




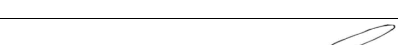
**Policies Manual**



**MCDONALD SCAFFOLDING (SERVICES) LTD.**

Business Management System

**Policies Manual**

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# Policies Manual

## 1. Policies

### 1.1 HSEQ Policy Statements

The Quality, Environmental and Health & Safety Policies are incorporated into the Business Management Statement 1.01 (out with this manual) in the Business Management System.

### 1.2 Alcohol, Drug and Solvent Abuse Policy

#### Introduction

The purpose of this policy is first and foremost to comply with legal requirements in the area of health and safety, in particular to ensure the provision of a safe working environment for all employees. Its aim is to set standards which can be clearly understood by employees and clearly state the actions which will be taken in the event that these standards are not met. Its purpose is to comply with actual and potential contractual obligations and requirements of third parties.

#### Prohibited Substances

For the purpose of this policy “Prohibited Substances” are:

Any alcoholic beverage;

Any controlled drug as defined by current applicable legislation (1)

Any other unlawfully used substance, including, but not limited to, prescription drugs obtained or used without permission or such drugs not being used for their originally intended purpose;

Any solvent (including glue) or other substance used or intended to be used for the purpose of intoxication; and/or

Any item reasonably associated with the use or consumption of any of the above.

#### Requirements of Policy

All employees who work, visit or perform duties on Company property and/or third party premises are obliged to bring to the immediate attention of his/her line manager, any circumstances where he/she believes or suspects that another employee has contravened or is in the process of contravening this policy.

The Company encourages any employee who thinks that he/she may have an alcohol or drug abuse problem to come forward in confidence to his/her line manager or his/her own General Practitioner.

The Company operates a zero tolerance alcohol level for all employees.

Employees are strictly prohibited from using, drinking, possessing, concealing, transporting, purchasing, promoting or selling Prohibited Substances on Company property and/or on third party premises.

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Directors have the right to ask any employee who works or performs services on third party premises, to take a substance test or tests. The employee may be asked to take such a test at random or in circumstances where it is reasonably believed that this policy has been contravened and/or following an accident or dangerous occurrence.

The Company has the right to request employees to submit to substance tests as part of a pre-employment medical examination as well as part of periodic medical examinations during the course of employees' employment.

To ensure compliance with this policy the Company has the right, through any director, to require employees to submit to a personal search, a search of employees' personal possessions and/or immediate work area to look for evidence of suspected Prohibited Substance abuse or items associated with it. During a search, employees have the right to be present throughout the search.

### **Managers' Responsibility**

Managers should be aware that the misuse of drugs, alcohol or solvents by employees may come to light in various ways.

### **Establishing the Problem**

The following characteristics, especially when arising in combinations, may indicate the presence of a substance problem.

#### **Absenteeism, in particular:**

- Instances of unauthorised leave
- Frequent Friday and/or Monday absences
- Leaving work early
- Lateness (especially on returning from lunch)
- Excessive level of sickness absence
- Strange and increasingly suspicious reasons for absence
- Unusually high level of sickness for colds, flu or stomach upsets
- Unscheduled short-term absences, with or without explanation

#### **High Accident Level, in particular:**

At work; and/or elsewhere e.g. driving, at home.

#### **Work Performance, in particular:**

- Difficulty in concentration
- Work requires increased effort
- Individual tasks take more time
- Problem with remembering instructions or own mistakes.

#### **Mood Swings, in particular:**

- Irritability;
- Depression; and/or
- General Confusion.

### **Misconduct**

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An employee's substance problem may come to light as a mitigating factor in a disciplinary interview. It may be treated as a mitigating factor for certain "less serious" disciplinary offences, such as poor timekeeping or lateness.

### Management Procedures

Managers who suspect one of their employees of having a substance abuse problem must discuss the matter with the relevant manager or director before approaching the employee with their concern.

The manager will then discuss the matter with the employee and try to establish the cause of the problem although it must be pointed out that individuals with a drugs or alcohol problem will often go to great lengths to conceal the situation.

The employee should be informed that the Company requires his or her performance to be improved in accordance with the Company's procedures. The manager, having consulted with a relevant Director, should agree with the employee what follow-up action is to be taken. Where it is established that alcohol or drugs is or could be the problem, an appointment should be arranged with the Company doctor.

If the employee denies that either alcohol or drugs are the cause of the problem (whether believed or not), he or she should be treated as for any other disciplinary/capability problem, whichever is judged as appropriate by the manager and Director.

However, if there are strong signs that the employee's unsatisfactory performance is drug or alcohol-related and he or she will not admit or acknowledge this, further encouragement should be given to the employee at all stages of the disciplinary/capability procedure to face up to the true underlying problem.

### Possible Action

If the results of a substance test or personal search, or search of possessions and/or work area prove negative, no further action will be taken.

In circumstances where a manager believes or suspects that an employee has breached this policy, the employee may be suspended from work, on full pay while the Company investigates the alleged offence.

If the employee is found to have breached this policy he/she may, subject to exceptional mitigating circumstances, be dismissed for gross misconduct without notice and without pay.

In the event that the employee refuses to undertake either substance testing and/or search as described above, the Company has the right to dismiss the employee without notice.

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### With Cause Testing Arrangements

Where a manager reasonably believes or suspects that an employee has breached this policy, or following an accident or dangerous occurrence, the Company had the right to request the employee to submit to an alcohol and drug test.

The employee will be referred to the Company doctor or Occupational Health Service provider and will be required to provide two urine samples. This process can be arranged through the Company's Human Resources Department.

Both Samples will be sent to a recognised testing laboratory and only the first sample will be tested at this stage.

If the test result proves to be negative, no further action will be taken under this policy. However, further action may be taken under the Disciplinary Procedure or in relation to Health and Safety.

In the event that the test result proves to be positive, further action will be taken.

The second sample will require to be tested in order to gain a second opinion. The employee will be allowed to choose where the second sample is tested.

All testing will only relate to Prohibited Substances as specified in the policy. The Company has no right access any other confidential medical information about the employee.

The Company reserves the right to utilise other testing methods in addition to, or in place of, the methods referred to in this policy.

### Monitoring

To ensure that the Company policy is effective, the policy and its implementation will be monitored and kept under review on a regular basis.

### Status

This policy does not form part of the employee's terms and conditions of employment and is not a contractual procedure. The Company reserves the right to amend this procedure from time to time.

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### 1.3 Anti-corruption and bribery policy

McDonald Scaffolding (Services) Limited conducts all its business in an honest and ethical manner and takes a zero-tolerance approach to bribery and corruption. It is committed to acting professionally, fairly and with integrity in all its business dealings and relationships.

Bribery and corruption are punishable for individuals by up to ten years' imprisonment.

If McDonald Scaffolding (Services) Limited is found to have taken part in corruption, it could face an unlimited fine, be excluded from tendering for public contracts and face damage to its reputation. It therefore takes its legal responsibilities very seriously.

McDonald Scaffolding (Services) Limited will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which it operates and remains bound by the laws of the UK in respect of its conduct both at home and abroad.

This policy applies directly to all individuals working with McDonald Scaffolding (Services) Limited at all levels whether as employees, agents, contractors and business partners and suppliers.

All will be required to comply with the provisions of this policy and any employee found to be in breach of this policy may be reported to the police and may be subject to criminal prosecution.

The purpose of the policy is to set out responsibilities for the Company and of those working for it , in observing and upholding its position on bribery and corruption; and to provide information and guidance to those working for McDonald Scaffolding (Services) Limited on how to recognise and deal with bribery and corruption issues.

In this policy, "third party" means any individual or organisation you come into contact with during the course of your work with McDonald Scaffolding (Services) Limited

#### **What is Bribery?**

A bribe is an inducement or reward offered, promised, or provided in order to gain any commercial, contractual, regulatory or personal advantage.

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### Gifts and Hospitality

This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties, providing that all of the following requirements are met:

- it is not offered with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage.
- it complies with local law;
- it is given in the McDonald Scaffolding (Services) Limited's name, not in your name;
- it does not include cash or a cash equivalent (such as gift certificates or vouchers);
- it is appropriate in the circumstances. For example, it is given as a ceremonial gift, on a festival or at another special time (e.g. Christmas);
- taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time.
- it is given openly, not secretly; and
- it is not a gift offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of a Director within MSS.

McDonald Scaffolding (Services) Limited appreciates that the practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one region may not be in another.

The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.

#### What is not acceptable?

It is not acceptable for you (or someone on your behalf) to:

- accept gifts from a third party to the value of more than £100 without the written approval of the Board.
- give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given.
- give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure.
- accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them; or
- accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return.
- threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy; or
- engage in any activity that might lead to a breach of this policy.



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### Other Payments

McDonald Scaffolding (Services) Limited does not make and will not accept facilitation payments or "kickbacks" of any kind.

Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official. They are not commonly paid in the UK but are common in some other jurisdictions.

Kickbacks are typically payments made in return for a business favour or advantage.

If you are asked to make a payment on the Company's behalf, you should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. Always ask for a receipt which details the reason for the payment.

If you have any suspicions, concerns or queries regarding a payment, you should raise these with a Director.

### Donations

McDonald Scaffolding (Services) Limited does not make contributions to political parties. Only charitable donations that are legal and ethical under local laws and practices are made. No donation must be offered or made without the prior approval of the Board.

### Record-Keeping

The Company must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties. Therefore you are expected to notify the Company Secretary of all hospitality or gifts to a value of more than £100 accepted or offered.

Any expenses claims relating to hospitality, gifts or expenses incurred to third parties must be submitted in accordance with the company expenses policy and specifically record the reason for the expenditure.

All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, should be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

Training on this policy forms part of the induction process for all new employees. All existing employees will receive regular, relevant training on how to implement and adhere to this policy.

Our zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.

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### Responsibilities

The prevention, detection and reporting of bribery and other forms of corruption is the responsibility of all those working for McDonald Scaffolding (Services) Limited or under its control and all are required to avoid any activity that might lead to, or suggest, a breach of this policy.

The Board has overall responsibility for ensuring this policy complies with the Company's legal and ethical obligations, and that all those under its control comply with it.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

All individuals (including employees, agents, contractors, business partners and suppliers) are responsible for ensuring that they have read, understand and comply with this policy.

If an individual believes or suspects that a conflict with this policy has occurred, or may occur in the future they should report it to the Company Secretary. For example, if a client or potential client offers something to gain a business advantage or indicates that a gift or payment is required to secure their business.

Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. The Company reserves the right to terminate contractual relationships with other individuals if they breach this policy.

Employees are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage.

If employees are unsure whether a particular act constitutes bribery or corruption, the matter should be notified to the Company Secretary.

Concerns should be reported as a protected disclosure to a line manager or to a Director. Statutory protection of whistle-blowers is afforded under the Public Interest Disclosure Act 1998.

The Board will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible.

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### 1.4 Ethics Policy

#### ***Confidentiality***

We are committed to maintaining the highest degree of integrity in all our dealings with potential, current and past clients, both in terms of normal commercial confidentiality, and the protection of all personal information received in the course of providing the business services concerned. We extend the same standards to all our customers, suppliers and associates.

#### ***Ethics***

We always conduct our own services honestly and honorably, and expect our clients and suppliers to do the same. Our advice, strategic assistance and the methods imparted through our training, take proper account of ethical considerations, together with the protection and enhancement of the moral position of our clients and suppliers.

#### ***Duty of care***

Our actions and advice will always conform to relevant law, and we believe that all businesses and organizations, including this consultancy, should avoid causing any adverse effect on the human rights of people in the organizations we deal with, the local and wider environments, and the well-being of society at large.

#### ***Conflict of interest***

Due to the sensitive nature of our particular consultancy services, we will not provide a service to a direct competitor of a client, and we generally try to avoid any dealings with competitor companies even after the cessation of services to a client.

#### ***Contracts***

Our contract will usually be in the form of a detailed proposal, including aims, activities, costs, timescales and deliverables. The quality of our service and the value of our support provide the only true basis for continuity. We always try to meet our clients' contractual requirements, and particularly for situations where an external funding provider requires more official parameters and controls.

#### ***Fees***

Our fees are always competitive for what we provide, which is high quality, tailored, specialized service. As such we do not generally offer arbitrary discounts; generally a reduction in price is only enabled by reducing the level or extent of services to be delivered. That said, we always try to propose solutions which accommodate our clients' available budgets and timescales. Wherever possible we agree our fees and basis of charges clearly in advance, so that we and our clients can plan reliably for what lies ahead, and how it is to be achieved and financially justified.

#### ***Payment***

We aim to be as flexible as possible in the way that our services are charged. Some clients prefer fixed project fees; others are happier with retainers, and we try to fit in with what will be best for the client. We make no attempt to charge interest on late payments, so we expect payments to be made when agreed. Our terms are generally net monthly in arrears.

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### ***Intellectual property and moral rights***

We retain the moral rights in, and ownership of, all intellectual property that we create unless agreed otherwise in advance with our clients. In return we respect the moral and intellectual copyright vested in our clients' intellectual property.

### ***Quality assurance***

We maintain the quality of what we do through constant ongoing review with our clients, of all aims, activities, outcomes and the cost-effectiveness of every activity. We encourage regular review meetings and provide regular progress reports. This consultancy has been accredited under a number of quality assurance schemes. Further details are available on request.

