

Equality, Inclusion & Diversity Policy



The Company is committed to eliminating discrimination and encouraging diversity in our workforce. Our aim is to provide equality and fairness for all in our employment and to ensure each employee feels respected.

It is unlawful to discriminate directly or indirectly in recruitment or employment because of any of the nine “protected characteristics” specified in the Equality Act 2010. These are:

1. Age

The Equality Act protects employees of all ages but remains the only protected characteristic that allows employers to justify direct discrimination, i.e. if an employer can demonstrate that to apply different treatment because of someone's age constitutes a proportionate means of meeting a legitimate aim, then no discrimination will have taken place.

2. Disability

The Act states that it is unfair to treat a disabled person unfavourably because of, something connected with a disability. An example provided is the tendency to make spelling mistakes arising from dyslexia. Also, indirect discrimination now covers disabled people, which means that a job applicant could claim that a particular rule or requirement disadvantages people with that disability.

The Act includes a provision which makes it unlawful, with limited exceptions, for employers to ask about a candidate's health before offering them work.

3. Gender reassignment

It is discriminatory to treat people less favourably who propose to start to or have completed a process to change their gender, for example, because they are absent from work for this reason.

4. Marriage and civil partnership

The Act protects employees who are married or in a civil partnership. Single people are however not protected by the legislation against discrimination.

5. Pregnancy and maternity

The Act protects women against discrimination because they are pregnant or have given birth.

6. Race

The Act protects people against discrimination on the grounds of their race, which includes colour, nationality, ethnic or national origin.

7. Religion or belief

The Act protects people against discrimination on the grounds of their religion or their belief, including a lack of any belief.

8. Sex

The Act protects both men and women against discrimination on the grounds of their sex, for example paying women less than men for doing the same job.

9. Sexual orientation

The Act protects bisexual, gay, heterosexual and lesbian people from discrimination on the grounds of their sexual orientation.

We also do not permit discrimination against individuals who have ‘spent’ convictions as defined by the Rehabilitation of Offenders Act 1974. See the section headed ‘Rehabilitation of Offenders’ further on in this policy.

We oppose all forms of unlawful and unfair discrimination, victimisation and harassment.

Our Policy is that:

- All individuals, whether part-time, full-time or temporary, are to be treated fairly and with respect.
- Selection for employment, promotion, training or any other benefit is to be on the basis of aptitude and ability.
- All employees will be supported 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 organisation.

Our commitment

- To create an environment where individual differences and the contributions of all our staff are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Training, development and progression opportunities are available to all staff.
- We will monitor the implementation of this policy and update it accordingly.
- The Company has a responsibility not to indirectly support unfair discrimination by ignoring what is happening within the workforce.
- Any alleged breach of this policy will be investigated and may result in disciplinary action.
- Behaviour or actions against the spirit and/or the letter of the laws on which this policy is based will be considered a serious disciplinary matter and may lead to dismissal.

Your Responsibilities

You have a responsibility to behave in ways which support a hostile-free working environment for you and your colleagues and take appropriate action if you observe or have evidence that someone is being harassed.

The following points should be noted:

- at all times refrain from any form of harassment, victimisation, intimidation and/or bullying of colleagues or employees of other organisations, such as clients, sub-contractors or clients
- do not participate in verbal statements or physical action that are unwelcome
- do not undermine a colleague or any other employee by derogatory statements
- do not victimise any person who has made a complaint of harassment

If you are responsible for harassment you may be prosecuted under criminal as well as civil law and could be personally liable, having to pay compensation yourself. If your behaviour is such that an employee feels the need to take legal action against you, the company will not defend you in court, nor pay towards your legal costs.

Discrimination

There are different types of discrimination that all individuals should be aware of:

Direct Discrimination

Occurs when an individual is treated unfairly because of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

Example of direct discrimination

A manager turns down a female employee's application for promotion to a supervisory position. He believes that since she has recently married she will soon want to have children and therefore does not think that she would be fully committed to the role. This is direct discrimination against the female employee on grounds of both marriage and civil partnership and also gender.

