

Equal Opportunities and Diversity Policy

Protocol Education is committed to diversity and will promote diversity for all employees, workers and applicants at all times. We will review on an on-going basis all aspects of recruitment to avoid unlawful or undesirable discrimination. Protocol Education will treat everyone equally irrespective of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, pregnancy and maternity, religion or belief, political beliefs or membership or non-membership of a Trade Union or spent convictions, and places an obligation upon all staff to respect and act in accordance with the policy. Protocol Education is committed to providing training for its entire staff in equal opportunities practice.

Protocol Education shall not discriminate unlawfully when deciding which agency worker is submitted for a vacancy or assignment, or in any terms of employment or terms of engagement for temporary workers. Protocol Education will ensure that each candidate is assessed only in accordance with the candidate's merits, qualifications and abilities to perform the relevant duties required by the particular vacancy.

Protocol Education will not accept instructions from clients that indicate an intention to discriminate unlawfully.

Protocol Education shall ensure that it complies with all relevant requirements of all current equalities Legislation, regulations and duties including but not limited to the Equality Act 2010, Human rights Act of 98 and all other similar Legislation in force from time to time, together with any guidance or Codes of Practice issued by the Equality and Human Rights Commission.

1. DISCRIMINATION

Unlawful discrimination occurs in the following circumstances:

Direct discrimination

Direct discrimination occurs where one individual treats or would treat another individual less favourably on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs ("the protected categories").

It is unlawful for a recruitment consultancy to discriminate against a person on the grounds that they are members of a protected category. -

- in the terms on which the recruitment consultancy offers to provide any of its services;
- by refusing or deliberately omitting to provide any of its services;
- in the way it provides any of its services.

Direct discrimination would also occur if a recruitment consultancy accepted and acted upon a job registration from an employer which states that certain persons are unacceptable because they are members of a protected category, unless one of the exceptions applies, for instance, the job demands a genuine occupational requirement or, in the case of age, the discrimination can be lawfully justified.

Indirect Discrimination

Indirect discrimination occurs where an agency or employer applies a provision, criterion or practice generally, but which is such that a proportion of persons in a protected category who can comply with it are considerably smaller than the proportion of persons who are not in that protected category.

Indirect discrimination would also occur if a recruitment consultant accepted and acted upon an indirectly discriminatory instruction from an employer.

If the vacancy requires characteristics which amount to a genuine occupational requirement or the instruction is lawfully discriminatory due to a statutory exception or objective justification, Protocol Education will not deal further with the vacancy unless the client provides written confirmation of such genuine occupational requirement, exception or justification.

2. DISABLED PERSONS

Direct Discrimination

Direct discrimination against a person occurs where, if for a reason which relates to the disabled person's disability, an individual:

- treats him less favourably than he treats, or would treat others to whom that reason does not or would not apply, and,
- the employer cannot show that the treatment in question is justified.

Or

- If on the ground of a disabled person's disability, he treats the disabled person less favourably than he treats or would treat a person not having that particular disability, whose relevant circumstances, including his abilities, are the same as, or not materially different from, those of the disabled person. This type of direct discrimination can never be justified.

Duty to make reasonable adjustments and to provide auxiliary aids and services

This is a similar protection to indirect discrimination in the other protected categories.

Where a provision, criterion or practice applied by or on behalf of an employer, or any physical feature of the employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled, it will be the duty of an employer to take such steps as are reasonable, in all the circumstances of the case, to remove the provision, criterion, practice or physical feature.

Protocol Education will not discriminate against a disabled person on the grounds of disability -

- in the arrangements i.e. application form, interview or arrangements for selection for determining to whom a job should be offered; 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 him or her to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wage, or harassment).

Protocol Education will accordingly 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.

Wherever possible Protocol Education 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.

3. AGE DISCRIMINATION

Protocol Education 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 persuade clients to recruit on the basis of competence and skills and not age.

Protocol Education 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.

Protocol Education will request age as part of its recruitment process but 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.

4. PART-TIME WORKERS

This policy also covers the treatment of those employees and workers who work on a part-time basis. Protocol Education 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. Protocol Education also recognises that part-time employees must be treated the same as full-time employees in relation to training and redundancy situations.

