

Equality and Diversity Policy	
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Equality and Diversity Policy

1 Policy Statement

We believe that all staff, job applicants, workers and learners are treated fairly in an environment which is free from any form of discrimination. In particular in regards to the protected characteristics which are:

- Age
- Disability
- Gender Reassignment
- Marriage or Civil Partnership
- Pregnancy and Maternity
- Race (including colour, nationality or ethnic origin)
- Religion and / or beliefs
- Sex
- Sexual orientation

In addition, existing members of staff, job applicants, or workers are treated fairly in an environment which is free from any form of discrimination with regard to: caring responsibilities, part-time employment, membership or non-membership of a trade union or spent convictions.

In particular:

- all employment-related policies, practices and procedures are applied impartially and objectively;
- equality of opportunity to all and to provide staff with the opportunity to develop and realise their full potential;
- that the company works towards achieving a diverse workforce at all levels
- that employees can work in an atmosphere of dignity and respect.

This policy provides a clear framework for translating our policy into action. It outlines the responsibilities of the Board, managers and individuals to comply with the Equality Act 2010.

The Company will not tolerate processes, attitudes and behaviour that amounts to direct discrimination, associative discrimination, discrimination by perception, indirect discrimination including harassment (harassment by a third party), victimisation and bullying through prejudice, ignorance, thoughtlessness and stereotyping.

The Company recognises the importance of monitoring, reviewing and reporting on its equality and diversity policy and practice and to measure progress in meeting our policy statement.

It is our view that equality does not mean treating everyone in the same manner, but rather treating everyone according to their individual needs to ensure they have the equal access to opportunities. This may include, but is not limited to, adapting the environment (e.g. providing additional resources, or relocating activities) to enable participation.

The company makes it the responsibility of all employees and individuals receiving services to fully support and abide by the terms and spirit of this statement.

The company believes that this policy, at time of writing, complies with all current legislation and the company will always abide with any changes in equality legislation even if this is different from the requirements of this policy.

2 Our Aims

- to promote equality and diversity and a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work
- to comply with relevant equality legislation, the Equality Act 2010, Codes of Practice and relevant best practice guidance
- to pro-actively tackle discrimination or disadvantage and aims to ensure that no individual or group is directly or indirectly discriminated against for any reason with regard to employment or accessing our services

3 Our Approach

Our approach follows these guidelines:

- Recruitment will be business driven and will be within all the local and national legal requirements
- We will not discriminate against any groups or individuals
- We will not tolerate prejudice in the form of victimisation or harassment from employees of the company
- Equality is the responsibility of all people and organisations working for, with or on behalf of the company
- All employees, customers and clients will be aware of this policy and will support its implementation

- We will have an open and trusting environment in which individuals are encouraged to challenge inequality and have the freedom to discuss equality where appropriate

Failure by staff to follow the guidelines set out in this policy in carrying out their role within the company will be taken very seriously and could lead to disciplinary action.

3.1 Recruitment and Selection

When recruiting for any available position the primary objective is to find a person most suitable for the job. Our objective is to provide all staff that have an active role in recruitment and selection with suitable training. Such training will include the legislation, best practise and other issues incorporated within the company's equality outlook. Please refer to Recruitment and Selection policy.

3.1.1 Recruitment of Ex-Offenders

3.1.1.1 Purpose

The company is committed to the principle of equality of opportunity and, subject to the over-riding consideration of protecting children and vulnerable people, undertakes to treat all applicants for positions fairly and not discriminate unfairly against any subject of a DBS Check on the basis of conviction or other information revealed.

3.1.1.2 Scope

The scope of this policy covers all potential job applicants. This policy has particular reference to staff concerned with recruitment.

3.1.1.3 Policy Statement

As an organisation using the DBS Check and Barring Service (DBS) to assess applicants' suitability for positions of trust, the company complies fully with the DBS Code of Practice.

A DBS Check is only requested after a thorough analysis has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS Check is required applicants will be informed that a DBS Check will be requested in the event of them being offered the position.

Where a DBS Check is to form part of the recruitment process, we encourage applicants called for interview to provide details of their criminal record at an early stage in the application process.

