives of this Policy

The objective of this policy is to prevent and stop all forms of unlawful discrimination in line with the Equality Act 2010.

The objective of this policy is to ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills, productivity and performance.

### Regulation and Legislation

In developing and implementing our anti-discrimination policy, the Company is committed to complying with the Equality Act 2010.

### Forms of discrimination

Discrimination can take a variety of forms including direct discrimination, indirect discrimination, harassment, victimisation and, for those with a disability, discrimination arising from disability and a failure to make reasonable adjustments.

### Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect and includes discrimination by perception and association.

### Employment and training - General statement

As an employer, it is the Company's policy to treat all employees and job applicants equally and fairly and not to discriminate unlawfully against them. This will, for example, include arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, selection for redundancies, work allocation and any other employment related activities.

## **Recruitment and selection**

The Company recognises the benefits of having a diverse workforce and will take steps to ensure that:

- it endeavours to recruit from the widest pool of suitably qualified candidates possible
- employment opportunities are open and accessible to all based on their ability, skills, experience, appropriate qualifications and aptitude for the job
- all recruitment agencies acting for the Company align with our equality and diversity requirements and their own requirement not to unlawfully discriminate

## **Terms and conditions of work**

It is the Company's policy to treat its people equally, to create a working environment which is free from unlawful discrimination and which respects, where possible, the diverse backgrounds and beliefs of partners and employees.

Working arrangements such as working hours, maternity and other leave arrangements, performance review systems and any other conditions of employment will not unlawfully discriminate against any employee in a way that cannot be justified on the basis of the protected characteristics.

Where appropriate, the Company will endeavour to provide appropriate facilities and working arrangements which consider the specific needs of employees which arise from their having any of, or being associated with, the protected characteristics.

## **Promotion and career development**

Promotion within the Company is made without reference to any of the protected characteristics and will be based solely on merit.

The selection criteria and processes for recruitment and promotion will be kept under review to ensure that there is no unlawful discriminatory impact on any group which cannot be justified.

While positive action measures may be taken in accordance with the relevant anti-discrimination legislation to encourage under-represented groups to apply for promotion opportunities, recruitment or promotion to all jobs will be based solely on merit.

All employees will have equal access to training and other career development opportunities appropriate to their experience and abilities. The Company may take appropriate positive action (as permitted by the anti-discrimination legislation) to provide special training and support for groups which are under-represented in the workforce and encourage them to take up training and career development opportunities.

## **Appropriate behaviour**

It is expected that everyone in the Company will conduct themselves in an appropriate manner, which can be characterised by:

- treating others with dignity, trust and respect
- having an awareness of the effects our behaviour may have on others
- working collaboratively to achieve objectives
- communicating openly and honestly, clearly stating what we mean and what we expect of others
- giving and receiving constructive feedback as part of normal day-to-day activities, that is evidence based and delivered appropriately
- starting from the assumption that everyone is working to the best of their abilities, taking account of their current stage of their professional development

Unacceptable behaviour (including bullying, harassment, and victimisation) may involve actions, words or physical gestures that could reasonably be perceived to be the cause of another person's distress or discomfort. Unacceptable behaviour does not have to be face-to-face, and may take many forms such as written, telephone or email communications or through social media. Unacceptable behaviour will be dealt with under the processes set out in our Victimisation and Anti-harassment policy.

All directors and managers are expected to set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives in relation to equal opportunity, diversity and inclusion.

### **Promoting and communicating equality and diversity**

This policy is published on the Company intranet and is also available to job applicants on the firm's website. All those who act on the Company's behalf will be informed of this policy and will be expected to comply with it.

In all its dealings, with customers and other third parties, the Company will seek to promote the principles of diversity, inclusion and equality.

The Company will make every effort to reflect its commitment to diversity, inclusion and equality in its marketing and communication activities where appropriate.

### **Implementing the policy**

#### **Responsibility and implementation**

The Managing Director supported by the HR Director have overall responsibility for the effective implementation and operation of this policy. The directors of the Company are expected to support them in this.

