



# Equal Opportunities Policy

September 2024

**KEY FACTS:**

- ❖ Cognita strictly abide by the Equality Act 2010 and is committed to preserving and promoting equality of opportunity in all aspects of the conduct of its business and at all stages of the working relationship.
- ❖ No employee or any applicant for employment with Cognita should be discriminated against, harassed, or victimised because of their personal characteristics.
- ❖ Cognita expects all employees to promote tolerance and respect within the workplace and schools in order to develop positive attitudes to diversity and, where individual differences and the contributions of all colleagues are recognised and valued
- ❖ All employees should challenge extremist views and help prevent colleagues from being drawn into extremism or terrorism.
- ❖ Employees should seek guidance where there is any doubt as to the correct course of action in a situation not expressly covered by this policy but where it is reasonably apparent that equality of opportunity is a consideration.
- ❖ If an employee considers that they have been discriminated against, bullied or harassed they should refer to the Grievances Policy and/or Bullying & Harassment Policy.
- ❖ Breaches of this policy are viewed as a very serious matter and in some circumstances may lead to dismissal for gross misconduct.

<b>Ownership and consultation</b>	
Document sponsor/approver	HR Director, Europe
Document author (role)	Employee Relation Manager/HR Project Business Partner
<b>Audience</b>	
Audience	All Employees
<b>Document application</b>	
The policy is related to this jurisdiction	England
	Wales
<b>Version control</b>	
Review cycle	Annual
Effective from	September 2024
Next review date	July 2025
Version	Equal Opportunities Policy-2024-09-01



## 1 Introduction

- 1.1. At Cognita we strongly believe in respect and equal treatment for all employees regardless of race, religion or belief, ethnic or national origin, marital status, civil partnership status, pregnancy or maternity, nationality, gender reassignment, age, sex, sexual orientation or disability (the “protected characteristics”). We insist that this respect is applied in every aspect of our business and in how everyone conducts themselves.
- 1.2. This commitment is reflected in our use of best employment practices. Decisions concerning employees are based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act) and colleagues will be given every opportunity and support to succeed and develop.
- 1.3. It is therefore both a legal requirement and Cognita’s Policy to take all steps to promote equality of opportunity and diversity in all aspects of employment including recruitment, learning & development, promotion opportunities and terms of employment.
- 1.4. Cognita is mindful of its duty to protect individuals from being drawn into terrorism and it expects all employees to promote an open and tolerant environment in order to help develop positive attitudes to diversity, equip them to challenge extremist views and prevent them from being drawn into extremism and terrorism.
- 1.5. Cognita will review practices and procedures when necessary to ensure fairness and also update them and the policy to take account changes in the law

## 2 Scope

- 1.1 This policy applies to all UK employees.
- 1.2 This policy does not form part of any employee’s contract of employment and therefore can be amended / modified or removed without the requirement of forewarning or consultation.

## 3 Definitions / Terms

Protected Characteristic - Having a protected characteristic means an individual has the right not to be treated less favourably, or subjected to an unfair disadvantage, by reason of that characteristic. The Equality Act 2010 recognises the following as protected characteristics;

- age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

## 4 Key Roles & Responsibilities

### 4.1 Head / Line Manager

- 4.1.1 Head / Line Managers should ensure that their teams are fully aware of Cognita's culture of tolerance, acceptance and embracing diversity. As such, Head / Line Managers should promptly respond to any concern of discrimination whether this is reported or suspected.

### 4.2 Employee

- 4.2.1 All employees should ensure that they respect each other's differences and be mindful of being in a workplace setting at all times. Employees should report any form of discrimination whether it is directly in-directly experienced.

### 4.3 Human Resources

- 4.3.1 The EU Human Resources team are available to provide guidance and support in the application of this policy as and when required.

## 5 Forms of Discrimination

- 5.1 Discrimination by or against an employee is prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 5.2 **Direct discrimination** occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.
- 5.3 **Indirect discrimination** occurs where someone is disadvantaged by an unjustified provision, criterion or practice that puts people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified when applied to employees who have the relevant protected characteristic and suffer the disadvantage in question.
- 5.4 **Associative discrimination** – this is direct discrimination against someone because they are associated with another person who possesses a protected characteristic. (e.g., failing to promote an employee on the basis that you do not believe they are able to dedicate the time / energy to the role due to their child who has a disability).
- 5.5 **Discrimination by perception** – this is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to. (e.g., being discriminatory towards an employee based on the belief that they are gay, regardless of whether they are or are not).

- 5.6 **Harassment** related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our [Bullying & Harassment Policy](#).
- 5.7 **Victimisation** is also prohibited. This is unfavourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else's complaint about discrimination or harassment.

## 6 Recruitment

- 6.1 In recruitment, learning & development or promotional decisions, the criteria used will be solely those which are relevant to the requirements of the position. Heads/Line Managers at Cognita and in our schools will ensure that no individual is unduly favoured or discouraged or excluded from particular jobs or Schools.
- 6.2 Selection criteria and procedures will be frequently reviewed to ensure that individuals are selected, promoted, and treated solely on the basis of their relevant merits and abilities.
- 6.3 The recruiting manager and schools will ensure that any external agency or organisation conducting recruitment activity on our behalf will be expected to adhere to this Policy and will be asked to provide evidence of their own policy and initiatives to secure and retain our business.
- 6.4 When implementing Cognita's Safeguarding: Safer Recruitment policy the Recruiting Manager and schools will be mindful of and act in accordance with the Cognita's Safeguarding: Prevention of Radicalisation Policy. By complying with safer recruitment best practice techniques as set out in this policy and by ensuring that there is an on-going culture of vigilance within our schools, we aim to promote a culture of tolerance and respect and minimise the risk of employees being drawn into terrorism.

## 7 Implementation

- 7.1 It is the personal responsibility of every employee (whether or not they have management responsibility) to follow and implement this policy. You will be expected to support its aims, conduct yourself in all your dealings in accordance with the detail of the policy and report any instance of non-compliance by another staff member of the company. Every member of the Cognita team must also guard against and confront their own inclination to stereotype specific groups of society as this inevitably leads to differing treatment, even if this is sub-conscious or non-malicious.
- 7.2 If you are concerned that another employees may be promoting extremist views in breach of this policy or that an individual may be vulnerable to radicalisation you should report your concerns to your Head/Line Manager who will consider whether a referral should be made in accordance with Cognita's Safeguarding: [Prevention of Radicalisation Policy](#).
- 7.3 If you are at all unsure about the application of this =policy or feel that you will need further support, learning or development, to meet the objectives you should contact the EU HR team for clarification.
- 7.4 All concerns raised in relation to discrimination will be taken seriously, colleagues should use the [Grievance Policy](#) to raise concerns about discriminatory conduct. If the matter relates to Harassment the procedure outlined for this in the [Bullying and Harassment policy](#) should be used.

## **8 Taking Action**

- 7.1 Any employee who harasses or discriminates against another employee because of a protected characteristic will be subject to the grievance and/or disciplinary policy and appropriate action will be taken. Such behaviour will be dealt with as misconduct, serious complaints could constitute as gross misconduct and, as such, may result in dismissal without notice.