

Equality & Diversity & Fair Pay for Employees Policy.

Single Equality Scheme

The Equality Act passed into law on 6 April 2010 and many of its provisions came into effect in October 2010. The intention of the Act is to harmonise the fragmented discrimination legislation, but it also introduces some new restrictions which affect employment.

Recruitment

We will always recruit by using a job specification that identifies experience, qualifications and skills required for it to ensure that all requirements are adhered to.

Selection of applicant will be consistent with our equal opportunity policy and when deciding upon the right person for the position, we will not discriminate, whether consciously or unconsciously, in making this decision. We will always check competence records, experience, skills, qualifications and the right to work in the UK as part of the selection process including any conditions attached to work visas or permits are complied with.

Advertising job vacancies will be through a consistent, non-discriminatory approach with successful applicants being considered solely on their ability to do the job.

Interview questions will be related to the requirements of the job and will not be of a discriminatory nature. A record of interview is maintained and held for 1 year post the interview for unsuccessful candidates.

Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.

Equality Scheme

Total Recycling Services Limited aims to be a truly inclusive company, which is open to all sections of local, national and International communities.

1.0 Equality & Diversity

- 1.1 We aim to encourage, value and manage diversity and are committed to providing equality for all in order to secure the widest pool of talent possible by selecting a workforce that is representative of the communities from which we obtain them. We have an E&D representative with the HR department, which ensures that we encourage representative selection from this pool and to implement equality and diversity, set objectives then monitor success and compliance.
- 1.2 Total Recycling Services Limited believes work is most effective when we work as a team pooling our skills, aptitudes, interests and backgrounds. Teams which are diverse are able to cope with the wide variety of challenges and opportunities in modern life and work. Training, development and progression opportunities are available to all staff. We will protect our employees from discrimination because of race (including ethnic origin, colour, nationality and national origin), age, disability, religion or belief (including philosophical belief), sex and sexual orientation, gender, gender neutrality, gender reassignment, marriage and civil partnership, pregnancy and maternity, social background or appearance. Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings and dismissal.

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- 1.3 All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the company. We will treat all people with equal value. Decision making will be based on merit. We are committed to the principle of equality in our paid reward system for our employees and will eliminate any bias in our pay system. Pay and benefits will be in line with current legal requirements in force, will be detailed on a written pay statement and will be paid in line with role, responsibility and skills of the position held. The written statement will identify fixed pay deductions (amounts and reasons) and will be made available before the pay date.
- 1.4 We recognise that all people are equally deserving of respect and we will ensure that they have the opportunity to develop to their full potential and give of their best. Equality of opportunity does not mean that everybody is the same or should be treated in exactly the same way. It means that everyone should be respected for their own characteristics and abilities and that they should be treated in ways which make the best of those abilities. In practice this means that Total Recycling Services Limited will work to ensure that in those places where it has influence, we will promote and enforce respect, tolerance, thoughtfulness and goodwill to shape the best behaviour in everyone. Their opposites – racism, violence, rudeness, offensive names or ‘jokes’, harassment of individuals or small groups of people, bullying, the display of pornographic or racist material, ignoring or shunning people – are not acceptable and are likely to attract disciplinary measures.
- 1.5 Achieving greater diversity and equality of opportunity is a practical matter, requiring careful thought, determined action and persistence. Success is measurable in the quality of the company, as it affects the wellbeing of every member of staff.. The laws of the United Kingdom have promoted equality of opportunity for many years. There is legislation forbidding unfair discrimination. This legal framework is being constantly refined and updated. Total Recycling Services Limited will ensure that, in meetings, staff and contractor briefings, a requirement to comply with relevant law is made clear.