5. HARASSMENT POLICY

Protocol Education is committed to providing a work environment free from unlawful harassment on grounds of sex, sexual orientation, gender reassignment, gender identity or expression, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or any other basis protected by legislation is unlawful and will not be tolerated by Protocol Education.

This policy prohibits unlawful harassment by any employee or worker of Protocol Education.

Examples of prohibited harassment are: -

Verbal or written conduct containing derogatory jokes or comments,

- Slurs or unwanted sexual advances
- Visual conduct such as derogatory or sexually orientated posters,
- Photographs, cartoons, drawings or gestures which some may find offensive,

- Physical conduct such as assault, unwanted touching, or any interference because of sex, race or any other protected category basis,
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours
- Retaliation for having reported or threatened to report harassment.

If you believe that you have been unlawfully harassed, you should make an immediate report to the Managing Director or complaints@teachingpersonnel.com followed by a written complaint as soon as possible after the incident. Your complaint should include:

- Details of the incident
- Name(s) of the individual(s) involved
- Name(s) of any witness(es)

Protocol Education will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.

Any employee(s) who Protocol Education finds to be responsible for unlawful harassment will be subject to the disciplinary procedure and any sanction may include termination. [A person who discriminates or harasses may be personally liable for payment of compensation to the person offended, in addition to any compensation payable by Protocol Education. There is no statutory cap on the amount of compensation which may be awarded in discrimination cases. Under the Criminal Justice Act 1994, harassment became a criminal offence, punishable by a fine of up to £5,000 and/or a prison term of up to 6 months. Under the Protection from Harassment Act 1997, the penalties for aggravated harassment are an unlimited fine and/or 5 years imprisonment.]

6. GENDER REASSIGNMENT POLICY

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

Protocol Education will support any employee or worker through the reassignment provided that full medical counselling has been undertaken and Protocol Education has access to any relevant medical reports.

Protocol Education 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.

All employees and workers will be expected to comply with Protocol Education's policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary sanction.

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

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

7. TRANS EQUALITY POLICY

Protocol Education values the unique contribution of all staff, including individuals who identify outside of the gender binary.

Protocol Education understands there are many different identities which fall under the trans umbrella.

Protocol Education will treat anybody's gender identity, regardless of the law, with dignity and respect.

Protocol Education considers any gender identities outside of the gender binary as a protected characteristic

Protocol Education will make every effort to try to protect a gender binary employee or worker, from discrimination or harassment within the workplace.

Protocol Education will not tolerate the discrimination or bullying and harassment of anyone based on their gender identity or expression.

All employees and workers will be expected to comply with Protocol Education's Equal Opportunities and Diversity policy. Any breach of such a policy will lead to the appropriate disciplinary sanction.

Where an employee is engaged in work where their non-binary could create genuine problems, Protocol Education will make every effort to reassign the employee or worker to an alternative role, if so desired by the employee.

8. COMPLAINTS AND MONITORING PROCEDURES

Protocol Education has in place procedures for monitoring compliance with this policy and for dealing with complaints of discrimination. Any discrimination complaint will be investigated fully.

If a school request a candidate of a particular sex, religion, marital status, ethnic origin or race, they may be acting in a discriminatory manner. We must reply that we will find the best match for the position based on the booking requirements and not including any of the above conditions.

No information regarding a candidate's physical appearance, sexuality, gender, religious beliefs, race, ethnic origin or medical conditions should be voluntarily disclosed to a school unless requested by the candidate, where it has a direct impact on their actual ability to do the job and/or the school have to make a reasonable adjustment for the candidate to work in their environment. For, example transgenderism, transsexualism, dwarfism is not relevant to the candidates teaching ability and so should not be disclosed.

Where a consultant believes that a particular personal factor regarding the candidate affects their ability to do the job correctly or where a reasonable adjustment may need to be made, they should inform the candidate that they are informing schools of this matter. All matters of this type should be referred to the Branch Manager, Regional Manager or General Manager for guidance prior to approaching the candidate directly.

Policy review

The Head of Quality and Compliance will keep Protocol Education's Equal Opportunities and Diversity Policy under annual review and/or if there have been any relevant legislative changes.