M&S WATER SERVICES (UTILITIES) LIMITED
COMMITTED TO KEEPING YOUR WATER FLOWING

Unit 5 to 7, High Town Enterprise Centre
York Street, Luton, Bedfordshire LU2 0HA
Telephone: 01582 736317
E-mail: info@mandswater.co.uk
Website: www.mandswater.co.uk

Equality & Diversity Policy

M&S Water Services (Utilities) Limited are committed to equal opportunities and diversity not only in its employment policies but in the execution of all its functions and services and to the development of equality of opportunity and diversity Water Industry sector. A genuine commitment to equal opportunities and diversity requires participation by all employees and subscribers.

All employees and Directors of M&S Water should accept personal responsibility in recognising and implementing this Policy in all aspects of their work for and on behalf of the Company. Promotion of the Policy forms an integral part of the job description of all employees.

M&S Water are committed to the following principles:

- *There should be no discrimination on account of age, sex, marital status, civil partnership status, pregnancy, maternity, paternity, sexual orientation, gender, gender identity, gender reassignment status, part-time status, fixed term status, disability, religion, belief, race, racial group, nationality, or ethnic origin
- M&S Water will appoint, train, develop and promote on the basis of merit and ability
- All employees have personal responsibility for the practical application of M&S's equal opportunities and diversity Policy, which extends to the treatment of employees, supply chain members and contractors, our customers and members of the public who may be exposed to our works
- Special responsibility for the practical application of M&S Water's equal opportunities and diversity Policy falls upon management involved in the recruitment, selection, promotion, and training of employees
- M&S Water's grievance procedure is available to any employee who believes that they may have been unfairly discriminated against
- As defined by our Disciplinary Policy action will be taken against any employee who is found to have committed an act of unlawful discrimination. Both discriminating conduct and harassment will be treated as gross misconduct
- M&S Water undertakes not to discriminate unfairly on the grounds of trade union membership and activity, political beliefs, and unrelated criminal convictions

In the case of any doubt or concern about the application of the Policy in any particular instance any member of employees or employee should consult the Compliance Manager.

Managing Diversity

M&S Water are committed to promoting equality and diversity and the promotion of a culture of Fairness, Inclusion & Respect (FIR) throughout our business operations. We actively value difference and recognise that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work.

M&S Water aims to be an inclusive Company, where diversity is valued, respected, and built upon, so that it is able to recruit and retain a diverse workforce that reflects the communities we serve.

M&S Water are committed to ensuring the diversity of our workforce and will seek to adopt employment and engagement practices that include diversity and a fair and flexible approach including, where appropriate, positive actions which serve to support this objective.

As an employer committed to diversity and equality M&S Water recognises our success depends on creating a working environment which supports the diverse make-up of our employees and contracted resource with supporting policies and procedures to create a framework of assistance.

We have implemented the M&S Water Aware Programme to promote our requirements and expectations for an acceptable and positive behavioural culture of SHEQ and FIR performance and engagement within all of our working environments.

Discrimination

The Equality Act 2010 prohibits discrimination because of certain protected characteristics, as mentioned above*. Discrimination can be intentional or unintentional and may occur directly, indirectly, by association, or by perception. There are also two specific types of discrimination that apply only to disability "discrimination arsing from disability" and "failing to make reasonable adjustments".

Discrimination is not always obvious and can be subtle and unconscious. This stems from a person's general assumptions about the abilities, interests and characteristics of a particular group that influences how they treat those people (known as "unconscious bias"). Such assumptions or prejudices may cause them to apply requirements or conditions that put those in particular groups at a disadvantage. Examples include:

- steering employees into particular types of work on the basis of stereotypical assumptions without considering the particular attributes and abilities of individuals;
- recruiting or promoting individuals into particular roles because of assumptions about the reactions or preferences of other employees or clients; and
- using different standards for different groups of employees to judge performance.

Different types of discrimination under the Equality Act 2010

- **Direct discrimination**: Treating someone less favourably because of a protected characteristic compared with someone who does not have that characteristic (for example choosing not to recruit someone because they are disabled and you think they "wouldn't fit in" to the team).

