

ADDITIONAL DISCLOSED MATERIAL

Schedule 9g

THE CONTRACT PLAN

APPENDIX 5 (HR Policies)





## Scope

This policy applies to all potential and current employees of NSL. It also applies to any dealings with contractors, suppliers and customers together with any individual undertaking business of any nature within NSL.

## Purpose

NSL is fully committed to provide a harmonious working environment free of harassment, bullying and any other type of behaviour which leads an individual to feel upset, threatened, humiliated or vulnerable in any way.

All employees have the right to be treated with dignity and respect. Bullying and harassment is harmful, it causes distress and can lead to accidents, illness, and poor performance.

## Policy

Bullying is defined as any unsolicited or unwelcome act that humiliates, intimidates or undermines the individual involved. Harassment based on the grounds of sex, sexual orientation, race, colour, nationality, ethnic or national origins, religion or belief, marital status, disability, age or on any other grounds, is an unacceptable form of conduct within NSL. Every manager and employee has a personal responsibility for the implementation of the policy. All employees are expected to comply.

The aim of this policy is to protect employees from any form of of bullying and harassment and to enable them, if necessary, to make a complaint or assist in an investigation without fear of reprisal. Any breach of this policy will be dealt with formally through the disciplinary procedure.

The following procedure informs employees of the type of behaviour that is unacceptable and provides employees who are the victims of harassment or bullying with a means of redress.

## Procedure

### 1. Responsibility

Whilst the company is responsible for the adoption, implementation and monitoring of related policies, each employee holds the responsibility to ensure that bullying and harassment does not occur.

The Company to this end will provide training and guidance to managers and other relevant decision makers to ensure they fully understand their position both within the law and under Company policy.

All those referred to in the scope are required to adhere to this policy, any queries on the application or interpretation of this policy must be discussed with the Human Resources Department prior to any action being taken.



All employees at every level must:-

- Co-operate with any measure introduced
- Report any suspected bullying and harassment incidents
- Not induce or attempt to induce others to harass or bully individuals
- Not to victimise anyone as a result of them having reported or provided evidence of any bullying or harassment
- Not harass, abuse or intimidate others on account of their race, religion or belief, gender, sexuality, age or disability

## 2. Bullying

If an employee feels bullied, the matter must be taken seriously. The employee must decide whether to ask for confidential counselling, and whether to proceed with a formal complaint.

Examples of bullying behaviour include:

- Derogatory remarks
- Insensitive jokes or pranks
- Insulting or aggressive behaviour
- Ignoring or excluding an individual
- Setting unrealistic deadlines
- Public criticism
- Substituting responsible tasks with menial or trivial ones
- Withholding necessary information
- Constantly undervaluing effort.

This list is not exhaustive. The actions listed above must be viewed in terms of the distress they cause the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

All managers have a duty to establish and maintain a working environment free from bullying.

## 3. Harassment

Similar to bullying if an employee states they are being harassed the matter must be taken seriously. Sexual and Racial harassment at work is unlawful. Over and above sexual and racial harassment, harassment for reasons connected with sexual orientation, religion, belief or on grounds of an individual's disability is also unlawful.



Examples of harassment include:

- Insensitive jokes and pranks
- Lewd comments about appearance
- Unnecessary body contact
- Displays of sexually offensive material, e.g. pin-ups, emails with offensive attachments
- Requests for sexual favours
- Speculation about a persons private life and sexual activities
- Threatened or actual sexual violence
- Threat of dismissal, loss of promotion, etc for refusal of sexual favours
- Deliberate exclusion from conversations on racial grounds
- Abusive, threatening or insulting words and behaviour on racial grounds
- Displaying racially abusive writing or pictures
- Speculation about a person's private life and sexual activities
- Abusive, threatening or insulting words or behaviour on grounds of religion or belief

The examples above are not exhaustive. Some of the types of behaviour listed above may, after investigation, be obvious examples of gross misconduct, punishable by summary dismissal, but other forms of behaviour may also constitute gross misconduct depending on the circumstances of the case in question.

#### 4. Making a Complaint

Any employee may use the grievance procedure to complain about any form of bullying or harassment they have been subjected to. The grievance can be made verbally or in writing directly with their line manager; where the complaint is against their line manager then the grievance must be directed to the Human Resources Department. The Company is concerned to ensure that staff feel comfortable about raising such grievances.

Employees should keep a written record of any incidents of bullying or harassment they feel they have been subjected to, including the date, time, and nature of incident, the names of those involved and the names of any witnesses.

No individual will be penalised for making a grievance unless the substance of the grievance is untrue or the complaint is made in bad faith, for example out of malice.

Where an employee is falsely accused of bullying or harassment, then the person who has made the false accusation will be subject to disciplinary action. In serious cases, such behaviour may be deemed as gross misconduct and, as such, may result in summary dismissal in the absence of mitigating circumstances.





## 5. Confidentiality

Where a complaint has been made of bullying or harassment it is very important to maintain strict confidentiality in order to protect both the complainant and the alleged perpetrator. Witnesses should be asked to give written statements and be prepared to answer questions at the formal hearing, but it must be stressed that any breach of confidentiality will be treated very seriously and could result in disciplinary action.

## 6. Investigating the Complaint

A manager should be appointed to investigate the complaint, and will interview the person against whom the allegations are made, the complainant and any relevant witnesses.

The investigation should be concluded as quickly as possible but ideally within four weeks of the complaint being received. If this time limit is exceeded, the complainant should be advised of this and given a date when the investigation will end.

The investigating manager must keep a detailed written record of the investigation and the findings. The complainant and the person(s) against whom the allegation has been made must be told of the findings by the investigating manager and these findings must also be given in writing.

If disciplinary action is justified, a disciplinary hearing will be held with the alleged perpetrator(s) within 10 working days of the decision on the investigating manager. The disciplining manager should be someone with complete impartiality to the case.

## 7. After the Complaint

All employees will be protected from further bullying or harassment as a result of making a complaint. Where a complaint is upheld it may be necessary to relocate or transfer one party. It will not automatically be the complainant who is expected to move but they will be offered the choice where practicable. Where the perpetrator is transferred no breach of contract will occur.

Transfer on disadvantageous terms can be offered to the perpetrator where allegations are proven, as an alternative to dismissal. For example transferring from a Supervisor position to a lower graded job.

## 8. Who to contact

Any instances of doubt about the application of this policy, or other questions, should be addressed to the Human Resources Department.

### Cross Reference

Please refer to the Handbook of Employment and Disciplinary, Appeals and Grievance Policy.





## Equality & Diversity Policy



### Scope

This policy applies to all potential and current employees of NSL Limited. It also applies to any dealings with contractors, suppliers and customers together with any individual undertaking business of any nature within NSL Limited.

### Purpose

The Company is committed to complying with all the Equality and Diversity legislation and any relevant codes of practice in GB and Northern Ireland as amended from time to time.

The Policy forms part of the Contract of Employment for all colleagues and is therefore legally binding.

The Company is a practicing equal opportunity employer. We expect people to comply with this policy in all their dealings with others in the course of their employment.

NSL Limited ('NSL') is committed to ensuring that the resources and talents of all its colleagues are utilised to the full and that no job applicant or colleague receives less favourable treatment in any aspects of employment and training on the grounds of age, gender, ethnic origin, nationality, colour, religion and belief, marital status, sexual orientation, disability. (**Protected Characteristic**) which cannot be shown to be relevant to the performance of the job.

Furthermore, the Company believes that it is crucially important to value and respect all employees as individuals and concentrate on personality and individual strengths in order to gain from a diverse workforce.

English is recognised as the official workplace language for the Company and colleagues are usually expected to speak/use English during working hours whilst on site. It is acknowledged that there are times when colleagues may wish to speak to each other in a language other than English, but the following should be considered:

- If talking in a language others do not understand, they may feel excluded and this may become an issue
- Equally, if you are working alongside others and don't understand the language being used, do not automatically assume you are being excluded



## Equality & Diversity Policy



### **Policy**

The aim of this policy is to protect employees from any form of discrimination on the grounds a protected characteristic and to enable them, if necessary, to make a complaint or assist in an investigation without fear of reprisal. Any breach of this policy will be dealt with formally through the disciplinary procedure.

Through this policy the training and development of managers and staff, NSL will promote good practices in managing a diverse workforce in order to reduce the likelihood of discrimination.

### **Communication**

The Policy Statement is communicated to all workers and applicants for jobs in the appropriate manner including induction packs, intranet and through Equality and Diversity training.

The Company re-enforces its commitment to fair and equal treatment of all employees through the Managers and Colleagues Charters which are delivered to, and formally acknowledged, by both staff and management.

