

Equality Policy
20 January 2010

Last reviewed: 15 November 2024



Scope

Pellikaan Construction Ltd (Pellikaan) is committed to a policy of equal opportunities and our intention is to fully comply with all aspects of appropriate and current legislation. This policy will apply in respect of recruitment and selection procedures, induction, career development, promotion, training, payment practices, and all other terms and conditions of employment.

We aim to develop a diverse, vibrant corporate culture which values people from all sections of the community and the contribution they make individually to our work. Our objective is to ensure that all employees are able to participate fully and contribute to their best extent in the work of Pellikaan and that no one feels excluded from being able to do so. A diverse, balanced and non-discriminatory workforce will encourage innovation and creativity, helping all employees to reach their full potential.

It is the responsibility of each employee at every level to promote Equal Opportunities and Diversity and to pursue non-discriminatory policies and practices in employment and through behaviour, language, attitude and actions so that no discriminatory practices occur.

It is our policy to promote Equal Opportunities and Diversity throughout the company and to ensure that no employee or job applicant is less fairly treated or suffers any harassment because of discrimination whether directly, indirectly, through victimisation or harassment. This policy approach also applies to workers, contractors and self-employed people hired to personally do work for Pellikaan.

The policy applies to all aspects of Pellikaan's operations, including:

- Planning
- Design
- Construction
- Administration
- Accounts
- Health, Safety & Environmental management
- Project management
- Commissioning
- Tendering.

Failure of any employee to observe the principles laid out in this Policy will become subject to the company disciplinary procedure and may result in breaches of the law.

If an incident is reported concerning a subcontractor, he/she will be immediately removed from the workplace (in accordance with our site rules) and, in consultation with his/her employer, will only be allowed to continue works onsite after a full report has been given by the employer and accepted by Pellikaan.

We shall observe and carry out legal duties under the following:

- The Worker Protection (Amendment of Equality Act 2010)
- The Equality Act 2010 - through which Pellikaan complies with past legislation as amended (as listed below) and which has been superseded by the Act.
 - Sex Discrimination Act 1975 & 1986
 - Sex Discrimination (Gender Reassignment) Regulations 1999
 - Equal Pay Acts 1970 & 1983
 - Equal Pay Act (EPA) 1970 (Amendment) Regulations 2003
 - Disability Discrimination Act 1995 & 2005

- Disability Rights Commission Act 1999
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sex Discrimination) Regulations 2005
- Employment Equality (Sexual Discrimination) Regulations 2008
- Equality Act 2006
- Civil Partnership Act 2004
- Human Rights Act 1998
- Employment Equality (Age) Regulations 2006
- Race Relations Act 1976
- Race Relations Act 1976 (Amendment) Regulations 2003
- Race Relations (Amendment) Act 2000.

In complying with the Equality Act 2010, we commit to the nine protected characteristics which cannot be used as a reason to treat people unfairly.

The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

Every person has one or more of the protected characteristics, and the Act therefore protects everyone against unfair treatment.

Equality commitments

Pellikaan is committed to:

- Promoting equality of opportunity for all persons
- Promoting a good and harmonious working environment in which all persons are treated with respect
- Preventing occurrences of unlawful direct discrimination, indirect discrimination and victimisation
- Ensuring that all tendering & contracted works take full consideration of equality of opportunity
- Ensuring that its design & build ethos fully considers the needs of all groups, to ensure full accessibility
- Ensuring that equality & diversity considerations are discussed at each planning stage of each project
- Ensuring that budgets allocated take into account equality & diversity requirements – e.g. in the training and development of our employees
- Continuous improvement in the understanding of the needs of different groups, through consultation and development
- Creating awareness of the requirement for and benefits of equality and diversity
- Comprehensively training employees in the application of this policy in the workplace
- Fulfilling its legal obligations under the equality legislation and associated codes of practice
- Taking lawful affirmative or positive action, where appropriate

- Dealing with any report of discrimination (- direct discrimination, discrimination by association, discrimination by perception, indirect discrimination) , victimisation or harassment (latter including harassment by a third party) as a matter of utmost urgency – we will not tolerate discrimination, victimisation or harassment within our business
- Regarding all breaches of this Equal Opportunities & Diversity Policy as misconduct which could lead to disciplinary proceedings.

We shall also observe, as far as is possible, the Commission for Racial Equality's Code of Practice on Racial Equality in Employment.

We shall also observe, as far as is possible, the Commission for Racial Equality's Code of Practice for Employment 1983 as a model for good practice.

