

PCG ASSOCIATES LTD

EQUALITY & DIVERSITY STRATEGY, POLICY AND IMPLEMENTATION PLANS

2016 - 2020

Small Business Enterprise

EQUALITY & DIVERSITY STRATEGY

2016 - 2020

PCG's Vision, Values and Strategic Aims Transforming Lives: Our Vision, Values & Strategic Objectives

Vision:

- To create positive change in our people enabling them to develop their full potential by providing an inclusive working environment.

Values:

- The pursuit of excellence in all that we do.
- Equality of opportunity for all, supporting the rights and freedoms of our diverse workforce.
- Supporting the health, safety and wellbeing of all our people.

Strategic Aims:

- The PCG will create a valued work experience, enabling people, irrespective of their backgrounds, to fulfil their potential, develop as citizens and meet their life and career goals.
- The PCG will be innovative and entrepreneurial in its approach to personal development and knowledge exchange.
- We will further strengthen our financial stability, growing income from a diverse range of sources, so enabling continual reinvestment in our people and infrastructure.

Equality & Diversity Objectives

PCG's Equality & Diversity Objectives:

- Enriching our Culture by Valuing and Engaging People
- Ensuring Fair Processes and Inclusion
- Empowering People (Protected Groups)
- Embedding Diversity, Dignity and Wellbeing

Equality & Diversity Context

PCG Associates has previously stated that equality and diversity are at the heart of everything we do. This statement still applies today; we value our community of people, clients and partners; promote equality and diversity wherever we can, and now need to consider and develop new and innovative ways of progressing this important work for future generations of our community. The statement takes into consideration the establishment of harmonized equality law over the last few years, our efforts to discharge our legal commitments, and our activities to promote equality, diversity and inclusion.

Our equality work has seen policies and objectives being developed over the last few years, together with activities to promote excellence in this field. We also recognize and support such groups as Athena SWAN, Two-Ticks, Investors in People, Stonewall Champions, etc. who are helping to inform and promote equality.

As part of this strategy review we have updated our Equality and Diversity Policy as a statement of the values for us as a business and to demonstrate the scope of this work, set targets and action plans to achieve our strategic objectives and developed a Diversity Training Plan (Attachment 1). The purpose of our Training Plan is to ensure that PCG's existing personnel and future recruits are familiar and understand the company's Equality and Diversity Policy, the associated strategy to ensure implementation and the nuances associated with equality and diversity in our day to day working lives so that they can each positively contribute to achieving our strategy and policy.

We strive to ensure that: our equalities work is central to all policy development, decisions and practice; that employment, study and other services are genuinely accessible to everyone; and acknowledge that everyone has individual needs and the right to have these needs respected without discrimination. We will challenge and stop any discrimination we come across through our framework of dignity, respect and fairness.

It is important to us that we continue to provide a high-quality experience for all our staff that meets their needs and empowers them to perform to the very best of their ability. Similarly, we want to provide an inspiring working environment for staff that enables them to work to the best of their ability.

PCG is committed to focusing not just on equality of opportunity but also on equality of outcomes. This strategy provides an overarching framework with 'Equality Objectives' for advancing equality, diversity and inclusion. We have also strengthened our governance framework to support the implementation of this strategy as part of our Training Plan.

Definitions

Equality can be described as work to promote equal opportunities, ensuring fair treatment and tackling discrimination.

We support the definition of Equality developed in the Equalities Review published by the government in 2007:

'An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognizes people's different needs, situations and goals and removes the barriers that limit what people can do and can be'.

Diversity is defined as 'valuing and understanding difference'.