This policy is distributed throughout the Company and is brought to the attention of all colleagues and is available for viewing on the Company's Intranet, 'Cascade'.

### **Monitoring**

Information will be obtained about protected characteristic for monitoring purpose. The information will be held in accordance with the Data Protection Act.

The Company may also carry out a monitoring survey staff to check the composition of the workforce to evaluate compliance with equal opportunity policy.

The Company gives the assurance that no information obtained as part of the monitoring of equal opportunities in employment by which an individual could be identified will be given outside the organisation (without their prior consent).

### **Procedure**

#### **1. Company Responsibility**

- The Company supports and encourages positive, non-discriminative behaviour. NSL will not tolerate discrimination on the grounds of any of the protected characteristic. In addition, it is unlawful to discriminate on the grounds of union membership.





## Equality & Diversity Policy



- Opportunities for promotion are open to any appropriately qualified colleague, but a particular transfer or promotion is not guaranteed. The Company will appoint to the position the most suitably qualified person regardless of any protected characteristic.
- Where external appointments are necessary, the Company will seek to attract only the highest quality new staff. All interviews will deal only with the applicant's suitability for the job and their ability to fulfil the job's requirements.
- Standard rates of pay are applicable for the job and only vary in accordance with market rates and levels of responsibility. It is the policy of the Company that all jobholders are paid equally, regardless of any protected characteristic.
- The Human Resources Director is responsible for the Equality, Diversity and Equal Opportunities Policy within NSL Limited and ensuring the policy is revised in accordance with the changes in legislation and social trends pertinent to the service industry.
- The Human Resources Director is also responsible for ensuring that everyone receives the appropriate briefing and training in those practices involving selection decisions, for example, recruitment, promotion and training. This also ensures that every manager is made fully aware of the relevant discrimination laws and behaves in accordance with such legislation in exercising judgement in the selection process.

### Types of Discrimination

**Direct discrimination** - Direct discrimination occurs when an employer treats an employee less favourably because of one of the protected characteristics.

Examples when this may occur – when the employer because of a protected characteristic:-

- Denies them a selection for interview
- Denies them access to training
- Offers them less favourable terms and conditions
- Segregates them from the rest of the workforce
- Dismisses or selects for redundancy

**Indirect discrimination** - Indirect discrimination occurs when a provision criteria or practice is used that disadvantages one group of people more than another. For example, saying that applicants for a job '*must be clean shaven*' puts members of some religious groups at a disadvantage.



However the law does allow employers to discriminate indirectly if they can show a good reason for having the condition. For example, the condition that applicants '*must be clean shaven*' might be justified if the job involved handling food and it could be shown that having a beard or moustache was a genuine hygiene risk.

**Associative Discrimination** – Direct discrimination against someone because they associate with another person who possesses a protected characteristic.

**Perceptive Discrimination** – Direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

**Harassment**– 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.

This includes offensive or intimidating behaviour, sexist language or racial abuse, for example, which aims to humiliate, undermine or injure its target.

**Victimisation**- means treating somebody less favourably than others because they have made, reported, or tried to make a discrimination complaint.

## 2. Employee Responsibilities

Whilst the Company is responsible for the adoption, implementation and monitoring of related policies, each employee holds the responsibility to ensure that discrimination does not occur. Such discrimination will not occur in any processes involved in respect of recruitment and selection, promotion, training and development, conditions of work, pay and benefits and to every other aspect of employment, including general treatment at work and the processes involved in the termination of employment.

The Company to this end will provide training and guidance to managers and other relevant decision makers to ensure they fully understand their position both within the law and under Company policy.

All those referred to in the scope are required to adhere to this policy, any queries on the application or interpretation of this policy must be discussed with the Human Resources Department prior to any action being taken.



All employees at every level for example must:-

- Co-operate with any measure introduced
- Report any suspected discriminatory acts
- Not induce or attempt to induce others to practice unlawful discrimination
- Not to victimise anyone as a result of them having reported or provided evidence of any discrimination
- Not harass, abuse or intimidate others on account of their Protected Characteristic
- Not canvass job applicants in an attempt to discourage them from applying or taking up a post

All employees are responsible for ensuring that their actions comply with this policy statement. Breaches of this policy may result in disciplinary action up to and including termination of employment.

### **3. Employees with a Disability**

Employees who are or who become disabled in the course of their employment must inform their Line Manager about their disability. Management and the Human Resources Department will arrange to discuss with the employee what reasonable adjustments to their job or working conditions or environment might assist them in the performance of their duties.

The employee will also be encouraged to suggest any reasonable adjustments that they believe may help them. Careful consideration must be given to any proposals and, where reasonable and reasonably practicable such adjustments should be made. There may, however, be circumstances where it will not be reasonable or reasonably practicable to accommodate proposals put forward; for example this may be due to the cost of the adjustment

### **4. Making a Complaint**

Any employee may use the grievance procedure to complain about discriminatory conduct. The grievance can be made verbally or in writing directly with their line manager; where the complaint is against their line manager then the grievance must be directed to the Human Resources Department. The Company is concerned to ensure that staffs feel comfortable about raising such grievances.

Employees should keep a written record of any incidents of discrimination they feel they have been subjected to, including the date, time, and nature of incident, the names of those involved and the names of any witnesses.



If disciplinary action is justified, a disciplinary hearing will be held with the alleged perpetrator(s). The disciplining manager should be someone with complete impartiality to the case.

No individual will be penalised for making a grievance unless the substance of the grievance is untrue or the complaint is made in bad faith, for example out of malice.

Where an employee is falsely accused of discriminatory conduct, then the person who has made the false accusation will be subject to disciplinary action. In serious cases, such behaviour may be deemed as gross misconduct and, as such, may result in summary dismissal in the absence of mitigating circumstances.

## **5. Confidentiality**

Where a complaint has been made of discriminatory conduct it is very important to maintain strict confidentiality in order to protect both the complainant and the alleged perpetrator. Witnesses should be asked to give written statements and be prepared to answer questions at the formal hearing, but it must be stressed that any breach of confidentiality will be treated very seriously and could result in disciplinary action.

## **6. After the Complaint**

All employees will be protected from further intimidation, victimisation or discrimination as a result of making a complaint. Where a complaint is upheld it may be necessary to relocate or transfer one party. It will not automatically be the complainant who is expected to move but they will be offered the choice where practicable. Where the perpetrator is transferred, no breach of contract will occur.

Transfer on disadvantageous terms can be offered to the perpetrator where allegations are proven, as an alternative to dismissal. For example, transferring from a Supervisor position to a lower grade job.

### **Cross Reference**

Please refer to the Handbook of Employment and Disciplinary, Appeals and Grievance Policy, Recruitment & Selection Policy, Bully and Harassment Policy, Managers and Colleagues Charters, Joint Declaration of Protection (Northern Ireland).

## **Equality, Diversity and Equal Opportunities Policy (extract from Handbook of Employment)**

NSL Limited is committed to ensuring that the resources and talents of all its colleagues are utilised to the full and that no job applicant or colleague receives less favourable treatment in any aspects of employment and training on the grounds of age, gender, ethnic origin, nationality, colour, religious belief, marital status, sexual orientation, disability or health problem, which cannot be shown to be relevant to the performance of the job.

English is recognised as the official workplace language for the Company and colleagues are usually expected to speak/use English during working hours whilst on site. It is acknowledged that there are times when colleagues may wish to speak to each other in a language other than English, but the following should be considered:

- If talking in a language others do not understand they may feel excluded and this may become an issue
- Equally if you are working alongside others and don't understand the language being used, do not automatically assume you are being excluded

The Company is committed to equality of opportunity and to the elimination of unlawful discrimination in employment. This policy applies to each colleague irrespective of age, sex, marital status, race, country of origin, religion or disability.

