



Group Legal / All Divisions / Departments

Equal Opportunities and Anti-Discrimination Policy

**The DS Smith Group is committed to promoting
equal opportunities in employment**



Policy Name

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		Jacky Wearn	July 2020	

Equal Opportunities and Anti-Discrimination Policy Statement

The DS Smith Group is committed to promoting equal opportunities in employment. Job applicants, employees and contingent workers will receive equal treatment regardless of age, disability, race, religion or belief, sex, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity or any other characteristic protected by local law ("Protected Characteristics").

The DS Smith Group is also committed to providing a respectful work environment and has a zero-tolerance approach to discrimination.

This document sets out the approach to equal opportunities and the avoidance of discrimination at work within the DS Smith Group, and the processes in place to be followed in the event of an actual or suspected breach. [The policy can be found on Plexus.](#)

If you find conduct in the workplace to be unwelcome or offensive or a violation of this policy, you should inform the person engaging in the conduct that you want the conduct to stop. However, if you are uncomfortable taking this action (or even if you have taken this action), you should report it to your manager or to HR or use the "Speak Up!" process so the Group can investigate and take appropriate remedial measures to end any conduct that violates this policy.

The DS Smith Group takes a strict approach to discrimination; you are required to comply with this policy at all times and without exception.



1. About this Policy

- 1.1 This policy sets out the DS Smith Group's approach to equal opportunities and the avoidance of discrimination at work.
- 1.2 This policy covers all job applicants, employees and contingent workers within the DS Smith Group. For the purposes of this policy, 'contingent workers' is a collective term for all individuals who are providing services to the company that are not DS Smith employees and includes the self-employed, contractors, volunteers and trainees.
- 1.3 To the extent that there are any policies in your local jurisdiction that provide additional rights, obligations, and/or responsibilities, you must follow those policies as well.
- 1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.
- 1.5 If you have any questions or are unsure whether any decisions or circumstances could be a breach of this policy, you should contact the Human Resources Team.

2. Who is responsible for this Policy?

- 2.1 The Group Operational Committee (GOC) has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law.
- 2.2 The Human Resources Team has responsibility for the implementation and management of this policy and ensuring compliance with discrimination law including the daily operational reasonability for this policy.
- 2.3 All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage understand and adhere to the policy and promote our aims and objectives with regard to equal opportunities and the prevention of discrimination. Appropriate training will be provided to equip employees and managers in fulfilling and exceeding this expectation.



3. Discrimination

- 3.1 You must not unlawfully discriminate against or harass current or former employees, contingent workers or others, including, but not limited to job applicants, clients, customers, suppliers and visitors. This is applicable in the workplace, outside the workplace, when dealing with customers, suppliers or other work-related contacts, when wearing a uniform and on work-related trips or events including social events.
- 3.2 There are a number of different forms of discrimination that you should be familiar with:
- a) **Direct discrimination:** this is the most obvious form of discrimination, where someone is treated less favourably because of a Protected Characteristic (e.g. rejecting a job applicant because of their religious views or sexual orientation).
 - b) **Indirect discrimination:** this form of discrimination is less obvious, involving a provision, criterion or practice that applies to everyone but adversely affects people with particular Protected Characteristics more than others, and is not justified and proportionate to achieving the legitimate aim at stake.
 - c) **Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.
 - d) **Harassment:** this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
 - e) **Victimisation:** retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.



4. Disabilities

- 4.1 If you are disabled or become disabled, we encourage you to communicate this with us so that we can support you as appropriate. This information will, of course, be treated confidentially and in line with data protection legislation and the Group Data Protection Policy.
- 4.2 If you experience difficulties at work because of your disability, you should contact your line manager or the Human Resources Team to discuss any reasonable adjustments that would help overcome or minimise the difficulty. We will consider the matter carefully and try to accommodate your needs in compliance with applicable laws.
- 4.3 We will, in accordance with applicable laws, ensure that our premises are suitable for use by individuals with disabilities. We will also regularly monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