The Legal Framework

The Equality Act 2010 (the Act) consolidated many pieces of anti-discrimination law into a single legal framework, aiming to simplify, strengthen and remove inconsistencies that previously existed. The Act requires us to have **due regard** (fair consideration and sufficient attention) to the following three **General Duties** ensuring we:

Eliminate unlawful discrimination, harassment and victimization

(e.g. remove any discriminatory behavior, practices, etc. and taking a zero approach to discrimination)

Advance equality of opportunity

(e.g. remove or minimize disadvantage, meeting the needs of people with protected characteristics, encourage participation where participation is disproportionately low)

Foster good relations between people who share a characteristic and those who do not

(e.g. promote understanding between groups and tackling prejudice)

The law also outlines types of discrimination, i.e. direct, indirect, associative and perceived discrimination, descriptions of which can be found here ([Equality and Human Rights Commission: What is Discrimination](#)), an example of which is Direct Discrimination: *the act of being treated less favorably directly as a result of having a protected characteristic.*

The Equality Act requires us to consider equality in public procurement and, in a recent update of the Equality Act (2015), to publish gender pay gap figures annually on our website commencing April 2018. The Human Rights Act (1998) also provides for every individual's right to dignity, respect and fairness and the principles of the Modern Slavery Act 2015 need to be embraced through the Equality agenda.

Protected Characteristics

The Equality Act gives protection to people with nine varying 'Protected Characteristics' as follows.



As well as considering protected characteristics, we must also remember that all individuals have multiple characteristics or identities, and the intersection of those different identities should be considered wherever possible. In equality terms, we talk about 'Intersectionality' which is people's identities and social positions being shaped by several factors at the same time, creating unique experiences and perspectives

Protected Characteristics: Definitions

| The Nine Protected Characteristics | | |
|---|---|--|
| <p>Age:</p> <p>Refers to a person belonging to a particular age (e.g. 32-year old's) or range of ages (e.g. 18 - 30-year-old).</p> <p>In April 2011, there was a change in the law affecting retirement. In most cases workers, can now retire when they are ready, rather than when their employer decides.</p> | <p>Disability:</p> <p>A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.</p> | <p>Gender Reassignment:</p> <p>Concerns trans gender people who propose to undergo, are undergoing, or have undergone a process (or part of a process) of having their sex reassigned.</p> <p>A person does not have to be under medical supervision to have the protected characteristic of gender reassignment. The Gender Recognition Act 2004</p> |
| <p>Marriage & Civil Partnership:</p> <p>In England and Wales marriage is no longer restricted to a union between a man and a woman and now includes a marriage between a same-sex couple (this will also be the case in Scotland when the relevant legislation is brought into force).</p> <p>Same-sex couples can also have their relationships legally recognized as 'civil partnerships'.</p> | <p>Pregnancy & Maternity:</p> <p>Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave.</p> <p>Protection for maternity is for 26 weeks after giving birth which includes treating a woman unfavorably because she is breastfeeding.</p> <p>Single parents, all couples (including same sex) are</p> | <p>Race:</p> <p>Refers to the protected characteristic of Race. It refers to a group of people defined by their:</p> <ul style="list-style-type: none"> • Race • Colour • Nationality (including citizenship) • Ethnic origins • National origins. |
| <p>Religion & Belief:</p> <p>Religion relates to a particular system of faith, worship, values and practices that a group holds to be true and sacred, whilst belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism).</p> <p>Generally, a belief should affect your life choices or the way you live for it to be included in this equality definition.</p> | <p>Sex (gender):</p> <p>A man or a woman – and therefore treating someone favorably because of this identity.</p> <p>In most contexts, this is the 'legally defined sexual identity' which is determined at birth.</p> | <p>Sexual Orientation:</p> <p>Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.</p> <p>Lesbian, gay and bisexual staff, students and visitors are protected under the Equality Act. <i>We recognize there are a range of other sexual orientations and expressions not listed above.</i></p> |

Equality & Diversity Objectives (2016 to 2020)

Under the Equality Act 2010, the PCG Associates must define its legislative requirements under the Act, together with specific and measurable 'outcome-focused' objectives.

In 2012 we developed a range of equality objectives in line with our legal duties. For example, we stated we aim to have:

- a workforce that reflects the diversity of the communities from which we recruit.
- an accessible and inclusive working environment that has mutual respect and tolerance where staff can feel safe, valued and supported.

Having reviewed the outcomes of these objectives, e.g. through meetings, data monitoring and discussions to promote equality and eliminate discrimination for all protected characteristics, we have decided to strengthen our commitment to equality, diversity and Inclusion by providing a clear and simple overarching framework, together with a brief action plan to help us monitor and deliver these objectives.

