Equality & Diversity Policy

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Statement of policy and purpose of policy

1. Strength and Conditioning Academy Ltd (the Employer) are 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, pregnancy or maternity, 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, harassment, or victimisation. 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, conditions, and benefits.
    - training, appraisals, career development and promotion.
    - work practices, conduct issues, allocation of tasks.
    - work-related social events.
    - 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. The Employer will promote effective communication and consultation between the Employer and staff concerning equal opportunities by means it considers appropriate.

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,

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consultants, and contractors, casual or agency staff, trainees, homeworkers and fixed-term staff and any volunteers or interns (referred to as Staff).

8. The board of directors of the Employer has overall responsibility for this policy and for equal opportunities and discrimination law compliance in the workplace and the Managing 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 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.

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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 and this is unjustified. 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 (for example, when a person is harassed because they are (wrongly) believed to be homosexual) or associates with other people who possess a Protected Characteristic (for example, 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.

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- 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 (i.e., 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.

Disability discrimination

20. This could be direct or indirect discrimination and is any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Disabled persons

21. Any Staff member who considers that they may have a disability is strongly encouraged to speak with the Managing Director, particularly if they experience difficulties at work because of their disability so that any reasonable adjustments to help overcome or minimise difficulties can be discussed. 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

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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.

22. 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. If we consider a particular adjustment unreasonable, we will explain why and try to find an alternative solution.

23. Managers with responsibility for managing a member of Staff who they know or think to be disabled should speak to the Managing Director to ensure that all relevant duties are complied with.

Making employment decisions fairly

24. 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.

25. 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 Managing Director.

Recruitment

26. 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 shortlisting 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 Managing 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 and after having been approved by the Managing Director). If necessary, a job offer can be expressed to be conditional upon satisfactorily passing a medical check.

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- not ask candidates about any Protected Characteristic if the question may demonstrate an intention to discriminate. For example, candidates should not be asked about current or future pregnancy, childcare, or related matters.
- 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.

27. 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 Managing Director.

Staff training, career development and promotion

28. Training needs may be identified during the normal appraisal process. Appropriate training to facilitate progression will be accessible to all staff.

29. All promotion decisions will be made on the basis of merit and according to proportionate criteria determined by legitimate business need.

Conditions of service

30. Access to benefits and facilities and terms of employment will be kept under review to ensure that they are appropriately structured and that no unlawful barriers to qualification or access exist.

Discipline and termination of employment

31. Any redundancy selection criteria and procedures that are used, or other decisions taken to terminate employment, will be fair and not directly or indirectly discriminatory.

32. Disciplinary procedures and penalties will be applied without discrimination, whether they result in disciplinary warnings, dismissal, or other disciplinary action.

33. Part-time and fixed-term staff will be treated the same as full-time or permanent staff of the same position and enjoy no less favourable terms and conditions (pro-rata, where appropriate), unless different treatment is justified.

What to do if you encounter discrimination

34. Every member of Staff has a responsibility to combat discrimination if they encounter it. Staff who observe or are aware of acts that they believe amount to discrimination directed at others are encouraged to report these to the Managing Director.

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35. Any report raised about discrimination will be kept confidential so far as this is practicable. If you would like for your case to be kept anonymous, please anon@strengthconditioning.academy We may ask you if you wish your complaint(s) to be put to the alleged discriminator if disciplinary action appears to be appropriate. It sometimes may be necessary to disclose the complaint or take action even if this is not in line with your wishes, but we will seek to protect you from victimisation and, if you wish, we will seek to protect your identity. You should be aware that disciplinary action may be impossible without your co-operation or if you refuse to allow relevant information to be disclosed.

36. Staff who raise a complaint about or report discrimination in good faith will be protected from retaliation or victimisation. As long as you act in good faith, the fact that you have raised a complaint or report will not affect your position within the Employer, even if the complaint is not upheld. Making a false allegation deliberately and in bad faith is a misconduct offence and will be dealt with in accordance with our disciplinary policy. Any member of Staff who attempts acts of retaliation or victimisation may be subject to disciplinary action up to and including summary dismissal for gross misconduct.

37. If you make a complaint, it may be necessary to ask you to stay at home on paid leave while investigations are being conducted and the matter is being dealt with through the appropriate procedure. This may particularly be necessary in cases of alleged harassment.

Non-compliance with equal opportunities rules

38. Any breach of equal opportunities rules or failure to comply with this policy will be taken very seriously and is likely to result in disciplinary action against the offender, up to and including immediate dismissal.

39. Staff should also note that:
    - in some cases, they may be personally liable for their acts of discrimination and that legal action may be taken against them directly by the victim of any discrimination; and
    - it may be a criminal offence intentionally to harass another employee.

Review of this policy

40. The board of directors of the Employer will keep this policy under review.

41. The Employer encourages Staff to comment on this policy and suggest ways in which it might be improved or ask any questions if they are unsure about any part of this policy or how it is applied by contacting the Managing Director.

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