



Equality and Diversity Policy

Policy Version	3
Policy ref	P017
Accountable	JH
Review date	Dec 2024



EQUALITY & DIVERSITY POLICY (including disability discrimination)

INTRODUCTION

Approved Training is committed to providing equality of opportunity in education, training and employment for its learners, staff, employers and subcontractors. This commitment is shared and acted on by all Approved Training staff and is the overall responsibility of the Managing Director and the Board of Directors. The effectiveness of our policy and the importance we place upon it are central to the 'spirit' of our organisational values.

AUTHORITY

The policy reflects national legislation and guidelines on good practice that take account of:

- Equality Act 2010
- Equal Pay Act 1970 (Equal Value amendment 1984)
- The Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975 (Gender Reassignment Regulations 1999) (Indirect Discrimination & Burden of Proof Regulation 2001)
- The Race Relations Act 1976 (as amended by the RRAA 2000)
- Disability Discrimination Act 1995 and 2005
- Protection from Harassment Act 1997
- Human Rights Act 1998
- The Learning and Skills Act 2000
- The Special Educational Needs and Disability Act 2001
- Race Relations Amendments Act 2001
- Employment Act 2002
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Equality Act 2006 (Gender Equality Duty – 2007)
- Age Equality Directive 2006
- Ofsted - Education Inspection Framework
- Data protection Act 1998
- Public Interest Disclosure Act 1998

Approved Training is committed to fully implementing all current equality legislation. We keep legislation under review to ensure our full compliance.

As part of our accountability as an employer, will ensure all staff receive appropriate induction concerning their personal rights and responsibility in relation to equal opportunity legislation and the implementation of our own policy and procedures.

Approved Training is a 'disability confident employer' and will uphold the values of this approval across all our business operations.

Equality and Diversity Statement

It is the policy of Approved Training to value and encourage the enriching contribution made by all who work and learn here. We value the rights of all individuals who come into contact with Approved Training

"We believe that people from a range of backgrounds and experiences can enhance the working practices of this organisation. All individuals will be treated on the basis of individual merit and without prejudice. We aim to provide a learning environment which actively promotes equality of opportunity and freedom from discrimination encompassing the nine protected characteristics on grounds of age, race/ethnicity, disability, gender, religion or belief, sexual orientation, pregnancy and maternity, gender reassignment, marriage and civil partnerships in both education and employment. We will positively strive to remove conditions which place people at a disadvantage and will actively work to prevent prejudice and discrimination. APPROVED TRAINING expects all employees, learners, employers and stakeholders to implement this policy."

SCOPE OF POLICY

All aspects of Approved Training provision and working partnerships both internal and external, such as learners, employers and subcontractors are covered by this policy.

IMPLEMENTATION AND ACCOUNTABILITY

The Board of Directors will oversee the promoting of equal opportunities on behalf of Approved Training by ensuring effective policies and procedures are in place for the continued improvement of equality of opportunity throughout the organisation to the benefit of all its users.

PROMOTING AND CHECKING THAT THE POLICY IS UPHELD

- Managers are responsible for ensuring that all staff complete each year our E&D awareness training to understand and actively promote this policy within all aspects of Approved Training operation.
This includes the co-ordination, monitoring and evaluation of its overall effectiveness both internally and externally, with staff, learners, employers and subcontractors.
- All Directors, Managers and Staff are responsible for promoting equal opportunities by putting our policy into practice within all aspects of their work, creating an inclusive and welcoming environment for all.
- All Learners receive comprehensive Equal Opportunities Awareness training as part of their induction programme and a copy of this policy with their induction handbook. Their understanding, commitment and implementation is monitored throughout their programme and captured in reviews where an enhanced set of questions is used to aid discussion and further knowledge.

These are in addition to naturally occurring matters, training, learner surveys and any other relevant opportunities.