### ***Professional conduct***

We conduct all of our activities professionally and with integrity. We take great care to be completely objective in our judgement and any recommendations that we give, so that issues are never influenced by anything other than the best and proper interests of our clients.

### ***Equality and discrimination***

We always strive to be fair and objective in our advice and actions, and we are never influenced in our decisions, actions or recommendations by issues of gender, race, creed, colour, age or personal disability.

## Policies Manual

### 1.5 Whistleblowing Policy

#### Introduction

McDonald Scaffolding (Services) Ltd is committed to the highest standards of openness, probity and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff and other members of the Company to voice concerns in a responsible and effective manner.

It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs.

Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrong doing within the organisation then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told).

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The Company has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns. It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Company nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the "whistleblowing" procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside the Company.

#### Scope of Policy

This policy is designed to enable employees of the Company to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Dangers to Health & Safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of these

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### Safeguards

#### i. Protection

This policy is designed to offer protection to those employees of the Company who disclose such concerns provided the disclosure is made:

- in good faith
- in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case malicious or wild allegations could give rise to legal action on the part of the persons complained about.

#### ii. Confidentiality

The Company will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

#### iii. Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Company.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

#### iv. Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

### Procedures for Making a Disclosure

On receipt of a complaint of malpractice, the member of staff who receives and takes note of the complaint, must pass this information as soon as is reasonably possible, to the appropriate designated investigating staff member as follows:

- Complaints of malpractice will be investigated by the appropriate Manager unless the complaint is against the Manager or is in any way related to the actions of the Director. In such cases, the complaint should be passed to the Managing Director for referral.
- In the case of a complaint, which is any way connected with but not against the Manager, the Managing Director will nominate a Senior Manager to act as the alternative investigating member of staff.
- Complaints against the Managing Director should be passed to the Financial Director who will nominate an appropriate investigating member of staff.

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- The complainant has the right to bypass the line management structure and take their complaint direct to the Managing Director.
- The Managing Director has the right to refer the complaint back to management if he feels that the management without any conflict of interest can more appropriately investigate the complaint.

Should none of the above routes be suitable or acceptable to the complainant, then the complainant may approach one of the following individuals who have been designated as independent points of contact under this procedure.

They can advise the complainant on the implications of the legislation and the possible internal and external avenues of complaint open to them:

- |   |                 |                          |
|---|-----------------|--------------------------|
| 1 | Annamarie Friel | Oil Logistics Controller |
| 2 | Angela Gibbons  | Civil Administrator      |
| 2 | Neil Cormack    | HSEQ / Training Manager  |

If there is evidence of criminal activity then the investigating member of staff should inform the police.

The Company will ensure that any internal investigation does not hinder a formal police investigation.

### **Timescales**

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating member of staff should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The member of staff, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent to their home address.

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### Investigating Procedure

The investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained.
- The investigating member of staff should inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.  
The investigating member of staff should consider the involvement of the Company auditors and the Police at this stage and should consult with the Managing Director.
- The allegations should be fully investigated by the investigating member of staff with the assistance where appropriate, of other individuals / bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating member of staff. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Managing Director as appropriate.
- The Managing Director will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Company procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the Company Auditors to enable a review of the procedures.

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Managing Director, or one of the designated persons described above.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the Company recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or, where justified, elsewhere.



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### 1.6 Disciplinary & Grievance Procedure Policy

#### DISCIPLINARY

##### 1. Purpose and scope

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The company rules (a copy of which is displayed in the office) and this procedure apply to all employees. The aim is to ensure consistent and fair treatment for all in the organisation.

##### 2. Principles

Informal action will be considered, where appropriate, to resolve problems. No disciplinary action will be taken against an employee until the case has been fully investigated.

For formal action the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting. Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting. At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague. No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice. An employee will have the right to appeal against any disciplinary action. The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

##### 3. The Procedure *First stage of formal procedure*

This will normally be either:

- *an improvement note for unsatisfactory performance* if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for six months, but will then be considered spent – subject to achieving and sustaining satisfactory performance or
- *a first warning for misconduct* if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after a specified period (e.g., six months).

##### Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after twelve months subject to achieving and sustaining satisfactory conduct or performance.

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### Dismissal or other sanction

If there is still further misconduct or failure to improve performance the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer (as allowed in the contract of employment). Dismissal decisions can only be taken by the appropriate senior manager, and the employee will be provided in writing with reasons for dismissal, the date on which the employment will terminate, and the right of appeal.

If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after twelve months subject to achievement and sustainment of satisfactory conduct or performance.

### Gross misconduct

The following list provides some examples of offences which are normally regarded as gross misconduct:

- theft or fraud
- physical violence or bullying
- deliberate and serious damage to property
- serious misuse of an organisation's property or name
- deliberately accessing internet sites containing pornographic, offensive or obscene material
- serious insubordination
- unlawful discrimination or harassment
- bringing the organisation into serious disrepute
- serious incapability at work brought on by alcohol or illegal drugs
- causing loss, damage or injury through serious negligence
- a serious breach of health and safety rules
- a serious breach of confidence.

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

### Appeals

An employee who wishes to appeal against a disciplinary decision must do so within five working days. The senior manager will hear all appeals and his/her decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

### GRIEVANCES

#### Dealing with grievances informally

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your manager. You may be able to agree a solution informally between you.

## Policies Manual

### Formal grievance

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your manager. You should stick to the facts and avoid language that is insulting or abusive.

Where your grievance is against your manager and you feel unable to approach him or her you should talk to another manager or a Director.

### Grievance hearing

Your manager will call you to a meeting, normally within five days, to discuss your grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request. This representative may take notes and seek clarification of any issues that arise.

At the meeting your manager will endeavour to find a satisfactory solution and will aim to give you a written response within 5 working days, if this is not possible, he or she will inform you of the reason for the delay and when you can expect a response.

### Appeal

If you are not satisfied with the response you may put your grievance in writing to a Director. The Director will arrange to meet with you and will give you a response within 5 working days. If this is not possible, he or she will inform you of the reason for the delay and when you can get a response. This is the final stage of the procedure and there is no further right of appeal.

### Footnote

As recommended in the ACAS Code, where an employee raises a grievance during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the grievance. However, where the disciplinary and grievance cases are related, it may be appropriate to deal with both cases concurrently.

## Policies Manual

### 1.7 Smoke Free Policy

#### Purpose

This policy has been developed to protect all employees, service users, customers and visitors from exposure to second hand smoke and to assist compliance with current legislation (3)

Exposure to second hand smoke, also known as passive smoking increases the risk of lung cancer heart disease and other illnesses. Ventilation or separating smokers within the same airspace does not completely stop potentially dangerous exposure.

#### Policy

It is the policy of McDonald Scaffolding (Services) Ltd. that all of our workplaces are smoke free and that all employees have a right to work in a smoke free environment.

Smoking is prohibited indoors throughout the entire workplace with no exceptions. This includes client's workplaces and all company vehicles. This policy applies to all employees, consultants, contractors, customers or members and visitors.

If smoking out of doors care should be taken to ensure no hazards or environmental issues are caused by the disposal of the cigarettes Implementation.

Overall responsibility for policy implementation and review rests with the Managing Director.

All staff are obliged to adhere to and facilitate the implementation of the policy.

The person named above shall inform all existing employees, consultants and contractors of the policy and their role in the implementation and monitoring of the policy. They will also give all new personnel a copy of the policy on recruitment induction.

Appropriate 'No Smoking' signs will be clearly displayed at the entrances to and within the premises.

Non Compliance Disciplinary procedures should be followed if a member of staff does not comply with this policy.

Those who do not comply with the smoking law are also liable to a fixed penalty fine and possible criminal prosecution.

Individuals may be fined a fixed penalty of £50 for smoking in no smoking premises.

The manager or person in control of any no smoking premises could be fined a fixed penalty of £200 for either allowing others to smoke on no smoking premises or failing to display warning notices in no smoking premises.

Refusal to pay or failure to pay may result in prosecution and a fine of up to £500.

Your local GP Surgery can offer support, contact details can be found in your local directory.

## Policies Manual

### 1.8 Social Media Policy

#### 1. Policy statement

1.1. This policy is intended to help staff make appropriate decisions about the use of social media such as blogs, wikis, social networking websites, podcasts, forums, message boards, or comments on web-articles, such as Twitter, Facebook, LinkedIn.

1.2. This policy outlines the standards we require staff to observe when using social media, the circumstances in which we will monitor your use of social media and the action we will take in respect of breaches of this policy.

1.3. This policy does not form part of any contract of employment and it may be amended at any time.

#### 2. Who is covered by the policy?

2.1. This policy covers all individuals working at all levels and grades, including directors, senior managers, employees, consultants, contractors, trainees, and fixed-term employees (collectively referred to as **staff** in this policy).

#### 3. The scope of the policy

3.1. All staff is expected to comply with this policy at all times to protect the privacy, confidentiality, and interests of our company and our services, employees, partners, customers, and competitors.

3.2. Breach of this policy may be dealt with under our Disciplinary & Grievance Procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

#### 4. Responsibility for implementation of the policy

4.1. The Managing Director has overall responsibility for the effective operation of this policy.

4.2. The Company Secretary is responsible for monitoring and reviewing the operation of this policy and making recommendations for changes to minimise risks to our operations.

4.3. All staff are responsible for their own compliance with this policy and for ensuring that it is consistently applied. All staff should ensure that they take the time to read and understand it. Any breach of this policy should be reported to the managing director.

4.4. Questions regarding the content or application of this policy should be directed to the company secretary.

#### 5. Using social media sites in our name

5.1. Only the managing director or company secretary are permitted or will give permission to post material on a social media website in our name and on our behalf. Any breach of this restriction will amount to gross misconduct.

## Policies Manual

### 6. Personal use of social media sites

**[include this section where you allow personal use of social media]**

6.1. We permit the incidental use of social media websites for personal use subject to certain conditions set out below. However, this is a privilege and not a right. It must neither be abused nor overused and we reserve the right to withdraw our permission at any time at our entire discretion.

6.2. The following conditions must be met for personal use to continue:

- (a) use must be minimal and take place substantially out of normal working hours (that is, during lunch hours, before 9 am or after 5.30 pm);
- (b) use must not breach any of the rules set out in paragraph 9 below.
- (c) use must not interfere with business or office commitments;
- (d) use must comply with our policies.

### 7. Rules for use of social media

Whenever you are permitted to use social media in accordance with this policy, you must adhere to the following general rules.

7.1. Always write in the first person, identify who you are and what your role is, and use the following disclaimer *“The views expressed are my own and don’t reflect the views of my employer”*.

7.2. Do not upload, post, forward or post a link to any abusive, obscene, discriminatory, harassing, derogatory or defamatory content.

7.3. Any member of staff who feels that they have been harassed or bullied, or are offended by material posted or uploaded by a colleague onto a social media website should inform your contracts manager.

7.4. Never disclose commercially sensitive, anti-competitive, private or confidential information. If you are unsure whether the information you wish to share falls within one of these categories, you should discuss this with your contracts manager.

7.5. Do not upload, post or forward any content belonging to a third party unless you have that third party's consent.

7.6. It is acceptable to quote a small excerpt from an article, particularly for the purposes of commenting on it or criticising it. However, if you think an excerpt is too big, it probably is. Quote accurately, include references and when in doubt, link, don't copy.

7.7. Before you include a link to a third party website, check that any terms and conditions of that website permit you to link to it. All links must be done so that it is clear to the user that they have moved to the third party's website.

7.8. When making use of any social media platform, you must read and comply with its terms of use.

7.9. Do not post, upload, forward or post a link to chain mail, junk mail, cartoons, jokes or gossip.

## Policies Manual

7.10. Be honest and open, but be mindful of the impact your contribution might make to people's perceptions of us as a company. If you make a mistake in a contribution, be prompt in admitting and correcting it.

7.11. You are personally responsible for content you publish into social media tools – be aware that what you publish will be public for many years.

7.12. Don't escalate heated discussions, try to be conciliatory, respectful and quote facts to lower the temperature and correct misrepresentations. Never contribute to a discussion if you are angry or upset, return to it later when you can contribute in a calm and rational manner.

7.13. If you feel even slightly uneasy about something you are about to publish, then you shouldn't do it. If in doubt, always discuss it with your contracts manager.

7.14. Don't discuss colleagues, competitors, customers or suppliers without their prior approval.

7.15. Always consider others' privacy and avoid discussing topics that may be inflammatory e.g. politics and religion.

7.16. Avoid publishing your contact details where they can be accessed and used widely by people you did not intend to see them, and never publish anyone else's contact details.

7.17. Before your first contribution on any social media site, observe the activity on the site for a while before launching in yourself to get a feel for the style of contributions, the nature of the content and any 'unwritten' rules that other contributors might follow.

7.18. Activity on social media websites during office hours should complement and/or support your role and should be used in moderation.

7.19. If you notice any content posted on social media about us (whether complementary or critical) please report it to the managing director]

### **8. Monitoring use of social media websites**

8.1. Staff should be aware that any use of social media websites (whether or not accessed for work purposes) may be monitored and, where breaches of this policy are found, action may be taken under our Disciplinary & Grievance Procedure.

8.2. We reserve the right to restrict or prevent access to certain social media websites if we consider personal use to be excessive. Monitoring is only carried out to the extent permitted or as required by law and as necessary and justifiable for business purposes.