Our policy approaches are detailed below:

Equal pay

Pellikaan will treat both its men and women employees equally, in respect of their terms and conditions of employment, if they are employed on 'like work', work rated as equivalent under a job evaluation study, or work found to be of equal value. This does not just cover remuneration alone, but includes most terms in an employment contract. Variance within rates of pay due to length of service, performance, bonuses or individually agreed terms of contract will not be influenced by the gender of the employee. Terms covering special treatment because of pregnancy or childbirth, reflecting statutory restrictions on the employment of women are not covered.

Sex discrimination

Under the Equality Act 2010 and previously the Sex Discrimination Act 1975 (as amended in 2005) and the Employment Equality (Sexual Orientation) Regulations 2003, the company will not discriminate on grounds of gender or marriage; because someone intends to undergo, is undergoing or has undergone gender reassignment (see also 'Gender reassignment' below); or due to an individual's sexual orientation whether actual or perceived.

Within the scope of the Worker Protection (Amendment of Equality Act 2010), Equality Act 2010 and previously the Employment Equality (Sexual Discrimination) Regulations 2008, the company shall not tolerate sexual harassment, which is harassment of a 'sexual nature'. This has the purpose or effect of violating a person's dignity or creating a hostile, degrading, humiliating or offensive environment for them. We shall also not tolerate 'sex-related harassment' which is unwanted conduct related to an individual's sex or that of another person. This shall therefore include not allowing a working environment where sexual banter is commonplace and which, although not directed at an individual or caused by their presence, may nevertheless create an offensive environment for that person.

Gender reassignment

We will treat transsexual people fairly and equitably and understand that 'a transsexual person' is someone who proposes to, starts or has completed a process to change his or her gender. This applies regardless of whether the person has undergone medical procedures.

We will also ensure that transsexual employees are not treated less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment. In such cases, absence will be treated in the same way as if they were ill or injured.

Marriage and civil partnership

Pellikaan will not tolerate discrimination against employees who are married or in a civil partnership. All such employees will be treated fairly and equitably.

Race discrimination

Under the Equality Act 2010 (and previously the Race Relations Act 1976), the company recognises and will not discriminate on grounds of colour, nationality (including citizenship) or ethnic or national origins.

The company also exists as a place where people of all races, religions, abilities and aspirations will find safety, respect and encouragement for individual development. Our policy approach aims to ensure that all employees and others we come into contact with feel equally valued and that racist views are not part of the Pellikaan experience. We aim to ensure there is multi-cultural awareness and acceptance and that all people have equal access to their entitlement according to their individual needs so as to prepare them for our multi-racial society.

Age discrimination

The company shall not discriminate against any employee on grounds of age, whether young or old, which includes by way of job advertising, recruitment, working practices and duties within particular roles. The company shall also consider any application by employees to work beyond the normal retirement age as laid down by statute, providing application to do so is made at least four weeks prior to the expected date of retirement.

Disability discrimination

In accordance with the Equality Act 2010, (as amended in January 2024) we recognise that a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The latter includes ability to participate fully and effectively in working life on an equal basis to other workers. We will treat all disabled people fairly and will not treat a disabled person unfavourably because of something connected with their disability – (e.g. making spelling mistakes due to dyslexia).

The company will not discriminate against current or prospective employees who have or have had a disability and will ensure adequate adjustments are made where appropriate, in support of this. Where relevant, the company shall also take reasonable steps to ensure the workplace is accessible to persons falling within the scope of the Equality Act 2010, which may involve the implementation of physical or structural changes to the workplace.

Individuals diagnosed with progressive forms of cancer, HIV and multiple sclerosis also fall under the scope of the legislation and this protection is relevant from point of diagnosis rather than when the illness started to have an adverse effect on a person's ability to carry out their day-to-day activities. Employees are requested to inform the appropriate senior manager within the company if such diagnosis occurs and should note that any such disclosure shall be treated in the strictest confidence.

Pregnancy childbirth and maternity

A woman is protected against discrimination on the grounds of pregnancy, childbirth and maternity during the period of her pregnancy, any statutory maternity leave and any occupational schemes to which she is entitled.

Pellikaan shall also ensure that women are protected from unfavourable treatment following return from maternity leave - where that treatment is connected with the pregnancy or a pregnancy-related illness occurring before their return to work.

Breastfeeding

A woman shall not be treated less favourably because she is breastfeeding at work, and Pellikaan will do its best to make suitable facilities available for this.

Religious belief

The company will respect an individual's religion, religious belief, lack of religion or similar philosophical belief and will not allow discrimination or harassment of that individual due to those beliefs.