- All Employers receive a comprehensive induction when taking part in the programme. An employer checklist is undertaken as part of our selection process. Our E&D policy is issued to them and the employer's policy is reviewed to ensure it acts in accordance with our own. Formal compliance to our policy is captured within an Employer Agreement. Employer's checklists are reviewed annually to ensure conformity is maintained. In addition, employer's understanding, commitment to equal opportunities and its implementation is monitored throughout the learner's programme and captured in reviews, training, employer surveys and any other relevant opportunities.
- Subcontractors and Suppliers of learning are selected on the basis of complying with our subcontractor's checklist. Our E&D policy is issued and the subcontractor's policy is reviewed to ensure it acts in accordance with our own. Formal compliance to our policy is captured within a Subcontractors Agreement. Subcontractors and Suppliers are monitored at least twice a year. To ensure conformity is maintained, all visits/observations are formally recorded. Subcontractor's Agreements are renewed annually.

POLICY CONTENT

- Approved Training seeks to ensure equality of opportunity and the fair treatment for all those involved in our activities. This applies, whether a member of staff, learner, employer or subcontractor working with us in the delivery of our learning/training or employment programmes and services.
- Approved Training will not tolerate, and vigorously works towards eliminating, any discrimination, harassment victimisation or bullying. This applies to all regardless of seniority, gender, religion, age, race/ethnicity, disability, religious or belief persuasion, marital status, and sexual orientation, gender reassignment or any other grounds. All parties are open to challenge any breach of this policy by making a formal complaint.
- In the event of staff, learners, employers or subcontractors allegedly being in breach of Approved Training Equal Opportunities Policy, an investigation will be carried out in accordance with our agreed complaints procedure and appropriate actions taken as deemed suitable.

Please refer to our complaints policy which supports the above covering harassment, bullying, other complaints and grievances.

- Approved Training operates within a set of equality and diversity definitions – the descriptions are provided to assist awareness, implementation, understanding and value. See Annex 1.

- Staff, learners and employer’s awareness and understanding of Disability Discrimination is raised by inclusion of the definitions contained in Annex 2.

EQUALITY AND DIVERSITY PERFORMANCE INDICATORS

There are 5 Key areas (A-E) that underpin Approved Training Equality and Diversity Performance Indicators (PI’s). These indicators and sub-related PI’s are used to inform our Equality & Diversity Action Plan. The plan includes targets which support and measure the impact of our effectiveness in relation to Equality and Diversity.

A. Participation of Learners, Retention and Achievement

Approved Training supports learners regardless of gender, age, ethnicity, disability, religious or belief persuasion, gender reassignment, marital/civil single status, sexual orientation or pregnancy/maternity. We understand that sometimes your background can determine some of your learning needs.

Approved Training will work to ensure these are met and facilitate any learner’s desire to remain in learning and achieve their learning aims to the best of their ability.

- PI.1 Overall retention and achievement rates by ethnicity, gender, age and disability to exceed the ESFA national average.

B. Monitoring, Evaluation and Targeting

Approved Training will monitor full learner data on the basis of ethnicity, gender, disability, and age. Approved Training monitors staff in relation to religion and sexual orientation and is expanding its scope to include all protected categories to ensure fairness of access, recruitment, progression, advancement, achievement and exit. Any indication of inequality will be investigated and acted upon, such as under-representation of groups. Feedback from annual learner/employer surveys will be used to ascertain the effectiveness of our policy. Monthly learner data will be collected to underpin the survey results and formally reviewed twice a year to assist target setting; these processes will assist in confirming the success of our policy in terms of recruitment, retention and achievement. This will also identify any themes for specific action and assist benchmarking our performance against previous years. Leaver analysis will be collected monthly and reviewed alongside the above; any identified trends will be used to make targeted improvements.

- PI.2a Recruitment by age, ethnicity, gender and disability broadly reflects local population profile.
- P1.2b Monitor staff religion/belief and sexual orientation and expand to include all 9 protected characteristics to remove any unforeseen barriers to learning and employment.

C. Harassment and Discrimination

Approved Training will protect learners from harassment, victimisation, discrimination or bullying of any kind. All learners, staff, employers and Subcontractors and Suppliers are required and expected to uphold these values.

- PI.3 Complaints of any nature are reviewed throughout the year to ensure they are fairly resolved and in a manner that reflect our company policies.

D. Meeting the needs of the Learner, Recruitment and Widening Participation

Approved Training provides support to meet the learner needs and enable learners of different ability and social needs to access our programmes and succeed in their learning aims.

The selection criteria applied to both staff and learners, internally and by an employer, will be assessed against how well a candidate can meet the requirements of the job description; meaning selection is made on ability to do the job/undertake training for the job.