- Opportunities for promotion are open to any appropriately qualified colleague, but a particular transfer or promotion is not guaranteed. The Company will appoint to the position the most suitably qualified person regardless of age, sex, marital status, race or religion.
- Where external appointments are necessary, the Company will seek to attract only the highest quality new staff. All interviews will deal only with the applicant's suitability for the job and their ability to fulfil the job's requirements.
- Equal Opportunity is given to both men and women in recruitment, selection, promotion, training and general employee relations. The criteria for selection are suitability, for example, relevant qualifications and experience, not sex, race or age.
- Standard rates of pay are applicable for the job and only vary in accordance with market rates and levels of responsibility. It is the policy of the Company that all jobholders are paid equally, regardless of sex, race, disability and age.
- All Managers and Supervisors will be trained in the promotion and application of equal opportunities and will as far as reasonably practicable ensure that their staff practice good equal opportunities. Should any practices be found that contradicts the spirit of the Company's Equality, Diversity and Equal Opportunities Policy, it is their responsibility to ensure that any such practices are eradicated.
- Disciplinary action will be taken against any colleague found to be unlawfully discriminating towards prospective or fellow colleagues, customers or visitors.
- The Policy forms part of the Contract of Employment for all colleagues and is therefore legally binding.
- As well as the areas of race and sex discrimination and equal pay, this policy will also apply to harassment, sexual orientation and gender reassignment.
- The Company also operates an internal Grievance Procedure, which allows a colleague who believes that he/she has been treated unfairly by the Company, to express their concerns to the appropriate Manager, with a view to resolving the problem without fear of reprisals.
- Should any person feel that they have been discriminated against or harassed they are advised that they should, in the first instance, instigate the Company's Grievance Procedure and refer the matter to their immediate Supervisor or Manager. Should this not be possible, a member of the Human Resources team should be notified.
- The Human Resources Director is responsible for the Equality, Diversity and Equal Opportunities Policy within NSL Limited and ensuring the policy is revised in accordance with the changes in legislation and social trends pertinent to the service industry.
- The Human Resources Director is also responsible for ensuring that everyone receives the appropriate briefing and training in those practices involving selection decisions, for example, recruitment, promotion and training. This also ensures that every manager is made fully aware of the relevant discrimination laws and behaves in accordance with such legislation in exercising judgement in the selection process.
- All colleagues should follow the letter and spirit of Equality, Diversity and Equal Opportunities.

This policy is distributed throughout the Company and is brought to the attention of all colleagues and is available for viewing on the Company's Intranet, 'Cascade'.





NSL: Family-friendly Policies



## SCOPE

**THIS POLICY APPLIES TO ALL PERMANENT AND TEMPORARY EMPLOYEES WORKING FOR NSL.**

**THE POLICY DOES NOT FORM PART OF THE CONTRACT OF EMPLOYMENT, AND SUPERSEDES ANY OTHER MATERNITY/ADOPTION OR PATERNITY POLICY THAT MAY BE IN PLACE WITHIN NSL.**

## PURPOSE

NSL is committed to ensuring equality and diversity across the organisation and the purpose of the Maternity, Adoption and Paternity Policies is to ensure our employees with family responsibilities, are able to balance between work and their family commitments, believing this ensures a more effective and efficient work force.

This document sets out the support that is available to employees as they combine work and family responsibilities. There is various legislation in place to support employees with caring responsibilities, and we have set out our policies which comply fully with this legislation.

The family-friendly policies set out in this document cover the rules relating to:

- maternity leave
- adoption leave
- paternity leave
- Parental Leave

You should follow the respective policy/policies. If you have any queries, please contact the HR Business Partner for your area.

## POLICY

This policy has been developed to provide employees with the guidance of the entitlements that are given under the relevant legislation.

The aim of this policy is to inform employees of their entitlement to the statutory rights and to ensure those rights are understood by employees who qualify. The Company will fully comply with the legal requirements laid down in respect of Maternity / Adoption Leave and Paternity and Parental leave.

We also recognise that arrangements for cover during the period of maternity leave and additional leave, as well as arrangements for communication during maternity leave, are important for ensuring smooth transition at every stage.

The following procedure informs employees of the details and processes that need to be followed when requesting Maternity / Adoption Leave or Paternity and Parental leave.

No employee will be treated less favourably, suffer detriment or be dismissed because they request to any such leave.



## MATERNITY PROCEDURES

Maternity provisions refer to leave and pay to which employees may be entitled, and their right to resume employment with NSL, following the period of Maternity Leave. All employees have the right not to be subjected to a detriment on the grounds of pregnancy, childbirth or maternity, irrespective of hours of work or service and have the right to demand a written statement of the reasons for dismissal, if dismissed while pregnant.

All employees seeking Maternity Leave must produce medical evidence of the expected week of childbirth (EWC). This will normally be in the form of a MATB1 (Maternity Certificate) available from the doctor or midwife and will be issued after your 20<sup>th</sup> week of pregnancy the expected week of birth. You should notify your line manager the date on which you want or expect to begin maternity leave (which must not be a date earlier than the 11<sup>th</sup> week before the EWC).

Stillbirth: The definition of childbirth is the birth of a child either living or dead, after 24 weeks of pregnancy. If you suffer a stillbirth you have the right to maternity leave.

Whilst the Company is responsible for the adoption and implementation and monitoring of the related policies, each employee holds the responsibility to ensure that they fully understand the procedures and adhere to its contents.

## CROSS REFERENCE

Please refer to the Handbook of Employment

## Antenatal Care

All pregnant employee, irrespective of length of service, have a statutory right to *reasonable* paid time off work to keep appointments for antenatal care prescribed by a doctor, midwife or health visitor. You should try to arrange your appointment at the start or end of your working day, where possible. You may be required to produce an appointment card or some other document confirming all appointments other than the first. You should advise your manager that you will be absent as far in advance of your appointment as possible.

## Maternity Leave Entitlements

All employees regardless of length of service are entitled to Maternity Leave.

Maternity Leave made up of 26 Ordinary Leave and 26 weeks Additional Leave. You have the right to return to your own job after ordinary maternity leave, or to a suitable alternative one. Where this is not practicable after your additional maternity leave, we will seek to avoid being appointed into a position of potential redundancy. In accordance with statutory requirements, where job losses are unavoidable, you will be given first consideration of any suitable alternative employment that may arise.

Maternity Leave can commence at any time from the 11th week before the expected week of childbirth.

- a) If you fall sick with a pregnancy related illness in the 28 days before the baby is due, Maternity Leave will automatically begin. In these circumstances, Maternity Leave will start on the day after the first day of absence (following the beginning of the 28 days before the baby is due).





NSL: Family-friendly Policies

- b) If you give birth before the commencement of Maternity Leave, you should notify your Line manager as soon as is reasonably practical that you have given birth and the date your baby was born. In these circumstances, Maternity Leave will start automatically on the day after the birth.
- c) It is illegal for the mother to work at any time during the period of two weeks immediately following the birth of the baby. This period is called Compulsory Maternity Leave.
- d) Employees will not qualify for sick pay whilst they are on Maternity Leave.
- e) Employees are not eligible to work whilst receiving Statutory Maternity Pay (with the exception of the 10 optional "Keeping in Touch days" – see below).
- f) Employees will continue to accrue contractual holiday entitlement during paid Maternity Leave.
- g) Employees may carry over all holiday entitlement accrued during maternity to the "leave year" in which they return to work and with their Manager's agreement, use this holiday entitlement to extend their leave after the birth of the child, or may opt to take some or all of the holiday at some other mutually agreed time during that "leave year".

#### **Returning from maternity leave**

You have the automatic right to return to work following maternity leave and it is assumed that you will return, unless you inform us otherwise. Whilst you are not required to give formal notice of returning to work it is most helpful for us to plan for your return if you contact us in advance to discuss your return.

If you wish to return before your maternity leave has ended, you must give us at least eight weeks notice of the date on which you intend to return.

At least two weeks before you are due to return to work, you may be invited for an informal meeting with your line manager in order to discuss any material points concerning your return to work: These include:

- Updating you on developments at work
- Considering whether any retraining needs have arisen, because of developments. It is our aim to ensure that your maternity leave does not put you at a disadvantage in relation to skills or other training needs.
- Providing you with the opportunity of indicating whether you wish the Company to consider a flexible working request.

The interview will also provide an opportunity to discuss and explain any necessary and unavoidable changes to your work.



NSL: Family-friendly Policies

SERVICES GROUP

## Maternity Pay Entitlement

To be eligible to receive Statutory Maternity Pay (SMP), you must have completed at least 26 weeks' continuous service, regardless of the number of hours worked at the 15th week before the baby is due.

Statutory Maternity Pay is determined by the government as follows:

- 6 weeks x Higher Rate SMP (*9/10 of average weekly earnings*); followed by
- 33 weeks x Lower Rate SMP

*(a flat payment reviewed by the government each year or 90% of earnings, whichever is lower)*

Statutory Maternity Pay is only payable if you reach the Lower Earnings Limit for National Insurance Contributions.

## Contractual benefits

You will continue to receive your contractual benefits during your Ordinary Maternity Leave period and your additional maternity leave period (apart from remuneration)

## Pension Arrangements

Staff on Maternity Leave will continue to be members of the relevant pension scheme. During Statutory Maternity Pay, an individual's contributions will be deducted according to the total amount of pay received. NSL will make up the individual's contributions and pay employers' contributions as if the individual were on full pay for the period. It should be noted that during periods of unpaid leave, (i.e. no SMP), NSL will only pay contributions if the employee does the same. There is a certain amount of flexibility regarding pension payment arrangements.

