

# Equal Opportunities Policy

## Statement of policy and purpose of policy

1. Tutorfair Foundation (the **Employer**) is committed to equal opportunities for all staff and applicants.
2. It is our policy that all employment decisions are based on merit and the legitimate business needs of the organisation. The Employer does not discriminate on the basis of race, colour or nationality, ethnic or national origins, sex, gender reassignment, sexual orientation, marital or civil partner status, disability, religion or belief, age or any other ground on which it is or becomes unlawful to discriminate under the laws of England and Wales (referred to as **Protected Characteristics**).
3. Our intention is to enable all our staff to work in an environment which allows them to fulfill their potential without fear of discrimination or harassment. The Employer's commitment to equal opportunities extends to all aspects of the working relationship including:
  - recruitment and selection procedures;
  - terms of employment, including pay and benefits;
  - training, career development and promotion;
  - work practices, conduct issues, allocation of tasks, discipline and grievances;
  - work-related social events; and
  - termination of employment and matters after termination, including references.
4. This policy is intended to help the Employer achieve its diversity and anti-discrimination aims by clarifying the responsibilities and duties of all staff in respect of equal opportunities and discrimination.
5. The principles of non-discrimination and equal opportunities also apply to the way in which staff treat visitors, clients, customers, suppliers and former staff members.
6. This is a statement of policy only and does not form part of your contract of employment. This policy may be amended at any time by the Employer, in its absolute discretion.

## Who is responsible for equal opportunities?

7. Achieving an equal opportunities workplace is a collective task shared between the Employer and all its staff. This policy and the rules contained in it therefore apply to all staff of the Employer irrespective of seniority, tenure and working hours, including all employees, directors and officers, consultants and contractors, casual or agency staff, trainees,



homeworkers and fixed-term staff and any volunteers or interns (referred to as **Staff**).

8. The Director has overall responsibility for this policy and for equal opportunities and discrimination law compliance in the workplace and the Director has been appointed as the person with day-to-day operational responsibility for these matters
9. All Staff have personal responsibility to ensure compliance with this policy, to treat colleagues with dignity at all times and not to discriminate against or harass other members of Staff, visitors, clients, customers, suppliers and former staff members. In addition, Staff who take part in management, recruitment, selection, promotion, training and other aspects of career development (referred to as **Managers**) have special responsibility for leading by example and ensuring compliance.
10. Managers will receive appropriate training in equal opportunities and must take all necessary steps to:
  - promote the objective of equal opportunities and the values set out in this policy;
  - ensure that their own behaviour and those of the Staff they manage complies in full with this policy;
  - ensure that any complaints of discrimination, victimisation or harassment (including against themselves) are dealt with appropriately and are not suppressed or disregarded.

### **What is discrimination?**

11. Discrimination occurs in different ways, some more obvious than others. Discrimination on the grounds of any of the Protected Characteristics is prohibited by law, even if unintentional, unless a particular exception applies.

#### **Direct discrimination**

12. Direct Discrimination is less favourable treatment because of one of the Protected Characteristics. Examples would include refusing a woman a job as a chauffeur because you believe that women are not good drivers or restricting recruitment to persons under 40 because you want to have a young and dynamic workforce.
13. Direct discrimination can arise in some cases even though the person complaining does not actually possess the Protected Characteristic but is perceived to have it or associates with other people who do. For example, when a person is less favourably treated because they are (wrongly) believed to be homosexual or because they have a spouse who is Muslim.

#### **Indirect discrimination**

14. Indirect discrimination arises when an employer applies an apparently neutral provision, criterion or practice which in fact puts individuals with a particular Protected Characteristic at a disadvantage, statistically. To show discrimination the individual complaining also has to be personally disadvantaged. An example would be a requirement for job candidates to have ten



years' experience in a particular role, since this will be harder for young people to satisfy. This kind of discrimination is unlawful unless it is a proportionate means of achieving a legitimate aim.

### Victimisation

15. Victimisation means treating a person less favourably because they have made a complaint of discrimination or have provided information in connection with a complaint or because they might do one of these things.

### Harassment

16. Harassment is:

- unwanted conduct which is related to a Protected Characteristic and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them: or
- unwanted conduct which is of a sexual nature and which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them (**Sexual Harassment**); or
- less favourable treatment because of the rejection of or the submission to Sexual Harassment.

17. Harassment can arise in some cases even though the person complaining does not actually possess a Protected Characteristic but is perceived to have it or associates with other people who do. For example, when a person is harassed because they are (wrongly) believed to be homosexual or because they have a spouse who is Muslim.