These new objectives were developed collaboratively with various parties, support our legal responsibilities and aim to be measurable. They also align with the business's Strategic Vision 2020 which demonstrates our commitment to equality of opportunity at the highest level, for embedding inclusive practice and creating an inclusive environment.

Data we keep and our current Composition

As part of meeting our legal duties, a range of information and data (quantitative and qualitative) is collected from a variety of sources including:

- staff data from our records system
- staff recruitment monitoring forms
- staff surveys or consultations
- internal and external organizations and reports, e.g. census data and the Equality Challenge Unit.

Why we collect data

We monitor our progress by collecting, storing and analyzing data on all protected characteristics to help us to:

- set useful equality objectives and measure progress against them;
- understand the impact of our policies, practices and decisions and plan them more effectively;
- take steps to meet the needs of staff from different protected groups;
- identify if there are any actions we can take to avoid discrimination and harassment, advance equality or foster good relations;
- benchmark our performance against previous years and other organizations, nationally and locally;
- identify what the key equality challenges are for us.

Collecting data helps us to inform and improve our evidence base, identifying inequities and imbalances, barriers and gaps, improvements that have and can be made and the goals we have achieved. We can then set future targets and objectives to continue a path of progress.

What we will collect

We collect data on a range of areas such as the numbers and percentages of people who share protected characteristics, for example, staff members by grade, role, contract type, etc. We will also collect data on recruitment, promotion and grievance workplace processes, as well as equal pay data.

Our Staff Composition and Benchmarking Data, Targets and Action Plans

A brief overview/dashboard on the composition of our staff compared to other sources of data is shown below:

| Protected Characteristic | 2011 Census Data Census data England & Wales | 2011 Greater London Ethnic Groups | 2016 PCG Internal Data Source | PCG Targets and Action Plan (Actionee) |
|--------------------------|---|---|---|---|
| Sex | <ul style="list-style-type: none"> 51% females and 49% males Office for National Statistic shows a 2014 pay gap of 14.2% for men and women working full time, in comparison to 15.7% for 2013. | | <ul style="list-style-type: none"> Nil female engineers | <p>Greater emphasis to be placed on recruiting female Signaling engineers.</p> <ul style="list-style-type: none"> Min 1% increase every year – target 5% by 2020 (JD/RB) Promote key women in work events on website (AD) |
| Ethnicity | <ul style="list-style-type: none"> 80% White background, 17% BME, 2.5% mixed and 0.1% other. | <ul style="list-style-type: none"> White = 60% Mixed = 5% Asian = 18% Black = 13% Other = 4% | <ul style="list-style-type: none"> White = 61% Asian = 20% Black = 17% Other = 2% | <p>Continue monitoring changes to ethnic groups in Greater London to ensure appropriate balance in workforce (Board as part of annual review).</p> |
| Disability | <ul style="list-style-type: none"> 18% disabled (nearly 1 in 5 people in England and Wales reported a disability that limited their activities). | | <p>Site activities covered by specific medical requirements set by TfL and Network Rail.</p> | |
| Age | <ul style="list-style-type: none"> 9% of the population were 0-14, 33% 15-64 and 64+ 7%. | | <ul style="list-style-type: none"> 20-39 = 25% 40-64 = 66% 65 and over = 9% | <p>Continue to promote age equality (RB).</p> <ul style="list-style-type: none"> Min 1% increase per annum 15% of workforce to be over 65 by 2020. |
| Religion & Belief | <ul style="list-style-type: none"> Christianity 59%, Muslim 5%, 25% no religion, 4% other, and 7% not stated. | | <p>Greater analyst required.</p> | <p>Further data needs to be captured at the induction stage of recruitment (OO).</p> <ul style="list-style-type: none"> Induction procedure to be updated 2017 (DC) Promote key religious holidays on website (AD) |
| Sexual Orientation | <ul style="list-style-type: none"> 94% Heterosexual/Straight, 1% Gay/Lesbian, 0.5% Bisexual, 0.5 "Other" and 4% Don't know, refused answer or No response. 2.5% 16 to 24- year-olds identified themselves LGB. | | <p>Greater analyst required.</p> | <p>Further data needs to be captured at the induction stage of recruitment (OO).</p> <ul style="list-style-type: none"> Induction procedure to be updated 2017 (DC) Promote key LGBT events on website (AD) |