## Health and Safety

You should arrange to review your work activities in consultation with your manager/supervisor immediately upon becoming aware that you are pregnant. Where this may present personal difficulty, you are urged to discuss the matter with your manager /Supervisor and your GP at the earliest opportunity. The risk assessment must be documented, further advice and a risk assessment pro forma is contained in the Health and Safety guide.

The outcome of the risk assessment may indicate an adjustment in work activities to remove the hazard for the period of pregnancy and breast-feeding. Where this is not possible for operational or research reasons, then the Company will seek find alternative duties of an appropriate nature.

If it is not feasible to provide alternative duties then you could be suspended from work on paid leave for as long as necessary to protect your health and safety, and/or that of your child.

Guidance on the assessment of risks associated with pregnancy has been issued to each department and is available for reference. Further guidance can be obtained from HSE – A guide for New and expectant Mothers who work: <http://www.hse.gov.uk/>



### What the Employee Must Do

In order to qualify for Maternity Leave and Maternity Pay, and to safeguard the right to return to work, the employee must:

1. notify your line manager/supervisor no later than the end of the 15<sup>th</sup> week before the expected week of childbirth, in writing of the date you intend to start your Maternity Leave;
2. give 28 days notice if you wish to change the start date of your Maternity Leave; and
3. give at least 8 weeks notice if you intend to return to work before the end of the 52 week leave period. Failure to give this notice may lead to a postponement of return until 8 weeks have elapsed.

### Salary Progression

On return to work your salary will be reviewed to take into account any increment, or general increase which would have applied had you not been on Maternity Leave.

### Continuity of Service

The contract of employment continues throughout Maternity Leave.

Continuity of service will not have been broken by an unpaid period of absence under the maternity provision. Therefore, entitlement to periods of notice, holidays and sick leave which accrued at the beginning of Maternity Leave will not be lost.

### Communications

It is recommended that employees and managers/supervisors make arrangements to maintain reasonable contact during Maternity Leave, for instance, to keep you informed of important developments at work and to discuss plans for your return to work. Managers /supervisors should draw particular attention to any changes in structures within the contract/department and ensure you are aware of any possible promotion opportunities. You are also advised that you should also ensure that they keep yourself informed as appropriate e.g. by regularly reviewing the Company newsletters etc

### Keeping in Touch Days

Employees may, by agreement with their managers/supervisors, undertake up to 10 days paid work, referred to as "Keeping in Touch Days", during their Maternity Leave. Such days may be undertaken at any stage during the maternity period except during the first two weeks after the baby is born. The type of work undertaken is a matter for agreement between you and your Manager/supervisor. The days may be used for any activity which would ordinarily be classed as work under your contract, and could be particularly useful in enabling you to attend a conference, undertake a training activity or attend a team meeting. Keeping in Touch Days are optional and can only take place by agreement between both parties.

Keeping in Touch Days do not extend the statutory maternity pay period in any way. For instance, if a Keeping in Touch Day occurs during a period of SMP only, this will be effectively



“topped-up” so that you receive full pay for the day in question. Payment for Keeping in Touch Days will only be made after completion of the day’s work.

All employees may undertake up to 10 days work, with the agreement of their Manager, regardless of whether they are full-time or part-time. Where you work for less than a full day, this will still count as one keeping-in-touch day for the purposes of the 10 days maximum, although payment will only be made for actual hours worked.

## ADOPTION PROCEDURES

### Adoption Leave

If you are a working parent who has been matched with a child for adoption or if you have had a child placed with you for adoption, you may be entitled to Adoption Leave. You must have continuous service with the NSL for at least 26 weeks ending with the week in which you are notified you have been matched with a child for adoption.

If you adopt a child from overseas there are different rules. In this case you must have continuous service with the organisation of at least 26 weeks by the end of the week in which you receive official notification, or from the day you started working for your employer.

Adoptive parents are entitled to up to 26 weeks’ ordinary adoption leave followed immediately by up to 26 weeks’ additional adoption leave (presuming you qualify for the leave). This gives you a maximum of 52 weeks’ leave in total. Only one period of leave is available even if you are adopting more than one child.

If the child’s placement ends during adoption leave, you will be able to take up to eight weeks’ adoption leave after the end of the placement

### Adoption Pay

You will be entitled to Statutory Adoption Pay (SAP) (if you earn above the minimum earnings limit for national insurance), *(a flat payment reviewed by the government each year or 90% of earnings, whichever is lower)*. SAP is for maximum of 39 weeks.

Where a couple adopts a child, only one parent is entitled to take Adoption Leave. The other parent may be able to take Paternity Leave (see under heading Paternity Leave). This includes same-sex couples.

#### What the Employee Must Do

- a) You must notify your Manager/supervisor that you want to take Adoption Leave no more than seven days after you have been notified that you have been matched with a child for adoption, or as soon as is practical after this.
- b) You must tell your manager/supervisor the date on which you expect the child to be placed with you and the date on which you want your statutory Adoption Leave to start.
- c) You must provide your manager with a copy of the matching certificate from the adoption agency as evidence of entitlement to Adoption Leave. You must give the Manager/supervisor 28 days notice in writing of the date Adoption Leave starts.





NSL: Family-friendly Policies

Employees will not qualify for sick pay whilst they are on Adoption Leave.

The employee who is adopting can change the date on which the Adoption Leave and Statutory Adoption Pay (SAP) are to start, giving at least 28 days notice (unless this is not reasonable practical).

The partner of a person who adopts, or in a couple the person who is not taking Adoption Leave, may be entitled to Paternity Leave and pay.

### **Keeping in Touch Days**

You are entitled to work for up to 10 days during your adoption leave without affecting your eligibility to SAP. These days could be for training, or just for keeping in touch'. You are under no obligation to work these days, and we are under no obligation to provide these days. We will contact you if the opportunity for any such days arises.

All employees may undertake up to 10 days work, with the agreement of their Manager, regardless of whether they are full-time or part-time. Where you work for less than a full day, this will still count as one keeping-in-touch day for the purposes of the 10 days maximum, although payment will only be made for actual hours worked.



INVESTOR IN PEOPLE



INVESTORS IN PEOPLE  
CHAMPION





## PATERNITY PROCEDURES

### Paternity Leave

If you are a working father/partner, you are entitled to one or two weeks' Paternity Leave when you and your partner have a child. Some other people are also entitled to Paternity Leave – see below. You can also qualify for Paternity Leave when you adopt a child. Most fathers will be entitled to statutory paternity pay for their Paternity Leave. Statutory paternity pay is paid at the same rate as statutory maternity pay (see under heading Maternity Pay).

To qualify for **Paternity Leave for a birth**, you must:-

- have been employed by NSL for at least 26 weeks by the end of the 15th week before the expected week of childbirth; and
- be the biological father of the child, or be married to or be the partner of the baby's mother (this includes same-sex partners, whether or not they are registered civil partners); and
- have some responsibility for the child's upbringing; and
- have given NSL the correct notice to take Paternity Leave.

To qualify for **Paternity Leave for an adoption**, you must:-

- be employed for at least 26 weeks by the time you are matched with your child for adoption. (You will not be entitled to Paternity Leave or pay if you already know the child, for example, if it's your stepchild)
- not be taking Adoption Leave. (Where you and a partner are adopting a child, one of you can take Adoption Leave and one Paternity Leave)
- have some responsibility for the child's upbringing
- have given NSL the correct notice to take Paternity Leave.

If you are taking Paternity Leave for a birth, the leave can start either on the day the baby is born or on a date that has been agreed in advance with your employer. Your Paternity Leave cannot start before the baby is born, and, if you are agreeing a date later than the birth of your baby, it must be completed within 56 days of the birth.

If you are taking Paternity Leave for an adoption, the leave can start either on the day that the child is placed with you, or on a date that has been agreed in advance with your manager. If you are agreeing a later leave date later than the date your child was placed with you, the leave must be completed within 56 days of the adoption date.

### What the Employee Must Do

You need to be able to show your employer that you are entitled to Paternity Leave. To do this you must give the employer the following information:

- the date the baby is due or the date of the birth. If you are adopting a child you should give the date that you were matched with your child or the date on which the child is placed with you;
- the date when you would like your Paternity Leave (and pay) to start;
- whether you are taking one or two week's Paternity Leave;

ctd ...

- a declaration that you are entitled to Paternity Leave;
- a declaration that you are taking leave to support the mother or care for the child.

You must also give your manager notice that you want to take Paternity Leave. The notice must be in writing if your manager asks for written notice. You must give notice 15 weeks before the baby is due or, if this is not practical, as soon as possible once you know you want to take leave. If you are adopting a child, you must give notice no later than seven days after the date you are matched with your child for adoption. If this is not practical you must give notice as soon as possible once you know you want to take Paternity Leave.

