

Policy Statement

Engage Education Services is an equal opportunity employer and is fully committed to a policy of treating all of our employees and job applicants equally. Engage Education Services 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, and selection for redundancy or dismissal.

Engage Education Services will take all reasonable steps to employ and promote employees on the basis of their 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 and/or sexual orientation. In this policy, these are known as the 'protected characteristics'. Engage Education Services will appoint, train, develop and promote on the basis of merit and ability alone. In addition to this, Engage Education Services will not discriminate on the grounds of an individual's membership or non-membership of a Trade Union.

Engage Education Services will also take all reasonable steps to provide a work environment in which all employees are treated with respect and dignity and that is free of harassment and bullying based upon age, disability, gender reassignment, race (including colour, nationality and ethnicity or national origins), religion or belief, sex and/or sexual orientation. In this policy, these are known as the 'anti-harassment protected characteristics'. All employees are responsible for conducting themselves in accordance with this policy, and Engage Education Services will not condone or tolerate any form of harassment, whether engaged in by our employees or by outside third parties who do business with Engage Education Services, such as clients, customers, contractors and suppliers.

All employees and contractors have a duty to cooperate with Engage Education Services to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. Action will be taken under Engage Education Services's disciplinary procedure if employees/contractors are found to have committed an act of improper or unlawful discrimination, harassment, bullying or intimidation. Serious breaches of this equal opportunities and dignity at work policy statement will be treated as gross misconduct and could result in your summary dismissal. You should also bear in mind that you can be held personally liable for any act of unlawful discrimination or harassment. If you commit a serious act of harassment, you may additionally be guilty of a criminal offence.

Engage Education Services will also take appropriate action against any third parties who are found to have committed an act of improper or unlawful harassment against our employees.

All Employees and contractors should draw the attention of their line manager to suspected discriminatory acts or practices, or suspected cases of bullying or harassment. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or harassment or who has provided information about such discrimination or harassment. Such behaviour will be treated as gross misconduct under Engage Education Services's disciplinary procedure. All employees and contractors should support colleagues who suffer such treatment and are making a complaint.

Discrimination

Under the Act, unlawful discrimination occurs in the following circumstances:

Direct Discrimination

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

The treatment will still amount to direct discrimination even if it is based on the protected characteristic of a third party with whom the job applicant or employee is associated and not on the job applicant's or employee's own protected characteristic. In addition, it can include cases where it is perceived that a job applicant or an employee has a particular protected characteristic when, in fact, they do not.

Engage Education Services will take all reasonable steps to eliminate direct discrimination in all aspects of employment.

Indirect Discrimination

Indirect discrimination is the treatment that may be equal in the sense that it applies to all job applicants or employees, but which is discriminatory in its effect on, for example, one particular sex or racial group. It is when you're treated in the same way as other people at work, but it has a worse effect on you because of who you are - for example, because of your religion or because you're a woman or another characteristic which is protected under the Equality Act 2010.

A provision, criterion or practice (PCP) which is discriminatory in relation to a protected characteristic of the job applicants or employees. A PCP is discriminatory in relation to a protected characteristic of the job applicant or employees if:

- It is applied, or would be applied, to persons with whom the job applicant or employee does not share the protected characteristic,
- 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 at a disadvantage, and
- It cannot be shown by Engage Education Services to be a proportionate means of achieving a legitimate aim.

Engage Education Services will take all reasonable steps to eliminate indirect discrimination 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. Engage Education Services 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 people. When advertising job vacancies, in order to attract applications from all sections of the community, Engage Education Services will, as far as reasonably practicable:

- 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;
- Avoid setting any unnecessary provisions or criteria which would exclude a higher proportion of people 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, Engage Education Services 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 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, Engage Education Services will have regard to its duty to make reasonable adjustments to work provisions, criteria or 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

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

Engage Education Services will also provide training to you to help you understand your rights and responsibilities about equal opportunities and dignity at work, and what you can do to create a work environment that is free of discrimination, bullying and harassment.

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

Engage Education Services is committed to equal pay and equality of terms in employment. We believe our male and female employees should receive equal pay for work, work rated as equivalent or work of equal value. In order to achieve this, Engage Education Services will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

Bullying and Harassment

This policy covers bullying and harassment both in the workplace and in any work-related setting outside the workplace, for example, during business trips and at work-related social events. Bullying is offensive or intimidating behaviour or an abuse or misuse of power which undermines or humiliates you.

An employee harasses you if they engage in unwanted conduct related to an anti-harassment protected characteristic, and the conduct has the purpose or effect of violating your dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for you.

An employee also harasses you if they engage in unwanted conduct of a sexual nature, and the conduct has the purpose or effect of violating your dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for you.

Finally, an employee harasses you if they or a third party engage in unwanted conduct of a sexual nature or that is related to gender reassignment or sex, the conduct has the purpose or effect of violating your dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for you, and because of your rejection of or submission to the conduct, they treat you less favourably than they would treat you if you had not rejected, or submitted to, the conduct.