18. Harassment may include:

- use of insults or slurs based on a Protected Characteristic or of a sexual nature or other verbal abuse or derogatory, offensive or stereotyping jokes or remarks;
- physical or verbal abuse, threatening or intimidating behaviour because of a Protected Characteristic or behaviour of a sexual nature;
- unwelcome physical contact including touching, hugging, kissing, pinching or patting, brushing past, invading personal space, pushing grabbing or other assaults;
- mocking, mimicking or belittling a person's disability, appearance, accent or other personal characteristics;
- unwelcome requests for sexual acts or favours; verbal sexual advances, vulgar, sexual, suggestive or explicit comments or behaviour;
- repeated requests, either explicitly or implicitly, for dates;



- repeated requests for social contact or after it has been made clear that requests are unwelcome;
- comments about body parts or sexual preference;
- displaying or distributing offensive or explicit pictures, items or materials relating to a Protected Characteristic or of a sexual nature;
- shunning or ostracising someone, for example, by deliberately excluding them from conversations or activities;
- 'outing' or threatening to 'out' someone's sexual orientation (ie to make it known);
- explicit or implicit suggestions that employment status or progression is related to toleration of, or acquiescence to sexual advances, or other behaviour amounting to harassment.

**19. Other important points to note about harassment:**

- a single incident can amount to harassment;
- behaviour that has continued for a long period without complaint can amount to harassment;
- it is not necessary for an individual to intend to harass someone for their behaviour to amount to harassment;
- it is not necessarily for an individual to communicate that behaviour is unwelcome before it amounts to harassment; and
- the onus is on each individual to be certain that their behaviour and conduct is appropriate and is not unwanted and in the case of doubt, you must refrain from such conduct.

**Disabled persons**

20. Any Staff member who considers that they may have a disability is strongly encouraged to speak with the Director, so that appropriate support can be provided, if needed. For these purposes, disability includes any physical or mental impairment which substantially affects your ability to perform day to day activities and has lasted (or is likely to last) more than 12 months. Disclosure of this information will be treated in confidence, if you wish it to be, so far as is reasonably practicable and we will do our best to handle matters sensitively and to ensure that you are treated with dignity and with respect for your privacy. We will consult with you about whether adjustments are needed to avoid you being disadvantaged and may ask you to see a doctor appointed by us, to advise on this. We will seek to accommodate your needs within reason.

21. Managers with responsibility for managing a member of Staff who they know or think to be



disabled should speak to the Director to ensure that all relevant duties are complied with.

### **Making employment decisions fairly**

22. As noted above, the Employer will recruit employees and make other employment decisions concerning promotion, training, dismissal and related issues. on the basis of objective criteria.
23. Managers should only stipulate criteria or conditions for employment decisions (including job selection, promotion and redundancy) which are based on a legitimate business need and which do not go further than is needed to satisfy that need. If you are in any doubt about whether particular criteria or conditions are indirectly discriminatory or justifiable, then please speak to the Director.

### **Recruitment**

24. Managers involved in recruitment must:

- specify only recruitment criteria that are relevant to the job, reflect genuine business needs and are proportionate. More than one person should be involved in short-listing of applicants wherever practicable;
- ensure that vacancies are advertised to a diverse audience and try to avoid informal recruitment methods that exclude fair competition. In very rare cases, it may be legitimate and necessary to restrict recruitment to a particular role to certain groups, but it is essential that this is discussed with the Director so that appropriate steps can be taken to ensure legality;
- review job advertisements carefully to ensure that stereotyping is avoided and that particular groups are not unjustifiably discouraged from applying;
- not ask applicants about health or disability before a job offer is made (other than in exceptional circumstances).
- not ask candidates about current or future pregnancy, childcare or related matters nor, in general, about matters relating to any Protected Characteristic; and
- not make assumptions about immigration status based on appearance, accent or apparent nationality;
- so far as reasonably practicable, keep a written record of their reasons for relevant decisions.

25. The Employer is legally required to verify that all employees have the right to work in the UK. Prior to starting employment, all employees must produce original documents to the Employer's satisfaction, irrespective of nationality. Information about the documents required is available from the Director.

### **Staff training, career development and promotion**



## Declaration

On behalf of The Tutorfair Foundation we, the undersigned, will oversee the implementation of the **Equal Opportunities Policy** and take all necessary steps to ensure it is adhered to.

Name: Edd Stockwell

Position: Trustee

Date: 19/12/19

Signed: 

Name: Andrew Ground

Position: Trustee

Date: 19/12/19

Signed: 

Name: MARK MALLAINE

Position: TRUSTEE

Date: 19/12/19

Signed: 