Unless the nature of the position allows the company to ask questions about an applicant's entire criminal record, we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in the company who are involved in the recruitment process have been suitably trained to identify and assess the relevance and the circumstances of offences. We also aim to ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We undertake to discuss any matter revealed in a DBS Check with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar applicants from working with us. This will depend on the nature of the position and the circumstances and background of the offences with due consideration given to our responsibilities to protect children and vulnerable people.

3.1.2 Job Descriptions

It will be the responsibility of the Line Manager in consultation with Human Resources to review, and prepare when necessary, each job description and person specification. The review should cover a number of points:

- That both documents comply with the principles in this policy
- Both documents contain only objective, job related criteria
- No posts contain unnecessary restrictions and any restrictions that do occur are fully justifiable in relation to the job role

3.1.3 Job Advertisements

Line Managers in consultation with Human Resources must check all advertisements do not contain unnecessary criteria that exclude certain groups within society. All advertisements must then be authorised by a Company Director.

Job advertisements should, where possible:

- Include flexible working arrangement or job share
- Be advertised to as wide a number of people as possible

3.1.4 Selection and Testing

Short-listing must be completed by the Line Manager or Human Resources either with at least one other person, or reviewed by at least one other person. The Board of Directors should be aware of methods used to short-list and the relevant Director should be invited to attend or review any shortlisting. Interview panels should contain both male and female representation, where possible.

All applicants can request a copy of the company's Equality and Diversity policy. The company will make every effort to ensure that the needs of all applicants are catered for as far as we possibly can. Skills testing must be designed so that the test is fair to all applicants.

3.2 Appraisal

Our appraisal system is based around job related criteria not person specific criteria. We use the CLEAR (Concise, Limited by Time, Exact, Achievable, Realistic) scheme of appraisal. This will assist in providing a fair framework to base training and staff development plans.

All staff will have access to at least one target setting appraisal per calendar year, excluding new staff that complete their probationary period within 6 weeks from the beginning of the new appraisal year. Staff will then have a review of the set targets at least on an annual basis. During these reviews appropriate training and development plans will be agreed.

3.3 Staff Training

All staff training, where practicable, will take account of employees' individual requirements. This may affect criteria such as duration, venue and style of teaching to ensure training is available to all staff.

We aim to ensure any external training providers and external venues are aware of or have been assessed in relation to our Equality and Diversity Policy.

3.4 Trade Unions

The company has no formal agreements with any Trade Unions. Staff are free to join, if they wish, any Trade Union of their choice.

3.5 Students

3.5.1 Student Recruitment and Selection

When recruiting students the primary objective is to find people who meet the entry requirements of the course. Our objective is to provide all staff that have an active role in recruitment and selection with

suitable training. Such training will include the legislation and other issues incorporated within the company's equality outlook.

3.5.2 Public Advertisements

All staff involved in the advertising process must ensure advertisements do not contain unnecessary criteria that create unnecessary barriers to entry.

3.5.3 Selection and Testing

Selection of students must be solely based on the entry requirements of the award, and where applicable the funding the student is applying for.

We will make every effort to ensure that the needs of all potential students are catered for as far as we possibly can. Skills testing must be designed so that the test is fair to all applicants.

3.5.4 Progress Reviews

We use CLEAR (Concise, Limited by Time, Exact, Achievable, Realistic) target in our Progress Reviews. This will assist in providing a fair framework to base training and development.

4 Bullying and Harassment

We believe that bullying and harassment are unacceptable on moral grounds and may, if they are allowed to go unchecked or are badly handled, create serious problems for the company and the individuals involved. Harassment is also against the law and can result in an employment tribunal or other civil claims against the company or individuals involved.

The company has a responsibility for clients and staff, in that they can attend and work in a supportive and constructive climate, free from bullying and harassment. This document sets out such a policy.

The company also has a responsibility to our staff to ensure they are not harassed, bullied and put under pressure by customer, clients and their representatives.

The company does not accept harassment and bullying from anyone, this includes all staff, customers and clients. We consider bullying and harassment a serious breach of this policy.

4.1 Definitions

Bullying: We define bullying as persistent unacceptable, offensive, intimidating, malicious, insulting or humiliating behavior, abuse of power or authority which attempts to undermine an individual or group of employees and which may cause

them to suffer stress.

