



Smith & Donohue

BUILDING CONTRACTORS

Smith & Donohue Limited is fully committed to equality of opportunity for existing and potential employees and fully endorses a working environment free from harassment, bullying, discrimination and victimisation. We strive to create and maintain a culture where everyone feels included, valued and all human rights are respected. The purpose of this policy is to demonstrate the company's commitment to equality and diversity and describe the measures and procedures that are in place to achieve this aim.

Implementation of this Policy

The company will strive for recruitment, employment, training and promotion practices and policies that are free of barriers, both systemic and deliberate, that directly or indirectly discriminate against people. All employment related decisions will not be influenced or affected by an employee's race, colour, nationality, religion, sex, marital status, family status, sexual orientation, disability, age or membership of the Traveler Community.

Recruitment and selection

The following recruitment and selection procedures will be adhered to recruit the most suitable person for the position:

- When recruiting, full job specifications will be prepared, outlining requirements that are essential for the job in question. Non-essential qualifications/qualities will be described as "desirable".
- The company will always state that it is an Equal Opportunities Employer in any form of advertising for a job.
- Position will be advertised to as wide a range of candidates as possible and applications from the local community will be encouraged through local media.
- The company will make reasonable accommodations for any candidates with a disability to attend an interview.
- The criteria for selecting candidates for interview will be based on skills, knowledge and experience.
- Interview questions will be objective and based on assessing the candidate's suitability to carry out the position.
- An interview report form should always be completed.

Training and Development

The following training and development procedures are in place to ensure equal opportunities:

- Training and development opportunities are open to all employees of the company.
- All employees will participate in Staff Assessments to assess their current performance and to identify training needs.
- All decisions regarding career development will be made based on employees' existing skills, knowledge and attitude required to perform the job effectively and efficiently, to the standards required by the company both now and for the future.

Harassment, Bullying, Discrimination, Victimization

As part of our commitment to supporting an environment that promotes fairness, dignity and respect for all employees, we require all employees to refrain from remarks, e-mails or any conduct, which may cause offence by reason of a person's gender, marital status, race, religion, family status, age, sexual orientation, disability or membership of the Traveler community. Any form of harassment, bullying, discrimination or victimisation will not be tolerated and will be dealt with under the Disciplinary Procedure.

DEFINITIONS

Harassment

Harassment is any form of unwanted conduct that creates an intimidating, hostile, or offensive environment for any employee. It can be a one-off event or persistent and repeated behaviour. Harassment can be:

- Non-verbal – Looks, gestures, isolation, exclusion.
- Verbal – Spoken words, shouting, unfair and excessive criticism.
- Physical – Abusive behavior.

These examples are not exhaustive, and offences of a similar nature are also prohibited and will be dealt with in accordance with the Disciplinary Procedure.

Sexual Harassment

Sexual harassment is any form of unwanted conduct of a sexual nature which creates an intimidating, hostile, degrading or an offensive environment for any employee. A single incident may constitute sexual harassment. It can be:

- Non-verbal – Looks, gestures.
- Verbal – Advances, propositions, comments.
- Physical – Unnecessary touching, assault.

These examples are not exhaustive, and offences of a similar nature are also prohibited and will be dealt with in accordance with the Disciplinary Procedure.

Bullying

Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or during employment, which could reasonably be regarded as undermining the individual's right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a once-off incident is not considered to be bullying. (As defined in the Report of the Task Force on the Prevention of

Workplace Bullying March 2001).

Bullying may manifest itself as various types of behaviour, including:

- Humiliation.
- Intimidation.
- Verbal abuse.
- Victimisation.
- Exclusion and isolation.
- Intrusion through pestering, spying and stalking.
- Repeated unreasonable assignment to duties that are obviously unfavourable.
- Repeated impossible deadlines or tasks.
- Implied threats.

This list is not exhaustive, and offences of a similar nature are also prohibited and will be dealt with in accordance with the Disciplinary Procedure.

Discrimination

Discrimination occurs where one person treats another person less favourably than they would treat others based on race, colour, nationality, religion, sex, marital status, family status, sexual orientation, disability, age or membership of the Traveler Community. This behaviour is prohibited and will be dealt with in accordance with the Disciplinary Procedure.