All directors and employees of the Company are expected to pay due regard to the provisions of this policy and should ensure compliance with it when undertaking their jobs or representing the Company.

Acts of unlawful discrimination by directors, employees or others may result in disciplinary action, which in serious cases could result in summary dismissal. Please see our Disciplinary Procedure for more information. Failure to comply with this policy will be treated in a similar fashion.

Acts of unlawful discrimination by those acting on behalf of the Company will lead to appropriate action, which may include termination of services where appropriate.

#### **Complaints of discrimination**

The Company will investigate all complaints of unlawful discrimination made by directors, employees, customers or other third parties in relation to the Company and act where appropriate. All complaints will be investigated in accordance with the Company's grievance or complaints procedure and the complainant will be informed of the outcome.

There will be no victimisation or retaliation against employees who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under the Company's disciplinary procedure.

#### **Monitoring and evaluation**

- The Company collects, reports and monitors diversity data. This allows us to see the effectiveness of equality and diversity initiatives that have been implemented, as well as helping us to take appropriate steps to avoid unlawful discrimination. Having up-to-date and

comprehensive data enables us to target and support initiatives within the firm and illustrates our commitment to diversity and inclusion.

- In particular, the Company will as appropriate and where possible, monitor and record:
  - The protected characteristics, whether someone has caring responsibilities and their educational background (to measure social mobility), at different levels of the Company. This data is collected on a voluntary basis. The HR system securely holds age, gender, disability, ethnic and national origins, sexual origination, religion or belief and disability data for employees and partners.
  - On a voluntary and anonymous basis, the gender, ethnic group, disability, sexual orientation and age on of all applicants as part of the recruitment process for all jobs and training contracts. This data is kept separate from the candidates' actual job application.
  - The number and outcome of any complaints of unlawful discrimination made by directors, employees, clients and other third parties in relation to the Company and its business.
- To support the Company's business strategy, the HR Director sets diversity and inclusion objectives. With specific priorities in mind the Company will:
  - set specific areas of focus every 18-24 months
  - collect, monitor and report diversity and inclusion data
  - plan initiatives around agreed actions
  - execute those initiatives
  - evaluate initiatives to establish if they were successful.

## Forms of discrimination

**Protected characteristics** under the Equality Act 2010 (the "Act") are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race (including colour, nationality and ethnic or national origins)
- religion or belief
- sex
- sexual orientation.

**Direct discrimination** occurs where a person is treated less favourably than another person because:

- they have a protected characteristic
- they are thought to have a protected characteristic
- they associate with someone who has a protected characteristic.

**Indirect discrimination** – occurs when a provision, criterion or practice that applies to everyone but adversely affects people with the protected characteristic more than others and is not justified.

**Discrimination arising from disability** – occurs where a person is treated unfavourably because of something arising in consequence of their disability and that treatment is not justified.

**Failure to make reasonable adjustments** – occurs where the Company fails to take such steps (adjustments) as are reasonable to alleviate disadvantages caused by a disability.

**Harassment** occurs when unwanted conduct related to a relevant protected characteristic takes place with the purpose or effect of violating a person's dignity or creating an intimidating, hostile,

degrading, humiliating or offensive environment. Harassment may involve physical acts or verbal and non-verbal communications and gestures. Harassment is dealt with in our anti-harassment and bullying policy.

**Victimisation** occurs when an employer subjects a person to a detriment because the person has carried out (or the employer believes they have or may have carried out) what is referred to as a 'protected act'. A protected act includes:

- bringing proceedings under the Act
- giving evidence or information in proceedings brought under the Act
- doing anything which is related to the provisions of the Act
- alleging that another person has done something in breach of the Act.

### **The Extent of the Policy**

The Company seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees. The Company offers goods and services in a fashion that complies with the spirit of this Policy.

This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Company.

The Company reserves the right to amend and update this Policy at any time.

