



## ISS Dignity, Diversity and Inclusion Policy

### Leadership Values

- We have a passion for performance
- We treat people with respect
- We lead by example

**Authority:** People and Culture Director, UK and Ireland

**Applicability:** All business divisions and offices throughout the UK

**Updated:** April, 2021

### Purpose:

The Company is committed to promoting a harmonious and dignified working environment which is free from unlawful discrimination, harassment and victimisation. Everyone is to be treated with dignity and respect and nobody should ever be subjected to any form of maltreatment in the workplace. The Company does not tolerate any form of intimidation, threats, or any other form of harassment likely to cause apprehension or compromise a person's dignity at work. The Company will treat such behaviour as gross misconduct and therefore failure to respect other employees' dignity at work may result in summary dismissal.

This policy applies to all aspects of employment including recruitment and selection procedures, contractual terms and conditions of employment, opportunities for training and promotion and the termination of employment. The policy provides a framework by which the Company can ensure compliance with the Equality Act 2010.

The Company is opposed to all forms of unlawful discrimination, harassment and victimisation on the grounds of: age; disability; gender identity; marriage and civil partnership; pregnancy and maternity; race which includes colour, nationality, ethnic or national origins and caste; religion or belief; sex; sexual orientation; or any other personal characteristic.

The Company aims to ensure that no employee is disadvantaged by unnecessary conditions, requirements or criteria which cannot be shown to be legitimate and justifiable in respect of business operations.

The Company considers it imperative to ensure that the talents and skills available throughout the entire community are considered when employment and promotion opportunities arise. To this end and within the framework of the law, the Company is committed, wherever practicable, to achieving and maintaining a workforce which broadly reflects the local community in which that part of the business operates.

The Company recognises that whilst some discrimination may be deliberate, much of it is a result of unconscious bias or prejudice, or is based on assumptions or stereotypes and it is the Company's goal to ensure that all individuals are treated fairly and equitably, and that decisions regarding recruitment, selection, training and promotion are based on objective job

**Honesty**

We respect

**Entrepreneurship**

We act

**Responsibility**

We care

**Quality**

We deliver



related criteria and the legal requirements to treat people with certain protected characteristics such as disability more favourably in specific circumstances.

This policy applies equally to our dealings with our clients, suppliers and members of the public.

## **Responsibility**

### **Employees**

All employees have a responsibility to help ensure a working environment in which the dignity of all employees is respected and to make management aware of any incident which compromises dignity at work. Employees can be held personally liable for unlawful discrimination and serious acts of harassment may be criminal offences.

Employees should provide support to their colleagues and should their dignity at work be compromised, encourage them to follow the appropriate procedure.

### **Managers and Supervisors**

Managers and supervisors should maintain an environment where employees feel free to alert management to any incident which affects employees' dignity at work to enable the Company to deal with the matter at the earliest opportunity in line with these guidelines.

Managers and supervisors have the additional responsibility of taking steps to eliminate any harassment of which they are aware. Disciplinary action may result if they fail to do so.

Management and supervision should be responsive and supportive to any member of staff who complains about harassment and provide advice on how this procedure should be adopted.

### **The Company**

The Company will provide access to a senior manager who can provide advice and assistance to employees who are the subject of any issue related to equality and dignity at work. If you have any queries you should contact your line manager in the first instance or the People and Culture department.

### **Key Concepts**

The Company actively promotes the advancement of equality, dignity and inclusion of all employees. Employee behaviour or conduct which involves discrimination, harassment or victimisation against another person is unacceptable and will not be tolerated by the Company. Such behaviour is considered by the Company to be gross misconduct and may constitute unlawful discrimination and serious cases of harassment may be a criminal offence.

### **Protected Characteristics**

The Equality Act 2010 defines certain specific characteristics as being protected. The following characteristics are protected characteristics:



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

### **Age**

Age refers to a person or people who have a particular age, range of ages, or age group.

### **Disability**

The protected characteristic of disability refers to a person or people who:

- have a disability
- have had a disability

A person has a disability if they have a physical or mental impairment and the impairment has a substantial and long term adverse effect on that person's ability to carry out normal day-to-day activities. Some examples of activities which may be impacted by an impairment include, but are not limited to:

- Mobility
- Manual dexterity
- Physical coordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech
- Hearing
- Certification by a consultant ophthalmologist as being blind, severely sight impaired, sight impaired or partially sighted
- Memory or ability to concentrate, learn or understand
- Perception of the risk of physical danger



Conditions such as HIV / AIDS infection, multiple sclerosis or cancer are deemed to be disabilities irrespective of whether or not the condition has yet begun to have any effect on a person's ability to carry out day-to-day activities, progressive conditions which are likely to have a substantial adverse effect in the future and severe facial disfigurements are considered to be disabilities.