KEY: JD – John Davenport, RB – Ray Bush, OO – Olivia O'Connor, DC – Demi Cass, AD – Tony Davey

How we Govern Equality & Diversity

To lead a strong and cohesive equality strategy, we recognize the need to set clear monitoring and reporting structures to enable us to achieve our objectives. Our governance framework is set at Board level to ensure robust leadership, accountability and responsibility is focused on equality and diversity within the business.

Assessing our Impact

The law requires us to assess the impact of our policies and practice with regards to equality and diversity. This involves looking at our equality information and the results of any engagement to understand the impact, or potential impact, of our policies, practices or decisions on people with different protected characteristics. 'Policies and practices' includes the full range of policies (formal and informal), procedures, processes, practices and decision-making. This will help us to identify practical steps to tackle any negative impacts or opportunities to advance equality.

The law does not specify how we should undertake our assessments. However, we continue to use an Equality impact assessments (EIAs) toolkit to enable us to have a well-documented records and consistent systematic approach to assessment, and ensure that:

- we consider the needs of people in all policies, practices and decisions
- our policy making is more effective and can allow for consultation between users and key stakeholders
- by using good evidence and analysis at the correct time, that it becomes part and parcel of the decision-making process.
- It enables us to promote the importance of equality, diversity and inclusion.

Training is provided on the use of the toolkit on a regular basis. As part of our new strategy, we will review whether the toolkit is 'fit for purpose', i.e. whether to continue with this impact assessment approach, simply update it or develop a new impact assessment approach. We will also evaluate the EIA's that have been carried out to strategically target future assessments.

Our Annual Equality Report will assess our progress against benchmarking and goals. The report will include:

- progress made against our Equality Objectives, with relevant key points;
- monitoring and analysis of staff diversity profiles;
- relevant activities and partnership working which has taken place;
- any proposed revisions and recommendations i.e. future legal or strategy developments which are being developed in our sector of the market and within the Greater London Community.

Equality and Diversity Policy Statement

The Board of PCG Associates Limited is committed achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. The Company believes that all employees and clients are entitled to be treated with respect and dignity.

This Policy aims to remove unfair and discriminatory practices within the Company and to encourage full contribution from its diverse community. The Company is committed to actively opposing all forms of discrimination.

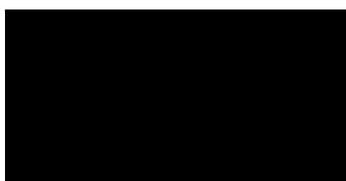
The Board and its management team are also committed to providing a service that does not discriminate against its clients and customers in how they can access the services and goods supplied by the Company.

To this end: -

- All employees and operatives will be treated with fairness and respect.
- We will create an environment in which individual differences and the contributions of all the individuals that work for the company are recognized and valued.
- Every employee and operative is entitled to a working environment that promotes dignity and respect.
- No form of intimidation, bullying or harassment will be tolerated.
- Recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals will be determined based on capability, qualifications, experience, skills and productivity
- We will comply with the relevant Acts and Legislation, including the Equality Act 2010.

All PCG personnel, associates and partners are reminded that they have a duty to treat others with respect always and that breaches of this policy will be regarded as misconduct.

A copy of this policy is made available to all PCG personnel, associates and partners. The Board will monitor compliance with its content on a regular basis.



Managing Partner
Business Process and Technical Assurance



Managing Partner
Commercial and Business Development

Issue 11 January 2017

Grievance & Disciplinary Procedure

1. Designated Officer

Name: [REDACTED]
Position: Business Process and Assurance Director
Telephone Number [REDACTED]

2. Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated favorably 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.