## 2. Anti-Victimisation and Harassment Policy

### Policy Statement

Birdsall Services Limited recognises its legal obligations including those under the Race Relations Act, Sex Discrimination Act, The Equal Pay Act, the Disability Discrimination Act and the Part-time Workers legislation.

This Anti-Victimisation and Harassment Policy Statement is designed to implement the commitment of Birdsall Services to equal opportunities.

It is the responsibility of every employee to ensure his or her own conduct conforms to the expected standards and reflects this policy statement.

The aim of the policies is to encourage harmony and respect amongst individuals to promote good working practices with a view to maximising the performance and the return to both the employer and the employees.

If equal opportunities are not applied, then valuable talent and potential are wasted.

Moreover, when unfair discrimination, harassment, bullying or victimisation take place they bring about a climate of fear, insecurity and poor work performance.

As well as being unlawful it affects profitability and morale. It is therefore vital that every employee understands his or her responsibilities.

Birdsall Services takes equal opportunities very seriously and wilful failure to apply the policies or evidence of discrimination, harassment, bullying or victimisation will result in disciplinary action, which may include your dismissal.

In achieving the above, the company seeks to employ a workforce which reflects the diverse community at large because Birdsall's values the individual contribution of people irrespective of sex, age, marital status, disability, sexual orientation, gender reassignment, race, colour, religion, ethnic or national origin.

All employees will be treated with dignity and respect. The company will use its best endeavours to provide a working environment free from unlawful discrimination, harassment or victimisation.

### Responsibility

The Managing Director will have ultimate responsibility for the implementation of this policy and its effective implementation and ensures publication of this policy to all employees and interested third parties as appropriate.

### Our commitments

#### Recruitment and Selection

All employees will be selected based on their ability and aptitude. In doing so the company undertakes to ensure that the system of recruitment and selection is fair and does not unfairly disadvantage any group.

In order to ensure this, the company commits to using a wide selection of advertising mediums including the local Employment and Career Advisory services to ensure that those members of the community who are underrepresented within the organisation, can be reached.

The recruitment process will be periodically reviewed to ensure that there is no discrimination and applications are not inadvertently discouraged from any groups within community. The company commits to ensuring that all job adverts are written in such a way that they do not place any unfair



restrictions or requirements on any groups. All job adverts will demonstrate Birdsall's commitment to equality opportunity.

All employees who have responsibility for recruitment and selection will be trained on equality issues.

### **Training and Promotions**

The company commits to ensuring that all employees are offered training, given benefits and promoted in line with organisation needs as well as individual aptitude and ability. All employees will be helped and encouraged to develop to their full potential so that the talents and resources of the workforce are fully utilised to maximise the efficiency of the company.

Birdsall commits to monitoring the take up of training and promotion opportunities and where any significant gaps are identified, then positive action to correct the imbalance will be taken.

### **Monitoring**

The company undertakes to monitor the make-up of its employees based on gender, disability, nationality and ethnic group. The monitoring will be carried out on the following groups:

- Those applying for roles
- Those taking up training and promotion opportunities
- Leavers
- Those being disciplined or dismissed
- Current employees of the organisation

The purpose of this monitoring is to ensure no group is disadvantaged. If it is found that any group is disadvantaged, then positive action will be taken following investigations to correct this imbalance.

### **Disabled Employees**

If an existing employee becomes disabled, the company will make every effort to retain him or her within the workforce whenever reasonable and practicable.

Whenever reasonably practicable to do so will install in existing premises facilities for people with disabilities. Whenever the company invests capital in new or refurbished premises every practicable effort will be made to provide for the needs of staff and customers with disabilities.

### **Breach of Policy**

The company will not tolerate acts which breach this policy and all instances of such

Behaviour, or alleged behaviour, will be taken seriously, fully investigated and may be subject to the disciplinary procedures.

Birdsall's seeks to give all employees equal opportunity and encouragement to progress within the company by implementing a positive action plan.

Any employee who believes that they may have been subjected to treatment that breaches this policy may raise the matter through the grievance procedure.

