

Equality, Diversity and Inclusion Policy for Darko Developments

Executive summary

This model Equality, Diversity and Inclusion policy is designed for Darko Developments as a small-to-mid-sized UK commercial fit-out contractor working across restaurants, hospitality, retail interiors, and commercial refurbishments. For a contractor in this market, EDI is not only an HR matter. It is a legal compliance issue under the Equality Act 2010, a site-management issue in live and occupied environments, and a procurement issue because public and principal-contractor prequalification systems expect a current policy, evidence of implementation, and supply-chain compliance. The current legal and procurement landscape now also includes a proactive duty to take reasonable steps to prevent sexual harassment, including by third parties such as customers and clients.

Darko's operating model makes practical controls especially important. Hospitality and retail projects often involve customer-facing or occupied workplaces, multiple specialist subcontractors, short-duration site teams, and client representatives on site. That means the policy must go beyond generic equality wording and deal with recruitment, reasonable adjustments, site welfare, PPE fit, third-party harassment, grievance handling, supply-chain obligations, and annual monitoring. HSE guidance on construction welfare and PPE stresses suitability for workers and the need for adequate welfare from the start of the project, while EHRC guidance for sectors with higher third-party harassment risk makes clear that employers should assess risk, train staff, and have protocols for dealing with abusive customers or visitors.

The recommended approach below treats EDI as both a values statement and an operating system. It is written to be proportionate for a growing contractor: strong enough for tenders and contractor onboarding, but realistic for a business that may not yet have a large in-house HR function. It also aligns with construction-sector terminology such as Fairness, Inclusion and Respect, which appears in current Constructionline/FIR requirements and CITB material.

For tender readiness, the policy should be approved by a director, communicated to employees and subcontractors, and reviewed at least annually. Current construction prequalification guidance specifically expects a director-approved EDI/FIR policy and evidence that subcontractors meet Equality Act duties.

Document item	Recommended position for Darko Developments
Policy owner	Managing Director with support from a nominated people/HR lead
Applies to	Employees, directors, agency workers, labor-only subcontractors, subcontractors, suppliers, applicants, clients, consultants, and site visitors
Review cycle	Annually, and earlier if there is a major legal, operational, or client requirement change
Core links	Grievance procedure, disciplinary rules, site induction, subcontractor onboarding, H&S policy, QA/QC manual, environmental policy

Legal and procurement context

The legal baseline is the Equality Act 2010. In workplace and recruitment settings, the protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The Act prohibits direct discrimination, indirect discrimination, harassment, and victimisation, and it imposes a duty to make reasonable adjustments for disabled applicants and workers. Equal pay rules also apply: men and women doing equal work in the same employment must receive equal pay unless any difference can be justified.

For disability in particular, the law is proactive rather than passive. EHRC and Acas guidance both emphasize that employers must remove or reduce disadvantages where they know, or reasonably ought to know, that someone is disabled. The duty applies in recruitment and during employment, and it can include changes to the workplace, duties, working arrangements, equipment, communication methods, and support. Disability discrimination also covers treatment because of association with a disabled person.

The law on sexual harassment has also tightened. Since 26 October 2024, employers must take reasonable steps to prevent sexual harassment of workers, including harassment by

third parties such as customers and clients. Acas and EHRC both stress that employers must assess risk, define reporting routes, train workers and managers, and review whether measures are working; waiting until an incident occurs is no longer enough.

Procurement expectations matter because many Darko opportunities will come through principal contractors, construction platforms, and public-sector or quasi-public buying bodies. Public bodies are required to consider equality when exercising procurement functions, and central government social-value guidance states that the Public Sector Equality Duty is non-delegable. Procurement guidance under the Procurement Act 2023 and the Social Value Model also requires procurement criteria to be relevant, proportionate, consistent with equal treatment, and non-discriminatory.

The construction-specific prequalification position is equally important. Build UK's Common Assessment Standard says central government departments and the wider public sector should use the standard to prequalify suppliers under PPN 03/24, and the standard is designed for UK construction companies. Current Constructionline/FIR guidance requires a director-approved Fairness, Inclusion and Respect or EDI policy reviewed within the past 12 months, and it also asks whether subcontractors meet Equality Act duties and what documentary evidence supports that assurance.