3. Types of Discrimination

3.1 Direct Discrimination

This occurs when a person or a policy intentionally treats a person less favorably than another on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

3.2 Indirect Discrimination

This is the application of a policy, criterion or practice which the employer applies to all employees but which is such that:

- It is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
- The employer cannot justify the need for the application of the policy on a neutral basis; and
- The person to whom the employer is applying it suffers detriment from the application of the policy.

Example: A requirement that all employees must be 6ft tall if that requirement is not justified by the position would indirectly discriminate against employees with an oriental ethnic origin, as they are less likely to be able to fulfil this requirement.

3.3 Harassment

This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

3.4 Victimization

This occurs when a person is treated less favorably because they have brought or intend to bring proceedings or they have given or intend to give evidence.

4. Unlawful Reasons for Discrimination

4.1 Sex

It is not permissible to treat a person less favorably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and

those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

Example: Asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.

4.2 Age

It is not permissible to treat a person less favorably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

4.3 Disability

It is not permissible to treat a disabled person less favorably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

4.4 Race

It is not permissible to treat a person less favorably because of their race, the colour of their skin, their nationality or their ethnic origin.

4.5 Sexual Orientation

It is not permissible to treat a person less favorably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.

4.6 Religion or Belief

It is not permissible to treat a person less favorably because of their religious beliefs or their religion or their lack of any religion or belief.

5. Positive Action in Recruitment

Under the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011, 'Positive action' means the steps that the Company can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within the Company.

If the Company chooses to utilize positive action in recruitment, this will not be used to treat people with a protected characteristic more favorably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

6. Reasonable Adjustments

The Company has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:

- 6.1** Adjusting premises;
- 6.2** Re-allocating some or all a disabled employee's duties;
- 6.3** Transferring a disabled employee to a role better suited to their disability;
- 6.4** Relocating a disabled employee to a more suitable office;
- 6.5** Giving a disabled employee time off work for medical treatment or rehabilitation;
- 6.6** Providing training or mentoring for a disabled employee;
- 6.7** Supplying or modifying equipment, instruction and training manuals for disabled employees; or
- 6.8** Any other adjustments that the Company considers reasonable and necessary provided such

adjustments are within the financial means of the Company.

If an employee has a disability and feels that any such adjustments could be made by the Company, they should contact the Designated Officer.

7. Responsibility for the Implementation of the Equality and Diversity Policy

All employees, subcontractors and agents of the Company are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination, harassment or victimization on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

The co-operation of all employees is essential for the success of the Equality and Diversity Policy. Senior employees are expected to try to ensure that all employees, subcontractors and agents follow the Policy.

Employees may be held independently and individually liable for their discriminatory acts by the Company and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered because of discriminatory acts.

The Company takes responsibility for achieving the objectives of the Equality and Diversity Policy, and endeavors to ensure compliance with relevant Legislation and Codes of Practice.

8. Dedicated Grievance Procedure

Informal Procedure

- 8.1** If an employee feels that they have suffered direct or indirect discrimination they are encouraged to attempt to raise and solve the issue informally before commencing the formal procedures detailed below.
- 8.2** Informal steps that may be taken by the employee include talking to their manager about the issue, or talking directly to any individual who the employee feels is responsible for the discrimination. This can be done verbally or by letter, and can be with the accompaniment of a colleague or trade union representative.
- 8.3** Where the informal procedure is used, both parties should keep a written record of the meeting including what was discussed and any proposed action.
- 8.4** If the employee feels unable to deal with the issue informally, or if informal steps have failed to solve the problem, the employee should raise the matter according to the formal procedure detailed below.

Formal Procedure

Written Statement

- 8.5** Formal Grievances should be detailed in writing, and submitted to the Designated Officer without unreasonable delay. The Grievance should contain the actions or policy that the employee believes is discriminatory and all relevant facts surrounding the action or policy, including any relevant dates, names and witnesses. The employee should indicate what they feel the Company should do and any other suggestions or information that they believe will assist in resolving the issue.
- 8.6** Where the Grievance concerns the Designated Officer, it should be submitted instead to the Ray Bush - Commercial Director or such other person of equal or greater seniority.