5. Harassment

- 5.1 Harassment can take different forms and may be of a verbal, written, visual, or physical nature. Some examples of what might be considered harassment, depending on the facts and circumstances, include but are not limited to, the following:
 - a) **Verbal, Written, or Visual Harassment:** Unwelcome or derogatory comments regarding Protected Characteristics, threats of physical harm, inappropriate gestures, or the distribution, including by e-mail or other electronic media, or display in any work area, of written or graphic material negatively portraying such Protected Characteristics.
 - b) **Physical Harassment:** Hitting, pushing, or other aggressive physical contact, touching or threats to take such action or impeding or blocking movements.
 - c) **Sexual Harassment:** Unwelcome sexual conduct, whether verbal, visual, or physical, including, among other things, sexual advances; demands or unwelcome pressure for sexual favors; making or threatening reprisals after a negative response to sexual advances; making



or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about an individual's body or style of dress; leering; making sexual gestures; displaying sexually suggestive objects; physical touching; or other unwelcome verbal, visual, or physical conduct of a sexual nature, whether or not it was designed or intended to promote an intimate relationship.

6. Recruitment and Selection

- 6.1 The DS Smith Group will take all reasonable steps to eliminate discrimination from internal and external recruitment and selection. For more detail please follow the link to the DS Smith Group Recruitment and Selection Policy.
- 6.2 Job Specifications should be designed to avoid directly or indirectly discriminating positively or negatively and will be proactively advertised to encourage as diverse an applicant pool as possible. Every stage of the selection process should be designed and conducted to eliminate potential discrimination
- 6.3 When checking whether employees are entitled to work in their relevant jurisdiction, assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce documents to demonstrate the right to work (e.g. passport) to satisfy immigration requirements. The Human Resources Team can provide a list of acceptable documents.

7. Equal Opportunity during employment

- 7.1 This policy applies to all aspects of employment as well as recruitment, including remuneration, working pattern, training, appraisals, career development and progression opportunity, conduct at work, disciplinary and grievance procedures, and termination of employment.

8. Equal Opportunities Monitoring

- 8.1 To ensure that this policy is operating effectively, to identify groups that may be underrepresented or disadvantaged in the DS Smith workplace, and to inform positive action to



address, we may monitor Protected Characteristics of applicants and existing staff, in accordance with local law and the Group Data Protection Policy.

- 8.2 Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment.
- 8.3 Analysing this data helps us take appropriate steps to actively progress equality and inclusion in the organisation.

9. Breaches of this Policy

- 9.1 If you directly experience or observe or are made aware of behaviour in the workplace that is in violation of the minimum expectation of conduct detailed in this policy we recommend the following
 - 9.1.1 inform the person engaging in the conduct in a clear, concise, and unambiguous manner that the conduct is unwelcome or offensive and that you want the conduct to stop.
 - 9.1.2 However, if you are uncomfortable taking this action (or even if you have taken this action), speak to your manager or the Human Resources Team (select the person with whom you feel most comfortable discussing the situation) or via "Speak Up!".
- 9.2 We expect any DS Smith Group manager who is aware of conduct inconsistent with, or in violation of, this policy is to speak immediately to their Human Resources Business Partner.
- 9.3 The DS Smith Group takes a strict approach to breaches of this policy, which will be investigated thoroughly and dealt with in accordance with the relevant disciplinary procedures and applicable law. This may include disciplinary action up to and including termination of employment.
- 9.4 We may discipline an employee for any inappropriate conduct discovered while investigating reports of alleged violations of this policy, even if the conduct does not amount to a violation of the law, subject to all local law requirements (unless such allegations are found to be untrue and clearly unjustified).



9.5 If the person who engaged in the unwelcome or offensive conduct is not employed by the DS Smith Group, we will take whatever corrective action is reasonable and appropriate under the circumstances. This may include discontinuing the relationship with a third party.

10. Victimization

10.1 The DS Smith Group will not tolerate any retaliation against anyone for cooperating in an investigation, for making a truthful and good faith complaint of a violation of this policy, for opposing perceived violations of this policy, for filing an administrative or legal claim, or for participating in any investigation, proceeding, or hearing conducted by the DS Smith Group or a government authority, even if the allegations are not substantiated by the DS Smith Group’s or the authority’s investigation (unless such allegations are found to be untrue and clearly unjustified). Anyone who believes that they have experienced or witnessed any conduct which they believe to be retaliatory in nature should follow the reporting procedures described above and in accordance with local law requirements.

11. Questions and Information

11.1 If you have any questions concerning this policy, please contact the Human Resources Team.

12. Key Related Documents

Ref Number	Title
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13. Document Change Record

Version:	Date:	Change Description:	Author:	Approver: