



## EQUAL OPPORTUNITIES

It is Flourish Education Ltd's policy to treat all job applicants and employees fairly and equally, regardless of sex, pregnancy or maternity, trans-gender status, sexual orientation, religion or belief, marital status, civil partnership status, age, race, colour, nationality, national or ethnic origins or disability, or any other grounds (whether prohibited by legislation or otherwise).

Flourish Education Ltd is totally committed to creating a working environment in which you are treated with dignity and respect, which is free from unlawful discrimination, victimisation or harassment.

The non-discrimination principle inherent in this policy includes the prohibition of discrimination against an individual because he or she associates with someone of a particular race, religion, sexual orientation, age, etc., for example an employee who is married to someone of a minority ethnic origin or who socialises with gay or lesbian friends. The prohibition on discrimination applies equally to situations where someone thinks or perceives (whether rightly or wrongly) that a colleague is of a particular race, sexual orientation, religion, age, sex or that he or she has a disability, is a trans-gender person, or is pregnant.

The policy applies to the process of recruitment and selection, promotion, training, conditions of work, pay and benefits and to every other aspect of employment, including general treatment at work and the processes involved in the termination of employment.

Where increased pay and/or enhanced benefits are offered to employees on the basis of length of service, these are intended to reward loyalty, maintain motivation and reflect higher levels of relevant experience.

The policy applies to job applicants (both internal and external) and all employees and other workers whether full time, part time, temporary, seasonal or contractual.

When establishing criteria for recruitment and promotion into vacant posts, the employer will consider carefully whether any minimum or maximum number of years of relevant experience is necessary for effective performance of the job. Such restrictions will not be imposed unless there is a proper job-based reason why they are necessary.

Flourish Education Ltd does not operate any compulsory retirement age, and each employee may choose for him/herself when to stop working, subject to him or her continuing to be sufficiently fit to perform his or her job to a satisfactory standard.

Employees who are disabled or become disabled in the course of their employment should inform the Toni Pike (HR Manager) about their disability. Management will then arrange to discuss with the employee what reasonable adjustments to his or her job or working conditions or environment might assist him or her in the performance of his or her duties. The employee will also be encouraged to suggest any adjustments that he or she believes would be helpful. Careful consideration will be given to any proposals and, where reasonable and reasonably practicable, such adjustments will be made. There may, however, be circumstances where it will not be reasonable or reasonably practicable for the company to accommodate proposals put forward by the employee.

This policy will be monitored on a regular basis by senior management. Where there are issues with the way the policy is working, these will be looked at closely with a view to identifying measures to improve the effectiveness of the policy.

Every manager and employee has personal responsibility for the implementation of this policy. Any instance of doubt about the application of the policy, or other questions, should be addressed to the Toni Pike (HR Manager), as should any requests for special training.

We take this policy very seriously. A breach of this policy is considered to be gross misconduct and disciplinary action, including dismissal for serious offences will be taken against people who do not comply with it.

### 1. What is Discrimination?

Broadly, a person has been discriminated against if:

- They have been treated less favourably than another person because of one of the protected characteristics detailed above; because of an association with someone with a protected characteristic; or because others believe they possess a protected characteristic;
- A procedure or practice places a group of employees at a disadvantage on any of the above [grounds](#);
- They suffer harassment because of a protected characteristic; or
- They have been victimised.

### 2. What is Harassment?

Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. Harassment is unlawful where it is motivated by one of the [grounds](#) set out above but we include more general harassment within our definition. Although not exhaustive, the following are examples of types of behaviour that may amount to harassment:

- Physical assault;
- Physical or verbal abuse;
- Threats;
- Suggestive comments or gestures;
- Offensive gestures, language, gossip or jokes;
- Insulting or abusive behaviour or comments;
- Isolation or exclusion;
- Bullying;
- Unreasonable persistent criticism or humiliation.

### 3. What is Sexual Harassment?

Sexual harassment may take many forms, from relatively mild sexual banter to physical violence. Employees may not always realise that their behaviour constitutes sexual harassment but they must recognise that what is acceptable to one person may not be acceptable to another. Sexual harassment may be physical, verbal or non-verbal. Examples include:

- Insensitive jokes and pranks that contain a sexual element;
- Remarks or banter that have a sexual content;
- Lewd comments about appearance;
- Unnecessary and unwelcome body contact;
- Displays of sexually offensive material, eg pin-ups, e-mails with offensive attachments;
- Requests for sexual favours;

- Speculation or gossip about a person's private life and sexual activities;
- Threatened or actual sexual violence;
- Threat of dismissal, loss of promotion etc. for refusal of sexual favours;
- Emails of a sexual nature.