Discrimination does not take place where an employer shows that they did not know, and could not reasonably have been expected to know, that a disabled person had the disability.

The Company recognises that many people acquire disabilities over time.

### **Disability: Exclusions**

The Equality Act 2010 (Disability) Regulations 2010 set out the conditions below which are specifically excluded from constituting a disability:

- Addiction to alcohol, nicotine or any other substance is to be treated as not amounting to an impairment for the purposes of the Act, unless the same addiction was originally the result of administration of medically prescribed drugs or other medical treatment.
- A tendency to set fires, steal, exhibitionism, voyeurism, and physically or sexually abusing others shall be treated as not amounting to an impairment.
- Seasonal allergic rhinitis (hay fever) shall be treated as not amounting to an impairment unless where it aggravates the effect of any other condition.
- A severe disfigurement is not to be treated as having a substantial adverse effect on the ability of the person concerned to carry out normal day-to-day activities if it consists of a tattoo (which has not been removed), or a piercing of the body for decorative or other non-medical purposes, including any object attached through the piercing for such purposes.

### **Gender Reassignment**

A person or people have the protected characteristic of gender reassignment if they are proposing to undergo, are undergoing, or have undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

A reference to a transgender person or people within the Equality Act 2010 is a reference to a person or people who have the protected characteristic of gender reassignment.

Consideration will be given by the Company to:

- When the employee expects to change their name and to start presenting at work in the new gender
- How work colleagues and clients are to be informed of the change
- Whether the employee wishes to inform colleagues and clients of their transition or have someone from the Company do this



- What information or training is to be given to managers and work colleagues
- The point at which the employee will start to use any single sex facilities, such as toilets, in their acquired gender
- Requests for time off work which an employee may require for medical or other treatment related to gender reassignment will be treated by the Company no less favourably than time off for illness or other medical appointments.

The Company recognises that people may identify as transgender but are not undergoing gender reassignment, examples may include people who are agender, gender fluid or gender non-binary and the Company is committed to ensuring that there is no discrimination of any employee regardless of their gender identity.

### **Marriage and Civil Partnership**

A person or people have the protected characteristic of marriage and civil partnership if they are married or have a civil partner.

### **Race**

Race includes:

- Colour
- Nationality
- Ethnic or national origins
- Caste

Discrimination on the grounds of race includes segregating a person or people from others.

### **Religion or Belief**

- Religion means any religion and a reference to religion includes a reference to a lack of religion
- Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

The Company will endeavour, upon request, to alter an employee's working pattern so that breaks can be granted at times that coincide with their needs for religious observance.

Alternatively, the Company will, where appropriate, endeavour to grant employees reasonable unpaid time off during working hours for religious observance insofar as this is possible and practicable, taking into account the needs of the business and whether or not such arrangements might cause disturbance or disruption to other employees and/or their work or work patterns.



## Sex

Refers to a person who was assigned as male or female at birth.

- Less favourable treatment of a woman includes less favourable treatment of her because she is breast feeding
- In the case of a man, no account is to be taken of special treatment afforded to a woman in connection with pregnancy or childbirth.
- Women have the right to be paid the same as a male comparator (and vice versa) where they do:
  - the same or broadly similar work;
  - work rated as equivalent; or
  - work of equal value

Unless the difference in pay is due to a “material factor” and that the factor is not due to a difference in sex such as length of service, skills and qualifications, performance and levels of responsibility.

## Sexual Orientation

Sexual orientation within the Equality Act 2010 means a person’s sexual orientation towards:

- People of the same sex
- People of the opposite sex
- People of either sex

The Company recognises that there are other forms of sexual orientation examples may include people who are asexual or pansexual and the Company is committed to ensuring that there is no discrimination of any employee regardless of their sexual orientation.

## Types of Discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement that is crucial to the post and the requirement is a proportionate means of achieving a legitimate aim; which is known as objective justification. An example is that it would be an occupational requirement for a security officer to be female if intimate searches are required to be conducted on females.



It is not unlawful to treat a disabled person more favourably than a non-disabled person. For example an employer has no disabled employees and guarantees all disabled applicants an interview for a vacant post.

Employers are also allowed to treat a person less favourably because of age if they are able to show that the treatment is a proportionate means of achieving a legitimate aim. For example, paying different pay rates to under 18's or different redundancy payments because of age.