Discrimination by association

This is when an individual is treated unfairly due to interacting with another individual who has one or more of the following nine characteristics: race, religion or belief, sexual orientation, age, disability, gender reassignment and sex.

Example of discrimination by association

A Contracts Manager is looking forward to a promised promotion. However, after he tells his boss that his mother, who lives at home, has had a stroke, the promotion is withdrawn. His boss believes that he would not be fully committed because he would need to spend time looking after his mother. This is discrimination against the employee because of his association with a disabled person.

Perception discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic of age, race, religion or belief, sexual orientation, disability, gender reassignment or sex. It applies even if the person does not actually possess that characteristic.

Example of perception discrimination

An employee is aged forty five but looks much younger and many people assume that he is in his mid-twenties. He is not allowed to represent his Company at an international meeting because the Managing Director thinks that he is too young. This employee has been discriminated against on the perception of a protected characteristic – ie age.

Indirect discrimination

This occurs when there is a condition, rule, policy or procedure that applies to everyone but particularly disadvantages one group of people who share one or more of the following nine characteristics: age, race, religion or belief, sex, sexual orientation, marriage and civil partnership, disability and gender reassignment.

Example of indirect discrimination

All workplace health and safety information is printed in English. (Those whose first language is not English may be at risk of indirect discrimination).

Bullying, Harassment & Victimisation

Bullying

Bullying is behaviour which is meant to undermine, humiliate or injure the person on the receiving end. It may or may not involve an abuse of power.

Harassment

Harassment is any unwanted behaviour that violates dignity or creates an intimidating, humiliating or offensive environment. It can take many forms and occur for a variety of reasons. It may be related to age, sex, race, disability, religion, sexuality or any personal characteristic of an individual. It may be directed at one person or many people. Often it takes place when there are no witnesses, but not always. It can be persistent behaviour over a period of time, but a one-off act may also amount to harassment.

It is not the intention of the perpetrator that is the key in deciding if harassment has occurred, but whether the behaviour is unacceptable by reasonable normal standards and is disadvantageous or unwelcome to the person or people subjected to it or witnessing it.

Be mindful of how you conduct yourself in the workplace. Your conduct may constitute harassment even if you did not intend it to offend anyone. Something intended as a "joke" may be found funny by one individual but may serve to offend another. Everyone has the right to decide what behaviour is acceptable to him/her and to have his/her feelings respected by others.

Examples of bullying and harassment

This list is not exhaustive and is not limited to:

- Physical contact
- Jokes, offensive language, gossip, slander, sectarian songs and letter
- Posters, graffiti, obscene gestures, flags, bunting and emblems
- Isolation or non-co operation and exclusion from social activities
- Coercion for sexual favours
- Pressure to participate in political/religious groups
- Intrusion by pestering, spying and stalking
- Failure to safeguard confidential information

Victimisation

Victimisation is where an employee is treated badly because they have raised or supported a genuine complaint against a breach of the Equality Act.

Example of victimisation

An employee makes a formal complaint against her manager because she feels that she has been discriminated against because of her age. Although the complaint is resolved through the Company's grievance procedure, she is subsequently ostracised by her colleagues, including her manager. She could claim victimisation.

Sexual Harassment Prevention and Reporting

Livingston Building Services is committed to taking all reasonable steps to prevent sexual harassment in the workplace. Sexual harassment is unlawful and will not be tolerated under any circumstances. This includes not only harassment between employees but also harassment involving third parties, such as customers, clients, contractors, or any other individuals with whom employees interact as part of their work duties.

Our Responsibilities:

1. **Preventive Measures:** Our Company is required by law to actively take steps to prevent sexual harassment in the workplace. We will provide regular training and awareness sessions to ensure you understand your rights and responsibilities regarding sexual harassment.
2. **Third-Party Harassment:** You are protected from sexual harassment by third parties, such as clients, customers, or suppliers. If you experience or witness such harassment, you are encouraged to report it immediately so that appropriate steps can be taken.
3. **Extended Timeframe for Tribunal Claims:** The time limit for filing sexual harassment claims with an employment tribunal has been extended to 6 months. This allows more time for employees to come forward and report incidents of sexual harassment.