- **Indirect discrimination**: Where a Policy, procedure or way of working that applies to everyone puts people with a particular protected characteristic at a disadvantage, compared with people who do not have that characteristic, unless there is a good reason to justify it. An example is introducing a requirement for all employees to finish work at 6pm. It is arguable that female employees, who statistically bear the larger share of childcare responsibilities could be at a disadvantage if the new working hours prevent them from collecting their children from school or nursery.

- **Associative discrimination:** Treating someone less favourably because they are associated with someone who has a protected characteristic, for example because their partner is transgender.

- **Discrimination by perception:** Treating someone less favourably because you perceive them to have a protected characteristic even if they do not, for example choosing not to promote someone because you mistakenly perceive them to be gay.

- **Discrimination arising from disability:** Treating someone unfavourably because of something connected with that person's disability and where such treatment is not justified. Examples include:

- Dismissing or failing to pay a bonus to someone because of their disability-related absence; or

- Disciplining someone for losing their temper where such loss of temper was out of character and as due to severe pain caused by them having cancer.

Failing to make reasonable adjustments: Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage might include:

- Allocating some of the disabled person's duties to a colleague;
- Changing their working hours or place of work;
- Adjusting procedures for assessing job candidates; and
- Modifying disciplinary and grievance procedures.

Recruitment of ex-offenders

The Company actively promotes equality of opportunity for all applicants, including those with criminal records where appropriate.

The Company requires the applicant to provide details of any criminal record at an early stage in the recruitment application process. Any such information should be sent in a separate confidential letter to the designated person. Only those who need to see it as a formal part of the recruitment process will have access to this information. Having a live criminal record will not necessarily prevent them from being appointed.

Any recruitment decision will depend on the nature of the position and the circumstances and background of the offence(s). The Company will discuss with the applicant the relevance of any offence to the job in question.

If the applicant fails to reveal any information relating to disclosures, this may lead to the withdrawal of an offer of employment.

Harassment, Bullying and Victimisation

What is harassment, bullying and victimisation?

Harassment and bullying detract from a productive working environment and can impact on the health, confidence, morale and performance of those affected by it, including anyone who witnesses or has knowledge of the unwanted or unacceptable behaviour.

Definition of harassment

Harassment is any unwanted physical, verbal or non-verbal conduct based on sex, sexual orientation, marital or civil partnership status, gender, gender identity, gender reassignment, religion, belief, age, race racial group, nationality, ethnic origin or disability which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment.

A single incident of unwanted or offensive behaviour can amount to harassment. Some examples are given below, but many forms of behaviour can constitute harassment. These examples are:

- physical conduct, ranging from touching, pushing or grabbing to punching or serious assault
- verbal or written harassment through jokes, offensive language, defamatory remarks, gossip, threats or letters
- inappropriate posts or comments on or via social media commonly known as "cyber bullying"
- isolation, non-co-operation at work, exclusion at work e.g. from meetings etc., or exclusion from social activities
- coercion, including pressure for sexual favours
- inappropriate personal contact, including intrusion by pestering or spying

Meaning of sexual harassment

Harassment may be sexual in nature. The law defines sexual harassment as:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

Employers are legally obliged to take reasonable steps to prevent sexual harassment of their workers in the course of their employment and by third parties.

Examples of sexual harassment

Sexual harassment can occur in many forms, and can take place either at work, outside work, in person, or online. While this is not an exhaustive list, examples include:

- physical conduct of a sexual nature, unwelcome physical contact or intimidation;

- persistent suggestions to meet up socially after a person has made clear that they do not welcome such suggestions;
- showing or sending offensive or pornographic material by any means (e.g. by text, video clip, email or by posting on the internet or social media);
- unwelcome sexual advances, propositions, suggestive remarks, or gender-related insults;
- offensive comments about appearance or dress, innuendo or lewd comments;
- leering, whistling or making sexually suggestive gestures; and
- gossip and speculation about someone's sexual orientation or transgender status, including spreading malicious rumours.

It should be noted that it is the impact of the behaviour that is relevant and not solely the motive or intent behind it.

Harassment of any kind can occur in the workplace and outside of the workplace at events connected to the workplace, such as social functions or business trips.