The unwanted conduct will still amount to harassment if it is based on the anti-harassment protected characteristic of a third party with whom you are associated and not on your own anti-harassment protected characteristic, or if it was directed at someone other than you, or even at nobody in particular, but you witnessed it. In addition, harassment can include cases where unwanted conduct occurs because it is perceived that you have a particular anti-harassment protected characteristic, when in fact you do not.

Conduct may be harassment whether or not the person intended to offend you. Something intended as a joke or as office banter may offend you. This is because different employees find different levels of behaviour acceptable, and you have the right to decide for yourself what behaviour you find acceptable.

Behaviour that a reasonable person would realise would be likely to offend you will always constitute harassment without the need for you to make it clear that such behaviour is unacceptable, for example, someone touching you in a sexual way. With other forms of behaviour, it may not always be clear in advance that it will offend you, for example, office banter and jokes. In these cases, the behaviour will constitute harassment if the conduct continues after you have made it clear, by your words or your conduct, that such behaviour is unacceptable to you. A single incident can amount to harassment if it is sufficiently serious.

Examples

Bullying and harassment may be verbal, non-verbal, written or physical. Examples of unacceptable behaviour include, but are not limited to, the following:

- Unwelcome sexual advances, requests for sexual favours and other conduct of a sexual nature.
- Subjection to obscene or other sexually suggestive or racist comments or gestures, or other derogatory comments or gestures related to an anti-harassment protected characteristic.
- The offer of rewards for going along with sexual advances or threats for rejecting sexual advances.
- Jokes or pictures of a sexual, sexist or racist nature or which are otherwise derogatory in relation to an anti-harassment-protected characteristic.
- Demeaning comments about an employee's appearance.
- Questions about an employee's sex life.
- The use of nicknames is related to an anti-harassment-protected characteristic.
- Picking on or ridiculing an employee because of an anti-harassment-protected characteristic.
- Isolating an employee or excluding them from social activities or relevant work-related matters because of an anti-harassment-protected characteristic.
- Exposing colleagues to photographs, cartoons, drawings or gestures which some people may find offensive

Disabled Person

Discrimination occurs when a person is treated unfavourably as a result of their disability.

Indirect discrimination occurs where a provision, criterion or practice is applied by or on behalf of an employer, or any physical feature of the employer's premises, that places a disabled person at a substantial disadvantage in comparison with persons who are not disabled.

In recruitment and selection, there may be a requirement to make reasonable adjustments. For example, it might be necessary to have different application procedures for partially sighted or blind applicants that enable them to use Braille. With testing and assessment methods and procedures, tests can only be justified if they are directly related to the skills and competencies required for the job. Even then, it might be appropriate to have different levels of acceptable test results, depending on the disability. For example, an applicant with a learning disability might need more time to complete a test, or not be expected to reach the same standard as other non-disabled applicants.

Reasonable adjustments in recruiting could include:

- modifying testing and assessment procedures;
- meeting the candidate at alternative premises, which are more easily accessible;
- having flexibility in the timing of interviews;
- modifying application procedures and application forms;
- providing a reader or interpreter.

Wherever possible, Engage Education Services will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers. However, this may not always be feasible, due to circumstances creating such difficulties as to render such adjustments as being beyond what is reasonable in all the circumstances.

Engage Education Services will not discriminate against a disabled person:

- in the arrangements, i.e. application form, interview or arrangements for selection for determining who a job should be offered to; or
- in the terms on which employment or engagement of temporary workers is offered; or
- by refusing to offer, or deliberately not offering, the disabled person a job for reasons connected with their disability; or
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or
- by subjecting the individual to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wages, or harassment).

Engage Education Services will make career opportunities available to all people with disabilities, and every practical effort will be made to provide for the needs of staff, candidates and clients.

Age Discrimination

Under the Act, it is unlawful to directly or indirectly discriminate against or to harass or victimise a person because of age. Age discrimination does not just provide protection for people who are older or younger. People of all ages are protected.

A reference to age is a reference to a person's age group. People who share the protected characteristic of age are people who are in the same age group.

Age group can have various references:

- Under 21s
- People in their 40s
- Adults

Engage Education Services will not discriminate directly or indirectly, harass or victimise any person on the grounds of their age. We will encourage clients not to include any age criteria in job specifications, and every attempt will be made to encourage clients to recruit on the basis of competence and skills and not age.

Engage Education Services is committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions, regardless of age. No age requirements will be stated in any job advertisements on behalf of the company.

If Engage Education Services requests age as part of its recruitment process, such information will not be used as selection, training or promotion criteria or in any detrimental way and is only for compilation of personal data, which the company holds on all employees and workers and as part of its equal opportunities monitoring process. In addition, if under age 2,2 to adhere to Conduct of Employment Agencies and Employment Business Regulations 2003 and other relevant legislation applicable to children or young candidates.

Where a client requests age or date of birth, this will have to be under an occupational requirement or with an objective justification, which should be confirmed in writing.