If you change your mind about when you want to take Paternity Leave you can, but you should give:

- the week in which the baby is expected to be born;
- whether you intend to take one or two weeks' leave; and
- the date on which you intend to start your leave.

In order to take statutory Paternity Leave after the adoption of a child, you must notify your manager of your intention to take leave no later than seven days after the date on which you received notification from the adoption agency of the match with the child. If the child was adopted from abroad you must let your employer know the date on which you received notification of the placement and the date on which the child is expected to enter the UK.

Statutory Paternity Leave may not be taken before the birth or adoption of a child.

If you fall ill before starting your period of Paternity Leave, you should postpone it. The 56-day period within which you should take your leave is not extended under these circumstances.



NSL: Family-friendly Policies

### **Paternity Pay**

You may be entitled to Statutory Paternity Pay (SPP). Your manager will let you know whether you are. (*SPP is a flat rate set by the government each year or 90% of salary whichever is lower*). Should you not qualify for SPP, you may be able to get Income Support while on Paternity Leave. Your local Social Security Office will be able to advise.

You are entitled to return to the same job as before, on the same terms and conditions of employment, unless a redundancy situation arises. It is presumed that you will return to work after a period of Paternity Leave.

If you cannot return to work at the end of your Paternity Leave because of illness, you should follow the normal procedures for sickness absence.

If you do not wish to return to work you are required to give your manager notice in accordance with your contractual notice period.

### **Additional Paternity Pay**

You are entitled to Additional Paternity Leave (APL) if your baby is due on or after 3 April 2011. This also applies to the placement for adoption of children after this date.

To qualify for APL you must be the father of the baby, or be married to or the common law partner of the mother/adopter of the baby, or expect to have responsibility for the child. This will include same sex partners.

In addition, to qualify for APL (in the case of birth) you must have worked for the Company for at least 26 continuous weeks by the 14<sup>th</sup> week before the baby is due and still be employed by the Company in the week before APL is due to start or (in the case of adoption) have worked for NSL for at least 26 continuous weeks by the week in which you are notified that you are being matched with a child, and still be in employment with NSL in the week before APL is due to start. You must give at least 8 weeks' notice of your intention to take APL.

If your partner still has outstanding Statutory Maternity Pay or Statutory Adoption Pay when s/he returns to work the remainder will transfer to you.

APL can be taken for a maximum of 26 weeks. When you return from APL you will return to the job you left, or a job with the same status and attracting the same terms and conditions of employment.

Employees will be required to self certify in relation to their entitlement to leave, and the leave that has been taken by their partner. The documentation required is available from the your manager.

### **Parental leave policy**

You are entitled to unpaid Parental Leave of a maximum of 13 weeks for each child. You also have the right to return to the same job or (if more than four weeks' leave are taken) to a similar job with the same or better terms and conditions.







NSL: Family-friendly Policies

If you have been in our employment continuously for one year, you are entitled to Parental Leave, provided you expect to have responsibility (i.e. parental responsibility) for a child. The leave should be taken before the child's fifth birthday. The child, therefore, must be under five years old or, if disabled, less than 18 years old. Parental Leave has been extended from 13 weeks to 18 weeks for parents of disabled children.

Both natural and adoptive parents may exercise these rights.

### **Before taking Parental Leave**

As soon as practicable after you have notified us that you intend to take Parental Leave, arrangements will be made for you to meet for an informal interview, the purpose of which is to confirm that:

- you understand your rights to Parental Leave and the requirements to give appropriate notices (see below)
- the right to return to work is explained, together with any potential opportunities for flexible working
- arrangements for time off are known, and any possible health and safety concerns are discussed
- you are aware that the leave from work is unpaid.

### **Notice**

Once you have given us notice of your intention to take Parental Leave, you must comply with any request to produce evidence of your entitlement. Leave must be taken in blocks of one week. If the child qualifies for a disability living allowance, however, the leave can be taken as single days or multiples of a day.

The notice given to us must specify your intention to take Parental Leave and the dates on which the period of leave is to begin and end.

Notice must be given 21 days before the date on which the leave is to begin. You may not take more than four weeks' leave in respect of an individual child during a particular year.

If the operation of the business will be unduly disrupted by the Parental Leave, it may be postponed if absolutely necessary.

You are not entitled to Parental Leave unless you have complied with the request by us to produce evidence of your entitlement. In certain circumstances, we are entitled to postpone a period of Parental Leave.

The types of evidence that we may request is such evidence that shows:

- your responsibility or expected responsibility for the child in respect of whom you propose to take Parental Leave
- the child's date of birth, or in the case of a child who was placed with you for adoption, the date on which the placement began, and



INVESTOR IN PEOPLE



INVESTORS IN PEOPLE  
CHAMPION





NSL: Family-friendly Policies

SERVICES GROUP

- in the case where your entitlement depends on whether the child is entitled to disability living allowance (i.e. after the child's fifth birthday or for a period less than a week), the child's entitlement to that allowance.

No request will be made by us unless it is reasonable.

### **During Parental Leave**

Arrangements will be made for cover of your workload, and you will be kept in touch with any important work developments. We will also ensure that you remain on circulation lists for internal memoranda and will be included in invitations to work-related social events.

We will try to ensure that Parental Leave does not cause any long-term disadvantage to you concerning your training needs and self-development.

You are bound during the Parental Leave period by your implied obligation to the Company of good faith and specific terms relating to:

- notice,
- disclosure of confidential information,
- acceptance of gifts and
- whether you are participating in any other business.

The disciplinary and grievance procedures continue to apply, as does any entitlement to compensation for redundancy.

### **Returning to work**

If the period of leave is four weeks or less, you have the right to return to the same job. If the period is more than four weeks, (because it followed on from other statutory leave), then the right is to return to the same job. If that is not practicable, you have the right to return to a similar job which has the same or better status, terms and conditions as the old job.

If you are entitled to return to the same job, this means a right to return with the seniority, pension rights and similar rights and on terms and conditions not less favourable than those which would have been applied if you had not been absent.

You will not to be subjected to any detriment by the Company for taking or requesting Parental Leave.



NSL: Family-friendly Policies

SERVICES GROUP

TO: MANAGER/TEAM LEADER/SUPERVISOR:

COPY TO: ADP SERVICES

**REQUEST FOR \*MATERNITY/\*PATERNITY LEAVE/\*\*ADOPTION**

To be submitted together with

\*Form MATB1 (copy) by the end of the 15<sup>th</sup> week before the expected week of childbirth

\*\*Match certificate from adoption agency should be provided giving details of dates

Will you please accept this notification as an application for Maternity Leave/Paternity Leave;

I wish to start my Maternity/Paternity/Adoption Leave on .....

*(This date will be the first day of your Maternity Leave and it must be on a day on which you would normally work).*

**I have enclosed my MATB1 form/Match Certificate**

Signed: .....

Name: .....

*(block capitals)*

Job Title: .....

Date joined: .....

Base: .....

Date: .....

**Please will you ensure that your Manager also has a copy of this form by the end of the 15<sup>th</sup> week before the expected week of childbirth**





## Scope

This policy applies to all permanent employees working for NSL Limited

The policy does not form part of the contract of employment, and supersedes any other flexible working policy that may be in place within NSL.

## Purpose

NSL is committed to ensuring equality and diversity across the organisation and the purpose of the Flexible Working Policy is to ensure our employees with family / care responsibilities are able to ensure a balance between their work and home life, believing this ensure a more effective and efficient workforce.

This document sets out the Flexible Working Provisions to which all eligible employees of NSL are entitled. These provisions comply with the relevant legislation (including the Employment Act 2002 and the Work and Families Act 2006 and consequent regulations).

## Policy

The following policy and procedure relating to Flexible Working, does not form part of your terms and conditions of employment.

The Company's Flexible Working Policy outlines the Company's commitment to consider flexible working arrangements for parents, or those colleagues with responsibility for the care of a dependant, should such a person be eligible to apply.

The Company recognises the contribution of all its employees and also understands that at some time in their working lives, employees may find it difficult to fulfil domestic, family and working commitments due to having a family, adopting, having a disabled child, or being responsible for the care of an adult classified as a dependant.

Where this occurs, the Company will always consider practical help through this flexible working policy.

No employee will be treated less favourably suffer detriment, or be dismissed because they request, or take, flexible working.

Flexible working is about considering the way work is organised to see whether it is possible to have different arrangements: the result must always be, however, that the Company achieves its core business purpose as efficiently as is possible.