It is not necessary for a protected characteristic to relate to any specific person or people for there to be direct discrimination. For example, a person or people could be directly discriminated against because of a protected characteristic of a third party, such as a relative, friend, partner etc. such as a person not being given a job because they have a gay family member.

It is no defence to a claim of direct discrimination that the complainant and the person alleged to have discriminated share a protected characteristic.

Indirect discrimination is where a neutral provision, criterion or practice (PCP) is applied to everyone in the relevant group, it puts a person with a protected characteristic at a disadvantage and it cannot be shown to be objectively justified. For example the requirement for all male employees to be closely shaven could be indirect discrimination because of religion or belief (because some Jewish, Muslim and Sikh men wear beards as part of their religious observance) unless the Company can show that the PCP is a proportionate means of achieving a legitimate aim.

Harassment is unwanted conduct which relates to a protected characteristic which the purpose of, or is reasonably considered by the person being harassed to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them and it is not unreasonable for the conduct to have that effect. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Sexual harassment is unwanted conduct that is of a sexual nature.

Conduct which may constitute harassment may be physical, verbal or non-verbal, e.g. by letter, email or any other means and could include:

- Personal insults, rudeness or threats
- Ridiculing someone
- Shouting at, or aggressive behaviour towards another
- Unwelcome remarks about another's dress or appearance
- Offensive jokes, gossip, language, gestures or unwanted nicknames
- Display of offensive material, e.g. pin-ups, posters, flags, graffiti, symbols or emblems



- Circulation of notes, letters, posters, emails or any communication of material which contains offensive and/or humiliating language or images including sexually suggestive, pornographic, racist or otherwise offensive content
- The spreading of rumours about another's perceived or actual protected characteristic(s),
- Refusal to associate with or work with another who has or has had particular protected characteristic(s).
- Coercion, isolation, segregation, ostracism, non-cooperation or freezing out of another
- Persistent unconstructive and/or unfair criticism
- Exclusion, or the threat of exclusion, from work related events, including learning and development, training courses, promotion and placement opportunities
- Picking on someone or setting them up to fail
- Pressure to participate in, support or contribute to funding, sponsorship and/or financial collections for causes which are associated with particular protected characteristic(s)
- Making threats or comments about someone's job security without good reason
- Questions or comments about a person's sex life
- The use of obscene gestures
- Unwelcome sexual advances
- The offer of rewards for going along with sexual advances, e.g. promotion, access to training
- Threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, advances, assigned work, or any other condition of employment or career development
- Unwanted physical contact, ranging from an invasion of personal space or inappropriate touching to serious assault

It is not necessary for a protected characteristic to relate to any specific person or people for there to be harassment. For example, a manager racially abuses a black worker and a white colleague is also offended by the managers' conduct.

Harassment cannot be justified and a single incident can be harassment if serious enough.

The two protected characteristics of pregnancy and maternity and marriage and civil partnership are not covered by the general harassment provisions, since they are protected in another way (pregnancy and maternity harassment is protected as harassment related to sex, and harassment related to civil partnership is harassment related to sexual orientation).





Bullying is offensive, intimidating, malicious or insulting behaviour, and / or misuse of power that makes a person feel vulnerable, upset, undermined, humiliated or threatened and will include similar examples to the list above. Bullying is not necessarily related to a protected characteristic and would not be a breach of the Equality Act 2010 but it will still be taken very seriously, is considered to be gross misconduct and may result in disciplinary action being taken including dismissal without notice.

Victimisation is where an employee is subjected to a detriment because they made or supported a complaint or raised or gave evidence about a grievance under the Equality Act 2010, or because they were suspected of doing so. For example, an employee raises a grievance about disability discrimination and is then unjustifiably given poor scores at their next appraisal.

An employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint but they are protected if the allegation turns out to be untrue but was made in good faith.

Victimisation cannot be justified and may be committed after the end of the working relationship for example, if a reference request is refused or an untrue reference is given.

Associative discrimination is where an individual is directly discriminated against or harassed for their association with another individual who has a protected characteristic. For example an employee is dismissed for needing to take time off to care for their disabled child.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) when they do not. For example a person is not recruited because the manager thinks that they are gay.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who is not disabled and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage. An example would be failing to allow an employee with Multiple Sclerosis to take additional rest breaks to overcome fatigue or to work different hours to enable them to avoid the need to travel during rush hour.

