

# Equal Opportunities and Diversity Policy

## Policy statement

The Feelings Teacher is committed to equality of opportunity and to a pro-active and inclusive approach to equality, which supports and encourages all under-represented groups, promotes an inclusive culture, and values diversity.

The Company is therefore committed to a policy and practice which require that for staff, entry into employment and progression within employment will be determined only by personal merit and by the application of criteria which are related to the duties and conditions of each particular post and the needs of the Company, and we bring the same commitment to equality into all our interactions with school staff, students and volunteers (service users).

## As an Employer

The Company is an equal opportunity employer and is fully committed to a policy of treating all its employees and job applicants equally. The Company will avoid unlawful discrimination in all aspects of employment including recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.

The Company will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications without regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation. In this policy, these are known as the "protected characteristics".

Employees have a duty to co-operate with the Company to make sure that this policy is effective in ensuring equal opportunities and in preventing discrimination. Action will be taken under the Company's disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination. Serious breaches of this equal opportunities policy statement will be treated as potential gross misconduct and could render the employee liable to summary dismissal. Employees should bear in mind that they can be held personally liable for any act of unlawful discrimination.

You should draw the attention of your line manager to suspected discriminatory acts or practices. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or who has provided information about such discrimination. Such behaviour will be treated as potential gross misconduct in accordance with the Company's disciplinary procedure. You should support colleagues who suffer such treatment and are making a complaint.

## School staff/students/Volunteers (service users)

The Company will, at all times, adopt a non-judgmental, respectful, unbiased and anti-discriminatory approach in its service delivery and working practices.

We will work in partnership with schools, employers and other agencies to remove any barriers to fair and equal treatment.

The Feelings Teacher is unable to provide services for individuals and organisations who actively promote and exist solely to promote political or religious beliefs. The Feelings Teacher is reliant on funding from a variety of different sources and as such may be subject to further restrictions to whom it delivers services. Where a member of school staff, student or a volunteer makes discriminatory remarks or displays such behaviour, staff will warn them that this behaviour is unacceptable within Form the Future and draw their attention to the Equalities Policy. If the problem persists the Director may authorise suspension or the withdrawal of services to the client/user.

## Good practice

The Company will take active steps to promote good practice. In particular it will:

- (a) work towards the elimination of unlawful discrimination, harassment, and victimization based on a protected characteristic, whether actual, perceptive, or associative;
- (b) advance equality of opportunity between persons who share a protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a protected characteristic and persons who do not share it;
- (d) subject its policies to continuous assessment in order to examine how they affect protected groups and to identify whether its policies help to achieve equality of opportunity for all these groups, or whether they have an adverse impact;
- (e) promote an inclusive culture and good management practice, through the development of codes of best practice, policies, and training;
- (f) take positive action wherever possible to support this policy and its aims, and
- (g) publish this policy widely amongst staff and service users.

## Direct discrimination

Direct discrimination occurs when, because of one of the protected characteristics, a job applicant, an employee or a service user is treated less favourably than other job applicants, employees or service users are treated or would be treated.

Discrimination after employment is also unlawful if it arises out of and is closely connected to the employment relationship, for example refusing to give a reference or providing an unfavourable reference for a reason related to one of the protected characteristics. The Company will take all reasonable steps to eliminate direct discrimination in all aspects of employment.

## Indirect discrimination

Indirect discrimination is treatment that may be equal in the sense that it applies to all job applicants, employees or service users but which is discriminatory in its effect on, for example, one particular sex or racial group.

Indirect discrimination occurs when there is applied to the job applicant, employee or service user a provision, criterion or practice (PCP) which is discriminatory in relation to a protected characteristic. A PCP is discriminatory in relation to a protected characteristic of the job applicant, employee or service user if:

- the PCP puts, or would put, persons with whom the job applicant or employee shares the protected characteristic at a particular disadvantage when compared with persons with whom the job applicant or employee does not share it
- it puts, or would put, the job applicant or employee or service user at that disadvantage, and
- it cannot be shown by the Company to be a proportionate means of achieving a legitimate aim.

The Company will take all reasonable steps to eliminate indirect discrimination in all aspects of employment.

From the Future does, on occasion, positively discriminate in favour of under-represented groups. One example is through Cambridge Launch Pad which has a 50:50 male/female participation rule for events. This is designed to encourage more girls to consider careers in engineering and technology where they currently make up a very small percentage of the workforce. We have also been asked by Cambridgeshire Police to help them reach members of BME community as they seek to diversify their workforce. In these examples, we may be asked to provide spaces for service users with protected characteristics in priority to those without.