### **Harassment**

Birdsall Services interpretation of harassment means any conduct which is unwanted by, or offensive to, an individual. It may relate to gender, sexual orientation, marital status, age, race, colour, nationality, ethnic origin, religion or disability.

Harassment also relates to behaviour that can cause an individual to feel threatened, humiliated and/or undermined within the workplace, such as being ignored by colleagues or subjected to bullying.

The company regards harassment of any kind as unacceptable and it can result in disciplinary action. It is important to remember that it is not the intention of the perpetrator that is key in deciding whether harassment has occurred but whether the behaviour is unacceptable by normal standards. The type and degree of harassment that has occurred is therefore based on a subjective judgement.

The Company does make a distinction between harassment, which is unwanted attention, and attention, which is desired by an individual, i.e. consensual behaviour.

**Behaviour which can constitute harassment includes:**

- Offensive, abusive or intimidating behaviour
- Unwanted physical contact ranging from unnecessary touching, patting, pinching or brushing against another employee's body to assault and coercing sexual relations, leering, whistling or making sexually suggestive gestures
- Unwelcome sexual advances, propositions or pressures for sexual activity.
- Suggestions that sexual favours may further an employee's career or a refusal may hinder it (e.g. promotions, salary etc)
- Suggestions for social activity within or outside the workplace after it has been made clear that such suggestions are unwelcome
- Offensive flirting, suggestive remarks, innuendoes or lewd comments
- The display of pornographic or sexually suggestive images, objects or written materials, sending of sexually harassing messages or images via electronic mail
- Intrusion by pestering, spying and stalking
- Dismissing or denying an individual employment opportunity (e.g. employment or promotion) based on gender, sexual orientation, marital status, age, race, colour, nationality, ethnic origin, religion or disability
- Conduct that denigrates, ridicules, intimidates or involves physical abuse of an employee because of gender, sexual orientation, marital status, age, race, colour, nationality, gender reassignment, ethnic origin, religion or disability

All employees should consider whether their actions could be deemed to be inappropriate or offensive to others at all times.

As part of the company's integrated management system, this policy will be periodically reviewed to ensure effectiveness.

### 3. Modern Slavery Policy

#### Policy Statement

Birdsall Services Ltd recognises that it has a responsibility to take a robust approach to slavery and human trafficking. We are committed to preventing slavery and human trafficking in our corporate activities, and to ensuring that our supply chains are free from slavery and human trafficking.

During this financial year Birdsall Services Ltd has taken steps to ensure that slavery and human trafficking are not taking place in any of our supply chains or any parts of our own business. We are proud of the steps we have taken to combat modern slavery and human trafficking. This statement sets out the actions we have taken to ensure our supply chain and our organisation is free from slavery and human trafficking.

This statement is made pursuant to section 54(1) of the Modern Slavery Act 2015 and constitutes our organisation's slavery and human trafficking statement for the financial year ending 31<sup>st</sup>.

#### About Us and Our Supply Chains

Birdsall directly employ staff and engineers under the terms of professional legal contracts.

When using a sub-contractor, we require in turn confirmation of their statement on employment practices and their Modern Slavery and Human Trafficking policy. Should this prove unsatisfactory and against our policy we would refrain from employing their services.

#### Policies

We operate an Ethical Code of Practice Policy that describes our approach to the identification of modern slavery risks and steps to be taken to prevent slavery and human trafficking in our operations:

#### Due Diligence

As part of our initiative to identify and mitigate risk we have in place systems to:

- Identify and assess potential risk areas in our supply chains
- Mitigate the risk of slavery and human trafficking occurring in our supply chains
- Monitor potential risk areas in our supply chains
- Protect whistle blowers

#### Training

To ensure a high level of understanding of the risks of modern slavery and human trafficking in our supply chains and our business, we provide training to our staff. Our training covers:

Our policy of Ethical Codes of Practice

We also require our business partners to provide training to their staff and suppliers and providers.

## 4. Recruitment & Employment Policy

### Policy Statement

Birdsall operate an equal opportunities recruitment & employment policy.