8.3. Misuse of social media websites can, in certain circumstances, constitute a criminal offence or otherwise give rise to legal liability against you and us. It may also cause embarrassment to us and to our clients.

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8.4. In particular uploading, posting forwarding or posting a link to any of the following types of material on a social media website, whether in a professional or personal capacity, will amount to gross misconduct (this list is not exhaustive):

(a) pornographic material (that is, writing, pictures, films and video clips of a sexually explicit or arousing nature);

(b) a false and defamatory statement about any person or organisation;

(c) material which is offensive, obscene, criminal discriminatory, derogatory or may cause embarrassment to us, our clients or our staff;

(d) confidential information about us or any of our staff or clients (which you do not have express authority to disseminate);

(e) any other statement which is likely to create any liability (whether criminal or civil, and whether for you or us); or

(f) material in breach of copyright or other intellectual property rights, or which invades the privacy of any person. Any such action will be addressed under the Disciplinary & Grievance Procedure and is likely to result in summary dismissal.

8.5. Where evidence of misuse is found we may undertake a more detailed investigation in accordance with our Disciplinary & Grievance Procedure, involving the examination and disclosure of monitoring records to those nominated to undertake the investigation and any witnesses or managers involved in the investigation. If necessary such information may be handed to the police in connection with a criminal investigation.

8.6. If you notice any use of social media by other members of staff in breach of this policy please report it to your contracts manager.



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### 1.9 Equal Opportunities Statement & Policy

The success of any organisation and that of its employees depends very largely on the employees themselves, and so we look to you to play your part, as we shall continue to play ours.

We provide equal opportunities and are committed to the principle of equality regardless of race, creed, colour, nationality, sex, or disability.

We will apply employment policies, which are fair, equitable and consistent with the skills and abilities of our employees and the needs of the business.

You have a duty to assist us in implementing these policies to ensure that all employees are accorded equal opportunity for recruitment, training, and promotion and, in all jobs of like work, on equal terms and conditions of employment. You are entitled to join a trade union of your choice.

We will not condone any discriminatory act or attitude in the conduct of our business with the public or our employees. Acts of discrimination (including harassment) on the grounds of race, sex or disability are disciplinary offences.

We welcome you and express our sincere hope that you will be happy here in our team.

McDonald Scaffolding (Services) Ltd is fully committed to the principle of equal opportunity in employment and seeks to ensure that the careers of all employees are determined solely on merit and opportunity and that judgement about employees are free of the effects of bias and prejudice.

#### Legislation

McDonald Scaffolding (Services) Ltd will comply with all relevant legislation and also related codes of practice.

We will ensure job applicants, employees, visitors and the general public will not receive less favourable treatment because of a protected characteristic, namely: -

- sex,
- sexual orientation,
- pregnancy or maternity,
- age,
- marriage or civil partnership,
- race,
- religion or belief,
- disability or gender reassignment.

The Company and its Director place great emphasis on maintaining procedures, which are free from all forms of discrimination.

In promoting the above practice, the Company fulfils its social responsibility towards its employees and communities in which it operates and recognises its legal obligations under the relevant current legislation.

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Any staff involved in the recruitment of new employees will be made familiar or trained in the implementation of this policy.

Any employee who believes that he or she is being discriminated against in any of the above areas should be advised to raise the matter through the Grievance Procedure.

Current employment legislation is designed to prevent discrimination and identifies actions, which will be regarded as unlawful. Discrimination may be either direct or indirect and may include victimisation and/or harassment. Broad definitions of these terms are as follows:

### **Direct Discrimination**

Direct discrimination consists of treating a person on grounds of their sex, sexual orientation, pregnancy or maternity, age, marriage or civil partnership, race, religion or belief, disability, or gender reassignment less favourably than others are / would be treated in the same or similar circumstances. For example, refusing to employ an applicant on sexual or racial grounds is less favourable treatment.

### **Indirect Discrimination**

Indirect Discrimination consists of applying a provision, criterion or practice which is applied to all but which in practice has a disproportionately adverse effect on groups of a protected characteristic.

### **Victimisation**

Victimisation occurs when individuals are treated less favourably than others in the same circumstances because it is suspected or known that they have brought proceedings relating to discrimination or harassment or have given evidence relating to such proceedings.

In addition, McDonald Scaffolding (Services) Ltd will ensure that any form of blacklisting will not be carried out and will not have any effect on employment of persons within the business.

### **Harassment**

Harassment can be defined as any behaviour which is unwanted and which a person finds intimidating, humiliating, upsetting or offensive. It is not the intention by the harasser that decides whether harassment has taken place but whether the recipient feels the behaviour is unacceptable. In recognising its legal and social responsibilities, the Company has implemented the policy to help ensure that equal opportunities are being practiced which are consistent with the relevant legislation and Codes of Practice.

It is the responsibility of all employees to ensure that they comply with these policies and procedures, any employee who is found to have breached the policy will be subject to disciplinary action which could result in dismissal.

### **Monitoring**

The size of the company is small enough to monitor relationships between personnel and any identified discrimination, harassment or victimisation will manage in line with this policy.

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Employees will also be informed that the company embraces an 'open door' policy where they can speak without fear of recrimination.

### Grievance Procedure

It is the intention of the Company that staff who have a grievance get the matter rectified or are given an explanation as to why the circumstances exist, as soon as possible.

Should employees have complaints they should, in the first instance, discuss the matter or submit a formal written grievance with their Line Manager or an alternative Manager, if appropriate.

The company Grievance Procedure is detailed in Section 6 of the McDonald Scaffolding (Services) Ltd employee handbook.

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### 1.10 Modern Slavery Policy

#### Anti-slavery and human trafficking policy

##### 1. Policy statement

1.1 Modern slavery is a crime and a violation of fundamental human rights. It takes various forms, such as slavery, servitude, forced and compulsory labour and human trafficking, all of which have in common the deprivation of a person's liberty by another in order to exploit them for personal or commercial gain.

We have a zero-tolerance approach to modern slavery and we are committed to acting ethically and with integrity in all our business dealings and relationships and to implementing and enforcing effective systems and controls to ensure modern slavery is not taking place anywhere in our own business or in any of our supply chains.

1.2 We are also committed to ensuring there is transparency in our own business and in our approach to tackling modern slavery throughout our supply chains, consistent with our disclosure obligations under the Modern Slavery Act 2015.

We expect the same high standards from all of our contractors, suppliers and other business partners, and as part of our contracting processes, we include specific prohibitions against the use of forced, compulsory or trafficked labour, or anyone held in slavery or servitude, whether adults or children, and we expect that our suppliers will hold their own suppliers to the same high standards.

1.3 This policy applies to all persons working for us or on our behalf in any capacity, including employees at all levels, directors, managers, supervisors, employees, labour only contractors, external consultants..

1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.

##### 2. Responsibility for the policy

2.1 The Directors have overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.

2.2 The Managing Director has primary and day-to-day responsibility for implementing this policy, monitoring its use and effectiveness, dealing with any queries about it, and auditing internal control systems and procedures to ensure they are effective in countering modern slavery.

2.3 Managers at all levels are responsible for ensuring those reporting to them understand and comply with this policy and are given adequate and regular training on it and the issue of modern slavery in supply chains.

2.4 You are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries are encouraged and should be addressed to the Managing Director.

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### 3. Compliance with the policy

3.1 You must ensure that you read, understand and comply with this policy.

3.2 The prevention, detection and reporting of modern slavery in any part of our business or supply chains is the responsibility of all those working for us or under our control. You are required to avoid any activity that might lead to, or suggest, a breach of this policy.

3.3 You must notify your manager as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future.

3.4 You are encouraged to raise concerns about any issue or suspicion of modern slavery in any parts of our business or supply chains of any supplier tier at the earliest possible stage.

3.5 If you believe or suspect a breach of this policy has occurred or that it may occur you must notify your manager or report it in accordance with our Whistleblowing Policy as soon as possible.

3.6 If you are unsure about whether a particular act, the treatment of workers more generally, or their working conditions within any tier of our supply chains constitutes any of the various forms of modern slavery, raise it with your manager or managing director.

3.7 We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken. We are committed to ensuring no one suffers any detrimental treatment as a result of reporting in good faith their suspicion that modern slavery of whatever form is or may be taking place in any part of our own business or in any of our supply chains.

Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern.

If you believe that you have suffered any such treatment, you should inform the managing director immediately.

If the matter is not remedied, and you are an employee, you should raise it formally using our Grievance Procedure.

### 4. Communication and awareness of this policy

4.1 Our zero-tolerance approach to modern slavery must be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and reinforced as appropriate thereafter.

### 5. Breaches of this policy

5.1 Any employee who breaches this policy will face disciplinary action, which could result in dismissal for misconduct or gross misconduct.

5.2 We may terminate our relationship with other individuals and organisations working on our behalf if they breach this policy.

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### 1.11 Corporate Social Responsibility

We recognise that we must integrate our business values and operations to meet the expectations of our stakeholders. They include customers, employees, investors, suppliers, the community and the environment.

- We recognise that our social, economic and environmental responsibilities to these stakeholders are integral to our business. We aim to demonstrate these responsibilities through our actions and within our corporate policies.
- We take seriously all feedback that we receive from our stakeholders and, where possible, maintain open dialogue to ensure that we fulfil the requirements outlined within this policy.
- We shall be open and honest in communicating our strategies, targets, performance and governance to our stakeholders in our continual commitment to sustainable development.
- The Managing Director is responsible for the implementation of this policy and will make the necessary resources available to realise our corporate responsibilities. The responsibility for our performance on this policy rests with all employees throughout the company.

#### 1. Our partnership focus:

- 1.1 We shall ensure a high level of business performance while minimising and effectively managing risk ensuring that we uphold the values of honesty, partnership and fairness in our relationships with all our stakeholders.
- 1.2 We shall support the development of our external stakeholders through led training courses and using our facilities for all clients to hold industry meetings as required.
- 1.3 Our contracts will clearly set out the agreed terms, conditions and the basis of our relationship and will operate in a way that safeguards against unfair business practices
- 1.4 We shall encourage suppliers and contractors to adopt responsible business policies and practice.
- 1.5 We shall encourage dialogue with local communities for mutual benefit.
- 1.6 We will register and resolve customer complaints in accordance with our standards of service.
- 1.7 We shall support and encourage our employees to help local community organisations and activities in our region, particularly our employee chosen charities.
- 1.8 We shall work with local schools, colleges and universities to assist young people in choosing their future careers, being an advocate for our industry.

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- 1.9 We shall operate an equal opportunities policy for all present and potential future employees and will offer our employees clear and fair terms of employment and provide resources to enable their continual development.
- 1.10 We shall maintain a clear and fair employee remuneration policy and shall maintain forums for employee consultation and business involvement.
- 1.11 We shall provide safeguards to ensure that all employees at whatever nationality, colour, race or religious belief are treated with respect and without sexual, physical or mental harassment.
- 1.12 We shall provide, and strive to maintain, a clean, healthy and safe working environment in line with our Health and Safety policy and safe systems of work.
- 1.13 We shall encourage active use of our Environmental policies and objectives.

### Ethical Trading Policy Document

#### 1. Employment is freely chosen

- 1.1 There is no forced, bonded or involuntary prison labour.
- 1.2 Employees are not required to lodge "deposits" or their identity papers with their employer and are free to leave their employer after contractual notice.

#### 2. Freedom of association and the right to collective bargaining are respected

- 2.1 Employees, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively.
- 2.2 The employer adopts an open attitude towards the activities of trade unions and their organisational activities.
- 2.3 Employees' representatives are not discriminated against and have access to carry out their representative functions in the workplace.

#### 3. Working conditions are safe and hygienic

- 3.1 A safe and hygienic working environment shall be provided, bearing in mind the prevailing knowledge of the industry and of any specific hazards. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment.
- 3.2 Employees shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned employees.

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- 3.3 Access to clean toilet facilities and to potable water, and, if appropriate, sanitary facilities for food storage shall be provided.
- 3.4 Accommodation, where provided, shall be clean, safe, and meet the basic needs of the employees.
- 3.5 The company observing the code shall assign responsibility for health and safety to a senior management representative.

#### **4. Child labour shall not be used**

- 4.1 There shall be no new recruitment of child labour.
- 4.2 Children and young persons under 18 shall not be employed at night or in hazardous conditions.
- 4.3 These policies and procedures shall conform to the provisions of the relevant UK standards.

#### **5. Living wages are paid**

- 5.1 Wages and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmark standards, whichever is higher. In any event wages should always be more than enough to meet basic needs and to provide discretionary income.
- 5.2 All employees shall be provided with written and understandable information about their employment conditions in respect to wages and benefits before they enter employment and about the particulars of their wages for the pay period concerned each time that they are paid.
- 5.3 Deductions from wages as a disciplinary measure shall not be permitted, nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the employee concerned.

#### **6. Working hours are not excessive**

- 6.1 Working hours must comply with national laws, collective agreements, and the provisions of 6.2 to 6.5 below, whichever affords the greater protection for employees. Sub-clauses 6.2 to 6.5 are based on UK statutory provisions.
- 6.2 Working hours, excluding overtime, shall be defined by contract, and shall not normally exceed 48 hours per week unless the employee has contractually opted out of this provision.
- 6.3 All overtime shall be voluntary. Overtime shall be used responsibly, taking into account all the following: the extent, frequency and hours worked by individual employees and the workforce as a whole. It shall not be used to replace regular employment. Overtime shall always be compensated at a premium rate.