2.0 Our Statutory Duties

- 2.1 For the first time, The Equality Act 2010 brings together all of the legal requirements for the private, public and voluntary sectors to make existing equality laws simpler, more effective and easier to understand. It was brought in to consolidate and harmonise all previous acts relating to protected characteristics.
- 2.2 Previous Acts and regulations which the Equality Act repeals include the following:
- The Equal Pay Act 1970
 - The Sex Discrimination Act 1975
 - The Race Relations Act 1976
 - The Disability Discrimination Act 1995

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- The Employment Equality (Religion and Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Age) Regulations 2006
- The Equality Act (Sexual Orientation) Regulations 2007

2.3 We take active steps to identify and address issues of discrimination where there is evidence of prejudice, harassment or victimisation, lack of understanding, disadvantage, or lack of participation for individuals with protected characteristics. We are committed to applying the duties not to just the three legislated areas but to extend the requirement to all seven protected groups.

2.4 To do this we will:

- Assess the impact of its policies on staff from different racial groups;
- Monitor the admission and progress of staff and the recruitment and career progress of staff by racial groups;
- Set out Total Recycling Services Limited's arrangements for publishing the results of assessments and monitoring;
- Report annually the results of assessments and monitoring.

3.0 Meeting our Duties

We will seek to ensure that:

- Directors, staff and customers are aware of our equality and diversity policy, its' directives and the action needed for its implementation;
- Staff and customers are aware of the value placed upon equal opportunity and that action will be taken in the event of any breach of the policy;
- Directors and staff have access to comprehensive information, which assists them to plan, implement and monitor actions to carry out their responsibilities under the policy;
- We set pay, benefits and any subsequent pay review in line with all current legislation and based on role, responsibility and skills of the position and no other discriminatory factor.
- We respond to problems raised, informally or through the formal grievance procedure, effectively and efficiently.

4.0 Indicative lists of Discrimination

4.1 Harassment and Bullying

This is unwanted conduct which violates a person's dignity or which creates a hostile, intimidating, degrading, humiliating or offensive working environment. It can be physical or verbal and includes attacks on property as well as on a person, (See Appendix 1).

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Anyone who feels that they are becoming a victim of harassment or bullying can be assured of a sympathetic hearing from the staff of Total Recycling Services Limited. The simplest and sometimes the best response is to ask the person who has given offence to stop and for a simple apology to end the matter. That can be inappropriate where the offence is serious or repeated, despite clear indications that it is hurtful or offensive. It can also be impossible; where information technology has been used to harass or bully, for example. However the problem is to be tackled, act promptly, without waiting for it to become intolerable or to threaten wellbeing or health.

In the first instance:

Ask the person involved to stop being offensive and for a simple apology to close the matter

or

Approach a Director and ask that they approach the offender on the victim's behalf

or

Use the formal Complaints procedure,

4.2 Gender and Sexuality

Unacceptable behaviour may be directed towards men and women. It may consist of unwelcome name-calling; 'jokes'; hostile attitudes towards particular groups of people that override consideration for the individual; suggestive, vulgar or sexually explicit language and pictures; or unwanted physical contact. Where someone makes it clear that they find language or behaviour objectionable, it should stop. Continuation may well be harassment or bullying.

Some examples of behaviour to avoid:

- Sexually suggestive comments and gestures;
- Unnecessary and unwanted physical contact;
- Derogatory remarks about people of a particular gender or sexual orientation;
- Unwelcome requests for social and sexual relationships;
- Display or sharing of pornographic or sexually-revealing pictures;
- Indecent exposure or sexual assault; these are criminal acts.

4.3 Race (ethnic origin, colour, nationality and national origin)

Racial abuse may be directed at men or women and includes name-calling; 'jokes'; hostile attitudes towards groups of people that override consideration for the individual; language or behaviour, which is known to be unacceptable to the culture of a person from a different ethnic background; and criticism of dress or appearance. In the United Kingdom, where British people come from a wide range of different ethnic groups, it is possible for a person from any background to give offence accidentally or through ignorance. When it is made clear that offence has been given the proper response is to stop and apologise.

Some examples of behaviour to avoid:

- Ridicule for physical or cultural difference;
- Exclusion from the activities of the rest of the group, in learning or socially;
- Unfair allocation of work or responsibility;

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- Racist comments, graffiti or wearing of insignia;
- Rejection of traditional dress;
- Abuse, threats or attacks; these are likely to be criminal acts.
- Using ethnic nicknames as these are nearly always offensive.

