



**Inspiring Learning**

# **Equality & Diversity Policy**

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## Contents

Page 3	<b>Policy Purpose and Scope</b>
Page 3	<b>Definition of Equality and Diversity</b>
Page 3	<b>Discrimination</b>
Page 4	<b>Types of Discrimination</b>
Page 5	<b>Applying the Policy</b>
Page 6	<b>Equal Opportunities Relating to Disability</b>
Page 7	<b>Complaints</b>
Page 9	<b>Confidentiality</b>
Page 8	<b>Monitoring</b>
Page 8	<b>Related Policies</b>



## Policy Purpose and Scope

Inspiring Learning is fully committed to promoting equality and diversity for all staff and to eliminating direct and indirect discrimination and disadvantage in the workplace.

This means that all job applicants and employees have equality of opportunity for employment and advancement solely on the basis of their ability, qualifications and suitability for the work. It also ensures we maintain a fair working environment free from harassment and intimidation.

All staff are expected to play an active role in the implementation of our equality & diversity policy.

This policy sets out the definitions of equality & diversity and the different types of discrimination, and outlines our expectations of all employees in regard to their treatment of others. This also applies to decisions about third parties with whom you may have dealings.

This policy should be considered in conjunction with our Anti-Bullying and Harassment Policy as a guide to our standards of behaviour towards others and our aim to maintain a fair, respectful and comfortable working environment.

This policy applies to all staff, irrespective of contract type and is non-contractual.

## Definition of Equality and Diversity

**Diversity** means having a mixture of different people. They can be different because of their race (which includes colour, nationality and ethnic or national origins), age, sex, religion or belief, sexual orientation, disability, pregnancy and maternity, marriage and civil partnership or gender reassignment. Accepting diversity means being open to people's differences. By doing this we can recognise the talent and potential that people from all different backgrounds have to offer.

**Equality** in the workplace is about ensuring the equal treatment of people irrespective of social or cultural differences. These can be along the dimensions of their race (which includes colour, nationality and ethnic or national origins), age, sex, religion or belief, sexual orientation, disability, pregnancy and maternity, marriage and civil partnership or gender reassignment.

## Discrimination

Discrimination in employment happens as a result of bias, prejudice, misconception and stereotyping. This can mean that an individual's talents, skills, abilities, potential and experience are not considered fairly. It might not be intentional but, as well as being unfair, it is also a breach of the Equality Act 2010.

You have a duty to act in accordance with this policy and not to treat others less favourably than others because of their:

- age
- an actual, suspected or perceived disability
- gender reassignment
- marital or civil partner status
- pregnancy or maternity/paternity
- race (which includes colour, nationality, ethnic or national origin)
- religion or similar belief



- sex
- sexual orientation

These characteristics of an individual are referred to collectively as “protected characteristics” and, (with a few minor exceptions) decisions about an individual that are influenced in any way by any of these protected characteristics will be regarded as unlawful discrimination and may result in disciplinary action.

It is also an act of unlawful discrimination to make decisions about an individual based on your perception of them as having one or more of these protected characteristics, or because you believe they may or do associate with other people with one or more of these protected characteristics.

Exceptions include:

- Pay, benefits and other terms and conditions of employment are related to the specific role and not to the individual in the role. Exceptions may be made to accommodate an individual’s specific requirements, for example in accordance with our Flexible Working Policy, in order to enable an employee with a physical or mental impairment to perform a role
- Some employees may be entitled to enhanced benefits because of their particular circumstances, for example maternity or adoption leave

The Company is committed to providing a work environment that is free from discrimination on the grounds of any protected characteristic. Employees, consultants, contractors, apprentices, casual workers and agency workers of Inspiring Learning must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work related contacts), and on work-related trips or events including social events.

## Types of Discrimination

Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

**Direct discrimination** occurs where someone is treated less favourably because of one or more of the protected characteristics. Direct discrimination may occur even when unintentional.

**Indirect discrimination** occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage, for example, a requirement for GCSE English as a selection criterion. This would have a disparately adverse impact on people educated overseas and may not be justified if all that is needed is to demonstrate a reasonable level of literacy.

**Associative discrimination** is direct discrimination against someone, not because they themselves have a particular protected characteristic, but because they associate with someone who has a protected characteristic. For example, a non-disabled employee might bring a direct disability discrimination claim where they have been treated less favourably because they have a disabled child.



**Perceived discrimination** is direct discrimination against someone, not because they have a protected characteristic, but because they are incorrectly perceived by others to have a protected characteristic. For example, an employee might bring a direct religious discrimination claim where they have been treated less favourably because the employer wrongly believes them to be a certain religion.

**Failure to make reasonable adjustments** occurs when working arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage and enable the person access to a particular role. It is unlawful to treat someone less favourably because of disability or to fail to make reasonable adjustments to overcome barriers to or in employment caused by disability.

The duty to make reasonable adjustments includes removing, adapting or altering physical features if these features make it impossible or unreasonably difficult for disabled people to make use of services and/or to perform the duties of their job. It could also include changes to a job role or working hours to accommodate a disabled employee.