Discrimination arising from disability is where a disabled person is treated unfavourably because of something that arises as a consequence of their disability and the employer cannot show that the treatment is objectively justified. An example would be an employee being dismissed for losing their temper at work when the behaviour was out of character and caused by their severe pain following cancer treatment. The employer would then be required to show that the dismissal was legitimate and proportionate.

## **Equality, Diversity and Inclusion**

The Company will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.



## **Recruitment**

Equal opportunities at work principles should always be applied when recruiting staff. This includes the wording of the advertisement, where the position is advertised and the selection criteria used. Refer to the Recruitment Policy or contact your line manager or People and Culture Representative if you are unsure or need further advice.

Criteria for selection, training, conditions of service, pay, career development and every other aspect of employment should be objective and justified for the requirements of the position.

Please also see Positive Action below.

## **Dress Code**

When implementing dress codes, consideration should be given to groups affected by the code. All requirements should be justifiable and based on the requirements of the position and the business operation. Where a religion requires certain items of dress or jewellery, this should be allowed unless it contravenes health and safety requirements, or if there is a genuine occupational requirement for not doing so.

## **Training**

Managers should be trained and competent in all aspects of equality and diversity as appropriate to their position in the business, especially those responsible for employee recruitment.

All staff should be made aware of the implementation and application of these guidelines, commencing at their induction stage and via ongoing training where appropriate.

Please also see Positive Action below.

## **Promotion**

When selecting staff for promotion the same principles should be considered as for recruitment. All employees, whether full-time or part-time, should be given the same opportunities. This means that internal vacancies should be advertised as widely as possible. Please also see Positive Action below.

## **Discipline and Grievances**

Complaints of discrimination or breaches of this policy should always be taken seriously and should be dealt with through the relevant procedure as appropriate. If an employee witnesses or experiences behaviour which they consider to be discriminatory they should follow the grievance procedure.

The company takes a strict approach to breaches of this policy which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination will be treated as gross misconduct and are likely to result in dismissal.



Whether or not a complaint is upheld, the Company will consider how best to manage the ongoing working relationship. It may be appropriate to arrange mediation or to change the duties, working location or reporting lines of one or both parties.

It is recognised that third parties who are not employees of the Company may behave in a discriminatory way, for example another contractor on site is accused of harassing an ISS employees. In these circumstances the employee should report the incident/s to their line manager who will raise the matter with an appropriate representative of the third party. The Company will take reasonable measures to support the employee for example attending investigation meetings with the third party with them should this be permitted.

### **Positive Action**

Positive action may be considered in certain specific circumstances. Positive action occurs where one person is treated by the Company more favourably in connection with recruitment or promotion than another person in order to achieve a diverse workforce. This may be because there is a reasonable belief by the Company that:

- People who share a protected characteristic suffer a disadvantage connected to the characteristic;
- People who share a particular protected characteristic have needs that are different from the needs of people without the characteristic: or
- Participation in an activity by people who share a protected characteristic is disproportionately low.

Legitimate positive action occurs in situations where one person is treated by the Company more favourably in connection with recruitment or promotion than another person only in situations where the Company can objectively demonstrate that taking positive action is a proportionate means to achieving a legitimate aim.

Examples of the measures that may be taken could include mentoring, shadowing and training targeted at specific disadvantaged groups. Positive action steps before or at the application stage could encourage particular groups to apply, or help people with a particular characteristic to perform at their best of their ability (by giving them support not available to other candidates).

### **Disability Confident – Committed**

The Company is a Disability Confident Committed Employer and has committed to:

- ensuring our recruitment process is inclusive and accessible
- communicating and promoting vacancies to disabled applicants
- offering an interview to disabled people who meet the minimum criteria for the specific role
- anticipating and providing reasonable adjustments as required



- supporting any existing employee who acquires a disability or long term health condition, enabling them to stay in work
- identifying and sharing good practice

### **Inclusivity Networks**

The Company joined the Employers Network for Equality and Inclusion (ENEI) in 2016 which is the UK's leading employer network covering all aspects of equality and inclusion in the workplace. ENEI support employers in creating inclusive workplaces, they influence Government, business and trade unions and campaign for real practical change. The creation of inclusivity networks is currently being reviewed by the Company and further information will be made available in due course.

### **Wellbeing**

The Company recognises that wellbeing policies can give additional support in relation to issues involving diversity dignity and inclusion. These are currently being reviewed and further information will be made available in due course.

Please also refer to the following policies:

### **Grievance**

### **Disciplinary**

Signed

A handwritten signature in black ink, appearing to read 'Stephanie Hamilton'.

Stephanie Hamilton, Director of People and Culture - ISS UK and Ireland