

**Beechfield Education Ltd. Equal opportunities policy**

# Policy Statement

Beechfield Education Ltd is committed to providing equal opportunities in employment and to its client group. It is committed to the equalities legislation including the Equality Act 2010 and to avoiding unlawful discrimination.

Beechfield Education Ltd is committed to developing and maintaining a diverse workforce, which in turn contributes to providing quality services to a diverse client base.

This policy is intended to assist Beechfield Education Ltd to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Beechfield Education Ltd will ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect as this is an important aspect of ensuring equal opportunities whilst in employment with Beechfield Education Ltd.

# Law

Current legislation identifies nine protected characteristics. The Equality Act came into force from October 2010 providing a modern, single legal framework with clear, streamlined law to effectively tackle disadvantage and discrimination. The protected characteristics are:

* Age
* Disability
* Gender Reassignment
* Race
* Religion or belief
* Sex
* Sexual orientation
* Marriage and civil partnership
* Pregnancy and maternity

# Types of Unlawful Discrimination

Direct discrimination is where a person is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

Perceptive discrimination applies to age, disability, gender reassignment, race, religion or belief, sex and sexual orientation. This is direct discrimination against an individual because others think they possess a protected characteristic. It applies even if the individual does not actually possess that characteristic. An example of perceptive discrimination is where an employee is under 30 years of age is not allowed to represent their organisation at an important meeting because it is thought that they are too young to do this.

Associative discrimination applies to the protected characteristics of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. An example of associative discrimination is where an internal candidate is rejected for a promotion on the basis that it is believed that they will not have time to concentrate on the new job due to their caring responsibilities for a family member.

Indirect discrimination applies to all protected characteristics except for pregnancy and maternity. Indirect discrimination can occur where there is a provision, condition, rule, policy or practice within an organisation that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination may not be unlawful where the employer acts reasonably in managing the business, i.e. that it is ‘a proportionate means of achieving a legitimate aim’.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Harassment is where there is unwanted conduct related to a relevant characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. An employee can complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association (see above).

Victimisation occurs where an employee is treated badly because they have made or supported a complaint or raised a grievance in relation to one of the nine protected characteristics or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

In respect of disability it is unlawful to fail to make reasonable adjustments for an employee to help them overcome disadvantage resulting from a disability.

It is discriminatory to treat a person unfavourably because of something connected with their disability (e.g. a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could be reasonable expected to know, that the person has a disability.

It is unlawful, except in certain circumstances, for an employer to ask about a candidate’s health before offering them work.

It is unlawful to discriminate directly or indirectly in the provision of goods, facilities or services to external contacts and agencies on the grounds of age (18 and over), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation. It is unlawful to discriminate, without justification, on grounds of disability or to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services.

# Equal Opportunities in the Workplace

Beechfield Education Ltdwill avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Job descriptions and person specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability.

Beechfield Education Ltd will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done.

Current legislation provides protection in respect of gender reassignment, and a person does not have to be under medical supervision. In addition to the protection listed above and in accordance with the legislation, Beechfield Education Ltd will not treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured.

# Service users

Beechfield Education Ltd will not discriminate unlawfully against external contacts and agencies using or seeking to use goods, facilities or services provided by Beechfield Education Ltd.

# Employee responsibilities

Every employee is required to assist Beechfield Education to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of Beechfield Education Ltd for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or external contacts and service users are disciplinary offences and will be dealt with under Beechfield Education Ltd’s disciplinary policy. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

# Grievances

Beechfield Education Ltd will take any complaint seriously and will seek to resolve any grievance which it upholds. Employees will not be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.

# Monitoring and Review

Senior management in Beechfield Education has overall responsibilities for ensuring this policy is embedded in the work practise of Beechfield Education Ltd staff members.Beechfield Education will made amendments to this policy periodically in accordance with the law.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with GDPR legislation.