Victimisation

Victimisation occurs where individuals who have made allegations or complaints of discrimination are subjected to unfavourable treatment. This behaviour is prohibited and will be dealt with in accordance with the Disciplinary Procedure.

Management and Employee Responsibilities

It is the responsibility of every manager in this company to support and communicate the Equality and Diversity Policy. Managers must encourage open discussion with their employees to identify and resolve problem areas. All employees in turn must accept their personal responsibility to comply with this policy. This always includes maintaining acceptable standards of behaviour towards all colleagues and customers alike.

Employees are encouraged to raise questions or concerns about discrimination in the workplace and are advised to bring these issues to the attention of their immediate manager or director. Employees are requested to use either the informal or formal procedure as outlined below:

Informal Procedure

An employee who believes that they have a grievance under this policy should explain clearly to the alleged perpetrator that the behaviour is unacceptable. In circumstances where the complainant finds it difficult to approach the alleged perpetrator directly, they should seek help and advice, from a contact person. Contact people in these incidences are the Company Directors.

The contact person should listen patiently, establish the facts of the accusation and assure the person of confidentiality as far as is reasonably practicable. Support and advice will be offered to an employee as appropriate.

Having consulted with the contact person, the complainant may request the assistance of the contact person in raising the issue with the alleged perpetrator. In this situation the approach should be by way of confidential, non-confrontational discussion with a view to presenting the facts of the accusation and setting out steps to stop the behaviour where it has been identified. This situation will then be monitored for a period as defined by the contact person in consultation with the claimant and alleged perpetrator.

If the claimant feels an informal approach is inappropriate or if after the informal stage, the unwanted behaviour persists, the Formal Procedure will be followed.

Formal Procedure

1. The complainant should make a formal complaint in writing to a Company Director. When a complaint is made to a line manager or senior manager a copy of this letter should be sent to a Director. The complaint should be confined to precise details of actual incidents of the discrimination/ harassment.
2. The line manager or director who has received the complaint will meet with the alleged perpetrator. They will be given a copy of the complainant's statement, details of the course of action that will be taken and advised that they shall be afforded a fair opportunity to respond to the allegation. The allegation will also be confirmed to the alleged perpetrator in writing. Where considered appropriate, parties to the complaint may be suspended with pay to allow for a fair and thorough investigation. Such a suspension is not a disciplinary sanction, and this will be made clear.
3. The Director will designate a person who can be considered impartial, to carry out an investigation into the allegation. The complainant and alleged perpetrator will be advised who will carry out the investigation. The investigation will be conducted thoroughly, objectively, confidentially and with due respect for the rights of both the complainant and the alleged perpetrator.
4. The investigator will meet with the complainant, the alleged perpetrator and any witnesses or appropriate persons on an individual confidential basis with a view to establishing the facts. Both the complainant and alleged perpetrators may be accompanied by a work colleague or representative if so desired.
5. Notes will be taken at these meetings and will be agreed and signed off by the participants. The notes will be forwarded to the complainant and alleged perpetrator. Any other relevant evidence will be similarly forwarded to the appropriate parties. Either party will be allowed to respond to any matters raised in the notes.
6. On completion of the investigation, the investigator will draw up a report of their findings, suggest the level of disciplinary action if necessary and submit the report to the Director.
7. The Director will review the report and having considered the findings, will issue a decision in writing to both parties along with copies of all relevant supporting documentation.
8. Both parties have the right to appeal Director's decision by contacting Director within 5 working days of receiving the findings of the investigation. The matter

will then be reviewed by the Managing Director. The Managing Director will review the report and carry out further investigations with witnesses if considered necessary. He will then decide if the appeal will be upheld or overturned and will issue his final decision in writing to both parties.

9. Retaliation of any kind against an employee for complaining or taking part in any investigation in the context of this policy will give rise to disciplinary action up to and including dismissal.

A handwritten signature in black ink, appearing to read 'Damian Donohue', written over a horizontal line.

Signed:

Damian Donohue Director