Grievance Meeting

- 8.7** The employee will then be invited to a formal meeting to discuss the Grievance. The formal meeting

will be held without unreasonable delay, and, usually no longer than 10 working days after submission of the Grievance in writing.

- 8.8 The meeting must not take place if the appropriate manager has not had a reasonable opportunity to consider their response to the information.
- 8.9 The employer should establish the facts by collecting documents, identifying any relevant people to interview and taking statements before memories start to fade. Any requests for anonymity and confidentiality should be taken seriously.
- 8.10 The employee may, following a reasonable request, be accompanied by a colleague, a suitably certified trade union representative or an official employed by a trade union. The companion may not, however, answer questions on behalf of the employee.
- 8.11 The employee's chosen companion will be able to address the meeting to put or sum up the employee's case as well as confer with the employee during the meeting. They may not, however, answer questions on the employee's behalf, address the meeting if the employee does not wish them to do so or prevent the Company from explaining their case.
- 8.12 The appropriate manager, employee and their companion shall make every effort to attend the meeting.
- 8.13 If possible the employee should explain how they think the Grievance could be resolved.
- 8.14 If a full investigation of the matter is required, then the meeting should be adjourned to a later date before a decision is taken about how to deal with the employee's Grievance.

Outcome of the meeting

- 8.15 Following the meeting, and investigation, and without unreasonable delay the appropriate manager shall set out in writing the action they intend to be taken to resolve the Grievance (if appropriate).
- 8.16 The Company shall also inform the employee in writing of their right to appeal if they are not satisfied with the action taken.
- 8.17 Any action taken shall be monitored and reviewed, as appropriate, to ensure it effectively deals with the issue.

Appeal

- 8.18 If the employee is dissatisfied with the decision they have the right to raise an appeal by submitting a written request to the Designated Officer, which should include the grounds for appeal. The appeal request must be submitted within 5 working days of the employee receiving the confirmation as to the outcome of the Grievance meeting.
- 8.19 The Company will invite the appellant employee to another meeting to discuss their appeal, to be held within a reasonable time of receiving the request for an appeal, at a time and place which shall be notified to the employee in advance. The appeal will be dealt with impartially and, wherever possible, will be chaired by a manager who has not previously been involved in the case and is of increased seniority to the one who dealt with the original Grievance.
- 8.20 The employee has the statutory right to be accompanied at the appeal meeting. The outcome of the appeal meeting shall be communicated to the employee in writing within 10 working days. Decisions made at this point are final and the Grievance procedure is concluded.

Records and Confidentiality

- 8.21** The Company shall be responsible for taking notes of the proceedings of each meeting during the Grievance procedure. Copies of meeting notes will be provided to the employee.
- 8.22** All Grievances will be handled with as high a degree of confidentiality as is practicable, with special consideration for the often-sensitive nature of grievances falling under this Policy.
- 8.23** Confidential records of the Grievance will be kept in the employee's personnel file in accordance with Data Protection legislation.

9. Employees engaging in Discriminatory Conduct

- 9.1** Behaviour or actions found to be contrary to this Policy and the general spirit of the laws on which it is based will be serious disciplinary matters. In the most severe of cases, the employee responsible may face dismissal. Any such employees will have the right to appeal against such a summary dismissal by following the Companies grievance procedure.
- 9.2** Discrimination leads to an unpleasant and non-productive work environment. No employee has the right to discriminate against another. If an employee is executing Company policy that may be indirectly discriminatory, the Company will not normally hold the employee responsible for any negative effects of that policy. Employees should inform the Designated Officer if they become aware of any discriminatory effects that a policy may have.
- 9.3** If a grievance is received by the Company that cites the actions of an employee have been discriminatory against another member of staff, the Company will deal with the breach of policy through the Disciplinary procedure.

10. Disciplinary Procedure

Informal discussion

- 10.1** The Company will initially try to resolve disciplinary issues informally by way of an informal discussion with the employee concerned.
- 10.2** This is a two-way discussion where the Company will be able to inform the employee of the grievance against them and at the same time provide the employee with the opportunity to provide an explanation.
- 10.3** The main purpose of the informal talk is to find a solution to the problem that is beneficial for both the Company and the employee.
- 10.4** Generally, cases of minor misconduct are dealt with informally. However, if the informal action does not provide a solution to the problem or if the disciplinary issue is too serious to be dealt with informally then the Formal Disciplinary Procedure will be followed.