You should also be aware that if you request and are given agreed flexible working conditions, this is a variation of your terms and conditions of employment and is a permanent change. If the circumstances change in relation to the need for flexible working there is no statutory right for a return to your terms and conditions as they were prior to the flexible working.



**The Company:**

- Will consider requests for flexible working by those who are eligible to put in a written request
- Recognises that the initial onus of making an application is with the employee
- Will follow the correct procedure as outlined in this document
- Will reject an application where it is considered that on the grounds of business it cannot allow the flexible working as it will be detrimental to the Company achieving its business goals.

**Eligibility**

To be eligible to request flexible working in relation to a child, you must:

- Be an employee
- Have a child less than sixteen years of age, or less than 18 years of age if he or she is legally classified as disabled and in receipt of Disability Living Allowance (DLA).
- Be responsible for the child as its parent and be either a biological parent or civil partner, adopter, guardian, special guardian, foster carer or married to or are the partner of such a person
- Have responsibility for the upbringing of the child
- Be making the application to enable them to care for the child
- Have worked for the Company continuously for 26 weeks at the date of the application for flexible working
- Have not made another application to work flexibly under the right during the past 12 months.

**To be eligible to request flexible working in relation to the care of an adult:**

- Be an employee
- Responsible for an adult that requires care
- Have worked for the Company continuously for 26 weeks at the date of the application for flexible working
- Have not made another application to work flexibly under the right during the past 12 months.

**A carer can request flexible working if they care, or expect to be caring, for either:**

- a spouse, partner, civil partner or relative
- someone who lives at the carer's address

A relative is a mother, father, adopter, adoptee, guardian, special guardian, parent-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, uncle, aunt or grandparent. Step-relatives, adoptive relationships and half-blood relatives are also included.

**The right to apply:**

- Is strictly limited to those individuals deemed as having responsibility for a child or those classified as being a carer for an adult.



- Should apply equally to anyone who has responsibility as a parent of a child
- Should not present any additional barriers to same sex couples.

There are a number of circumstances where you may have responsibility as a parent for a child. You must satisfy these relationship requirements if you expect to have responsibility for the upbringing of the child. You must meet one of the following conditions, be:

- the mother, father, adopter, guardian, special guardian, foster parent or private foster carer of the child or a person who has been granted a residence order in respect of a child
- married to or the partner or civil partner of the child's mother, father, adopter, guardian, special guardian, foster parent or private foster carer or of a person who has been granted a residence order in respect of a child

#### **What an eligible employee must do:**

In order to exercise a right to flexible working, the employee must complete the approved application form available for their line manager.

This form will cover the following areas:

- State the application is being made under the statutory right to request a flexible working pattern;
- Confirm the employee has responsibility for the child or care of the adult in one of the accepted capacities;
- Explain what effect, if any, the employee thinks the proposed change would have on the employer and how, in their opinion, any such effect might be dealt with;
- Specify the flexible working pattern applied for;
- State the date on which it is proposed the change should become effective;
- State whether a previous application has been made to the employer and, if so when it was made;
- Be dated.

#### **What the employer must do:**

The employer will acknowledge receipt of the application, and arrange a formal meeting with the applicant to discuss the application within 28 days. The applicant shall be afforded the right of representation at this meeting.

Following the meeting, the employer should respond to the employee within 14 days providing an outcome.

#### **Factors we will consider:**

In deciding whether or not to accept your application, we will consider the following factors:

- Costs
- Our ability to meet business objectives / client demand
- Our ability to reorganise work amongst exiting staff
- Ability to recruit additional staff



- Impact on quality or performance
- Whether there be sufficient working during the hours you are proposing
- Any planned structural changes

**Decision:**

Should the decision be to accept the request, then this would constitute a permanent change to your terms and conditions of employment, unless agreed otherwise.

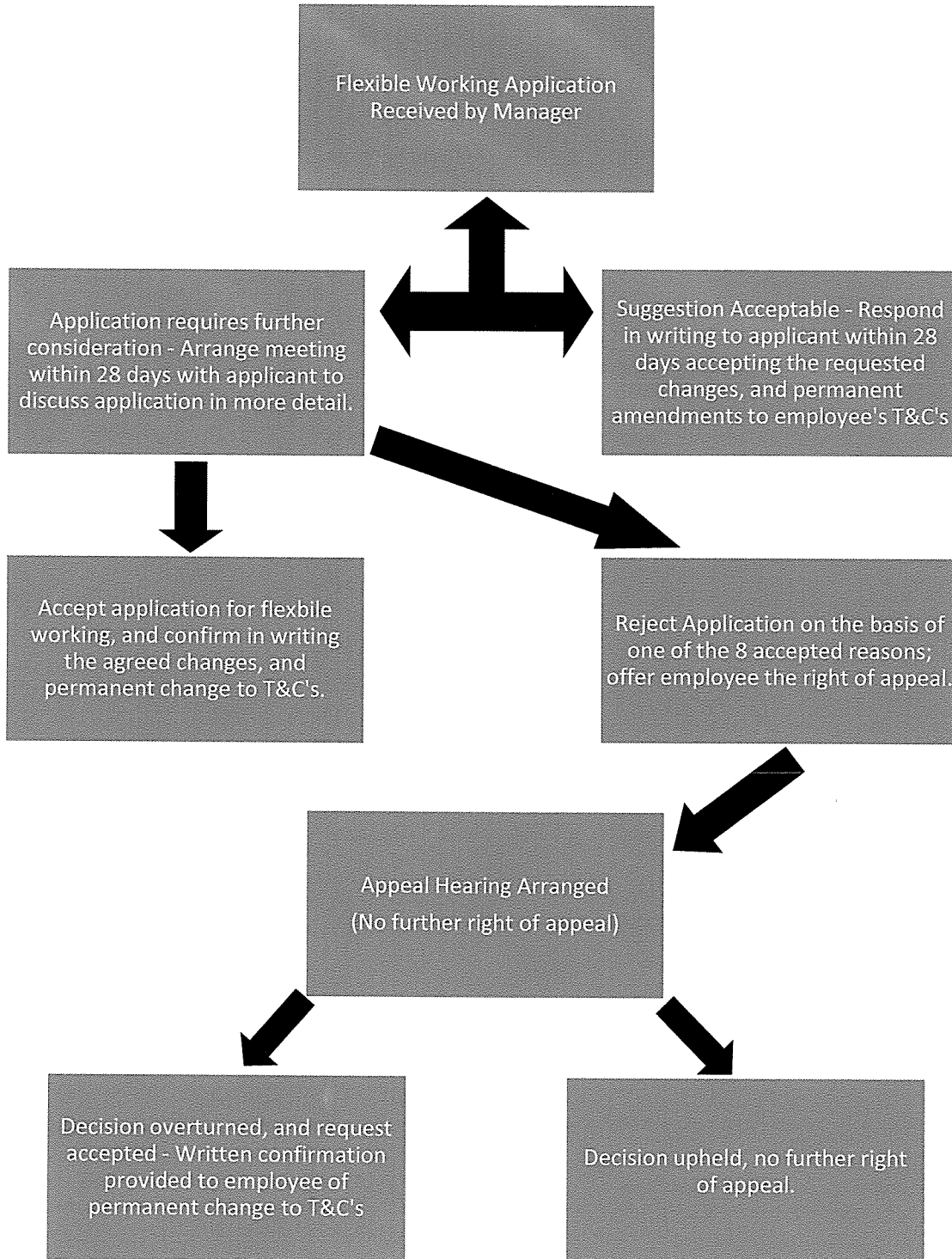
Should the decision be to reject your request for one of afore mentioned reasons, then you would have the right of appeal. Any decision to appeal should be put in writing stating your reasons, and be submitted to the appropriate appeal line manager.

**See next page for full procedure.**





**Procedure**





## Grievance Procedure

If at any time a colleague considers that he or she has a grievance arising out of their employment, the grievance should first be raised informally with the colleague's direct Supervisor. If, after this, the matter cannot be resolved informally to the satisfaction of the colleague, it should be dealt with under the formal grievance procedure.

**Stage One:** Colleagues should put their grievance in writing to their immediate supervisor or line manager. Where the grievance is against the line manager the matter should be raised with a more senior manager. If the grievance is contested, the manager should invite the colleague to attend a hearing in order to discuss the grievance.

The manager should respond in writing to the grievance within five working days of the hearing, or where no hearing has taken place, within five working days of receiving written notice of the grievance. If it is not possible to respond within the time period the colleague should be given an explanation for the delay and told when a response can be expected.

**Stage Two:** If the matter is not resolved at Stage one, the colleague should be permitted to raise the matter in writing with a more senior manager.