Reporting Mechanism:

- If you feel you have been subjected to sexual harassment or witnessed such behaviour, you are encouraged to report this to your line manager, HR, or through the company's confidential reporting channels (email HR@morrisandspottiswood.co.uk and the Company's anonymous reporting platform)
- All complaints will be handled in a sensitive and timely manner, in accordance with our grievance procedure. Employees will not face retaliation for reporting harassment.

Consequences:

- Any employee found to have engaged in sexual harassment, or any manager or supervisor who fails to address complaints, will face disciplinary action, up to and including dismissal.
- Harassment from third parties will be addressed with appropriate actions, including preventing future interactions and involving external authorities if necessary.

How to Complain

Informal Complaint - if you feel able to, you should make it clear to the protagonist, informally, that their behaviour is unwelcome and should stop immediately.

It is preferable that complaints are resolved informally wherever possible.

Formal Complaint – where the informal approach fails or if the harassment is of a more serious nature you should bring the matter to the attention of your manager as a formal, written, complaint.

- The person dealing with the complaint will carry out a thorough investigation in accordance with this procedure, in conjunction with HR.
- Those involved in the investigation will be expected to act in confidence: any breach of confidence will be treated as a disciplinary matter.
- All allegations will be treated speedily, seriously and remain confidential.
- The person making the complaint will be protected from victimisation.

When the investigation has been concluded, a report of the findings will be produced detailing the investigator's decision. A copy will be sent to you and the alleged protagonist (the harasser). The hearings will be conducted in the same manner as a disciplinary hearing. The rights of both parties must be protected.

If the investigation concludes that the allegation is proven, the protagonist may be subject to disciplinary action. If the report concludes that there is no basis for the complaint or the complaint is untrue, and has been brought with malicious intent, you may be subject to disciplinary action. Any disciplinary action that is implemented will be in accordance with the Company's Disciplinary Rules and Procedures.

Rehabilitation of Offenders

We are committed to promoting equality of opportunity and welcome applications from all individuals, including those with criminal records, where their offences are considered 'spent' under the Rehabilitation of Offenders Act 1974.

Spent Convictions In accordance with the Act, applicants are not required to disclose convictions that are 'spent' under the law. We will not consider 'spent' convictions when assessing applications, unless the role is exempt under the Rehabilitation of Offenders Act (Exceptions) Order 1975. In such cases, a Disclosure and Barring Service (DBS) check may be required.

Unspent Convictions Applicants are required to disclose any 'unspent' convictions as part of the recruitment process. The presence of a conviction will not necessarily bar someone from employment. We will take into account the nature of the offence, its relevance to the role, the time elapsed since the conviction, and any evidence of rehabilitation.

Confidentiality All information relating to criminal records will be treated in the strictest confidence and handled in accordance with our data protection policies and the General Data Protection Regulation (GDPR).

Equal Opportunity Livingston Building Services is committed to ensuring that individuals with criminal convictions are treated fairly and given an opportunity to demonstrate their suitability for employment. We aim to avoid discrimination on the grounds of previous criminal convictions, except where there is a legal requirement or a clear, justifiable reason for doing so.

For roles that involve regulated activity, or that are subject to specific legal restrictions, separate checks and procedures will apply as per the relevant legislation.

Consequences of breaching this policy

Any employee breaching the policy may be liable to action under the Company's disciplinary procedure. Furthermore the Company may identify a breach of this policy as a training & development need and may require the employee to undergo corrective training.

- A breach of the policy which is deemed by the Company to be serious, or repeated breaches may be considered as gross misconduct under the company's disciplinary policy.

Ongoing Commitment

Livingston Building Services is dedicated to fostering a safe, respectful, and inclusive work environment. We will continue to review and update our policies to comply with legal obligations and best practices for preventing bullying and harassment, including the prevention of sexual harassment.

Scope of Policy

This policy is intended for all employees, its revision effective from the approved date shown below. It will remain in place until further notice. Livingston Building Services reserves the right to amend or withdraw this policy at any time.

Name: George Morris

Job Title: Chairman

Signed: 

Date: January 2026