Written notice of intended disciplinary meeting

- 10.5** If it is decided that there is a disciplinary case to answer the Company will provide the employee with written notice informing them that this constitutes the first stage of the Formal Disciplinary Procedure and as such outline:
 - 11.5.1 the alleged misconduct and any possible consequences of this;
 - 11.5.2 details as to the time and venue of the disciplinary meeting; and
 - 11.5.3 notice of the employee's statutory right to be accompanied if the meeting could result in a formal warning, the confirmation of a warning or the taking of some other disciplinary action. (This statutory right can be exercised once the employee has made a reasonable request to be

accompanied)

- 10.6 The employee's chosen companion will be able to address the meeting to put or sum up the employee's case as well as confer with the employee during the meeting. They may not, however, answer questions on the employee's behalf, address the meeting if the employee does not wish them to do so or prevent the Company from explaining their case. The companion can be a fellow employee, trade union representative or official employed by a trade union.
- 10.7 The meeting will be scheduled to give the employee reasonable time to prepare for the meeting.
- 10.8 The Company will establish the facts before the meeting by collecting documents, identifying any relevant people to interview and taking statements before memories start to fade. Any requests for anonymity and confidentiality will be taken seriously.
- 10.9 Where the Company or an employee intends to call relevant witnesses, they should give notice to the other party that they intend to do this. It may also be appropriate to provide copies of written evidence including any witness statements.
- 10.10 If the employee is unable to attend the disciplinary meeting at the agreed time, the Company shall offer an alternative reasonable time and date. If the employee repeatedly fails to attend rearranged meetings the Company, taking into consideration any reasons and concluding that such failure is without good cause, is free to decide upon the matter using the evidence available. The Company will inform the employee about such a decision in writing.
- 10.11 A record of this written notice will be disregarded after 12 months' subject to satisfactory conduct.

Meeting

- 10.12 The Company will explain the complaint against the employee and go through any relevant evidence.
- 10.13 The employee will then be given the opportunity to present their own evidence, answer any allegations, ask questions and call relevant witnesses.
- 10.14 If the Company is unable to attend the meeting, such a delay should be conveyed to the employee at the earliest opportunity and a reasonable alternative should be provided to the employee.
- 10.15 Where possible, a manager who did not carry out the investigation will attend the meeting

Outcome of meeting

- 10.16 If the Company finds there has been no misconduct the employee will be informed of this in writing.

First Formal Warning

- 10.17 If misconduct is confirmed the Company will issue a written warning setting out the complaint and stating that further misconduct will result in a final written warning. This letter will include details as to the improvement required, time-scales for such improvement and details of any help that will be made available <<e.g. access to the Company therapist>>. A record of this warning shall be kept for 12 months and shall be disregarded thereafter subject to satisfactory conduct.

Final Formal Warning

- 10.18 If the misconduct is sufficiently serious or there has been further misconduct since a previous formal warning the Company may issue a final written warning. This will give details of the complaint and nature of the misconduct, the improvement required, the time-scale for such

improvement and details of any help available. It will also warn that failure to improve may lead to dismissal or some other contractual penalty e.g. demotion. A copy of this written warning will be kept on file and will be disregarded for disciplinary purposes after 12 months' subject to satisfactory conduct.

Dismissal / Other Penalty

10.19 If there has been further misconduct since a final written warning the Company may dismiss the employee or take some other action short of dismissal such as demotion or disciplinary suspension. The employee will be provided with, in writing, the reasons for dismissal/or other action, the date on which the employment will terminate (if dismissed), and their right to appeal, as soon as reasonably practicable. The dismissal decision should only be taken by a manager who has the authority to do so.

Dismissal Without Notice

10.20 If the Company finds that there has been gross misconduct the Company may call for dismissal without notice, the Company will follow a fair disciplinary procedure before taking any decision to dismiss without notice and this will be confirmed in writing.