Several cases are especially relevant to how Darko should apply this policy. In **Archibald v Fife Council**, the House of Lords held that reasonable adjustments could include transferring a disabled worker to a suitable alternative post rather than limiting adjustments to minor modifications. In **Essop v Home Office**, the Supreme Court confirmed that in indirect discrimination claims a claimant does not need to explain why a provision, criterion, or practice disadvantages a protected group if the disparate impact is shown. In **Allay v Gehlen**, the EAT held that equality training can become stale and cease to amount to "all reasonable steps" if it is not refreshed in practice. In **Forstater v CGD Europe**, the EAT confirmed that a philosophical belief could be protected, while also making clear that this does not permit harassment or discriminatory conduct toward others.

Scope, definitions and core policy commitments

This policy should apply across the full Darko ecosystem: directors, employees, applicants, temporary and agency labor, labor-only and trade subcontractors, consultants, suppliers, client-facing personnel, clients while on Darko-managed sites, and site visitors. That breadth is important because EHRC guidance on harassment expects employers to specify who is protected and to address third-party conduct, while Constructionline expects evidence that subcontractors also meet Equality Act duties.

For policy purposes, Darko should define EDI broadly. “Equality” means fair access to work, opportunities, treatment, and services without unlawful discrimination. “Diversity” means valuing different backgrounds, experiences, and perspectives. “Inclusion” means creating day-to-day working and site conditions in which people can participate, contribute, raise concerns, and progress with dignity and respect. In construction-sector procurement, the same concepts are often grouped under “Fairness, Inclusion and Respect” or “FIR.”

Recommended policy statement

Darko Developments is committed to providing a workplace, project environment, and supply chain in which all people are treated with dignity, fairness, inclusion, and respect. We will not tolerate unlawful discrimination, harassment, bullying, victimisation, or retaliation. We will recruit, engage, develop, reward, and retain people on the basis of merit, competence, conduct, and potential. We will make reasonable adjustments where required, assess equality risks in our recruitment and project delivery, and require subcontractors and suppliers working with us to meet the standards of the Equality Act 2010 and this policy. We will review our arrangements regularly, investigate concerns fairly, and take corrective action where standards are not met.

That wording is consistent with Equality Act requirements, Acas guidance on recruitment and complaints, EHRC harassment guidance, and current contractor/supply-chain exemplars from the construction sector.

Darko’s commitments should expressly cover non-discrimination in recruitment, allocation of work, training, promotion, pay, benefits, discipline, dismissal, redundancy, site allocation, and client/service delivery. They should also confirm that no worker or subcontractor will suffer detriment for raising, supporting, or witnessing an EDI complaint. Victimisation is itself unlawful and should be stated in plain language.

The policy should also commit Darko to lawful, evidence-based positive action where underrepresentation exists, but it should avoid unlawful positive discrimination. Acas is clear that positive action in recruitment is only lawful in tightly limited circumstances, typically as a tiebreaker between candidates of equal merit, and only where it is proportionate and evidence-based.

Finally, the policy should reflect a construction-specific culture standard: respectful language and conduct on site; no “banter” that crosses into harassment; zero tolerance of racist, sexist, homophobic, transphobic, ableist, or religious abuse; and clear authority for managers to intervene where conduct by workers, clients, customers, or visitors creates an intimidating, hostile, degrading, humiliating, or offensive environment.

Practical procedures for recruitment, site operations, and supply chain management

Darko’s recruitment and selection procedure should be structured, written, and evidence-based. Every vacancy should have a role profile, job description, and person specification. Job advertisements should describe the work clearly, avoid unnecessarily exclusionary wording, and state that reasonable adjustments are available during recruitment. Equality monitoring information should be collected separately from selection materials. Where possible, shortlisting should involve two people, interviews should use consistent scoring criteria, and interview questions must not discriminate.

Reasonable adjustments should be handled through a simple but documented process. Applicants and workers must be able to request adjustments in writing, by email, or in conversation. Managers should meet the individual, avoid assumptions, consider the specific disadvantage, confirm agreed adjustments in writing, and review whether they remain effective. In a fit-out business, practical examples may include accessible interview locations, alternative-format documents, temporary changes to start times, modified duties, alternative equipment, accessible welfare arrangements, or transfer to other suitable work where reasonable.

