

# Equality and Diversity Policy

## **Policy Review**

The responsibility of reviewing and maintaining this policy is Craig Dembicki (Managing Director). This policy will be reviewed annually.

Start date of policy: **15<sup>th</sup> June 2009**

Reviewed: **13<sup>th</sup> July 2024**

Date of next review: **13<sup>th</sup> July 2025**

Signed



Craig Dembicki  
Managing Director  
Education 1st

## **Purpose of this Policy**

Education 1<sup>st</sup> recognises that it is essential to provide equal opportunities to all persons without discrimination, harassment or victimisation. This policy sets out the organisation's position on Equality and Diversity as a service provider in all aspects of employment, including recruitment and promotion and provides guidance and encouragement to employees at all levels to act fairly and prevent discrimination on the grounds of any protected characteristic.

This policy lays the basis of Education 1<sup>st</sup> Equality Scheme and should be read in conjunction with the Child Protection, SEN and Data-protection policies. The Equality Act 2010 brought together all previous equality related legislation, standardising the protection available for all groups previously identified.

### **Related Policies:**

Child Protection and Safeguarding Policy  
SEN & Inclusion Policy  
Data Protection Policy  
Recruitment and Selection Policy  
Staff Code of Conduct  
Complaints and Feedback Policy

### **The key characteristics of groups protected are as follows:**

- Gender
- Race
- Marital status including civil partnership
- Pregnancy and maternity
- Disability
- Age
- Sexual orientation
- Religion or belief
- Gender reassignment

### **Definitions**

- Discrimination can be direct, indirect, by association or perceived. All forms of discrimination must be avoided.
- Direct discrimination occurs when one person is treated less favourably than another person because of a protected characteristic they have.
- Perception discrimination occurs when one person is treated less favourably than another person because of a protected characteristic they are thought to have.
- Discrimination by association occurs when one person is treated less favourably than another person because they associate with someone who has a protected characteristic.
- Harassment can be either directly by an employee or group of employees of the organisation or through a third party such as other related party e.g. another learner.
- Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.
- Indirect discrimination can occur when there is a condition, rule or policy or even a practice in the company that applies to everyone but particularly disadvantages people who share a protected characteristic. It may be justifiable if it can be shown it was fair and reasonable to the running of the organisation.

## **Statement of Policy**

- 1) Education 1st recognise that discrimination is unacceptable and although equality of opportunity has been a long standing feature of our company practices and procedure, we have made the decision to adopt a formal equal opportunities policy. Breaches of the policy will lead to disciplinary proceedings and, if appropriate, disciplinary action.
- 2) The aim of the policy is to ensure no job applicant, employee or student is discriminated against either directly or indirectly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.
- 3) Education 1st will ensure that the policy is circulated to any agencies responsible for our recruitment and a copy of the policy will be made available for all employees and made known to all applicants for employment.
- 4) The policy will be communicated to all private contractors reminding them of their responsibilities towards the equality of opportunity.
- 5) The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and in particular any relevant Codes of Practice.
- 6) Education 1<sup>st</sup> will maintain a neutral working environment in which no employee or student feels under threat or intimidated.

## **Recruitment and Selection**

- 1) The recruitment and selection process is crucially important to any equal opportunities policy. Education 1st will endeavour through appropriate training to ensure that employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.
- 2) Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
- 3) Job descriptions, where used, will be revised to ensure that they are in line with Education 1<sup>st</sup> equal opportunities policy. Job requirements will be reflected accurately in any personnel specifications.
- 4) Education 1<sup>st</sup> will adopt a consistent, non-discriminatory approach to the advertising of vacancies.
- 5) Education 1<sup>st</sup> will not confine our recruitment to areas or media sources which provide only, or mainly, applicants of a particular group.
- 6) All applicants who apply for jobs with Education 1<sup>st</sup> will receive fair treatment and will be considered solely on their ability to do the job.
- 7) All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.

- 8) Short listing and interviewing will be carried out by more than one person where possible.
- 9) Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.
- 10) Education 1<sup>st</sup> will not disqualify any applicant because he/she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.
- 11) Selection decisions will not be influenced by any perceived prejudices of other staff.

### **Training and Promotion**

- 1) Senior staff will receive training in the application of this policy to ensure that they are aware of its contents and provisions.
- 2) All promotion will be in line with this policy.

### **Monitoring**

- 1) We will maintain and review the employment records of all employees in order to monitor the progress of this policy.
- 2) Monitoring may involve:
  - the collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applicants and current employees;
  - the examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants; and
  - recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions.
- 3) The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.

### **Disability Equality Duty**

Education 1st is legally required to take action to promote equality of opportunity between disabled people and others, eliminate unlawful discrimination and disability related harassment, promote positive attitudes towards disabled people. Education 1<sup>st</sup> will involve disabled students and adults in its development and monitors the impact of its practices.

### **Gender Equality Duty**

Education 1st are legally required to take action to eliminate unlawful sex discrimination and promote equality of opportunity between men and women, boys and girls. Education 1<sup>st</sup> takes necessary measures to eliminate sexist discrimination and monitors the impact of its practices.

## **The Public Sector Equality Duty**

This duty adds gender reassignment, pregnancy and maternity, religion, sexual orientation and age (adults). The aims are to eliminate discrimination, harassment, victimisation and other prohibited conduct.

Employees will be provided with appropriate training regardless of any protected characteristic or group to which individuals may belong.

Harassment because of any protected characteristics is unlawful and will not be tolerated by Education 1<sup>st</sup>. This policy prohibits unlawful harassment by any employee or worker of Education 1<sup>st</sup>. Education 1<sup>st</sup> will also not tolerate unlawful harassment from any client. Appropriate action will be taken of any harassment should occur.

### **Examples of prohibited harassment are:**

- Verbal or written conduct containing derogatory jokes or comments
- Slurs or unwanted sexual advances
- Visual conduct such as derogatory or sexual oriented posters
- Photographs, cartoons, drawings or gestures
- Physical conduct such as assault, unwanted touching, or any interference because of gender, race or any other protected basis
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss and offers of employment benefits in return for sexual favours.
- Retaliation for having reported or threatened to report harassment

### **Provision arrangements**

Education 1<sup>st</sup> will not refuse any student referrals on the grounds of discrimination. In exceptional circumstances, whereby Health and Safety checks, risk – assessments and student wellbeing indicate concerns around the individual student are such that provision may need to be declined or terminated following contractual notice arrangements.

### **Reporting complaints**

Staff/students/parents/carers should make an immediate complaint in line with Education 1<sup>st</sup>'s Complaints Policy including by a written report (Appendix A of Complaints' Policy) as soon as possible after the incident.

The complaint will be investigated in accordance with Education 1<sup>st</sup>'s Complaints Policy.