There are rarely occasions when it is necessary to comment on a persons' ethnicity, therefore it is best to avoid remarking on a persons' ethnicity unless you are 100% sure it is necessary and won't cause offence; you should always be mindful of what terminology you use and think carefully about what you say.

4.4 Religion or Belief.

Religion is becoming a more prominent feature of life than it has been previously, due to media. It is not illegal to challenge religious beliefs but it may cause greater offence than was intended.

Some examples of behaviour to avoid:

- Teasing or criticising dress codes, which may be important to believers in a particular religion;
- Mocking other people's beliefs, particularly in front of a group or in public;
- Acting on an assumption that people of a particular religion all have the same qualities or characteristics.
- Disregarding or ridiculing religious holidays, festivities, practices etc.

4.5 Disability

People with a wide range of disabilities are increasingly able to live a full life and work alongside able colleagues. The ability to work and develop at Total Recycling Services Limited is an essential foundation for that widening of opportunities. The help and encouragement of every member of the company is an important part of that support.

Some examples of behaviour to avoid:

- Name-calling referring to a disability;
- Exclusion from the activities of the rest of the group;
- Unthinking assumption about what a person with disabilities can achieve or do;
- Giving unwanted and uninvited help.
- Unnecessarily discussing a disabled persons' condition with them or anyone else.

5.0 Monitoring

5.1 We capture information relevant to equality and diversity and present this in a format that will provide relevant analysis to top management in order to monitor and evaluate the effectiveness of this policy and to allow informed judgement to be made for setting objectives in accordance with Key Performance Indicators (KPI's).

5.2 Data captured and analysed against discriminatory indicators includes:

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- Profiles of employees by grade / salary scales and types of work;
 - Job application rates;
 - Selection success rates;
 - Allocation of employment and training contracts (permanent, fixed-term part-time, fixed-term full-time);
 - Training / staff development records;
 - Promotion application and success rates;
 - Disciplinary / capability proceedings;
 - Grievances;
 - Leaver interviews.
 - Pay statistics
- 5.3 Where available, we will use external information to benchmark our results against and implement equality impact assessments (where necessary) to get to the root cause of the inequality.
- 5.4 We capture information from application and recruitment right through to dismissal, retirement or resignation. The following are some examples of data which are monitored:
- Applications for staff positions from people of different ethnicity / gender in comparison with their representation in the local community;
 - Successful selection rates of different groups in comparison with applications;
 - Successful achievement rates of qualifications among different groups of staff;
 - Promotion of staff according to ethnicity / gender in comparison with average rates of promotion.
- 6.0 Action
- 6.1 We will review our processes and practices where we discover inequality. This could be that our company is not representative or where it appears that specific sections are not progressing as others are. Action will be taken where:
- Monitoring shows that some groups do not appear to succeed as well as others.
 - it is discovered from investigation or equality impact assessment that this is not solely attributed to the most suitable person during recruitment and selection.
 - A grievance is deemed to be justified.
- 7.0 Who is responsible?
- 7.1 Everyone who is part of or associated with Total Recycling Services Limited is personally responsible for actively promoting the values described in this policy.
- 7.2 Leadership in diversity and equal opportunity issues is carried out by the following people:
- Director
 - Management.
- 7.3 The Directors of Total Recycling Services Limited:

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- Appoints a member of staff to champion this policy and monitor its' effectiveness and a central point of contact for those who have concerns.
- Sets and monitors diversity and equality targets annually;
- Approves and monitors the annual development plan (KPIs);
- Monitors improvements in diversity and equality over time;
- Takes responsibility for safeguarding vulnerable people;
- Reflects on its own performance in diversity and equality matters;
- Implements an equal pay, benefits and pay review structure in line with current legislation.