We also recognise that denominations or sects within a religion can be considered a protected religion or religious belief.

Bullying and harassment

Even where not covered by the specific aspects stated within this Equal Opportunities & Diversity Policy, the company shall not tolerate any form of harassment, victimisation or bullying within the workplace of its employees. Such actions may lead to disciplinary action including dismissal.

We will not tolerate any bullying or harassment of our employees by a third party.

Breach of policy

If an employee feels that he/she has been treated inequitably in breach of the above policy, then he/she must initially raise the complaint through the company Grievance Procedure. The company shall then fully investigate any such complaint.

All employees are required to apply this policy in practice and failure to comply with, or deliberate breaches of, the above legislation will not be tolerated. Such instances will be investigated and dealt with under the company Disciplinary Procedure. If carried out deliberately or maliciously this will be regarded as Gross Misconduct and may, dependent upon the severity of the breach, result in summary dismissal.

Communication

This policy will be made available to job applicants upon request and issued to all selected for interview.

It will be issued to employees at induction and where specific training in the policy and its application will be provided. Copies are also passed to all contractors on each site and compliance forms part of their contractual commitment to Pellikaan.

Pellikaan is totally committed to achievement of equal opportunities & diversity in all of its operations. We will therefore conduct regular review of performance. Line Managers will brief staff on this and periodic refresher training will also be provided to all staff throughout the year.

The policy will also be accessible by all employees on the Pellikaan intranet.

Pellikaan will promote itself as an Equal Opportunities Employer in job advertisements and publicity literature. We operate open recruitment methods using job centres, careers services, recruitment agencies and press advertising to fill vacancies. All will make it clear that we are an Equal Opportunities Employer.

Training

The company provides:

- Written instructions to managers and supervisors covering compliance with this policy in the recruitment, selection, training, promotion, discipline and dismissal of staff.
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- Comprehensive equal opportunities & diversity training to new employees when they join the company as part of a dedicated induction programme. All new employees are also issued with a copy of the policy.
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- Equality & diversity training for managers and staff responsible for recruitment and selection.
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- Periodic refresher training and Workshops for all staff covering application of current best practice and continued legal compliance.

Monitoring

We shall ensure that the ethnic and cultural mix of our team continually reflects the markets which the company serves. Pellikaan values diversity and the company and its clients benefit substantially from this approach.

We shall also monitor the composition of our workforce, taking any necessary action to address imbalances in the same. In particular, we will track number of employees by gender, age, disability and ethnic group against the following criteria:

- In post
- Applying for posts
- Taking up training and development
- Promoted
- Disciplined
- Dismissed
- Leaving the company.

Responsibilities

The Directors of Pellikaan shall ensure that the policy is enforced and that all employees are committed to observing the same throughout the course of their employment with the company.

The overall responsibility for monitoring effectiveness of the policy and for implementation of ongoing actions to make the policy fully operative is vested in the Managing Director.

It is the responsibility of all Pellikaan employees to demonstrate personal commitment to the practical application of this policy, although specific responsibility for ensuring compliance with the same sits with management, supervisory and other staff professionally involved in recruitment, employee administration management and training.

Policy review

The Directors shall review this policy and update the same appropriately where necessary when new legislation is introduced.

Additionally, the Directors will review the policy on a regular basis and at least annually to ensure continued compliance with legislative requirements.

This approach was taken in June 2012, in updating the policy to reflect requirements of the Equality Act 2010. At this stage, impact of new legislation on the business was assessed by our HR Department and Directors. The policy was updated to reflect our commitment to compliance with latest legislation and implementation of the Protected Characteristics.

Definitions

Direct discrimination - where a person in employment or vocational training is treated less favourably- i.e. when employing, promoting or training them or dismissing them. Or where words or actions are directed at an individual in such a way as to discriminate against them.

Indirect discrimination – is where a person without a relevant protected characteristic suffers the same disadvantage as those with that protected characteristic. Such a person who suffers a disadvantage from a discriminatory provision, criterion or practice together with persons with the protected characteristic may bring a claim of indirect discrimination.

Harassment and victimisation - harassment is defined as “unwanted conduct that violates dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.” Victimisation is defined as “the less favourable treatment of a person because they have made or supported; or intend to make or support; or are suspected of making or supporting; an allegation of discrimination.”

Responsibility and Authorisation

Our Managing Director carries responsibility for equality & diversity within the business, provides top level commitment and has signed this policy as such.

Signed:



Date: 20 January 2010

Last reviewed : 15 November 2024

Name: Gert-Jan Peeters

Designation: Managing Director