Harassment: We use the description “Harassment is unwanted behaviour which a person finds intimidating, upsetting, embarrassing, humiliating or offensive.” We judge harassment by whether the behaviour is acceptable by normal standards and is disadvantageous, not just by whether it was intentional or not.

As both bullying and harassment are linked to an abuse of power there are clear similarities between the two types of behaviour. However, there is an important difference in that harassment springs from discrimination. While harassment is often aimed at individuals on the grounds of their race, gender or sexuality etc., it can also be a form of bullying. As many forms of discrimination are outlawed by specific legislation, it is important that cases of harassment are identified as such.

4.2 Examples of Bullying and Harassment

The following list includes some example of what may constitute Bullying and Harassment, but is in no way meant to define an exhaustive list:

- Physical contact
- Jokes, offensive language, gossip and slander
- Isolation or non-co-operation and exclusion from group activities
- Pressure to participate in political or religious groups
- Intrusion by pestering, stalking or spying.
- Shouting, swearing and threatening behaviours
- Humiliation - especially in front of other staff or customers
- Belittling and undermining the work of the staff member or clients, especially in front of others
- Sexist, racist, or religious remarks
- Overloading an individual with work, unreasonable duties, or inappropriate tasks.
- Insisting on repeated attendance at the job with early starts, late finishes, outside the stated hours of work in the contract.
- Intimidation of customers or clients with respect to trying to prevent the customer making justifiable comments or complaints
- Bullying by email, with the sending of repeated messages to harass the individual about work in progress, or comments about performance
- Spreading malicious or insulting rumours
- Copying memos or emails that are critical about someone to others who do not need to know.

- Ridiculing or demeaning someone - picking on them or setting them up to fail
- Unfair treatment
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances
- Making threats or comments about job security without foundation
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Forms of bullying and harassment may be related to any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the 'grey' areas that cause most problems.

4.3 *What is not Bullying and Harassment*

The following list includes some example of what are not considered Bullying or Harassment:

- Constructive criticism and feedback on performance
- Pointing out where improvements may be made
- Giving comments on what went wrong and why
- A referral rather than a pass in an assessment where the standard has not been met

4.4 *Complaints of Harassment from Employees*

If any staff member has a complaint of harassment, they should utilise the Company Grievance Procedure. Complaints will be treated in the strictest confidence and where necessary investigated promptly and thoroughly.

5 Responsibility of Employees

Whilst management have a responsibility for establishing procedures and practice to implement this policy, it will only be genuinely effective if the policy is reflected in the behaviour and attitudes of managers and employees throughout the organisation. We therefore expect all employees to play their part in promoting equality of opportunity by co-operating with measures introduced to implement this policy.

6 Adherence to Policy

Responsibility for the implementation, monitoring and development of this policy lies with the Director responsible for Human Resources. Day

to day operation of the policy is the responsibility of Human Resources and managers.

7 Complaints

Any applicant (whether applying for employment or to become a student with the company), employee, student, customer or client wishing to raise a complaint should do so as follows.

Employees: All employees, including former employees and those applying for employment, should raise a complaint in writing to Human Resources within 15 working days of the alleged incident.

Students: All students, including former students and those applying to become a student with the company should raise a complaint in line with the Students' Complaint Procedure within 15 working days of the alleged incident.

Customers: All customers, including their clients, should raise a complaint in line with the Customer Complaints Procedure within 15 working days of the alleged incident.

Following receipt of any complaint Human Resources will be informed immediately. The relevant Director or in the case of employees, Human Resources, will appoint a suitable person to investigate the complaint. Such investigation should be completed as soon as possible and usually within 10 working days.

All such investigations should be overseen by Human Resources to ensure they are fair, thorough and compliant with legislation. It is vital that the person investigating the incident has not been previously involved in the incident wherever possible.

The outcome of the investigation will be sent Human Resources who will review the conclusions and make a ruling as to whether any breaches of this policy have occurred. The ruling of the Human Resources will be final and the individual will receive written notification as to the outcome.

Where Human Resources conclude that an employee has breached this policy the employee's line manager will be informed and appropriate disciplinary action should be initiated.

8 Discipline

The company views breaches of this policy extremely seriously. Those involved with, or responsible for, such breaches will be subject to disciplinary proceedings at an appropriate level.