7.4 Managers:

- Explain to staff what they are monitoring and why.
- Present information in a manner which will effectively communicate the message to them.
- Monitor the implementation of Total Recycling Services Limited equality and diversity policy with key indicators of performance which are included in an Action Plan and performance reviews.
- Reassure those providing the information for analysis and monitoring that it will remain confidential.
- Ensure that every employee, learner and apprentice has the same access to training, promotion and other opportunities in order to reach their full potential.

8.0 Positive Action

8.1. Many occupations are mainly historically, associated with a particular gender or ethnic group. For example, a predominance of men in a job role may have been previously justified by a need for physical strength at one time. In the vast majority of jobs this is no longer the case but the stereotype may live on. Employers are therefore denied access to the range of talent they need for reasons which make no sense. Where Total Recycling Services Limited finds issues of this kind we will work actively to overcome them for the benefit of both employers, employees and learners.

9.0 Linked policies and procedures

9.1 This policy statement is intended to help guide everyone in Total Recycling Services Limited towards behaviours and attitudes, which reflect the best aspects of our society. Nevertheless, where people transgress, sanctions are laid down in a number of associated statements:

- Capability & Disciplinary Policy;
- Grievance Policy
- Forced Labour, **Prison Labour and Child Labour** Policy;
- **Corporate Social Responsibility and Ethical Policy;**
- Service-level agreements;

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Appendix 1 – Bullying and Harassment

Harassment

In the Equality Act 2010, harassment is defined as ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual’.

Harassment includes any act, expression, statement (verbal or written) or visual display which is unsolicited, unwelcome, offensive, objectionable or intimidating – and any incitement to others to behave in such ways. Harassment is usually, implicitly or explicitly, related to or based on the personal characteristics of an individual or group – such as age, disability, religion, nationality or national origin, race or ethnic origin, sex and sexual orientation. It is the effect of the behaviour of the individual or group against whom it is directed, not the intentions behind this behaviour, which determines whether it is harassment.

Harassment can affect their dignity or self-esteem, causes them discomfort or distress, leads them to feeling excluded or isolated, results in them feeling intimidated or patronised and withdrawing from normal everyday social interaction.

For example, a person can subject another to harassment if:

- On the grounds of their sex, they engage in unwanted conduct that is related to their sex or that of another person, which has unwanted effects such as violating their dignity;
- Of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, or
- They engage in any form of unwanted verbal, non-verbal or physical conduct of a sexual nature that has the purpose or effect of violating their dignity; or
- On the grounds of their rejection of or submission to unwanted conduct (of this kind), they treat them less favourably than they would treat them had they not rejected or submitted to the conduct.

Sexual Harassment

This policy aims to protect men, women, other gendered and non-binary persons in our company from unwanted or unprompted sexual advances and sexual harassment; and give them guidelines to report incidents. We will also explain how we handle claims, punish sexual harassment and help victims recover. We have zero tolerance towards sexual harassment in our workplace in any shape or form. Our culture is based on mutual respect and collaboration. Sexual harassment is a serious offence which if found guilty can result in termination of employment and may be reported to the authorities. This policy applies to every person in our company regardless of gender, sexual orientation, level function, seniority, race, status or other protected characteristics. We are all obliged to comply with this policy. Also we won't tolerate sexual harassment from inside or outside the company. Employees, investors, contractors, customers and everyone interacting with our company are covered and must abide by the present policy.

What is Sexual Harassment?

Sexual harassment has many forms of variable seriousness. A person sexually harasses someone when they:

- Insinuate, propose or demand sexual favours of any kind.
- Invade another person's personal space.

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- Touch someone in any place without permission.
- Stalk, intimidate, coerce or threaten another person to get them to engage in sexual acts.
- Send or display sexually explicit objects or messages.
- Comment on someone's looks, dress, sexuality or gender in a derogatory or objectifying manner or manner that makes them uncomfortable.
- Make obscene comments, jokes or gestures that humiliate or offend someone. Or make jokes that remark on a person's gender in an offensive way.
- Pursue or flirt with another person persistently without the other person's willing participation or permission. Also, flirting with someone at an inappropriate time (e.g. in a team meeting) is considered sexual harassment, even when these advances would have been welcome in a different setting. This is because such actions can harm a person's professional reputation and expose them to further harassment.

Please keep in mind that although a person may think "cat calling" is innocent it can make others feel uncomfortable and UK MPs are campaigning to make such actions a hate crime, which means they may become punishable by law in the future.

The most extreme form of sexual harassment is sexual assault. This is a serious crime and our company will support employees who want to press charges against offenders. Sexual assault will result in termination of employment with immediate effect.

Our company's rules on sexual harassment:

- **No one has the right to sexually harass our employees.** Any person in our company who is found guilty of sexual harassment could have their contract of employment terminated, whether they are vice presidents, directors or subordinates. Also, if representatives of our contractors, vendors, customers or anyone we deal with as an organisation harasses our employees, we will demand that the company they work for takes disciplinary action or we will refuse to work with them in the future.
- **Sexual harassment is never too minor to be dealt with.** Any kind of harassment can wear down employees and create a hostile workplace. We will hear every claim and punish offenders appropriately.
- **Sexual harassment is about how we make others feel.** Many do not consider behaviours like flirting or sexual comments to be sexual harassment, thinking they are innocent. However you must stop if a person asks you to, is unresponsive to the behaviour and if it makes a person feel uncomfortable, awkward or unsafe. If you are unsure on how a person feels towards flirting or sexual comments avoid this behaviour, it is always best to avoid this behaviour unless you are 100% certain a person wouldn't feel uncomfortable e.g. if they are your partner. Flirting and sexual comments should always be avoided in the workplace.
- **We assume every sexual harassment claim is legitimate unless proven otherwise.** We listen to victims of sexual harassment and always conduct our investigations properly. Occasional false reports do not undermine this principle.

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- **We will not allow persecution of harassed employees.** We will fully support employees who were sexually harassed and will not take any adverse action against them. For example, we will not move them to positions with worse pay or benefits or allow others to retaliate against them.
- **Those who support or overlook sexual harassment are as much at fault as offenders.** Managers and HR especially are obliged to prevent sexual harassment and act when they have suspicions or receive reports. Letting this behaviour go on or encouraging it will bring about disciplinary action. Anyone who witnesses an incident of sexual harassment or has other kinds of proof should report to the HR department.

Inadvertent harassment

Sometimes, people who harass others do not realise that their behaviour is wrong. We understand this is possible, however that doesn't make the perpetrator any less responsible for their actions. If you suspect that someone doesn't realise their behaviour is sexual harassment under the definition of this policy, let them know and ask them to stop. Do so preferably via email, so you have records. Please do not use this approach when:

1. Your manager, an upper manager, investor or customer is the perpetrator.
2. Sexual harassment goes beyond off-hand comments, flirting or jokes.

In the above cases report to the HR department as soon as possible.

Bullying

Bullying is not specifically defined in law, but is not tolerated in any form by our company. ACAS guidance definition states 'Bullying may be characterised as offensive, intimidating, malicious or insulting behavior, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient'.

Bullying includes the abuse of power or authority in such a way that an individual is treated with contempt and indifference, undermined, and unreasonably criticised in public or private.

Examples include (the following list is not exhaustive):

- Unwanted physical contact;
- Making life deliberately difficult for an individual who has the potential to do the bully's job better than the bully. It is the affect of the behaviour on the individual towards whom it is directed, not the intentions behind this behaviour, which determines whether it is bullying.
- unwelcome remarks about a person's age, dress, appearance, race or marital status, jokes at personal expense, offensive language, gossip, slander, sectarian songs and letters.
- isolation or non-cooperation and exclusion from social activities
- posters, graffiti, obscene gestures, flags, bunting and emblems
- personal insults.
- persistent unwarranted criticism
- setting impossible deadlines
- shouting and bawling

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- failure to safeguard confidential information
- personal intrusion from pestering, spying and stalking
- pressure to participate in political/religious groups
- coercion for sexual favours

How to report harassment

If you are being harassed (or suspect another person is being harassed), please report it to the HR department. If it involves a member of the HR department please report it to a director or manager. In serious cases like assault please call the police and inform the HR department that you plan to press charges. We acknowledge it's often hard to come forward about these issues, but we need your help to build a fair and safe workplace for you and your colleagues. We would greatly support any person that has or intends to press charges against someone who has harassed or assault them.

If you want to report harassment within our company, there are two options:

- **Ask for an urgent meeting with your HR department, manager or director.** Once in the meeting, explain the situation in as much detail as possible. If you have any hard evidence, forward it or bring it with you to the meeting.
- **Send your complaint via email.** If you address it to your manager, please cc the HR department into the email and a director, and attach any evidence or information that can be used in the investigation. HR and your manager will discuss the issue and contact you as soon as possible. If your complaint involves any of the above please address the complaint to a superior who you trust.
- If you report assault or harassment to the police, our company will provide any possible support until the matter is resolved. In any case, we will ensure you are not victimised and that you have access to relevant evidence admissible in court, like security footage or emails.

Disciplinary action and offenders

Employees who are found guilty of assault and serious harassment will be terminated on the first offence.

Employees who are found guilty of harassment on the first offence may:

- Be given a verbal, written or final warning.
- See promotions or salary increases freeze.

We may also transfer harassers or take other appropriate action to protect their victims. We will terminate offenders if they are found guilty of a second case of harassment.

HR Responsibilities

First and foremost, HR and managers should try to prevent harassment by building a culture of respect and trust. But, when harassment occurs and an employee makes a complaint, both HR and managers should act immediately.

Managers should talk to HR and explain our company's procedures to their team member who made the complaint.

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When HR receives a complaint that an employee harasses another employee they will:

- Ask for as many details and information as possible from the person or people making the complaint.
- Keep copies of reports with dates, times and details of incidents and any possible evidence in a confidential file. HR should update this file with all future actions and conversations regarding the complaint.
- Launch an investigation. If the matter is complex, the HR person can seek aid from a more superior manager.
- Check if there has been similar reports on the same person. If there are, HR should contact the perpetrator's manager to let them know their team member will be fired if found guilty.
- Inform the harassed employees of our company's procedures and their options to take legal action.
- Take into account the wishes of the harassed employee. Some might want the matter to be resolved informally or discreetly, while others might expect more radical actions. HR and managers should consider the circumstances and take appropriate action.
- Contact the harasser and set up a meeting and tell them this behaviour must stop, or, arrange for mediation sessions if the harassed employee agrees.
- Launch a disciplinary process depending on the severity of the harassment. In cases of assault, serious harassment or coercing someone into sexual favours, we will terminate that harasser with immediate effect. We will terminate employees who are found guilty in court of sexual assault, sexual harassment and harassment, even if the company has not been involved in the case.

HR or managers must not, under any circumstances, blame the victim, conceal a report, or discourage employees from reporting harassment. If HR or a manager behaves that way, please send an email to a senior leader explaining the situation.

We welcome any feedback or complaints about our procedures and how our employees handle each case.

Helping harassment victims

Apart from investigating claims and punishing perpetrators, we want to support the victims of harassment. If you experience trauma, stress or other symptoms because of harassment consider:

- Taking time off to restore your mental health. The company will pay for reasonable leave.
- Asking your insurance provider whether they cover mental health services.
- Talk to your manager we will arrange counselling on your behalf.

Your job and benefits will not be jeopardised or altered if you choose any options or other means of recovery.

We listen

Harassment can exhaust those who endure it. Speaking up about this issue is often tough for fear of not being heard, upsetting managers and challenging corporate culture. Please don't let these fears deter you. Our company will do everything possible to stop harassment from happening; while supporting harassed employees. We need to know what's going on so we can act on it. And by reporting cases of harassment you help us create a happy workforce based on mutual respect amongst all members of staff.