The manager should arrange to hear the grievance within five working days. Following the hearing the manager should respond to the grievance in writing within ten working days. If it is not possible to respond within the specified time period the colleague should be given an explanation for the delay and told when a response can be expected. The decision made at this stage is final and there will be no further right of appeal.

With the decision at each stage the individual or group of individuals will be given the name and contact address of the next appropriate level of authority.

In the case of grievances raised by colleagues holding senior managerial positions, it may not be possible for all the stages to be gone through, should there be insufficient levels of authority. At all stages of the Grievance Procedure, a colleague is entitled to be accompanied by a work colleague of their choice or to be accompanied by a suitably qualified trade union official.

## Harassment

The Company will not condone harassment of other colleagues and forms part of the Company's Equality, Diversity and Equal Opportunities Policy. Anyone who is found to have harassed another person will be subject to disciplinary action for an act of gross misconduct and may be summarily dismissed.

Racial and sexual harassment are forms of conduct based upon race or sex affecting the dignity of men and women and which is unwanted by the recipient and unwarranted. It is action which the perpetrator knows or should know is offensive to the recipient, or to other people who may witness the conduct.

Examples include unwanted physical contact, oral abuse or suggestive remarks, leering, sexually or racially intimidating actions, inappropriate 'humour', demands for favours of a sexual nature or assault.



## **Equality, Diversity and Equal Opportunities Policy (extract from Handbook of Employment)**

NSL Limited is committed to ensuring that the resources and talents of all its colleagues are utilised to the full and that no job applicant or colleague receives less favourable treatment in any aspects of employment and training on the grounds of age, gender, ethnic origin, nationality, colour, religious belief, marital status, sexual orientation, disability or health problem, which cannot be shown to be relevant to the performance of the job.

English is recognised as the official workplace language for the Company and colleagues are usually expected to speak/use English during working hours whilst on site. It is acknowledged that there are times when colleagues may wish to speak to each other in a language other than English, but the following should be considered:

- If talking in a language others do not understand they may feel excluded and this may become an issue
- Equally if you are working alongside others and don't understand the language being used, do not automatically assume you are being excluded

The Company is committed to equality of opportunity and to the elimination of unlawful discrimination in employment. This policy applies to each colleague irrespective of age, sex, marital status, race, country of origin, religion or disability.

- Opportunities for promotion are open to any appropriately qualified colleague, but a particular transfer or promotion is not guaranteed. The Company will appoint to the position the most suitably qualified person regardless of age, sex, marital status, race or religion.
- Where external appointments are necessary, the Company will seek to attract only the highest quality new staff. All interviews will deal only with the applicant's suitability for the job and their ability to fulfil the job's requirements.
- Equal Opportunity is given to both men and women in recruitment, selection, promotion, training and general employee relations. The criteria for selection are suitability, for example, relevant qualifications and experience, not sex, race or age.
- Standard rates of pay are applicable for the job and only vary in accordance with market rates and levels of responsibility. It is the policy of the Company that all jobholders are paid equally, regardless of sex, race, disability and age.
- All Managers and Supervisors will be trained in the promotion and application of equal opportunities and will as far as reasonably practicable ensure that their staff practice good equal opportunities. Should any practices be found that contradicts the spirit of the Company's Equality, Diversity and Equal Opportunities Policy, it is their responsibility to ensure that any such practices are eradicated.
- Disciplinary action will be taken against any colleague found to be unlawfully discriminating towards prospective or fellow colleagues, customers or visitors.
- The Policy forms part of the Contract of Employment for all colleagues and is therefore legally binding.
- As well as the areas of race and sex discrimination and equal pay, this policy will also apply to harassment, sexual orientation and gender reassignment.
- The Company also operates an internal Grievance Procedure, which allows a colleague who believes that he/she has been treated unfairly by the Company, to express their concerns to the appropriate Manager, with a view to resolving the problem without fear of reprisals.
- Should any person feel that they have been discriminated against or harassed they are advised that they should, in the first instance, instigate the Company's Grievance Procedure and refer the matter to their immediate Supervisor or Manager. Should this not be possible, a member of the Human Resources team should be notified.
- The Human Resources Director is responsible for the Equality, Diversity and Equal Opportunities Policy within NSL Limited and ensuring the policy is revised in accordance with the changes in legislation and social trends pertinent to the service industry.
- The Human Resources Director is also responsible for ensuring that everyone receives the appropriate briefing and training in those practices involving selection decisions, for example, recruitment, promotion and training. This also ensures that every manager is made fully aware of the relevant discrimination laws and behaves in accordance with such legislation in exercising judgement in the selection process.
- All colleagues should follow the letter and spirit of Equality, Diversity and Equal Opportunities.

This policy is distributed throughout the Company and is brought to the attention of all colleagues and is available for viewing on the Company's Intranet, 'Cascade'.



# Equal Opportunities Statement

NSL Limited is committed to providing equality of opportunity in employment to all persons regardless of religious belief; political opinion; race (including colour, nationality, ethnic or national origins); sex; pregnancy and maternity leave; gender reassignment; marital status and civil partnership status; sexual orientation; disability or age ('The Equality Grounds').

## Your Rights...

All job applicants, employees and others who work for us have the right to work in an environment which is free from any form of discrimination, harassment and victimisation. You have a right to complain about discrimination, harassment and victimisation; should it occur, NSL Limited has established an internal grievance procedure to deal with such complaints. All complaints will be dealt with seriously, promptly and confidentially.

Every effort will be made to ensure that those making complaints of discrimination and harassment, as well as others who give evidence or information in connection with a complaint, will not be victimised (i.e. they will not be discriminated against in retaliation for their actions).

## Your Responsibilities...

You must comply with this policy. You must treat others with dignity and respect and ensure that your behaviour does not amount to discrimination, harassment or victimisation.

You are expected to discourage discrimination, harassment and victimisation by making it clear that you find such behaviour unacceptable and by supporting employees who suffer such treatment. Anyone who is aware of an incident of discrimination, harassment or victimisation should alert a manager or supervisor to enable the company to deal with it. Allegations of discrimination, harassment or victimisation must be made in good faith.

## Responsibilities of the Organisation and Management...

NSL Limited is committed to implementing this policy and to making every effort to ensure that discrimination, harassment and victimisation does not occur.

### We will:

- Ensure that each manager, supervisor and employee is given a copy of the Equal Opportunities Policy;
- Explain the policy to managers, supervisors and employees;
- Ensure that all complaints of discrimination, harassment or victimisation are dealt with promptly, seriously and confidentially;
- Set a good example by treating employees with fairness and dignity and respect;
- Be alert to unacceptable behaviour and will take appropriate proactive action in accordance with this policy;
- Monitor all incidents of discrimination, harassment victimisation and review the effectiveness of this policy at least annually.

## What is discrimination?

Direct discrimination occurs where a person is treated less favourably than other persons and where the reasons for the treatment is on one or more of the equality grounds. Disability-related discrimination occurs where, for a reason related to a disabled person's disability, a person treats the disabled person less favourably than he treats, or would treat, other persons to whom that reason does not apply, and he cannot show that the treatment in question is justified.

Failure to comply with the reasonable adjustment duty: Disability discrimination can also occur where an employer fails to comply with a duty to make reasonable adjustments in respect of a disabled job applicant or employee. The reasonable adjustment duty is imposed on an employer where a provision, criterion or practice is applied by the employer, or the physical features of the employer's premises places the disabled person at a substantial disadvantage compared to persons who are not disabled.

Indirect discrimination occurs where a provision, criterion or practice applies, or would apply, equally to persons not of the same equality characteristic as another but:

- which puts, or would put, persons of the same equality characteristic at a particular disadvantage when compared to other person; and
- which is not a proportionate means of achieving a legitimate aim.

When making the comparison between how a person who shares the same equality characteristics as another is treated, it is necessary to compare situations in which the relevant circumstances are the same or not materially different.

## What is harassment?

Harassment is unwanted conduct which is related to any of the equality grounds and which has the purpose or effect of violating a person's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Many forms of behaviour can constitute harassment:

Physical conduct such as assaulting a person or making obscene gestures; verbal conduct such as making racist, sexist, sectarian or homophobic remarks; making derogatory comments about a person's age or disability; or singing songs of this nature; visual or written material containing racist, sexist, sectarian or other derogatory words or pictures (e.g. in posters, graffiti, letters or emails).-

## What is Victimisation?

Victimisation occurs where a person is treated less favourably than other persons because the person has made an allegation under one of the equality statutes, has given evidence or other information in connection with such proceedings, has alleged a contravention of the equality statutes or has otherwise done anything under or by reference to the equality statutes. Individuals have a right to make a complaint without prejudice to their employment opportunities.