Records of interviews are kept according to the company's procedures and include the reasons why applicants were not selected.

Positive Action - Employers are encourage to consider applications from under-represented groups in their industry. What is not permitted is any kind of positive action in selection - a person's protected characteristics must not form any part of the employer's decision making in recruitment and promotion.

Approved Training respects the diversity of learners and wherever possible will draw on examples of cultural community backgrounds within teaching, training or assessment materials and marketing activities. Materials will NOT contain negative insulting stereotypes of any kind.

All Staff respect each other and learners, and learners are expected to respect all staff and each other.

- PI.4 Marketing and learning materials reflect the local diversity of our community. Where relevant, materials encourage any under-represented groups and promote a variety of occupational choices.

E. Celebrating diversity and promoting positive role models

Approved Training ill reflect and promote positive contributions of all regardless of gender, age, race/ethnicity, disability, religion or belief persuasion, marital/civil or single status, sexual orientation or gender reassignment. It will ensure that our marketing plans reflect our policy and any special incentives to highlight under-represented groups/occupational areas. Where relevant, advertising

will include our statement: *"APPROVED TRAINING – paving the way for equality of opportunity in training, education and employment for all."*

Approved Training will actively promote staff and training development in equal opportunities for all employees.

Approved Training will review on an annual basis the effectiveness of our complaints procedures designed to assist learners, employers, staff and Subcontractors and Suppliers which will raise any issue under equal opportunities or any other grievances.

Approved Training will monitor and review the course materials and learning resources to ensure they are appropriate and promote, where appropriate, equal opportunities and do not contain any stereotypical or insulting images.

Approved Training will maintain partnership activities with groups and organisations to support and develop equal opportunities and promote and engage in positive actions for the benefit of all.

Approved Training will ensure that our policy is understood and upheld by all those who work with us including staff, learners, employers, and Subcontractors and Suppliers and partner organisations.

- PI.5 Achievement of our Equal Opportunities Action Plan.

REVIEW OF APPROVED TRAINING EQUAL OPPORTUNITIES POLICY

The policy will be reviewed in full on an annual basis to ascertain its effectiveness. Where fundamental changes are made, stakeholders will be informed. This report will also provide the basis for our Action Plan and future Performance Indicators for target setting.

COMPLAINTS

Approved Training will take seriously any instances of non-adherence to the Equality and Diversity Policy by employees, prospective employees, students, visitors, and any persons or companies associated with the functions of Approved Training.

We will ensure that all staff and students are given opportunities to pursue reasonable means to follow procedures should they feel they are experiencing discrimination. Complaints of discrimination because of the areas covered by this Policy should be raised using the appropriate Grievance Procedures for staff and complaints process for students.

Any instances of non-adherence will be investigated and where appropriate will be considered under the relevant disciplinary Policy for staff or students. With regard

to any breach of the Policy by visitors or any persons or companies associated with the functions of Approved Training, the Managing Director will take appropriate action in relation to the nature of the incident.

Any student who wishes to raise a complaint will be referred to the Approved Training website where they can review the complaints policy and submit a formal complaint.

ANNEX 1 – EQUALITY AND DIVERSITY DEFINITIONS

Understanding Equality and Diversity

By the proactive use of equal opportunity, experiencing discrimination or being disadvantaged can be prevented or stopped through legislation and positive intervention. Equality of Opportunities is to ensure that no group receives less favourable treatment and encompasses the nine protected characteristics.

It does not mean treating everyone the same - the key to its success is recognising differences and meeting these needs in different and relevant ways.

Racism

All attitudes, procedures and patterns – economic, social and cultural – whose effect (though not necessarily whose conscious intention) is to create, maintain and extend the power, influence and privilege of one group of people over another. An implicit set of negative beliefs about a racial or ethnic group can result in offensive or violent behavior towards members of a racial or ethnic group.

Sexism

All attitudes, procedures and patterns – economic, social and cultural – whose effect (though not necessarily whose conscious intention) is to create, maintain and extend the power, influence and privilege of people of one sex over people of the other.

Prejudice

An opinion or feeling about people of a different group, which is formed beforehand, without informed knowledge, thought or reason and which is likely to be sustained even in the face of evidence to the contrary.

Discrimination

Less favourable treatment of an individual or group, which is not based on their work performance or conduct as a member of staff or student.