Training should be built into operations, not treated as a one-off compliance exercise. All employees, agency workers, and regular subcontractors should receive an EDI briefing as part of induction. Site managers, supervisors, and directors should receive additional training on protected characteristics, reasonable adjustments, complaint handling, bystander response, and third-party harassment. Refresher training should take place at least annually and after any serious incident or legal change. That frequency is justified by EHRC guidance that training should be refreshed and its effectiveness reviewed, and by the EAT’s warning in **Allay** that stale training may not amount to reasonable steps.

Complaints should be handled promptly, fairly, and proportionately. Acas advises employers to take any bullying or discrimination complaint seriously and investigate it as soon as possible. Informal resolution can be used where appropriate and requested, but serious allegations, repeat behavior, sexual harassment, retaliation, or incidents involving power imbalance, client abuse, or safeguarding concerns should go straight to the formal route. The formal route should use a neutral investigator, written records, an outcome meeting, written decision, and appeal stage in line with the Acas Code.

Independent appeal review

Implement actions, record lessons learned, monitor for victimisation

Site-specific inclusion controls should be written into project start-up and site induction. HSE requires suitable welfare at construction sites, including toilets, washing, changing, eating, and rest areas, and notes that separate facilities may be needed for men and women. HSE also makes clear that RPE and PPE must fit the individual wearer; one size or model will not fit everyone. For Darko, this means site set-up should include suitable welfare, a check that PPE sizing and fit are adequate for the workforce on site, and clear reporting routes in site induction materials.

Because Darko works in restaurants, hospitality, and retail interiors, the policy should explicitly address third-party harassment. EHRC guidance for hospitality stresses risk assessment, multiple trusted reporting contacts, not leaving staff unsupported, and clear protocols for dealing with abusive customers or clients. Darko should therefore empower site managers to intervene, warn, remove, or escalate against abusive visitors, and to agree project-specific rules with the client where works take place in live public spaces.

Supply-chain procedures should be firm and evidence-based. Before appointment, Darko should request confirmation that a subcontractor has an EDI/FIR policy, annual review/approval, and arrangements for training, complaints, and anti-harassment. For higher-risk trades or public-facing projects, Darko should also require confirmation of how the subcontractor meets Equality Act duties, how concerns are reported, and whether there have been findings of unlawful discrimination or regulatory action requiring remediation. Those expectations mirror current Constructionline/FIR questions and broader public procurement equality questionnaires.

Darko should also contractually require flow-down to lower-tier subcontractors. Contractor exemplars such as Willmott Dixon already require suppliers to promote equality, diversity, fairness, inclusion, and respect, to provide equal opportunities on merit

and potential, and to prohibit intimidation, bullying, and harassment. Darko's supplier terms should use the same logic: legal compliance, policy maintenance, reporting obligations, audit/cooperation rights, remediation, and the right to suspend or terminate for serious breach.

Governance, measurement, and data protection

Responsibility should be allocated clearly. The **Managing Director / Board** should approve the policy, set the tone, review KPI reports, and authorize corrective action. **Directors and senior managers** should ensure the policy is applied in recruitment, remuneration, procurement, project set-up, and disciplinary decision-making. **Site managers and supervisors** should deliver site inductions, respond to complaints, intervene in unacceptable conduct, and escalate serious issues immediately. **HR or the nominated people lead** should maintain documents, training records, monitoring data, and case logs; if Darko has no in-house HR team, this function can sit with a director supported by an external HR adviser. **Employees and agency workers** must comply with the policy and report concerns. **Subcontractors and suppliers** must meet contractual EDI obligations and cooperate with investigations and audits. This governance model is consistent with Acas expectations for fair procedures, EHRC expectations for effective implementation, and Constructionline's requirement that the policy be director-approved and periodically reviewed.

The table below sets out a proportionate KPI framework for Darko. It is designed for a growing contractor, so it focuses on a small number of metrics that can actually be collected and used. The rationale comes from current procurement expectations for policy review and subcontractor assurance, EHRC/Acas expectations for training, reporting, and monitoring, and ICO expectations for lawful, transparent workforce data handling.