Please read the Company's equal opportunities policy, harassment policy and grievance procedure. If you think you have been discriminated against or harassed you should speak to your Manager or a member of Human Resources.









**NSL**

SERVICES GROUP

Recruitment Policy

## Scope

This policy applies to all potential and current colleagues of NSL.

## Strategy

NSL Ltd aims to maintain a competent, flexible and quality-conscious workforce. To this end, the Company intends to select the best available person for every vacancy, regardless of sex, race, colour, religion, ethnic origin, age, disability, political affiliation or sexual orientation in line with our Equality and Diversity Policy.

At the same time, the Company aims to provide all colleagues with the opportunity to develop long-term careers appropriate to their abilities and ambitions.

## Policy statement

Our recruitment and selection procedure will provide a fair, systematic and reliable basis for selecting the most suitable candidate for any given vacancy.

The Company wishes to give all its colleagues the maximum opportunity to develop their careers and achieve their full potential. In filling any vacancy, the Company will encourage applications from suitably qualified internal candidates.

All potential colleagues will be required to complete a selection procedure which will assess candidates against a range of specified criteria.

The Company expects the highest standard of performance from all its colleagues. During the selection process every effort will be made to ensure that potential colleagues (including those moving to new jobs within the Company) fully understand the requirements of their employment.

## Procedure

In filling any vacancy, line managers must follow a systematic process designed to ensure the most cost-effective and efficient deployment of the Company's current and potential colleagues. The procedure will normally be initiated and controlled by the line managers with the advice and administrative support of the Recruitment Department. Please refer to the Recruitment Process Flow Chart.

The method of operation is as follows:

- a) when a vacancy arises, the line manager will complete an authority to recruit form
- b) the form must be authorised by the Regional Manager or above before progressing to recruitment



c) the considerations regarding authority will include:

- ❖ whether the vacancy needs to be filled, i.e. is there still a requirement to carry out the task?
- ❖ if the vacancy does need to be filled, whether the task or work requirements have changed in any respect, i.e. does the line manager wish to recruit against the same criteria as previously?
- ❖ whether the work requirement might be more effectively met through alternative forms of employment, such as part-time colleagues, contract staff, subcontracting, etc.

These issues should be resolved before initiating the recruitment and selection process.

### Advertising

Except by prior agreement with the Recruitment department, all vacancies must be advertised internally using the specified media. If the line manager feels that no suitable candidate is likely to be available internally, the job may be simultaneously advertised externally using the appropriate media. The Recruitment department will be able to give advice, guidance and support in selecting and placing the appropriate external media to attract potential applicants, as well as preparing appropriate advertisements or documentation. In some cases, standard procedures may be agreed for particular categories of job (e.g. the use of the Employment Services or specialist agencies).

However, care should be taken to ensure that such procedures do not result in unfair discrimination. For example, the regular filling of vacancies by "word of mouth" may well be discriminatory, in that it may exclude potential applications from groups not represented in the current workforce. If there is any doubt in this respect, line managers should consult the Recruitment department.

All applicants will apply directly to the line manager who will log all applicant details on the Equal Opportunities monitoring database.

All applicants must either fully complete an application form or provide a comprehensive CV and complete the Company Applicant Pro Forms (for the purposes of equal opportunity monitoring).

### Selection

Depending on the type and level of job, all candidates will be required to undergo a specified selection procedure. The selection process will, in general, mix a range of assessment mechanisms including competency based interviews based on our company's success factors, tests of aptitude and ability, (including practical tests), and other exercises. A specified mix of assessment



## SERVICES GROUP Recruitment Policy

mechanisms will be developed for each job category and these will be administered by the Recruitment department or relevant trained people, working in conjunction with the relevant line manager.

For Civil Enforcement Officer, Traffic Attendant and Parking Attendant positions, all candidates **must have completed a PAPQ and scored level 3 or above**, an ability test and a competency based interview.

The recruitment process will be "two-way". Line managers are expected to brief potential colleagues fully about the Company, its operations and the area in which the applicant will be working and the role profile. Standard material about the Company and its operations must be made available. Time should be spent outlining the expected standards of performance, conduct, time-keeping and attendance along with the other conditions of service. The overall intention is that no individual should join the Company or take up a new job in the Company without a full appreciation of the implications.

If managers don't have the necessary tools or materials for the recruitment process, they must contact the recruitment department.

All applicants must receive notification of the outcome of their application.

#### Health checks

All potential colleagues must complete a pre employment medical questionnaire prior to employment commencing. Dependent on level of seniority, potential colleagues may be expected to undergo a medical examination prior to taking up employment. If there are any particular causes for concern, the individual's attendance should be carefully monitored during the probationary period. If necessary, the colleague may be asked to undergo a further medical examination prior to confirmation of appointment. At the discretion of the nominated doctor, the Company may seek the individual's permission to obtain a report from his or her own GP.

Special arrangements will be in place for colleagues with disabilities and advice should be sought through the HR department.

#### Right to Work in the UK

All applicants must provide original proof of eligibility to work in the UK as per Home Office guidelines. These should be photocopied for all candidates and checked by an authorised person within the PSU or Recruitment Department as per Immigration and Work Permit Policy procedures. All applicants must also provide a valid National Insurance Number, proof of address and proof of a bank account in their own name.





SERVICES GROUP

Recruitment Policy

### **Criminal Records**

All applicants must complete a Pre Employment Criminal Records declaration as per our Criminal Records policy. All public facing and cash handling positions including Civil Enforcement Officers, (Traffic Attendants and Parking Attendants in Northern Ireland and Scotland), Parking Shop colleagues and all Managers must complete a CRB check within their first three months of employment. Strict adherence to the Police Cautions and Criminal Convictions policy is also required.

### **Driving Disqualification through alcohol or drugs**

A Company vehicle driver who has been previously convicted of driving or attempting to drive with an alcohol level above the limit or through drugs and has had a previous conviction for drink/drug driving may drive a NSL vehicle. However a driver who has been convicted and lost their licence twice for this offence will not be allowed to drive an NSL vehicle.

### **References**

Individual Business Units will obtain references from previous employers or other people who can provide information about the individual's suitability for employment. It is important to use references, (as is the case for other recruitment aids), as one of a range of tools which will provide information towards the selection decision. All references should be obtained within the first twelve weeks of an individual's employment.



INVESTOR IN PEOPLE

HR25V1



SERVICE

## **Whistle blowing policy - stopping malpractice (extract from Handbook of Employment)**

All organisations face the risk of unknowingly harbouring malpractice or wrongdoing. As colleagues we have a duty to identify these situations so appropriate action can be taken to stop malpractice where it occurs, in effect to 'Whistle blow'. The aim of this policy is to support people speaking out where they see something which is inappropriate and encourage an open culture within the organisation.

We should all feel able to openly raise any issues that concern us at work. But it is natural to worry that by reporting such issues you will be opening yourself up to victimisation or risking your job security, such concerns are understandable. Changes to the law and the Company's strong commitment to this policy mean we can all raise concerns about malpractice and be sure that we will be supported and protected from repercussions. Provided you act in good faith and have reasonable belief that malpractice is occurring, it doesn't matter if you are mistaken. There is no question of you having to prove anything.

Malpractice is where an individual or team of people undertake activity which is wrong either by being:

- against the law or in breach of operating regulations.
- bullying or harassing (sexual, racial, religious etc).
- against Company policy, i.e. acceptance of bribes etc.

This is not an exhaustive list, therefore if there is anything which you think the Company should be aware of please use the procedure outlined in this policy. The Company's Handbook of Employment provides more detail in the Equal Opportunities policy and the Disciplinary procedure. By knowing about malpractice at an early stage we can take the necessary steps to safeguard the interests of everyone and our organisation.

**Note:** *This policy is not our normal Grievance Procedure. If you have a complaint about your own personal circumstances then you should use our normal Grievance Procedure as detailed earlier in the Handbook of Employment. If you have concerns about malpractice within the organisation then you should use the procedure outlined in this policy.*

The Board fully supports the Whistle blowing policy. If you raise a concern about malpractice you can be sure that:

- you will not suffer retribution, victimisation or harm (professionally or personally)
- your concern will be treated seriously
- your concern will be handled confidentially if you wish for this, and disclosures will only be made with your consent.
- you will be kept up-to-date with any investigation and action taken as a result of your concern.

### **How to raise your concern**

1. *Tell your location manager/head of department*

If you are concerned about any form of malpractice normally you should first raise the issue with your location manager/head of department. There is no special procedure for doing this - you can tell him/her about the problem or put it in writing if you prefer.

2. *If you feel unable to tell your location manager/head of department*

If you feel you cannot tell your location manager/head of department, please raise the issue with the Board Director responsible for your area.