Indirect Discrimination

This occurs when a requirement or condition is applied which, whether intentionally or not, adversely affects a particular individual or group considerably more than others and cannot be justified.

Disability Discrimination – See Annex 2

Less favourable treatment of an individual or group on account of their disability or, if without justification, a reasonable adjustment is not made.

Institutional Discrimination

This occurs when a person or a group of people become discriminated against on the basis of any of the nine protected characteristics as a result of the arrangements and accepted practices within an institute.

Racial Discrimination

Less favourable treatment of an individual or group on account of their racial origin or colour.

Sexual Discrimination

Less favourable treatment of an individual or group on account of their gender, marital status or sexual orientation.

Age Discrimination

Age Regulations make it unlawful to discriminate against an individual or a group on account of their age.

Harassment

Can be directed at any group or individual and can include unnecessary touching, unwanted physical contact, leering, personal remarks, verbal or written abuse, visual displays, coercion, isolation or non-cooperation.

Sexual Harassment

Unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of men or women at work. Repeated and/or unwanted verbal or sexual advance, sexually explicit or derogatory statements or sexually discriminatory remarks.

Racial Harassment

Conduct (whether by act or omission) which is intended to cause or does cause, physical or mental distress to an individual or group on account of their colour, race, nationality or ethnic origins.

Victimisation

This occurs when a person is treated less favourably than others because that person has made a complaint or allegation of discrimination, or has acted as a witness or informant in connection with proceedings under any of the relevant Acts, or has been involved in any other way in their enforcement or intends to do any of these.

Equal Rights

The achievement and respect of equal civil rights for all.

ANNEX 2 – DISABILITY DISCRIMINATION

Definition: *A physical or mental impairment, which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.*

What does impairment mean?

- Any physical, sensory or learning disability and mental illness.

What does substantial and long term mean?

- Substantial means something that's more than minor or trivial.
- Long term means lasted at least 12 months, likely to last at least 12 months or likely to last a lifetime.

What does adverse effect mean?

- A condition that has a 'negative' impact on your life.

People are protected from disability discrimination from when diagnosis occurs and not from when the condition affects their ability to carry out day to day activities.

Day-to-day activities

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift or move ordinary objects
- Speech, hearing or eyesight
- Memory
- Ability to concentrate, learn or understand
- Ability to recognise physical danger

Special cases include:

- Past mental ill health (e.g. potential reoccurring depression)
- Recurring conditions (e.g. epilepsy)
- Progressive conditions (e.g. HIV, muscular dystrophy & multiple sclerosis)
- Controlled / corrected impairments (e.g. someone who uses a hearing aid or uses an artificial limb)
- Severe disfigurement (e.g. obvious burns or scarring)

What is discrimination?

There are five types of discrimination:

1. Direct discrimination: A disabled person is treated less favourably on the

grounds of his/her disability than a person who does not have this particular disability.

2. Disability related discrimination: For a reason relating to a person's disability, the disabled person is treated less favourably to other people to whom the reason does not apply.
3. Failure to make reasonable adjustment: An employer, service provider or educational body has failed in their duty to make reasonable adjustment for a disabled person.
4. Victimisation: Treating some less favourably than others because they have complained of disability discrimination or have assisted someone else to do so.
5. Harassment: For a reason related to a disabled person's disability, a person engages in unwanted conduct which has the purpose or effect of violating the disabled person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Under this legislation it is unlawful for training providers to treat people with disabilities less favourably for a reason associated with their disability. Providers have to make reasonable adjustments for disabled people, such as providing extra help or making changes to the way services are delivered. Failure to make reasonable adjustments without justification will also constitute discrimination.

Disclosure

Learners / Trainees are encouraged to disclose their disability to Approved Training to ensure that reasonable adjustments and additional support can be put in place.

Every trainee has a right to request confidentiality if they disclose their disability to a member of staff and request that this information is not passed on.

However, the request for confidentiality may limit the reasonable adjustments and additional support that can be offered.

Enrolment process

It is unlawful to discriminate against disabled learners in the application and enrolment process. This includes:

- The arrangements it makes for determining admissions or enrolments to the institution;
- The terms in which it offers to admit or enroll a student;
- Refusing or deliberately omitting to accept an application for admission or enrolment.