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- 6.4 The Company meets all the provisions of the Working Time Regulations 1998.
- 6.5 Employees shall normally be provided with at least one day off in every seven day period or two days off in every 14 day period.

### 7. No discrimination is practised

- 7.1 There is no discrimination in hiring, compensation, access to appropriate training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.

### 8. Regular employment is provided

- 8.1 To every extent possible work performed must be on the basis of recognised employment relationship established through national law and practice.
- 8.2 Obligations to employees under employment or social security laws and regulations arising from the regular employment relationship shall not be avoided through the use of zero hours contracts or home-working arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment, nor shall any such obligations be avoided through the excessive use of fixed-term contracts of employment.

### 9. No harsh or inhumane treatment is allowed

- 9.1 Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited.

The use of this code constitutes minimum and not maximum standards, and this code is not used to prevent Global Infrastructure from exceeding these standards. Global Infrastructure applies this code to comply with national and other applicable law and, where the provisions of law and the Ethical Trading Initiative base code address the same subject, to apply that provision which affords the greater protection.

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### 1.12 Occupational Health Policy

The work of McDonald Scaffolding (Services) Ltd involves the exposure of employees to some health and safety hazards.

Employers are required under the Management of Health and Safety at Work Regulations 1999 to carry out health and safety risk assessments and to introduce control measures to reduce any possible risks. The Directors of McDonald Scaffolding (Services) Ltd recognise their responsibility to ensure this, so far as is reasonably practicable.

Under the Management of Health and Safety at Work Regulations 1999 and the Control of Substances Hazardous to Health Regulations 2002, health surveillance is required in circumstances where an occupational risk to health remains despite control measures.

The primary purpose of health surveillance is the early detection of adverse health risks associated with work activity. It allows staff at increased risk to be identified and additional precautions to be taken as necessary. It is also a means of checking the effectiveness of the existing control measures.

#### Definitions

A hazard is something with the potential to cause harm. The risk is the likelihood of that harm occurring and health surveillance is the monitoring of health in relation to a specific hazard to identify early health changes.

#### Responsibilities

Whoever individual companies delegate responsibility to, occupational health service personnel and employees all have responsibilities when it comes to occupational health.

The Directors are responsible for:

- ensuring McDonald Scaffolding (Services) Ltd carry out risk assessments
- allocating sufficient resources to allow appropriate follow-up action resulting from risk assessments to be taken
- arranging suitable training for McDonald Scaffolding (Services) Ltd and the responsible person to enable them to carry out their duties in respect of health surveillance
- Ensuring the organization has access to a robust occupational health service.

The SHEQ / Training Manager is responsible for:

- ensuring risk assessments are carried out in their areas of responsibility
- ensuring adequate control measures are put in place to reduce risks as far as possible
- seeking advice on risk reduction from a safety advisor, occupational hygienist or other relevant person as necessary
- seeking the advice of the relevant people on the need for health surveillance where it is thought that a residual health risk remains following the implementation of control measures
- Ensuring employees co-operate with health surveillance procedures provided
- Discussing with the relevant people any health concern brought to their attention by an employee

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The people responsible for:

- assisting with the risk assessment process as requested by supervisory team
- carrying out health surveillance of employees in line with agreed procedures
- maintaining health surveillance records and arranging recalls at the appropriate intervals
- Informing Managing Director and the Directors about levels of compliance with health surveillance procedures

The occupational health service is responsible for providing appropriately qualified personnel to:

- help identify the need for health surveillance programs.
- assist with the risk assessment process as requested by McDonald Scaffolding (Services) Ltd
- carry out health surveillance in line with agreed procedures
- maintain health surveillance records and arrange recalls at the appropriate time
- inform Managing Director and the SHEQ / Training Manager about levels of compliance with health surveillance procedures.

Employees must:

- co-operate with health surveillance procedures
- report health problems which may be associated with work to their SHEQ / Training Manager
- co-operate with any control measures implemented to protect their health.

### Identifying the Need for Health Surveillance

The following points should be considered to help determine if health surveillance is required.

- Is there an identifiable disease or condition related to the work activity?
- Are valid techniques available to detect indications of the disease or condition?
- Is it possible the disease or condition may occur in this particular working environment?
- Is surveillance likely to assist in the protection of the health of the employees concerned?
- Does any specific legislation requiring health surveillance apply?

The health surveillance techniques used will depend on the hazard and degree of risk.

### Health Record

In its simplest form, a written health record detailing the type of exposure must be kept. The health record must include the individual's:

- surname
- forenames
- gender
- date of birth
- permanent address
- National Insurance (NI) number

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1. the date the employee started his or her present job
2. a record of previous exposures to hazards for which health surveillance is required in the present job
3. the dates of all health surveillance procedures and the names of the people who carried them out
4. the conclusions drawn from the surveillance, including whether the individual is fit to work and the decisions of the qualified or responsible people, but not clinical information.

### Health Surveillance

If a reliable test can be carried out, the format of health surveillance may include the use of questionnaires to determine symptoms and may also involve clinical examination or measurements, such as lung function testing, hearing tests or biological sampling.

#### Frequency of Health Surveillance

The level of risk determines the frequency of health surveillance programmes. Where the risk is thought to be low, only baseline data will be required and staff should report to the SHEQ / Training Manager if any problems are experienced. Baseline data will usually be gathered at the employment health interview.

If the risk is thought to be more significant, periodic health surveillance for all exposed staff should take place. In most cases this will be annual; however in some high-risk areas a more frequent program may be agreed.

The minimum surveillance required for commonly-used substances in McDonald Scaffolding (Services) Ltd is summarized in the table below. More frequent surveillance may be required where a person's medical history suggests a particular vulnerability. The responsible person or occupational health nurse will make this decision and manage the recall process.

#### Minimum Surveillance for Commonly-used Substances:

Area	Substance	Action	Recall
Lung		Spirometry and Questionnaire Baseline	6 weeks, 6 months then annual if results normal
Lung			
Lung			
Lung			
Lung			
Skin		Questionnaire and Examination Baseline	Annual Review
Skin			
Skin			

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Skin			
Skin			
Audiogram	Noise	Questionnaire and Audiogram Baseline Category 1	Annual for first 3 years then 3 yearly
Audiogram	Noise	Baseline Category 2	6 months then Annual
Audiogram	Noise	Baseline Category 3	3 months refer to Doctor then 6 monthly
Forklift Operator		Screening and Baseline	2 yearly

If health problems are identified following health surveillance, control measures should be reviewed and where necessary enhanced.

The occupational health nurse or doctor will advise on any specific actions to take with regard to the affected employee, eg:

- reducing the length of exposure
- restricting work activities which cause exposure
- re-deploying the affected employee
- advising on additional personal protective equipment (PPE).

### Eye Wear

Should an employee require spectacles for the purpose of his/her work, an amount to the value of £75 may be applied for providing an initial enquiry has been made through his/her line manager prior to:

- an eye test taking place
- production of a receipt

The employee's Line Manager shall only give their authorisation following the above process.

Once authorisation has been given, a receipt **must** be provided before a claim can be applied for.

### Record Keeping

The responsible person or Occupational Health nurse will, with the support of McDonald Scaffolding (Services) Ltd management team, ensure employees requiring health surveillance are identified and recalled at appropriate intervals. All data collected will be subject to the Data Protection Act 1998.

This policy has been adopted by McDonald Scaffolding (Services) Ltd on:

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### 1.13 Waste Minimisation & Recycling Policy

#### **. General statement**

It is our policy to ensure a high level of commitment to good environmental practice throughout our activities. This document expands on that policy as it relates to waste minimisation and recycling.

It is intended to develop the existing Environmental Policy by minimising the production of waste through good purchasing practice, reuse and economic recycling.

To help ensure we give proper consideration to our environmental management responsibilities, and to assist in the minimisation of waste and the recycling of materials wherever practicable, systems and procedures will be implemented to encourage the recycling and reuse of materials with a view to minimising the overall levels of waste produced by this organisation.

All staff are expected to abide by the following procedures and cooperate with management in the execution of this policy.

#### **2. Specific aims**

As part of our commitment to protecting the environment and reducing the level of waste, we have adopted the following specific aims:

- Cultivate a work ethic with a high level of awareness of waste minimisation and recycling
- Promote economy in the use of paper and the selection of print formats and document styles in line with this
- Encourage the purchase of recycled materials and those which are suitable for disposal by recycling
- Favour suppliers who operate according to sound environmental principles
- Minimise waste by encouraging the exchange, and re-use of equipment and materials amongst divisions
- Develop a waste management strategy which accommodates recycling procedures and initiatives
- Encourage departments to establish local recycling schemes which are relevant to their individual activities.

#### **3. Paper-based products**

Almost any type of cardboard or paper, from daily newspapers to brown lunch paper bags, from normal office photocopier/printer paper to catalogues or from cardboard wine cases to paper potato bags can be recycled.

It is essential to avoid any synthetic materials such as plasticised papers, tinfoils, waxed papers or any other plastic or metal binders or wrappings, e.g. crisp bags, sweet/biscuit wrappers and milk/juice cartons. Such materials should go into normal waste bins.

Clearly identified paper recycle bins will be placed in each office for collection of all suitable waste paper.

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Only paper suitable for recycling should be placed in these containers.

Cleaning staff will empty these containers on a daily basis and take the waste paper to 1100ltr Recycle bin which is located outside the yard welfare facilities.

All cleaning staff will be notified of these collection points. The 1100ltr Recycle bin will be uplifted and emptied on a fortnightly basis.

### **4. Recyclable plastic based products**

Should be thoroughly cleaned and where possible the label removed and any lid should be removed before placing it in the plastics recycle bin in the kitchen.

Cleaning staff will empty the above bin into the 1100ltr Recycle bin which is located outside the yard welfare facilities. 1100ltr Recycle bin will be uplifted and emptied on a fortnightly basis.

### **5. Glass products**

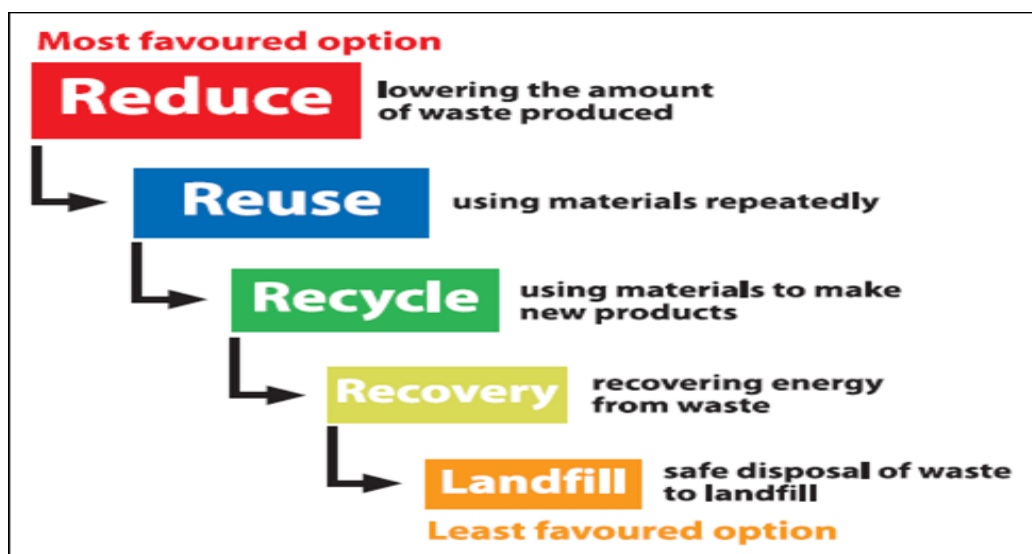
Should be thoroughly cleaned and where possible the label removed and any lid should be removed before placing it in the glass recycle container in the kitchen. This glass recycle container will be emptied on a monthly basis

### **6. General Waste / Food Waste products**

Should be placed in the general waste bin in the kitchen. Cleaning staff will empty the bin on a daily basis and take the waste to 1100ltr General Waste bin which is located outside the yard welfare facilities.

### **7. Future recycling**

We are committed to reducing our waste which goes to landfill.



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### 1.14 Adverse Weather Policy

#### Introduction

This policy aims to provide some guidance to those persons that may be required to work in such environments as to what might be considered acceptable or unacceptable in matters of health & safety.

Hazards arising from adverse weather conditions, such as those listed below, need to be anticipated, where possible and suitable precautions taken.

Notwithstanding the guidance below, if any individual is concerned that the weather or environment in which he is required to work presents significant health & safety risks, they should not proceed until further clarification and agreement is obtained.

In all cases, where the Client indicates that conditions are too severe for work to proceed, that advice should be strictly followed.

#### Scope of Policy

Adverse weather may take many forms and each will have its own impact on the work to be undertaken. Instances may include:

- High winds
- Poor visibility (fog, rain)
- Heavy rain
- High/Low temperatures
- Strong sunlight
- Snow and ice
- Lightning

Often these hazards might come in combination as well as the site location.

Sometimes the impact of these conditions may be mitigated through the wearing of suitable clothing or protective equipment, e.g. if the weather is particularly cold, but otherwise calm and acceptable, extra warm clothing might be appropriate; although care should be taken if this is likely to impose other restrictions e.g. on movement or dexterity.