Recommended KPI	Data points to collect	Suggested target	Review frequency
Policy currency	Approval date, review date, document version, director sign-off	Current and reviewed within 12 months	Quarterly check; annual formal review
EDI induction coverage	New starters inducted, subcontractors briefed, site induction attendance	100% before or at start of work	Monthly

Recommended KPI	Data points to collect	Suggested target	Review frequency
Manager refresher training	Managers/supervisors trained, refresher date, overdue list	100% annually	Quarterly
Recruitment fairness	Applicants, shortlists, interviews, offers, hires by role; adjustment requests granted	No unexplained adverse pattern; adjustments handled in every case requiring them	Quarterly
Complaint handling	Number/type of concerns, time to acknowledge, time to close, appeal outcomes, recurrence	Acknowledge within 2 working days; close routine cases within 20 working days where feasible	Monthly operational review; quarterly board review
Reasonable adjustments	Requests received, time to agree, adjustments implemented, review date	Written outcome for every request; review after implementation	Monthly
Site inclusion audit	Welfare checks, PPE fit issues, signage/reporting routes, live-environment harassment controls	No critical non-conformances; corrective actions closed promptly	Per project start and monthly on site
Supply-chain compliance	Subcontractors with EDI clause signed, policies received, incidents reported, remediation actions	100% of appointed subcontractors contractually bound	Monthly procurement review
Equal pay review	Role pay bands, starting salaries, allowances, bonus/overtime patterns, role comparator notes	Annual review completed and action plan where needed	Annually

Recommended KPI	Data points to collect	Suggested target	Review frequency
Disclosure confidence	Voluntary workforce diversity disclosure rate, “prefer not to say” rates, survey feedback	Improve disclosure quality without coercion	Six-monthly

Data protection should be built into EDI monitoring from the start. ICO guidance is clear that diversity, religion, ethnic origin, health data, and some other EDI information are special category data. To process them lawfully, Darko must identify an Article 6 lawful basis and a separate Article 9 condition, document the basis before processing, provide privacy information, and in many cases maintain an Appropriate Policy Document. ICO guidance also stresses necessity, data minimization, retention controls, and DPIAs where risk is high.

In practice, Darko should treat candidate and worker EDI data as voluntary monitoring data, kept separate from hiring decisions wherever possible. ICO recruitment guidance shows good practice: equal opportunities information should not be visible to hiring managers in an identifiable form and should be used for statistical monitoring, not selection. Darko should also avoid relying on consent as its main employment-law basis unless it is truly free and explicit, because ICO guidance warns that employers may not always be able to show consent is freely given in employment relationships.

For a business of Darko’s size, the safest operational model is to collect only the data the company can actually use. That usually means a basic recruitment monitoring form, a separate workforce diversity survey, a reasonable-adjustment register, a complaints log, and project/site audit records. Reporting to directors should normally be aggregated, with anonymization or pseudonymization where subgroup numbers are small enough to risk identification.

Implementation, communication and continuous improvement

Implementation should be phased so that the policy becomes visible in tenders and usable on sites quickly. The first priority is approval, ownership, and document control. The second is operational embedding: recruitment packs, induction materials, complaint routes, supplier clauses, and site controls. The third is measurement: baseline data, quarterly review, and annual improvement planning. EHRC guidance specifically recommends regular review of policy effectiveness, worker engagement, risk assessment, refresher training, and monitoring.

Communication should happen in layers. The full policy should be issued to staff and retained in the company management pack. A short plain-language summary should be used in induction. Site induction slides or briefing sheets should include the zero-tolerance standard, reporting contacts, and practical examples relevant to the project environment. Tender packs and supplier onboarding packs should include a short EDI statement plus the supplier clause. Client-facing managers should be briefed on how to deal with visitor or customer misconduct and when to escalate to the client.

Continuous improvement should be formalized. Darko should review: recruitment outcomes, complaints trends, site audit findings, adjustment requests, training completion, and subcontractor performance. Lessons learned from complaints, project close-out reviews, and exit feedback should feed into the annual review. Constructionline/FIR guidance expects periodic reviews of policy effectiveness and annual currency; EHRC guidance also emphasizes regular evaluation and changes where measures are not working.

Templates, tender wording and supplier clauses

The templates below are intentionally practical. They are designed to evidence the controls that current law and procurement guidance expect: clear reporting routes, fair recruitment, annual review, supply-chain assurance, and documented remediation.

Incident, discrimination or harassment report template

Field	Required entry
Report reference	Unique case number
Date reported	DD/MM/YYYY
Reporter	Name and role, or “anonymous”
Contact details	If not anonymous
Person affected	Name, employer, trade, site
Person complained about	Name, employer, trade, role
Protected characteristic involved	If known or alleged
Nature of issue	Discrimination / harassment / sexual harassment / victimisation / bullying / adjustment issue / other
Date, time and location	Include project/site
Description of incident	Factual summary only
Witnesses	Names and employers
Immediate risk	Yes / No and details
Immediate action taken	E.g. separation, removal from site, welfare support
Manager notified	Name and date
Formal or informal route	Chosen pathway

Field	Required entry
Investigation lead	Name
Outcome	Substantiated / not substantiated / partially substantiated / informal resolution
Actions required	Training, warning, site removal, adjustment, process change
Appeal requested	Yes / No
Close-out date	DD/MM/YYYY
Lessons learned	Policy, site, or supplier change needed

Inclusive recruitment checklist

- Use a written job description and person specification.
- State the essential skills and avoid unnecessary criteria that may exclude capable applicants.
- Include wording that reasonable adjustments are available.
- Use a separate equality-monitoring form.
- Keep monitoring data away from hiring managers in identifiable form.
- Involve at least two people in shortlisting where practicable.
- Use structured interview questions and score against agreed criteria.
- Ask each candidate if they need adjustments for interview or assessment.
- Record reasons for shortlist, interview, offer, and rejection.
- Use positive action only where lawful and evidence-based.
- After recruitment, review the data for patterns that could indicate bias or barriers.

Suggested tender submission wording

Darko Developments operates a director-approved Equality, Diversity and Inclusion Policy, reviewed annually, which applies to our employees, applicants, agency labor, subcontractors, suppliers, clients, and site visitors. We are committed to preventing unlawful discrimination, harassment, bullying, and victimisation, to making reasonable adjustments where required, and to recruiting and progressing people on merit, competence, and potential.

Our operating controls include structured recruitment, EDI induction, manager refresher training, formal complaint and grievance routes, project-specific site inductions, suitable welfare arrangements, PPE and RPE suitability checks, and clear controls for third-party harassment in live hospitality and retail environments. We also require subcontractors to comply with the Equality Act 2010 and our contractual EDI standards, and we monitor implementation through annual policy review, training records, complaints logs, and supply-chain due diligence.

Model supplier and subcontractor EDI clause

The Supplier shall comply with the Equality Act 2010 and all other applicable anti-discrimination, anti-harassment, employment, and health and safety laws in performing the Works or Services.

The Supplier shall maintain throughout the term of the appointment an Equality, Diversity and Inclusion or Fairness, Inclusion and Respect policy approved by a director and reviewed at least annually, together with appropriate procedures for recruitment, training, reasonable adjustments, complaint handling, and disciplinary action.

The Supplier shall ensure that its personnel, agency workers, and lower-tier subcontractors:

- a) treat all persons with dignity and respect;*
- b) do not discriminate, harass, bully, or victimise any person;*
- c) cooperate with reasonable site rules and reporting procedures; and*
- d) complete any induction or training reasonably required by Darko Developments.*

The Supplier shall promptly notify Darko Developments of any serious complaint, upheld finding, regulatory action, or court/tribunal finding relating to unlawful discrimination, harassment, or victimisation that is relevant to the appointment, and shall provide details of remedial action taken.

The Supplier shall flow down obligations equivalent to this clause to all lower-tier subcontractors engaged on the appointment.

Darko Developments may require information, evidence, corrective action plans, retraining, removal of individuals from site, or other proportionate remedial measures where a breach or risk of breach is identified. Serious or repeated breach of this clause shall be treated as a material breach and may result in suspension or termination of the appointment.

Open questions and limitations

This model assumes Darko Developments is below the threshold for mandatory gender pay gap reporting and may not have a dedicated in-house HR department. If the company grows materially, its monitoring, reporting, and governance arrangements should be expanded accordingly.

Public-sector clients, NHS bodies, universities, and some framework operators may impose contract-specific equality objectives, local employment requirements, or social-value KPIs in addition to this baseline policy. Those should be appended as tender-specific commitments rather than hard-coded into the company-wide policy.

This document is a practical policy model, not legal advice. Before formal issue, Darko should align it with its final grievance procedure, disciplinary rules, whistleblowing route, subcontract conditions, and any external HR/legal support arrangements.