#### 4. What is Victimisation?

Someone is victimised where they suffer unfavourable treatment because they have, in good faith, made a complaint under this policy, acted as a witness or accompanied a complainant to a hearing.

#### 5. Responsibilities

It is your obligation to be sensitive about the impact that you have on others and behave in a way that supports our policy when dealing with everyone that you come into contact with as part of your employment with Flourish Education Ltd. Our policy is not designed to discourage normal social relations among colleagues or with the public but aims to prevent discrimination, harassment and victimisation.

Our policy applies not only at Flourish Education Ltd's premises but anywhere you are working as part of your employment with Flourish Education Ltd. This includes any social occasions or member meetings organised by Flourish Education Ltd or that you attend on behalf of Flourish Education Ltd.

You must not condone discrimination, harassment or victimisation by others. You should report any incidents that you believe to be discriminatory to Grant Taylor.

#### 6. The Complaints Procedure

We aim to resolve any complaints as quickly as possible. All complaints will be treated seriously and confidentially. Only complaints that relate to a breach of this policy should be made using this procedure.

*What do I do if I am experiencing discrimination, harassment or victimisation?*

You should consider whether it is appropriate to raise the matter directly with the person concerned in order to resolve the problem. If it is not, you should speak to a director or your line manager.

Following your discussion, you will be asked to choose one of the following options:

- Agree that no further action is necessary;
- Agree to discuss the complaint with the individual who is alleged to have caused offence;
- Ask Flourish Education Ltd to help to resolve the matter through informal and/or discreet approaches; or
- Make a formal written complaint to Flourish Education Ltd.

If you are not satisfied with an informal approach, a formal complaint can be made at any stage.

*How do I make a formal complaint?*

You should make your complaint in writing and sign and date your letter. You will be heard by a Director. You will find out the result of your complaint within 10 working days of the receipt of your letter. You may ask that someone of the same sex hears your complaint. If your request is reasonable in your particular circumstances, a different person than that chosen initially by Flourish Education Ltd, may need to be selected to hear your complaint. If you are interviewed as part of your complaint, you will have the same right to be accompanied as in our grievance procedure.

If the complaint, at any stage of the process, has resulted in a disciplinary investigation against another person, the case will not normally be reopened if you escalate the complaint to the next stage.



*What will happen after I have made my complaint?*

Where a formal complaint is made, a full investigation will be conducted.

The first step is to investigate the allegations carefully and as discreetly as possible. This will involve hearing detailed accounts from all parties. Other members of staff may also be asked to provide information. Documents, e-mail and other evidence may be considered. A full record of the progress and outcome of the investigation and any steps taken will be reported to the complainant.

Those conducting the investigation will not be parties directly involved in the allegation.

*What will happen if a formal complaint about a person is upheld?*

Where a formal investigation has been conducted and where it has been reasonably concluded that some form of discrimination, harassment or victimisation may have taken place, those responsible will be subject to our normal disciplinary procedures.

Action will not normally be initiated without the agreement of the complainant but there are some circumstances where Flourish Education Ltd may need to pursue the matter formally. For example, if other people could be at risk if no action is taken.

The outcome of the disciplinary procedures will depend upon the circumstances. Serious acts of discrimination, harassment or victimisation will be regarded as gross misconduct and may lead to instant dismissal.

*Am I protected if I make a complaint, act as a witness or accompany a complainant to a hearing?*

Yes. Any acts of retaliation or intimidation against an employee will be treated as a disciplinary offence. Having said this, an employee who maliciously makes an unfounded complaint will be subject to disciplinary action.

*What if the complaint is about someone who is not employed by Flourish Education Ltd?*

Appropriate action to deal with the problem will be discussed with you.

## **7. SPECIAL REQUIREMENTS RELATING TO EQUAL OPPORTUNITIES**

We understand that people's needs at work are different and that some employees may have special requirements. For example, employees of a particular religion may need somewhere quiet to pray during their lunch break, need to take holiday on a particular day for a religious event, or need to have somewhere to store specially prepared foods. Alternatively, you may have a disability and may feel that you need to have changes made to your workplace to help you do your job.

We will accommodate your requirements where it is possible and practical for us to do so but we cannot do so unless you let us know.