## **Victimisation**

Victimisation occurs when an employee is subjected to a detriment, such as being denied a training opportunity or a promotion, because they have raised or supported a grievance or complaint of unlawful discrimination, or because they have issued employment tribunal proceedings for unlawful discrimination or they have given evidence in connection with unlawful discrimination proceedings brought by another employee. However, an employee is not protected if they give false evidence or information, or make a false allegation, and they do so in bad faith.

Post-employment victimisation is also unlawful, for example refusing to give a reference or providing an unfavourable reference because the former employee has done one of the protected acts set out above.

The Company will take all reasonable steps to eliminate victimisation in all aspects of employment.

## **Recruitment, advertising and selection**

The recruitment process will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant experience, abilities and qualifications. The Company is committed to applying its equal opportunities policy statement at all stages of recruitment and selection.

Advertisements will aim to positively encourage applications from all suitably qualified and experienced people. When advertising job vacancies, in order to attract applications from all sections of the community, the Company will, as far as reasonably practicable:

1. Ensure advertisements are not confined to those areas or publications which would exclude or disproportionately reduce the numbers of applicants with a particular protected characteristic.
2. Avoid setting any unnecessary provisions or criteria which would exclude a higher proportion of applicants with a particular protected characteristic.

Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a particular protected characteristic.

However, where, having regard to the nature and context of the work, having a particular protected characteristic is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, the Company will apply that requirement to the job role and this may therefore be specified in the advertisement. The selection process will be carried out consistently for all jobs at all levels. All applications will be processed in the same way. The staff responsible for short-listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. Person specifications and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Wherever possible, all applicants will be interviewed by at least two interviewers and all questions asked of the applicants will relate to the requirements of the job. The selection of new staff will be based on the job requirements and the individual's suitability and ability to do, or to train for, the job in question.

With disabled job applicants, the Company will have regard to its duty to make reasonable adjustments to work provisions, criteria and practices or to physical features of work premises or to provide auxiliary aids or services in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel), this will be discussed objectively, without detailed questions based on assumptions about any of the protected characteristics.

## **Training and promotion**

The Company will train all line managers in the Company's policy on equal opportunities and in helping them identify and deal effectively with discriminatory acts or practices. Line managers will be responsible for ensuring they actively promote equality of opportunity within the departments for which they are responsible.

The Company will also provide training to all employees to help them understand their rights and responsibilities in relation to equal opportunities and what they can do to create a work environment that is free from discrimination.

Where a promotional system is in operation, it will not be discriminatory and it will be checked from time to time to assess how it is working in practice. When a group of workers who predominantly have a particular protected characteristic appear to be excluded from access to promotion, transfer and training and to other benefits, the promotional system will be reviewed to ensure there is no unlawful discrimination.

## **Terms of employment, benefits, facilities and services**

All terms of employment, benefits, facilities and services will be reviewed from time to time, in order to ensure that there is no unlawful direct or indirect discrimination because of one or more of the protected characteristics.

## **Equal pay and equality of terms**

The Company is committed to equal pay and equality of terms in employment. It believes its male and female employees should receive equal pay where they are carrying out like work, work rated as equivalent or work of equal value. In order to achieve this, the Company will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

## **Reporting complaints**

All allegations of discrimination will be dealt with seriously, confidentially and speedily. The Company will not ignore or treat lightly grievances or complaints of unlawful discrimination from employees. If you wish to make a complaint of discrimination, you should do so promptly and use the Company's grievance procedure. If your complaint relates to bullying, harassment or intimidation, you should refer to the Company's dignity at work policy statement.

## **Monitoring equal opportunity**

The Company will regularly monitor the effects of selection decisions and personnel and pay practices and procedures in order to assess whether equal opportunity is being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices. If changes are required, the Company will implement them. The Company will also make reasonable adjustments to its standard working practices to overcome substantial disadvantages caused by disability.

## **Legal basis**

The Company will meet all statutory obligations under relevant legislation and, where appropriate, anticipate future legal requirements. This will be informed by:

- The Equality Act (2010) and associated secondary legislation
- Criminal Justice and Immigration Act (2008)
- The Racial and Religious Hatred Act (2006)
- The Civil Partnership Act (2004)
- The Gender Recognition Act (2004)
- Criminal Justice Act (2003)

- The Human Rights Act (1998)
- The Protection from Harassment Act (1997)

In addition, this will be informed by the Codes of Practice or Guidance issued by the Equality and Human Rights Commission and other relevant bodies. These Codes are not legally binding (though they are admissible as evidence in Employment Tribunals) and the Company supports them fully.

This policy will be amended as appropriate to meet the demands of future legislation.