**Harassment** related to any of the protected characteristics is also prohibited. Harassment is set out in our Anti-Bullying and Harassment Policy.

**Victimisation** is also prohibited. Victimisation occurs where a person (A) treats another person (B) unfavourably because A knows or suspects B has done or intends to do a protected act. Protected acts include bringing discrimination proceedings, giving evidence or information in connection with discrimination proceedings, making an allegation of unlawful discrimination, or doing anything else under, or by reference to, discrimination legislation. The principles of non-discrimination and equality of opportunity also apply to the way in which you treat visitors, clients, suppliers and former staff members.

### Applying the Policy

The principles of non-discrimination and equality of opportunity apply to all aspects of employment including job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination.

Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a protected characteristic. For example, applicants should not be asked their age, whether they are pregnant or planning to have children.

You should ensure that your day to day dealings with colleagues are non-discriminatory, and you should guard against discrimination in its more subtle and unconscious forms.



If you are a manager you must be alert to the possibilities of discrimination by yourself or by any of your staff (especially those in a supervisory position). If you are involved in recruitment, allocation of duties or consideration of developmental training you must ensure that the criteria you use are related to job performance and ability to do the job, and are not discriminatory.

You have a duty to co-operate with us in ensuring that our principles of non-discrimination and equality of opportunity are upheld. If you have concerns that they have been/are being compromised in any way (either in relation to you personally or in respect of someone else) you are encouraged to raise your concerns in confidence with your manager, a more senior manager or a member of HR.

Your protected characteristics will not play a part in management decisions unless they are relevant and it is appropriate to take them into account in the particular circumstances.

Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

### **Equal Opportunities Relating to Disability**

For the purpose of this policy a disabled person is defined as a person with a physical or mental impairment which has a substantial and long-term effect on their ability to carry out day to day activities.

Job applicants should not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.

If you are disabled or become disabled, you are encouraged to tell us about your condition so that we can consider what reasonable adjustments or support may be appropriate.

If you experience difficulties at work because of your disability, you should speak with your manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty.

Where you have a disability, we will undertake to:

- provide equal opportunities for you in recruitment, education, training, promotion, and conditions of employment
- ensure that wherever possible you are given support and are provided with equipment and facilities to enable you to carry out your duties
- ensure that any special needs arising directly or indirectly because of your work, are met
- make any reasonable adjustment to working arrangements or physical features of the premises where they cause disadvantage to you including, but not limited to, role redesign, training, flexible working or, if appropriate, offering transfer to an alternative role
- provide a safe working environment for disabled employees



We may take advice from our Occupational Health advisers or others as we think appropriate.

### **Retention**

If, due to changing circumstances, you are unable to continue carrying out your existing duties every effort will be made to find suitable employment within the business. Retraining will be provided as necessary.

Where a previously able-bodied employee becomes disabled every effort will be made to facilitate continued employment in the same post. Where this is not possible suitable alternative employment will be sought and you will be given the necessary support and training required.

We will make every effort to retain any employees affected but cannot make any guarantees about continued employment.

### **Complaints**

We are conscious of the extent to which the performance of our employees depends upon their working environment. We will therefore not permit or condone any form of unlawful discrimination within the workplace or in settings outside the workplace in the course of employment, such as business trips and events or social functions organised by us.

If you feel you have been, or are being, discriminated against you should discuss the matter first with your manager, or if you feel you are unable to freely discuss the matter with him/her you should contact your manager or a member of the HR team. Please also see our Anti-Bullying and Harassment Policy which supports this policy in outlining standards of behaviour towards others.

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Policy. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

If you experience problems because of a disability, you should talk over the problem with your manager or a member of the HR team. It may be possible to adapt your environment or to provide special equipment to help you.

You have the right to raise a grievance if you believe that a manager has not applied our principles of non-discrimination and equality of opportunity to you.

Complaints will be treated in confidence and investigated as appropriate. You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Policy.

### **Confidentiality**

Where possible information about or relating to your protected characteristics will be kept confidential and disclosed on a "need to know" basis or with your prior consent.



Information of a personal and/or sensitive nature is processed strictly in accordance with our Data Protection Policy. You may be asked to disclose information anonymously for equal opportunities monitoring purposes but are under no obligation to do so.

## Monitoring

Examining the effects of this policy on a regular basis is fundamental to the success of establishing and maintaining a culture of equality and diversity. The objectives of monitoring are:

- To identify areas of, and reasons for, under-representation of particular groups in the workforce.
- To assess the effect of employment procedures and practices and identify any unintentional adverse impact on particular groups.
- To enable the company to review and reshape this policy and programme of action.
- To identify if any employees are discriminating against others and to enable the company to take appropriate disciplinary action.

## Related Policies

The following policies and information are aligned with this policy:

- Anti- Bullying and Harassment
- Grievance Procedures
- Disciplinary Procedures
- Employee Handbook
- Code of Conduct