In particularly hot weather the temptation to work only in minimal clothing should be resisted since it may increase the risks of injury through abrasion etc. Levels of hazardous UV radiation from strong sunlight may also become more significant and consideration should be given to applying sun blocking cream to exposed skin.

It should be remembered that working in particularly hot or cold weather may affect the body's ability to work safely in other ways eg loss of concentration, loss of sensation in the fingers or feet, excessive sweating or dehydration.



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Accumulations of snow or ice, or icing on any part of a scaffold structure may make the work area unsafe to access and work should not proceed until the weather improves or steps are taken to ensure that no ice is likely to affect the work.

High winds may be a particular issue when in our area. There is no straight forward answer to the question, when is the wind too strong to work safely?

- *As a rule of thumb, no external working should take place on offshore / shipyard projects if the wind prevents the installation/ dockside cranes from working.*
- Aluminium mobile towers will not be used externally when the wind exceeds 17mph.
- In conditions where scaffolders find it difficult to move a scaffold board.

In other situations the type of work and location may influence whether it is considered safe e.g. working in the lea of the structure may be acceptable when working directly into the wind, is not.

As a general rule, scaffold tubes or system standards should not be handled during a lightning storm.

No work should be undertaken if visibility is compromised to any degree that is likely to affect movement or communication.

Offshore no overboard or suspended scaffolding work should be undertaken in hours of darkness except in an emergency situation.

### Review

It should be remembered that, in the event of an incident, rescue and recovery might also be compromised in bad weather.

Ultimately, in any situation, a judgement has to be made as to whether conditions are too extreme for any work to be undertaken.

It will be the Contracts Managers / Senior Chargehand / Supervisor responsibility to take that decision to continue or suspend work, in consultation with the chargehand, employees and client.

Monitoring of the weather forecast for the area you are working in is important to allow you to plan ahead.

The decision will involve consideration of the weather conditions and site location, the measures which have been taken to minimise the risks involved, the position and height of the scaffold structure and the type of work to be undertaken.

McDonald Scaffolding will always support any decision taken in good faith in these situations.

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### 1.15 Noise Policy

#### 1. General Statement

It is well known that excessive noise levels can cause permanent damage to hearing. Therefore, it's our policy to take steps to reduce any such noise levels that may exist in our workplace. This is particularly important since more stringent noise regulations were introduced on April 6<sup>th</sup> 2006. As a result of this new legislation we have created a Noise at Work policy. This explains how we deal with excessive noise levels (measured in decibels "dB").

#### 2. Legal position

The **Control of Noise at Work Regulations 2005** (CNWR) was introduced on the 6<sup>th</sup> April 2006. They reduce the noise levels at which we are required to take action at. For example, the "lower exposure action value" is now 80dB and the "upper exposure action value" is 85dB. If Noise emissions reach either of these levels, we are required by law to take specific action, depending on the level reached. Staff should also note that the new maximum noise level permissible in our workplace is now an average of 87dB averaged over a day or a week. Due to the nature of our workplace, it is our intention to use a weekly period.

#### 3. Employer's Duties

Apart from reducing noise levels, the CNWR also requires us to do the following:

- Carry out assessments into the risk to staff of excessive workplace noise. This will identify all noise hazards which produce noise levels of 80dB and above.
- Use control measures to reduce any noise levels that reach 85dB.
- If noise levels can't be reduced below 80dB, to provide staff with hearing protection as well as information, instruction and training in these new regulations.
- Provide health surveillance if staff will be regularly exposed to noise levels above 85dB, or are otherwise at risk of hearing damage.

#### 4. Control Measures

Where possible, we will eliminate excessive noise. However in many cases this won't be possible. Where this applies, we will look at means of reducing both the level of noise and the exposure of employees to it. This will include a combination of the following:

- Identify if noisy machinery / equipment parts could be replaced with quieter ones.
- Build enclosures / barriers around noisy equipment in order to reduce the noise emitted.
- Use "dampeners" to reduce any vibration-induced noise, or take steps to isolate any vibrating machinery or components.

#### 5. Hearing Protection

The requirement to reduce noise levels below a daily or weekly average of 87dB applies to exposure at the ear. This means that if it is not possible to reduce the noise levels from individual pieces of older machinery or equipment, we will provide suitable hearing protection to all affected staff. In order to comply with the CNWR, we will endeavor to reduce noise levels below 85dB.

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### 6. Issuing hearing protection

Your supervisor is responsible for issuing hearing protection and for making sure that replacements are readily available. If you experience any problems with this protection, or suspect it is broken report this to your supervisor who will issue you with new protection.

### 7. Employee Duties

Due to the strict legal requirements which we must follow, we expect all staff to co-operate with us. This not only refers to the wearing of such equipment but also to any instructions and safe systems of work which we may introduce or update. Any failure to wear hearing protection without good cause could result in disciplinary action being taken against the employee.

### 8. Instruction, information and training

If the noise levels exceed 80dB, the CNWR require us to inform staff of this and any risk to hearing which it creates. We will also explain what control measures we have introduced and where applicable, our employees' role in following and / or maintaining them. If the wearing of hearing protection is necessary, we will provide training to staff in how to use and store it correctly.

### 9. Health surveillance

If an employee is regularly exposed to noise levels of 85dB or above, we are required to provide hearing checks. The same applies to any employee who is at greater risk of hearing damage, even at noise levels that are lower than this.

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### 1.15 HAV's Policy

These points noted below have been written using advice from The Control of Vibration at Work Regulations 2005 and HSE guidance notes.

#### Policy Points

- Tools and equipment are only used by employees who have been trained in their safe use.
- We will provide employees with training on HAVS, which includes sources, health effects, correct grip, risk levels, recognising symptoms and how to minimise the risk.
- Purchasing consideration when buying to reduce risks from vibration to the lowest possible level and to make sure we receive data on vibration levels from suppliers.
- Carry out maintenance on tools and equipment at regular intervals.
- Compiling a list of equipment known to cause vibration and relating this information back to the end users regarding vibration levels and how long they are able to safely use equipment.
- If possible we use alternative methods to reduce or eliminate exposure to vibration.
- Limit the time that employees are exposed to vibration by regular rotation of the workers.
- We provide relevant PPE to keep the workers warm and dry.
- We offer employees health surveillance if they are showing any symptoms of HAVS.

## Policies Manual

### 1.17 IT Policy

#### . Reasons for having this policy

All McDonald Scaffolding (Services) Ltd IT facilities and information resources remain the property of McDonald Scaffolding (Services) Ltd and not of particular individuals, teams or departments.

By following this policy we'll help ensure IT facilities are used:

- Legally;
- Securely;
- Without undermining McDonald Scaffolding (Services) Ltd;
- Effectively;
- In a spirit of co-operation, trust and consideration for others;
- So they remain available.

The policy relates to all Information Technology facilities and services provided by McDonald Scaffolding (Services) Ltd. All staff are expected to adhere to it.

#### 2. Disciplinary Measures

Deliberate and serious breach of the policy statements in this section will lead to disciplinary measures which may include the offender being denied access to computing facilities.

##### 2.1 Copyright:

Take care to use software legally in accordance with both the letter and spirit of relevant licensing and copyright agreements. Copying software for use outside these agreements is illegal and may result in criminal charges.

##### 2.2 Security:

- Don't attempt to gain unauthorised access to information or facilities. The Computer Misuse Act 1990 makes it a criminal offence to obtain unauthorised access to any computer (including workstations and PCs) or to modify its contents. If you don't have access to information resources you feel you need, contact the office manager.
- Don't disclose personal system passwords or other security details to other staff, volunteers or external agents and don't use anyone else's login; this compromises the security of McDonald Scaffolding (Services) Ltd. If someone else gets to know your password, ensure you change it or get IT Support to help you.
- If you leave your PC unattended without logging off, you are responsible for any misuse of it while you're away.

2.3 Information about people: If you're recording or obtaining information about individuals make sure you are not breaking Data Protection legislation.

2.4 You are a representative of McDonald Scaffolding (Services) Ltd when you're on the Internet using email:

- Make sure your actions are in the interest (and spirit) of McDonald Scaffolding (Services) Ltd and
- don't leave McDonald Scaffolding (Services) Ltd open to legal action (e.g. libel).

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- Avoid trading insults with other people using the Internet with whom you disagree.
- Obscenities/Pornography: Don't write it, publish it, look for it, bookmark it, access it or download it.

2.5 'Electronic monitoring': Any information available within IT facilities must not be used to monitor the activity of individual staff in anyway (e.g. to monitor their working activity, working time, files accessed, Internet sites accessed, reading of their email or private files etc.) without their prior knowledge.

Exceptions are:

- in the case of a specific allegation of misconduct, when the Management Team can authorise accessing of such information when investigating the allegation
- when the IT Support section cannot avoid accessing such information whilst fixing a problem.
- In such instances, the person concerned will be informed immediately and information will not be disclosed wider than is absolutely necessary. In the former case their access to IT facilities may be disabled pending investigation.

### 3. Email Policy

3.1 When to use email:

- Use it in preference to paper to reach people quickly (saving time on photocopying / distribution) and to help reduce paper use. Think and check messages before sending (just as you would a letter or paper memo).
- Use the phone (including voicemail if no reply) for urgent messages (email is a good backup in such instances).

3.2 Use of Distribution Lists:

- Only send Email to those it is meant for; don't broadcast (i.e. send to large groups of people using email aliases) unless absolutely necessary since this runs the risk of being disruptive. Unnecessary (or junk) email reduces computer performance and wastes disc space.
- Use the standard aliases for work related communication only.
- If you wish to broadcast other non-work related information or requests (e.g. information or opinions on political matters outside the scope of McDonald Scaffolding (Services) Ltd campaigning, social matters, personal requests for information etc.) it is better to use a personal email account at home; don't use the standard (work) aliases.
- Keep McDonald Scaffolding (Services) Ltd internal email aliases internal. If you are sending an email both to a McDonald Scaffolding (Services) Ltd alias and outside of McDonald Scaffolding (Services) Ltd, use the alias as a blind carbon copy (i.e. the bcc address option) so that the external recipient does not see the internal alias.
- Don't broadcast emails with attachments to large groups of people - either note in the email where it is located for recipients to look, or include the text in the body of the email. Failure to do this puts an
- Unnecessary load on the network.

3.3 General points on email use:

- When publishing or transmitting information externally be aware that you are representing McDonald Scaffolding (Services) Ltd and could be seen as speaking on McDonald Scaffolding (Services) Ltd

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- behalf. Make it clear when opinions are personal. If in doubt, consult your line manager.
- Check your in-tray at regular intervals during the working day. Keep your in-tray fairly empty so that it just contains items requiring your action? Try to decide what to do with each email as you read it (e.g.
- delete it, reply to it, save the whole email in a folder, or extract just the useful information and save it somewhere logical).
- Keep electronic files of electronic correspondence, only keeping what you need to. Don't print it off and keep paper files unless absolutely necessary.
- Use prefixes in the subject box whenever appropriate.
- Treat others with respect and in a way you would expect to be treated yourself (e.g. don't send unconstructive feedback, argue or invite colleagues to publicise their displeasure at the actions / decisions of a colleague).
- Don't forward emails warning about viruses (they are invariably hoaxes and IT Support will probably already be aware of genuine viruses - if in doubt, contact them for advice).

### 3.4 Email etiquette:

- Being courteous is more likely to get you the response you want. Do address someone by name at the beginning of the message, especially if you are also copying another group of people.
- Make your subject headers clear and relevant to your reader(s) eg Don't use subject headers like "stuff" Don't send a subject header of, say "accounts" to the accountant
- Try to keep to one subject per email, especially if the content is complex. It is better for your reader(s) to have several emails on individual issues, which also makes them easy to file and retrieve later.
- One email covering a large variety of issues is likely to be misunderstood or ignored. \* Using asterisks at each end of a word (eg \*now\*) is common practice for highlighting text.
- Capitals (eg NOW) can also be used to emphasize words, but should be used sparingly as it commonly perceived as 'shouting'.
- Don't open email unless you have a reasonably good expectation of what it contains, eg Do open report.doc from an Internet colleague you know
  - Don't open explore.zip sent from an address you've never heard of, however tempting. Alert IT Support if you are sent anything like this unsolicited.
- This is one of the most effective means of protecting McDonald Scaffolding (Services) Ltd against email virus attacks.
- Keep email signatures short. Your name, title, phone/fax and web site address may constitute a typical signature.
- Understand how forwarding an email works. If you forward mail, it appears (to the reader) to come from the originator (like passing on a sealed envelope).
- If you forward mail \*and edit it\* in the process, it appears to come from you - with the originator's details usually embedded in the message. This is to show that the original mail is no longer intact (like passing on an opened envelope).

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### 4. Miscellaneous

4.1 Hardware and Software: All purchases should be approved by the IT Manager..

4.2 Installing Software: Get permission from IT Support before you install any software (including public domain software - see (Note 6) on equipment owned and/or operated by McDonald Scaffolding (Services) Ltd.

4.3 Data transfer and storage on the network: \* Keep master copies of important data on McDonald Scaffolding (Services) Ltd network and not solely on your PC's local C: drive. Otherwise it will not be backed up and is therefore at risk.

- Ask for advice from IT Support if you need to store, transmit or handle large quantities of data, particularly images or audio and video. These large files use up disc space very quickly and can bring your network to a standstill.
- Be considerate about storing personal (non- McDonald Scaffolding (Services) Ltd) files on McDonald Scaffolding (Services) Ltd network. (Note7).
- Don't copy files which are accessible centrally into your personal directory unless you have good reason (i.e. you intend to amend them or you need to reference them and the central copies are to be changed or deleted) since this uses up disc space unnecessarily.

4.4 Use of facilities for leisure or personal purposes (e.g. sending and receiving personal email, playing computer games and browsing the Internet) is permitted so long as such use does not:

- incur specific expenditure for McDonald Scaffolding (Services) Ltd
- impact on your performance of your job (this is a matter between each member of staff and their line manager)
- break the law
- bring McDonald Scaffolding (Services) Ltd into disrepute.

4.5 Care of equipment:

- Don't re-arrange how equipment is plugged in (computers, power supplies, network cabling, modems etc.) without first contacting IT Support.
- Don't take food or drink into rooms which contain specialist equipment like servers (Note8). Access to such rooms is limited to authorised staff.

### NOTES

(1) In-house software: This is software written by staff or volunteers using McDonald Scaffolding (Services) Ltd equipment. It is McDonald Scaffolding (Services) Ltd property and must not be used for any external purpose.

(2) Personal passwords: Disclosure to other staff, volunteers or external agents: This may be necessary in some circumstances. Such a practice is allowed only if sanctioned by a member of the Management Team after discussion with the IT Support. If the password is disclosed for a one-off task, the owner must ensure that his / her password is changed (by contacting IT Support) as soon as the task is completed.

(3) Email aliases are pre-defined 'shortcuts' for distributing internal email to specific groups of people. IT Support can tell you what these are and how to use them.



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- (4) Webmail accounts are personal email accounts that are stored on the Internet and can be accessed from anywhere with a standard browser, e.g. home or cybercafé. IT Support can advise you on setting up such an account.
- (5) Public domain software or Freeware: This is software that is available free of charge, usually by downloading from the Internet.
- (6) Personal Data: As a guideline, keep your personal data down to 10MB. Ten emails require 0.15MB on average (depends a lot on whether they have attachments). A 10-page word processed document requires about 0.1MB. Screen saver images require much more disc space and vary greatly - some may be as large as 2MB.
- (7) Computer / Copier Room: contains McDonald Scaffolding (Services) Ltd file server. Keep the door closed at all times outside normal working hours.

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### 1.18 Fatigue Management Policy

#### Introduction

As part of MSL overall commitment to the health & safety of all our employees, we are actively working to prevent and manage risks associated with fatigue in the workplace.

#### Definition

Fatigue does not have a clear scientific definition but is generally a feeling of tiredness and being unable to perform work effectively.

Specifically, a fatigued person will be less alert, less able to process information, will have slower reaction times and less interest in working compared to a person who is not fatigued.

#### Concerns

Fatigue can often lead to employee error or violations at work; it can often be the root cause of accidents.

The legal duty is on employers to manage risks from fatigue, irrespective of any individual's willingness to work extra hours or preference for certain shift patterns for social reasons.

#### Objectives

- Ensure adequate opportunity is available for employees to have sufficient rest before commencing work, through appropriate working time arrangements.
- Monitoring and control working hours, including overtime, to provide time arrangements that do not require excessive periods of wakefulness.
- Ensure employees take regular quality rest breaks throughout their shift.
- Ensure employees are able to get enough rest between their shifts.
- Encourage employees to develop good sleeping habits.

#### Additional points to note

- Individuals are not good at assessing how fatigued they are.
- They can be skilled at coping with fatigue but this can increase stress or the risk of gastric disorders or other health problems.
- Shorter and more shifts may not solve the problem – errors rise early on, diminish then peak later.

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### 1.19 Violence at Work Policy

#### 1. General statement

As a responsible employer we have formulated this policy to help us comply with our legal duties. These include the provision of a safe place and safe systems of work for our staff and others who may be affected by our business activities.

We recognise that potential violence and threatening behavior are issues of concern to many staff and we resolve to do all that is reasonably practicable to reduce the risk of such events.

#### 2. Violence at work

Violence at work has been defined as *“any incident in which the person is abused, threatened or assaulted in circumstances relating to their work”*.

#### 3. The legal position

S.2(1) Health & Safety at Work etc. Act 1974 provides that *“it shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees”*.

#### 4. Management responsibilities

Managers / Supervisors have a responsibility to ensure this policy is adhered to at all times including undertaking risk assessments of work which may put staff at risk from violence (when necessary), making changes to the physical environment, ensuring that there are safe procedures for staff to follow, supervising to ensure procedures are followed, and investigating any incidents.

#### 5. Employees' duties

All employees have a responsibility to take reasonable steps to ensure that they do not place themselves, or others, at risk of harm. Employees are also expected to co-operate fully with us in complying with any procedures that we may introduce as a measure to protect the safety and wellbeing of our staff and visitors.

The safety of our staff is paramount. So if anyone finds themselves dealing with rude or aggressive visitors, they must never return aggression as this is how anger can escalate into violence. In the unlikely event that a situation escalates, staff should always withdraw from it.

If employees require training, or have concerns about existing procedures they must raise this with their supervisor.

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### **6. The workplace**

We understand that the design of the workplace can be very important as a means of reducing the risk of violence within it. We will ensure that we do all we can to control the risk through appropriate design, procedures, and training.

### **7. Procedures**

The following are guidelines on action that we will take to reduce the risk of violence to staff and visitors. They are not exhaustive, but are a set of principles to be followed if a risk is perceived.

- as part of a risk assessment process, we will talk to staff across the business in order to assess what, if any, further measures are required
- staff are actively encouraged to discuss with their managers any concerns that they may have and all approaches will be treated sympathetically
- any incidents of violence which result in an injury must be entered in the Company's accident book. All incidents of violence, threats and verbal abuse must be reported to an individual's manager.
- if an incident causes a member of staff to suffer death, specified injury or more than seven consecutive days off work (including weekends) an accident report will be made under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- follow ups are to be completed following an incident to identify any further actions that may be required, e.g. staff training.

### **8. Advice and counselling**

In the event of an employee being a victim of violence, counselling or other specialist help may be required. It is our intention to deal with these cases constructively and sympathetically. Neil Cormack (*HSEQ / Training Manager*) is available to give help and assistance with any workplace violence-related issue including directing managers and staff to sources of additional support. All requests for help will be treated in the strictest of confidence.

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### 1.20 Data Protection Policy

#### Introduction

McDonald Scaffolding (Services) Ltd needs to gather and use certain information about individuals.

These can include customers, suppliers, business contacts, employees and other people the organisation has a relationship with or may need to contact.

This policy describes how this personal data must be collected, handled and stored to meet the company's data protection standards – and to comply with the law.

#### Why this policy exists

This data protection policy ensures McDonald Scaffolding (Services) Ltd:

- Complies with data protection law and follows good practice
- Protects the rights of staff, customers and partners
- Is open about how it stores and processes individuals' data
- Protects itself from the risk of data breach

#### Data Protection Law

The Data Protection Act 1998 describes how organisations – including McDonald Scaffolding (Services) Ltd – must collect, handle and store personal information.

These rules apply regardless of whether data is stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The Data Protection Act is underpinned by eight important principles. These say that personal data must:

1. Be processed fairly and lawfully
2. Be obtained for only specific, lawful purposes
3. Be adequate, relevant and not excessive
4. Be accurate and kept up to date
5. Not be held any longer than necessary
6. Processed in accordance with the rights of data subjects
7. Be protected in appropriate ways
8. Not be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection

#### People, Risks and Responsibilities

##### Policy Scope

This policy applies to:

- The head office of McDonald Scaffolding (Services) Ltd
- All staff of McDonald Scaffolding (Services) Ltd
- All contractors, suppliers and other people working on behalf of McDonald Scaffolding (Services) Ltd

It applies to all data that the company holds relating to identifiable individuals, even if that information falls outside of that Data Protection Act 1998. This can include:

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- Names of individuals
- Postal addresses
- Email addresses
- Telephone numbers
- ... plus any other information relevant to the individuals

### Data Protection Risks

This policy helps to protect McDonald Scaffolding (Services) Ltd from some very real data security risks, including:

- **Breach of confidentiality.** For instance, information being given out inappropriately
- **Failing to offer choice.** For instance, all individuals should be free to choose how the company uses data relating to them
- **Reputational damage.** For instance, the company could suffer if hackers successfully gained access to sensitive data.

### Responsibilities

Everyone who works for or with McDonald Scaffolding (Services) Ltd has some responsibility for ensuring data is collected, stored and handled appropriately.

Each team that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

However, these people have key areas of responsibility:

- The **Directors** are ultimately responsible for ensuring that McDonald Scaffolding (Services) Ltd meets its legal obligations.
- The **[ data protection officer ], Mhorag Phipps**, is responsible for:
  - Keeping the directors updated about the data protection responsibilities, risk and issues.
  - Reviewing all data protection procedures and related policies, in line with an agreed schedule.
  - Arranging data protection training and advice for the people covered by this policy.
  - Handling data protection questions from staff and anyone else covered by this policy.
  - Dealing with requests from individuals to see the data McDonald Scaffolding (Services) Ltd hold about them (also called 'subject access requests').
  - Checking and approving any contracts or agreements with third parties that may handle the company's sensitive data.
- The **[ IT Manager ], Mhorag Phipps**, is responsible for:
  - Ensuring all systems, services and equipment used for storing data meet acceptable security standards.
  - Performing regular checks and scans to ensure security hardware and software is functioning properly.
  - Evaluating any third-party services the company is considering using to store or process data. For instance, cloud computing services.
- The **[ Marketing Manager ], Mike McDonald** is responsible for:
  - Approving any data protection statements attached to communications such as emails and letters.
  - Addressing any data protection queries from journalists or media outlets like newspapers.
  - Where necessary, working with other staff to ensure marketing initiatives abide by data protection principles.

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### General Staff Guidelines

- The only people able to access data covered by this policy should be those who **need it for their work**.
- Data **should not be shared informally**. When access to confidential information is required, employees can request it from their line managers.
- McDonald Scaffolding (Services) Ltd **will provide training**, if required, to all employees to help them understand their responsibilities when handling data.
- Employees should keep all data secure, by taking sensible precautions and following the guidelines below.
- In particular, **strong passwords must be used** and they should never be shared.
- Personal data **should not be disclosed** to unauthorised people, either within the company or externally.
- Data should be **regularly reviewed and updated** if it is found to be out of date. If no longer required, it should be deleted and disposed of.
- Employees **should request help** from their line managers or the data protection officer if they are unsure about any aspects of the data protection.

### Data Storage

These rules describe how and where data should be safely stored. Questions about storing data safely can be directed to the IT Manager or data controller.

When data is **stored on paper**, it should be kept in a secure place where unauthorised people cannot see it.

These guidelines also apply to data that is usually stored electronically but has been printed out for some reason:

- When not required, the paper or files should be kept **in a locked drawer or filing cabinet**.
- Employees should make sure paper and printouts are **not left where unauthorised people could see them**, like on a printer.
- **Data printouts should be shredded** and disposed of securely when no longer required.

When data is **stored electronically**, it must be protected unauthorised access, accidental deletion and malicious hacking attempts:

- Data should be **protected by strong passwords** that are changed regularly and never shared between employees.
- If data is **stored on removable media** (like a CD or DVD) these should be kept locked away securely when not being used.
- Data should only be stored on **designated drives and servers**, and should only be uploaded to an **approved cloud computing services**.
- Servers containing personal data should be **sited in a secure location**, away from general office space.
- Data should be **backed up frequently**. Those backups should be tested regularly, in line with company's standard backup procedures.
- Data should **never be saved directly** to laptops or mobiles devices like tablets or smartphones.
- All servers and computers containing data should be protected by **approved security software and a firewall**.

### Data Use

Personal data is of no value to McDonald Scaffolding (Services) Ltd unless the business can make use of it. However, it is when personal data is accessed and used that it can be at the greatest risk of loss, corruption or theft:

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- When working with personal data, employees should ensure the **screens of their computers are always locked** when left unattended.
- Personal data **should not be shared informally**. In particular, it should never be sent by email, as this form of communication is not secure.
- Data must be **encrypted before being transferred electronically**. The IT Manger can explained how to send data to authorised external contacts.
- Personal data should **never be transferred outside of the European Economic Area**.
- Employees should **not save copies of personal data to their own computers**.
- Always access and update the central copy of any data.

### Data Accuracy

The law requires McDonald Scaffolding (Services) Ltd to take reasonable steps to ensure data is kept accurate and up to date.

The more important it is that the personal data is accurate, the greater the effort McDonald Scaffolding (Services) Ltd should put to ensure its accuracy.

It is the responsibilities of all employees who work with the data to take reasonable steps to ensure it is kept as accurate and up to date as possible.

- Data will be held in **as few places as necessary**. Staff should not create any unnecessary additional data sets.
- Staff should **take every opportunity to ensure data is updated**. For instance, by confirming a customer's details when they call.
- McDonald Scaffolding (Services) Ltd will make it **easy for data subjects to update the information** McDonald Scaffolding (Services) Ltd holds about them. For instance, via the company website.
- Data should be **updated as inaccuracies are discovered**. For instance, if a customer can no longer be reached on their stored telephone number, it should be removed from the database.
- It is the marketing manager's responsibility to ensure **marketing databases are checked against industry suppression files** every six months.