Definition of bullying

Bullying is persistent, offensive, abusive, intimidating or insulting behaviour which makes the recipient feel upset, threatened, humiliated or vulnerable.

Bullying can be a form of harassment and can undermine an individual's self-confidence and self-esteem and cause them to suffer stress.

Bullying can take the form of physical, verbal and non-verbal conduct. As with harassment, there are many examples of bullying, which can include:

- shouting at or humiliating others
- high-handed or oppressive levels of supervision
- unjustified, offensive and/or insulting remarks about performance
- excluding employees from meetings, events or communications without good cause
- physical or emotional threats

Bullying can occur in the workplace and outside of the workplace at events connected to the workplace, such as social functions or business trips.

Definition of victimisation

Victimisation is treating another person detrimentally either because that person has made a complaint of discrimination or harassment, or because they have supported someone else who has made such a complaint, for example by giving a witness statement that supports the allegations.

Microaggressions

Microaggressions - sometimes called micro-incivilities - are statements, actions, or incidents that are regarded as indirect, subtle, or unintentional discrimination against members of a

marginalised group such as a racial or ethnic minority. They are sometimes referred to as "death by a thousand cuts". Microaggressions generally take one of three forms:

- **Micro-assaults:** Conscious and obvious insults made verbally or non-verbally to a marginalised individual or group, for example directing limp-wristed hand gestures towards a gay colleague and saying "It's just a joke".
- **Micro-insults:** *Unintentionally insensitive remarks or assumptions* based on stereotypes, for example saying to a person with a disability "You don't look disabled to me".
- **Micro-invalidations:** Where a person denies, or seeks to cancel, the feelings and lived experiences of a marginalised individual or group, for example a white person saying "I don't think the UK has a problem with racism - some people are just too sensitive".

Serious microaggressions can amount to unlawful harassment, bullying or discrimination but even less serious microaggressions can negatively impact the health and wellbeing of the person experiencing them.

Responsibility for this Policy

The M&S Water Senior Management has overall responsibility for Equal Opportunities.

Our SMT will:

- Ensure that the Company is meeting its legal duties with regard to relevant legislation
- Set the tone and influence the culture of Equal Opportunities & Diversity within M&S Water and set the standards and expectations of employees with respect to conduct via our FIR objectives and Aware Programme
- Satisfy itself that Equal Opportunities & Diversity is being actively pursued, with appropriate monitoring in place and that this Policy is working effectively
- Regularly review our approach to Equal Opportunities & Diversity and approve changes or improvements to key elements of its processes and procedures

To effectively implement this Policy, M&S Water will take steps to ensure that:

- All employees (and any contractors engaged by or acting on behalf of M&S Water) act in accordance with this Policy
- Through policies, procedures and systems, job applicants or employees will be treated in accordance with this Policy and other related policies
- Any employment requirements or conditions will be justifiable and reasonable
- All employment policies, procedures, and practices, including this one, will be reviewed and impact-assessed regularly to ensure that they are, and remain, non-discriminatory
- All managers and others involved in the implementation of the Company's employment policies will receive appropriate training including diversity, recruitment and selection, performance management etc
- Reasonable adjustments will be made in the workplace to help people with disabilities achieve their full potential
- Employees will receive training during induction and at other appropriate times during their employment to ensure awareness and understanding of this Policy and diversity in general.

Employee responsibilities

Everyone has a responsibility to help ensure a working environment in which the dignity of everyone is respected. Employees must comply with this Policy and they should ensure that their behaviour to colleagues and anyone connected to the Company, does not cause offence and could not in any way be considered to be harassment or bullying.

Employees should discourage harassment and bullying by making it clear that they find such behaviour unacceptable. They should also support colleagues who suffer such treatment and are considering making a complaint. Employees must alert their Line Manager immediately to any incident of harassment or bullying to enable the Company to deal with the matter promptly and effectively.

A diverse workplace is promoted and celebrated through our policies and how we operate.

Signed: K H ..... Dated: 17.08.2026

Karen Harkin – Director
For and on behalf of
M & S Water Services (Utilities) Limited

Review date: 31/08/2027

PD07