Appeal

10.21 Employees have the right to appeal against any formal disciplinary action. An appeal should be made in writing within 5 working days of the disciplinary decision.

10.22 The employee must inform the Company as to the grounds for appeal in writing, and may be accompanied to the appeal meeting.

10.23 The Company will hear the appeal without unreasonable delay and where possible the appeal will be dealt with by a manager, preferably more senior, not previously involved in the case. However, where this is not practicable, the same manager may handle both the disciplinary and the appeal meetings and he/she will act as impartially as possible.

10.24 The outcome of the appeal will be confirmed in writing within 10 working days of the meeting. Decisions made at this stage will be final and there is no further right of internal appeal.

11. Advice and Support on Discrimination

Employees may contact their employee or trade union representative if access to such an individual is possible.

Other contacts include:

Equality and Human Rights Commission

Manchester

Arndale House

The Arndale Centre

Manchester

M4 3AQ

London

3 More London

Riverside Tooley Street

London

SE1 2RG

Cardiff

3rd Floor, 3 Callaghan Square

Cardiff

CF10 5BT

Glasgow

The Optima Building

58 Robertson Street

Glasgow

G2 8DU

Helpline Telephone Numbers:

England: 0845 604 6610

Wales: 0845 604 8810

Scotland: 0845 604 5510

Website: www.equalityhumanrights.com

Citizens Advice Bureau

Myddleton House

115-123 Pentonville Road

London

N1 9LZ

Website: www.citizensadvice.org.uk

Community Legal Services Direct

Telephone: 0845 345 4 345

Website: www.communitylegaladvice.org.uk

Equality & Diversity Training Plan

| Reference | E&D Objective | Current Position | Action | When | Person Responsible | Target |
|------------|---|--|---|-----------------|--|---|
| E&D 2016/1 | Copy of the policy available to all PCG personnel, associates and partners. | Only a one-off exercise completed previously, no systemic awareness process for new personnel. | Update the induction process, checklist and acknowledgement statement to cover explanation/understanding of the E&D strategy, policy and implementation plans | Within 6 weeks | ██████████ | Induction records fully updated |
| E&D 2016/2 | | | Update the BMS Manual and other associated BMS procedures as necessary. | Within 8 weeks | ██████████ | BMS fully updated |
| E&D 2016/3 | This Policy aims to remove unfair and discriminatory practices within the Company and to encourage full contribution from its diverse community | Updated policy needs communicating. | Provide a toolbox talk for all existing personnel: SMD based | Within 8 weeks | ██████████ | 100% of TLL based personnel updated and acknowledgements forms signed |
| E&D 2016/4 | | | Contact and provide run-throughs of this document for all other PCG personnel | Within 12 weeks | ██████████ | 100% of other personnel updated and acknowledgements forms signed |
| E&D 2016/5 | Improve communication and understanding to the Client base | This has never been addressed in the past. | Update the Website | 1 year | ██████████ ██████████ ██████████ | Website fully supporting of the strategy and policy to aid wider |

| Reference | E&D Objective | Current Position | Action | When | Person Responsible | Target |
|------------|---|--|---|-----------|--|---|
| | and other interested parties | | | | | understanding of E&D. |
| E&D 2016/6 | Assess compliance with PCG's E&D policy and strategy by suppliers | This has never been addressed in the past. | Update supplier questionnaires / assessment templates | 6 months | ██████████ ████████████████████ ██████████ | Implement before next supplier assessment. |
| E&D 2016/7 | | | Explain PCG's E&D strategy and policy to existing suppliers | 12 months | ██████████ ████████████████████ ██████████ | Understand and record status of all existing suppliers. |
| E&D 2016/8 | Monitor compliance with PCG's E&D policy and strategy | This has never been <u>formally</u> addressed in the past. | Update PCG's Business Review procedure to mandate review as part of the annual review of the BMS as a minimum; Training Plan plus Improvement Targets and Action Plans | 6 months | ██████████ ████████████████████ ██████████ | Implement before next annual review. |