### Subject Access Requests

All individuals who are the subject of personal data held by McDonald Scaffolding (Services) Ltd are entitled to:

- Ask **what information** the company holds about them and why.
- Ask **how to gain access** to it.
- Be informed **how to keep it up to date**.
- Be informed how the company is **meeting its data protection obligation**.

If an individual contacts the company requesting this information, this is called a subject access request.

Subject access requests from individuals should be made by email, addressed to the data controller at [j.c.cameron@mcdonaldscaffolding.com](mailto:j.c.cameron@mcdonaldscaffolding.com) the data controller can supply a standard request form.

The data controller will always verify the identity of anyone making a subject access request before handing over any information.



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### Disclosing Data for other reasons

In certain circumstances, the Data Protection Act allows personal data to be disclosed to law enforcement agencies without the consent of the data subject.

Under these circumstances McDonald Scaffolding (Services) Ltd will disclose requested data. However, the data controller will ensure the request is legitimate, seeking assistance from the board and from company's legal advisors when necessary.

### Providing Information

McDonald Scaffolding (Services) Ltd aims to ensure those individuals are aware that their data is being processed and that they understand:

- How the data is being used
- How to exercise their rights

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### 1.21 Coronavirus Site Working Policy

McDonald Scaffolding (Services) Ltd continues to monitor the COVID-19 situation and commits to preventative action to minimize the risk of infection. We need to ensure that we are protecting the workforce and minimizing the risk of the spread of infection.

The health and safety requirements of any of the sites we work on must not be compromised at this time, if an activity cannot be undertaken safely due to a lack of suitably qualified personnel or social distancing being implemented, it should not take place.

The Government and Industry guidelines are changing on a regular basis and these changes will be monitored on a regular basis and any changes that may affect our work situations will be communicated out to the workforce.

#### 1. Traveling to and from site

- Personnel, where possible, should travel to work sites along either in company vehicles or using their own transport. If no option, journeys should be shared with the same individual with good ventilation and facing away from each other.
- Try not to use public transport.
- Hygiene wipes should be used to wipe down steering wheel, vehicle controls, door handles and keys or fobs.
- Additional hygiene products will be issued to drivers to allow them to carry out the above additional cleaning.
- When refueling disposable gloves should be worn and hands washed / sanitized whenever possible.

#### 2. Arriving at site

- Staggered start and finish times may be introduced on larger sites by the client to reduce the congestion and contact at these times.
- Where possible, ensure there are no entry systems that require skin contact, i.e. keypad, fingerprint scanners, locked walkway gates. If there are entry systems, they are cleaned on a regular basis.
- Hand cleaning or hand sanitizing facilities should be available on sites but ensure you always carry provisions in your vehicles.
- Wash or sanitize your hands when arriving on site and before leaving site.
- Social distancing should take place when attending the site inductions or briefings.

#### 3. Site Work areas

- Social distancing, whenever possible, to be maintained when carrying out site work. If this is not possible then work should stop until a safe method of carrying out the task has been found.
- The correct PPE to be worn, gloves will now be mandatory to be worn on all sites.
- Tidy all your work equipment and where possible, clean the surfaces with a wipe.
- On larger site, additional hand wash / hand sanitization stations should be located around the site.

#### 4. Office working

- Wherever possible stop all non-essential visitors from coming into the office.
- Hand sanitizer will be available at the office entrance and individual offices as well as hand wipes in offices.
- All desk work areas to be kept tidy and the 2m rule to be maintained between personnel sitting in the offices.
- All equipment being used. i.e. keyboards, copiers, phones, kettles, microwaves to be cleaned

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regularly.

- Signs have been posted on all the doors to show the maximum number of persons allowed in an area at any one time.

### 6. Meetings

- Meeting should be organized to be carried out by video / telephone conferencing and no face-to-face meetings to be held, whenever possible.
- If face to face contact cannot be avoided, attendees to be 2 m apart or in an open area, if possible.

### 7. Cleaning

- Company vehicles touchpoints to be cleaned daily by the drivers.
- Office staff will be responsible for cleaning their own desk areas daily with the cleaner coming in twice per week to carry out a thorough clean.
- Ensure increased cleaning routine is brought into areas where they may be a lot of use. i.e. toilets, kitchen facilities.
- Enhanced cleaning procedures in place for taps and washing facilities, toilet flush and seat, door handles and push plates, handrails on staircases, food preparation areas, scaffold handrails, telephones, keyboards, copiers, and printers.

### 8. Emergency Procedures.

- First aiders to be provided with suitable PPE to deal with casualties, when resuscitation is required, no rescue breathes to be given, only chest compression. Do not listen or feel for breathing by placing your ear or cheek close to the patient's mouth.
- Fire evacuation will not change but when exiting the building and walking towards the muster points try and maintain the 2 m distance between everyone.

### 8. General Principles.

- All work to be planned to minimise the contact between workers.
- If possible, workforce to stay on site throughout the shift and not use local shops.
- Do not be afraid to challenge if someone is not following the correct procedure.

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### 1.22 Mental Health and Wellbeing Policy

#### Purpose

The purpose of this policy is for McDonald Scaffolding (Services) Ltd (MSSL) to establish, promote and maintain the mental health and wellbeing of all staff through workplace practices, and encourage staff to take responsibility for their own mental health and wellbeing.

MSSL believes that the mental health and wellbeing of our staff is key to organisational success and sustainability.

#### Goals

- To build and maintain a workplace environment and culture that supports mental health and wellbeing and prevents discrimination (including bullying and harassment).
- To increase employee knowledge and awareness of mental health and wellbeing issues and behaviours.
- To reduce stigma around depression and anxiety in the workplace.
- To facilitate employee's active participation in a range of initiatives that support mental health and wellbeing.

#### Scope

- This policy applies to all employees of MSSL, including contractors and casual staff.
- This policy will comply with Health & Safety legislation and best practice guidelines.

#### Responsibility

All employees are encouraged to:

- understand this policy and seek clarification from management where required
- consider this policy while completing work-related duties and at any time while representing MSSL.
- support fellow workers in their awareness of this policy
- support and contribute to MSSL aim of providing a mentally healthy and supportive environment for all workers.
- Look out for signs & symptoms of distress in themselves or others they work with.

All employees have a responsibility to:

- take reasonable care of their own mental health and wellbeing, including physical health
- take reasonable care that their actions do not affect the health and safety of other people in the workplace.

Managers have a responsibility to:

- ensure that all workers are made aware of this policy
- actively support and contribute to the implementation of this policy, including its goals
- manage the implementation and review of this policy.

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### Communication

MSSL will ensure that:

- all employees receive a copy of this policy during the induction process
- this policy is easily accessible by all members of the organisation
- employees are informed when a particular activity aligns with this policy
- employees are empowered to actively contribute and provide feedback to this policy
- employees are notified of all changes to this policy.
- Posters and factsheets will be posted on the Rosskeen noticeboard updates will be sent to all employees.
- Toolbox talks will be carried out at regular intervals.
- Please check our client noticeboards for additional information regarding mental health awareness and any schemes that they may be running.
- The contact details of the Construction Industry helpline will be published on every McCrack newsletter. The helpline can provide advice and guidance for anyone that would rather speak to someone independent of McDonald Scaffolding.
- A list of the company's trained Mental Health first aiders will be on the office noticeboard and will also be listed on the McCrack newsletter. These people will be your first line of contact for anyone that would like further information or guidance relating to mental health or stress awareness.

### Monitoring and review

MSSL will review this policy annually.

Effectiveness of the policy will be assessed through:

- feedback from workers, supervisory team, and management
- review of the policy by management to determine if objectives have been met and to identify barriers and enablers to ongoing policy implementation.
- Review of absence statistics for the workforce.

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### 1.23 Corporate Criminal Offences Policy

#### Summary

This code of conduct summarises the procedures of McDonald Scaffolding (Services) Ltd and its subsidiaries to ensure all McDonald Scaffolding (Services) Ltd associated persons, including employees and those acting on our behalf, do not facilitate tax evasion.

#### Statement

Tax evasion, tax fraud and attempts to facilitate such actions are antithetical to the ethos of McDonald Scaffolding (Services) Ltd. These crimes cheat the government out of revenue it needs to create the conditions for our business to flourish. It amounts to little more than stealing from our customers and from ourselves. McDonald Scaffolding (Services) Ltd is committed to no tolerance for tax evasion, and we are committed to a dedicated programme to counter the risk of any employee, contractor, business partner or representative of our company engaging in the criminal facilitation of tax evasion.

We expect everyone who works with our company to fully comply with their tax obligations.

We will not tolerate, permit, or allow any person associated with us to engage in the facilitation of tax evasion or tax fraud by any of our customers, suppliers, business partners, contractors or employees anywhere in the world.

McDonald Scaffolding (Services) Ltd is committed to complying in full with the tax laws everywhere we operate, and we choose to do this by respecting not only the letter of the law, but the spirit of the underlying tax policy intent. We aim to pay the right amount of tax at the right time, on all the eligible profits we make.

#### Accountability & Governance

Our company has approved this policy and our commitment to no tolerance of tax evasion or its facilitation. The directors are responsible for monitoring compliance with this policy.

#### Employee responsibilities

Our code of conduct sets the standards of behaviour we expect all employees to adhere to.

Our employees have a responsibility to take reasonable action to prevent harm to McDonald Scaffolding (Services) Ltd and we hold our employees accountable for their actions and omissions.

Any actions that breach the Criminal Finances Act and the tax laws of wherever we operate brings harm to McDonald Scaffolding (Services) Ltd and will not be tolerated.

You are responsible for properly following McDonald Scaffolding (Services) Ltd policies and procedures.

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These should generally ensure that all taxes are properly paid. If you are ever asked by anyone either inside or outside our company to go outside our standard procedures, this should be reported without delay, as someone may be attempting to evade tax.

Any employee who has any concerns relating to any potential breach of this policy must immediately follow our whistleblowing policy and report the matter without delay.

### Training & Communication

All employees must familiarise themselves with this policy and ensure they have the appropriate level of knowledge for their specific roles. All employees must consider tax evasion-focused communications from senior management and be aware of the any internal information regarding prevention of tax evasion.

### Accounts Payable

- Only contract with businesses which have good reputations.
- Ensure all information on an invoice is correct and as expected.
- Have the full contact details of the supplier and ensure it matches to where the payment is being made.
- Specify in contacts that VAT and other sales taxes must be added to invoices and have written reasons why such added taxes are not required.
- Do not pay suppliers in cash. If cash payments must be made, ensure they are properly invoiced, and a receipt is supplied.

### Accounts Receivable

- Ensure correct procedures are followed.
- Do not process off-system invoices.
- Ensure all invoices have the correct VAT coding.

### Contractors

- Any wage payments outside of payroll must be expressly approved.
- Where tax is required to be deducted at the source this must be done.
- Payments to contractors should only be made in strict accordance with company policies.
- Cash payments should not be made. If they are, invoices and receipts must be present.
- Any tax related withholdings must be deducted and recorded.
- Payments without deductions should only be made if there is a reasonable expectation that the recipient will meet their tax obligations.

### Our clients

McDonald Scaffolding (Services) Ltd is committed to the following principles:

- Our relationship with our clients is built on honesty, integrity, mutual trust and a commitment to professionalism.
- Our clients expect us to give the best possible advice and work in their best possible interest.

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- Tax evasion is antithetical to who we are as a company and goes against every fibre of our dedication to professionalism in our business.
- We firmly believe that any action which would breach tax laws or the Criminal Finances Act is not in the best interest of our clients.
- The advice we give our clients we would give to ourselves and we endeavour to ensure all advice we give on tax matters is consistent with the law and with HMRC guidance.
- Neither our company or any person associated with our business will give advice to a client that would result in a breach of the Criminal Finances Act, either for McDonald Scaffolding (Services) Ltd or our client.
- We do not condone, or support tax evasion and we will not facilitate, give advice or in any way assist our clients to commit tax evasion offences.
- We will not support or work with clients who seek to criminally evade taxes, wherever in the world the tax is owed.

### Our commitment

McDonald Scaffolding (Services) Ltd is committed to the following principles:

- Our business is carried out fairly, honestly, and openly in every part of our work.
- Our values inform everything we do.
- We will never sell any product or service where we know or suspect that any aspect of the transaction is being misused, abused or otherwise corrupted for the purposes of tax evasion.
- We will never buy any product or service from any supplier where it is known or suspected that any aspect of the transaction is being misused, abused or otherwise corrupted for the purposes of tax evasion.
- We will immediately terminate any agreement or business relationship as soon as our company learns of or suspects tax evasion may be taking place.
- We will not progress any business opportunity where there is any suspicion that any aspect of it may involve tax evasion.
- We will not do business with others who do not also hold to at least the same standard of preventing tax evasion.
  - Our company will regularly monitor and review this policy.
- Any employee found in breach of this policy will be subject to disciplinary action.
- We will not tolerate any contractor, business partner, representative or other third party associated with us failing to uphold this policy.
- No employee will suffer demotion, penalty, or any other adverse action for reporting any breach of this policy or from refusing to carry out an action which may lead to a breach of this policy.