In the selection, training, appraisal, development and promotion of employees, the only consideration must be that the individual meets, or is likely to meet the requirements of the position.

The requirements being met, no employee will be discriminated against, on the basis of their sex, sexual orientation, race, colour, ethnic origin, nationality (within current legislation), disability, marital status, caring or parental responsibilities, age, or beliefs on matters such as religion and politics.

Birdsall is committed to provide a working environment in which the rights and dignity of all its members are respected, and which is free from discrimination, prejudice, intimidation and all forms of harassment including bullying.

This Policy means that all employees of Birdsall have the right to work in an environment free from discrimination, prejudice and all forms of harassment or bullying.

Birdsall is committed to a programme of action to ensure that this and other equalities policies are implemented and monitored at an organisational and individual level.

## 5. Vetting & Barring Policy

### Policy Statement

Birdsall Services work closely with a CRB Vetting Agency who process all our CRB forms and keep us informed when new applications are due or when anything new comes to light with any of our employees.

A person's registration status is continuously monitored and if any new information such as a relevant caution or conviction, or information from employers comes to light, the ISA (Independent Safeguarding Authority) is informed. They will re-assess the person's potential risk to vulnerable groups and decide whether it is appropriate to permit continuing registration.

The ISA-registration does not replace the need for CRB checks, the ISA will prevent unsuitable people from working with children and vulnerable adults, The CRB will continue to support employers, through CRB checks by providing them with access to an individual's full criminal record and other information so that they can assess that individual's suitability for a particular post or position

### The Initial Vetting Process

Any relevant information from the police or referrals from other sources, such as previous employers or professional bodies, will be passed to the ISA for consideration. The ISA will use all relevant information to decide whether the applicant should be placed on a Barred List. If there is no information the CRB will inform the applicant that they are ISA-registered.

Individuals placed on the ISA Barred Lists will have the right to make representations against the decision and also to the Care Standards Tribunal (new window), except where they have committed a serious offence.

### Continuous Monitoring

All ISA-registered individuals are subject to continuous monitoring. This means that the ISA decision not to bar them could be reviewed in the light of new police or referral information. Where this happens, the ISA will notify the employer or service provider concerned, wherever they have registered an interest.

## 6. Training Policy

### Policy Statement

Birdsall Services ensure that appropriate training and development opportunities are available to enable employees to achieve and maintain a satisfying and competent level of performance at work.

To ensure those employees with appropriate training, qualifications and experience are available for present and anticipated future business needs.

To prepare and encourage employees to develop their careers with the company in accordance with their ambitions, potential and business opportunities.

### Training Procedure

**Induction:** New employees undertake an induction programme upon joining the company. Existing employees transferring between roles may also have a modified programme, depending upon the nature of the work. Managers are responsible for ensuring that employees complete the induction within four weeks and send to head office any completed documentation. This would include all personnel taking courses.

**Training Needs:** Managers will identify training needs of individuals and the departmental requirements at least once a year. This will normally be done as part of the budget planning cycle and will focus on technical skill requirements, safety needs and supervisory/management development. The information will be collated through annual appraisal, information discussion and client feedback, taking account of company priorities.

### Training Priorities

Will be agreed following discussion between HR and the Line Manager.

### Training Records

Records are kept of all forms of training undertaken by employees and will be used to help assess:

- Whether needs have been met
- Relevance of type of training undertaken
- Costs and benefits of the training
- Progress of individual employees

### New Contract Training Procedure

When Birdsall plan the implementation of a new contract we determine the staff and engineers' skills and resources required to deliver the contract we have agreed with the client.

With the requirements known we determine the suitability of existing staff, whether TUPE or Birdsall employed. If they are suitable, they would be briefed on the contract requirements and trained how we expect the requirements to be delivered.

Should the staff require additional training to be suitably skilled for the role and they are willing to train then Birdsall would invest in external training courses to bring the staff up to the required skill level. All staff training is organised & managed by HR.

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