Part-Time Workers

This policy also covers the treatment of those employees and workers who work on a part-time basis, Engage Education Services recognises that it is an essential part of this policy that part time employees are treated on the same terms, with no detriment, as full time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to our pension scheme. Engage Education Services also recognises that part-time employees must be treated the same as full-time employees in relation to training and redundancy situations.

Gender Reassignment Policy

Engage Education Services recognises that any employee or worker may wish to change their gender during the course of their employment with the Company.

Engage Education Services will support any employee or worker through the reassignment.

Engage Education Services will make every effort to try to protect an employee or worker who has undergone, is undergoing or intends to undergo gender reassignment, from discrimination or harassment within the workplace.

Where an employee is engaged in work where the gender change imposes genuine problems, Engage Education Services will make every effort to reassign the employee or worker to an alternative role in the Company, if so desired by the employee.

Any employee or worker suffering discrimination on the grounds of gender reassignment should have recourse to the Company's grievance procedure.

Recruitment of Ex-Offenders

Where Engage Education Services has registered with the Disclosure and Barring Service (DBS) and has the authority to apply for criminal records checks on individuals because they are working with children or

vulnerable adults or both, we will comply with the DBS's Code of Practice, which includes having a policy on the recruitment of ex-offenders.

Reporting Complaints

All allegations of discrimination or harassment will be dealt with seriously, confidentially and speedily. Engage Education Services will not ignore or treat lightly grievances or complaints of discrimination or harassment from employees.

If you wish to make a complaint of discrimination, you should use Engage Education Services' grievance procedure (see the Grievance Procedure).

In cases of harassment, while Engage Education Services encourages you to notify the offender (by words or by conduct) that their behaviour is unwelcome, Engage Education Services also recognises that actual or perceived power and status disparities may make such confrontation impractical. In the event that such informal, direct communication is either ineffective or impractical or the situation is too serious to be dealt with informally, you should follow the procedure set out below.

If you wish to make a complaint of harassment, you should follow the following steps, whether that complaint is against a fellow employee or against a third party, such as a client, customer, contractor or supplier:

1. First of all, report the incident of harassment to your line manager. If you do not wish to speak to your line manager, you can instead speak to an alternative manager or to the HR Manager.
2. Such reports should be made promptly so that the investigation may proceed and any action taken expeditiously.
3. All allegations of harassment or bullying will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, you will be interviewed and asked to provide a written witness statement setting out the nature and details of the incident or complaint and the basis for it. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, Engage Education Services must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. For example, your identity and the nature of the allegations must be revealed to the alleged bully or harasser so that they are able to fairly respond to the allegations. Engage Education Services reserves the right to arrange for another manager to conduct the investigation other than the manager with whom you raised the matter.
4. Once the investigation has been completed, you will be informed in writing of the outcome and Engage Education Services's conclusions and decision as soon as possible. Engage Education Services is committed to taking appropriate action concerning all complaints of harassment or bullying which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged bully or harasser (see below).
5. If your complaint is upheld and the bully or harasser remains in Engage Education Services's employment, Engage Education Services will take all reasonable steps to ensure that you do not have to continue to work alongside the bully or harasser if you do not wish to do so. Engage Education Services will discuss the options with you.
6. If your complaint is not upheld, arrangements will be made for you and the alleged bully or harasser to continue or resume working and to repair working relationships.

Alternatively, you may, if you wish, use Engage Education Services's grievance procedure to make a complaint of harassment (see the **Grievance Procedure** section).

You will not be penalised or victimised for raising a complaint of discrimination or harassment, even if it is not upheld, unless your complaint was both untrue and made in bad faith.

Disciplinary Action

If you are found to have discriminated against or harassed another employee in violation of these rules, you will be subject to disciplinary action under Engage Education Services' disciplinary procedure. Such behaviour may be treated as gross misconduct and could result in your summary dismissal.

In addition, line managers who had knowledge that such discrimination or harassment had occurred in their departments but who had taken no action to eliminate it may also be subject to disciplinary action under Engage Education Services' disciplinary procedure.

Monitoring Equal Opportunity and Dignity at Work

Engage Education Services will regularly monitor the effects of selection decisions and personnel, and pay practices and procedures in order to assess whether equal opportunity and dignity at work are being achieved. This will also involve considering any possible indirect discriminatory effects of our working practices. If changes are required, Engage Education Services will implement them. Engage Education Services will also make reasonable adjustments to our standard working practices to overcome substantial disadvantages caused by disability.

Key Contacts

Associate Director Human Resources - Liam D'Souza - liam.dsouza@engagepartners.co.uk

Associate Director Compliance/Safeguarding - Joseph Raffell - joseph.raffell@engagepartners.co.uk

Director of Education - David Evans - david.evans@engagepartners.co.uk

Customer Care - enquiries@engagepartners.co.uk

All up-to-date policies can be found via our website at <https://www.engageeducationservices.com/policies>