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### 1.23 Net Zero Policy Statement

McDonald Scaffolding Ltd recognises its moral and legal responsibilities in protecting the environment and moving towards a long-term sustainable business model that removes or minimises negative impacts on our staff, customers, stakeholders and our local environment.

The senior management of McDonald Scaffolding are committed to reducing the amount of carbon and other greenhouse gas emissions generated by its operations and is working towards a Net Zero target for 2045.

The business will ensure it provides a clear and methodological review of its operational Greenhouse Gas emissions. This will help inform specific interventions and reductions, targets and setting key milestone dates.

The business's senior management team will ensure that all aspects of the daily operations are considered including the operation of the main office and workshop/warehouse, site activity and transport. There will be ongoing work to develop and improve data collection to assess Scope 1 and 2 emissions and engagement with Scope 3 emissions will be developed.

To help embed this transition, the business will provide suitable training and communication for employees and other individuals who may be working on behalf of the company. This will identify the key components of the McDonald Scaffolding Carbon Footprint and how these individuals can all play a role in supporting the business to have lower emission operations in the future.

To help facilitate this transition, the business has committed to:

- Establish a dedicated Net Zero team that will be responsible for coordinating emission reduction activity,
- Continuing the application of more energy efficiency measures in the office and workshop/warehouse buildings,
- Reviewing opportunities for onsite renewable energy production.

This policy and the subsequent objectives and target it supports will be reviewed annually.

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### 1.24 Prevention of the Criminal Facilitation of Tax Evasion Policy.

*McDonald Scaffolding (Services) Ltd (MSS Ltd) are committed to the prevention, deterrence and detection of criminal tax evasion and the criminal facilitation of tax evasion. This document sets out the policy for preventing the criminal facilitation of tax evasion and the standards and procedures required to ensure compliance with the policy.*

#### 1. Introduction

**1.1** The Criminal Finances Act 2017 was introduced and became effective on 30th September 2017 to demonstrate the UK government's commitment to preventing tax evasion in all its forms. The purpose of the legislation is to set out that companies and partnerships will be criminally liable where they fail to prevent those who act for them, or on their behalf, from criminally facilitating tax evasion.

**1.2** As an employer, if we fail to prevent our employees, workers, agents, or service providers from facilitating tax evasion, MSS Ltd can face criminal sanctions including an unlimited fine, as well as exclusion from tendering for public contracts and reputational damage. We therefore take our legal responsibilities seriously and take a zero-tolerance approach to all forms of tax evasion, whether under UK law or the law of foreign countries in which we operate.

**1.3** MSS Ltd is committed to preventing the facilitation of tax evasion by associated individuals or businesses (an 'Associated Person') anywhere within its operations. An 'Associated Person' is defined as a firm's employee or agent, or someone who performs services for, or on behalf of the business. It may include suppliers, contractors, sub-contractors, and intermediaries. A written contract is not necessarily required, association is defined based on actual events and behaviour. This commitment governs all our business dealings, and the conduct of all persons or organisations who are appointed to act on our behalf. All MSS Ltd employees who have, or seek to have, a business relationship with MSS Ltd must familiarise themselves with this policy and are always required to act in a way which is consistent with the policy.

**1.4** We expect the highest standards of integrity and conduct in all business matters from our employees, and all Associated Persons. We always look to our employees and Associated Persons to exercise scrupulous care in their business conduct, particularly in relation to the prevention of tax evasion.

**1.5** We are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate; and to implementing and enforcing effective systems to counter tax evasion facilitation.

**1.6** We will uphold all laws relevant to countering tax evasion in all the jurisdictions in which we operate.

**1.7** The risks for our business are identified through reviews undertaken by Our Finance Team and External Audit Team. These too, are responsible for monitoring and managing the risks identified in their areas and ensuring appropriate training is given to the relevant employees.

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### 2. Purpose and Scope of this Policy

2.1 The purpose of this policy is to:

- Set out our responsibilities, and the responsibilities of those working for us, in observing and upholding our position on preventing the facilitation of tax evasion; and
- Provide information and guidance to those working for us on how to recognise and avoid tax evasion.

2.2 This policy does not form part of an employee's contract of employment and we may amend it at any time for any reason.

### 3. Who must comply with this policy?

This policy applies to all persons working for MSS Ltd and subsidiaries or on their behalf in any capacity. This includes employees at all levels, directors, officers, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives and business partners, or any other person associated with MSS Ltd, wherever located.

### 4. Who is responsible for the Policy?

4.1 The Director has overall responsibility for this Policy and for reviewing the effectiveness of actions taken in response to concerns raised under this Policy.

4.2 The Director is responsible for implementing this policy across all divisional areas, monitoring its use and effectiveness, and dealing with any queries about it.

### 5. What is the facilitation of tax evasion?

5.1 For the purposes of this policy:

- UK tax evasion offence means.
  - an offence of cheating the public revenue; or
  - an offence under the law of any part of the United Kingdom consisting of being knowingly concerned in, or in taking steps with a view to, the fraudulent evasion of tax.
- UK tax evasion facilitation offence means an offence under the law of any part of the United Kingdom consisting of.
  - being knowingly concerned in, or taking steps with a view to, the fraudulent evasion of a tax by another person; or
  - aiding, abetting, counselling, or procuring the commission of a UK tax evasion offence; or
  - being involved in any part of the commission of an offence consisting of being knowingly concerned in, or in taking steps with a view to, the fraudulent evasion of a tax.
- Foreign tax evasion offence means conduct which.
  - amounts to an offence under the law of a foreign country,

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- relates to a breach of a duty relating to a tax imposed under the law of that country, and
- would be regarded by the courts of any part of the United Kingdom as amounting to being knowingly concerned in, or in taking steps with a view to, the fraudulent evasion of that tax.
- Foreign tax evasion facilitation offence means conduct which.
  - amounts to an offence under the law of a foreign country.
  - relates to the commission by another person of a foreign tax evasion offence under that law; and
  - would, if the foreign tax evasion offence were a UK tax evasion offence, amount to a UK tax evasion facilitation offence.

**5.2** Under the Criminal Finances Act 2017, a separate criminal offence is automatically committed when all three of the following elements apply.

- Fraudulent tax evasion by a taxpayer (either an individual or a legal entity) under existing law.
- Criminal facilitation of the tax evasion by an Associated Person of the Relevant Body, who is acting in that capacity; and
- The Relevant Body failed to prevent the Associated Person from committing the criminal facilitation act.

The 'Relevant Body' is the company or partnership which could be found liable of a Criminal Corporate Offence (MSS Ltd). The Relevant Body does not have to have deliberately or dishonestly facilitated the tax evasion itself; the fact that the Associated Person has done so, creates the liability for the company or partnership.

However, if the Associated Person accidentally, ignorantly, or negligently facilitates the tax evasion, then the corporate criminal offence will not have been committed.

**5.3** Tax evasion is not the same as tax avoidance or tax planning. Tax evasion involves deliberate and dishonest conduct. Tax avoidance is not illegal and involves taking steps, within the law, to minimise tax payable (or maximise tax reliefs).

**5.4** Tax means all forms of taxation, including but not limited to corporation tax, income tax, value added tax, stamp duty, stamp duty land tax, national insurance contributions (and their equivalents in any non-UK jurisdiction) and includes duty and any other form of taxation (however described).

## 6. What you must not do

**6.1** It is not acceptable for you (or someone acting on your behalf) to:

- Engage in any form of facilitating tax evasion or foreign tax evasion.
- aid, abet, counsel, or procure the commission of a tax evasion offence or foreign tax evasion offence by another person.
- fail to promptly report any request or demand from any third party to facilitate the fraudulent evasion of tax (whether UK tax or tax in a foreign country), or any suspected

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fraudulent evasion of tax (whether UK tax or tax in a foreign country) by another person, in accordance with this policy;

- engage in any other activity that might lead to a breach of this policy.
- threaten or retaliate against another individual who has refused to commit a tax evasion offence or a foreign tax evasion offence or who has raised concerns under this policy; or
- seek to obstruct any investigation into suspected breaches of this policy.

### 7. Your Responsibilities

**7.1** You must ensure that you read, understand, and comply with this policy.

**7.2** The prevention, detection and reporting of tax evasion and foreign tax evasion are the responsibility of all MSS Ltd Associated Persons. You are required to avoid any activity that might lead to, or suggest, a breach of this policy.

**7.3** You must notify your line manager, or their line manager, as soon as possible if you believe or suspect that a breach of this policy has occurred or may occur in the future. Should you feel you are unable to report a breach of this policy to either your line manager or their line manager, you may report this to the Director.

**7.4** Examples of behaviours that would require reporting are: if an employee or supplier asks to be paid into an offshore bank account, without good reason; or a supplier asks to be paid in cash, indicating that this will mean the payment is not subject to applicable tax. Further “red flags” that may indicate potential tax evasion are set out in section 10.

**7.5** You must comply fully with any investigation into suspected tax evasion or any breach of this policy. A failure to comply with an investigation may result in disciplinary action, which could result in dismissal for misconduct or gross misconduct.

### 8. Training and Communication

**8.1** Line managers of all grades are responsible for identifying individuals who report directly to them that require the necessary training. Such training may form part of wider financial crime detection and prevention training.

**8.2** Our zero-tolerance approach to tax evasion and foreign tax evasion must be communicated to all business partners, including suppliers, contractors, associates, and customers at the outset of our business relationship with them and as appropriate after.

### 9. Breaches of This Policy

**9.1** Any employee who breaches this policy may face disciplinary action, which may result in dismissal for misconduct or gross misconduct.

**9.2** We may terminate our relationship with other individuals and organisations working on our behalf if they breach this policy.

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### 10. Potential Risk Scenarios: “Red Flags”

The following is a list of possible red flags that may arise while you work for MSS Ltd and which may raise concerns related to tax evasion or foreign tax evasion. The list is not intended to be exhaustive and is for illustrative purposes only. If you encounter any of these red flags (or other activity likely to fall under this policy) while working for MSS Ltd, you must report them promptly to your Line Manager:

- you become aware, in the course of your work, that a third party has made or intends to make a false statement relating to tax; has failed to disclose income or gains to, or to register with, HMRC (or the equivalent authority in any relevant non-UK jurisdiction); has delivered or intends to deliver a false document relating to tax; or has set up or intends to set up a structure to try to hide income, gains or assets from a tax authority;
- you become aware, in the course of your work, that a third party has deliberately failed to register for VAT (or the equivalent tax in any relevant non-UK jurisdiction) or failed to account for VAT.
- a third-party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made.
- you become aware, in the course of your work, that an employee asks to be treated as a self-employed contractor, but without any material changes to their working conditions.
- a third-party request that payment is made to a country or geographic different from where the third party resides or conducts business.
- a third party to whom MSS Ltd have provided goods or services requests that their invoice is addressed to a different entity, where MSS Ltd did not receive goods or services from such entity directly.
- a third party to whom MSS Ltd have provided services asks for the description of services rendered on an invoice in a way that seems designed to obscure the nature of the services provided.
- you receive an invoice from a third party that appears to be non-standard or customised.
- a third party insists on the use of side letters or refuses to put terms agreed in writing or asks for contracts or other documentation to be backdated.
- you notice that MSS Ltd has been invoiced for a commission or fee payment that appears too large or too small, given the service stated to have been provided.
- a third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to MSS Ltd.

### 11. Associated policies

**11.1** This policy should be read in conjunction with:

- Anti-Bribery & Corruption Policy
- Disciplinary Policy

### 12. Raising Concerns

**12.1** You are encouraged to raise concerns about any issue or suspicion of tax evasion or foreign tax evasion or tax evasion facilitation at the earliest possible stage.

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**12.2** If you become aware of any fraudulent evasion of tax (whether UK tax or tax in a foreign country) by another person in the course of your work, or you are asked to assist another person in their fraudulent evasion of tax (whether directly or indirectly), or if you believe or suspect that any fraudulent evasion of tax has occurred or may occur, whether in respect to UK tax or tax in a foreign country, you must notify your line manager as soon as possible.

**12.3** If you are unsure about whether a particular act constitutes tax evasion, or foreign tax evasion, raise it with your line manager as soon as possible. You should note that the corporate offence is only committed where you deliberately and dishonestly take action to facilitate the tax evasion or foreign tax evasion. However, a deliberate failure to report suspected tax evasion or foreign tax evasion, or “turning a blind eye” to suspicious activity, could amount to tax evasion facilitation.

### 13. Procedure for Making a Disclosure – Whistleblowing

**13.1** Should you become concerned that a fellow employee or an Associated Person is facilitating tax evasion, you should immediately report the incident via one of the following.

- your line manager,
- your line manager’s line manager,

### 14. Protection

**14.1** Individuals who raise concerns or report another’s wrongdoing is sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

**14.2** We are committed to ensuring no-one suffers any detrimental treatment because of:

- refusing to take part in, be concerned in or facilitate tax evasion or foreign tax evasion by another person.
- refusing to aid, abet, counsel, or procure the commission of a tax evasion offence or a foreign tax evasion offence by another person; or
- reporting in good faith their suspicion that an actual or potential tax evasion offence or foreign tax evasion offence has taken place or may take place in the future.

Detrimental treatment includes dismissal, disciplinary action, threats, or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform HR immediately. If the matter is not remedied, and you are an employee, you should raise it formally using our Grievance Procedure, which can be found in the Company Handbook.