



Equality, Diversity and Inclusion Policy

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Equality, Diversity & Inclusion Policy

Professional Apprenticeships are fully committed to the view that discrimination is unacceptable on any grounds, whether covered by the below legislation or not. We will positively seek to ensure that discrimination does not occur, through embedding this policy into our company culture. We seek to identify and eliminate any barriers to ensure equal opportunity for all staff, learners and employers.

This Policy does not exist solely as a response to legal requirements (The Equality Act 2010); we see Equality, Diversity and Inclusion as fundamental considerations underpinning all our activities. Therefore, this Policy applies to all members of the Professional Apprenticeships community (learners, staff, parents and carers, visitors, employers, community members and any other individual or organisation working with us). We are committed to promoting policies whereby no employee, learner or potential employee or learner is unfairly discriminated against and where equality of opportunity for all is proactively advanced.

Aims

Our core aim is to provide education for all, acknowledging that the society within which we live is enriched by diversity. We will strive to ensure that the culture and ethos of Professional Apprenticeships reflects and celebrates the diversity of ALL members of the organisation and wider community.

We will also seek to ensure that everyone is equally valued and treats one another with respect, dignity and fairness. Learners and other members of our organisation will be provided with the opportunity to experience, understand and celebrate diversity. Our core values reflect those which have been consulted upon widely across the region. They are to encourage mutual respect for all; recognise and work with every diverse group; provide high quality inclusive services and facilities; make sure our employment policies and practices are fair; and, challenge and eliminate harassment and discrimination. We will proactively seek to review and restructure the cultures, policies and practices in our organisation, so they can be welcoming and responsive to the full diversity of people locally, nationally and globally.

Principles - In working towards the realisation of our aims, we will be guided by the following principles:

- **All learners are valued equally** - We see all learners and potential learners as of equal value regardless of disability/impairment, medical needs, ethnicity, colour, creed, nationality, national origin or status, culture, religion or belief, gender, sexual orientation, gender identity, marriage or civil partnership or pregnancy and maternity status.
- **Welcoming and celebrating diversity** - Treating people equally does not necessarily mean treating them all *the same*. Our policies, procedures and activities must not discriminate, but are differentiated, as appropriate, to take account of differences of life-experience, outlook and background, and in the kinds of barriers and disadvantage which people may face, in relation to disability/impairment, medical needs, ethnicity, colour, creed, nationality, national origin or status, culture, religious affiliation, sex, sexual

orientation, gender identity, marriage or civil partnership or pregnancy and maternity status. We welcome learners and staff from a variety of background and religion, and we have lots of rooms available (multi faith room) at the business park should learners or staff wish to pray.

- **Fostering positive attitudes and relationships, and a shared sense of cohesion and belonging** - We intend that our policies, procedures and activities should promote positive attitudes, an absence of harassment,

positive interaction, good relations and dialogue between groups and communities different from each other, global citizenship, an absence of prejudice-related bullying and harassment and mutual respect.

- **Professional Apprenticeships as an employer** - Policies and procedures should benefit all employees and potential employees, for example in recruitment, promotion, and in continuing professional development.
- **Proactively monitoring and reviewing what we do in order to reduce and remove inequalities and barriers** - We proactively ensure that we make progress regarding ensuring equality of opportunity for all, and we regularly review our actions. We will not simply seek to avoid discriminatory practices; we will take opportunities to maximise positive impacts by actively going about reducing and removing inequalities and barriers to equality and taking positive actions towards promoting and enhancing equality of opportunity for all.
- **Creating Opportunity** - We recognise the needs of every individual along with our commitment to enabling them to achieve their full potential. In doing this we recognise the need to raise aspirations for all.
- **Consulting widely** - People affected by a policy or activity should be consulted and involved in the design of new policies, and in the review of existing ones.
- **Society on a whole should benefit** - We intend that our policies and activities should benefit society, both locally and nationally, by fostering greater social cohesion, and greater participation.
- **Safeguarding** - Everyone in our organisation has responsibility for the welfare of young people, vulnerable adults, and indeed all learners and staff. We proactively ensure that arrangements are in place to safeguard and promote the welfare of children, young people and vulnerable adults. This includes protecting people from any forms of bullying, harassment or any other maltreatment based on equalities issues.

Objectives and Actions

This Policy has so far stated our overall aims and the underlying principles by which we will work. In order to truly deliver on these, we need to ensure that the way in which we *act* proactively contributes to their achievement. Therefore:

- We will keep all aspects of learning and indeed, all our activities, under review in order to ensure that they reflect our aims and principles.
- We will use quantitative and qualitative data relating to the implementation of this policy and take action as appropriate. We collect, analyse and use data in relation to achievement and employment, broken down according to impairment and special educational needs, age, ethnicity and gender, as well as other equalities 'strands' where appropriate to do so.

- Prejudice-related incidents will be identified as such when anyone involved with the incident feels that it is motivated by prejudice. All such incidents are referred to the Directors, whose role it is to assess, record and deal with all incidents. We take seriously our commitment to report regularly to the Senior Management Team about the numbers, types, and seriousness of any prejudice-related incidents at our organisation and how they were dealt with.
- We respect the diversity of all staff, learners, and parents/carers, and comply with reasonable requests relating to a full range of equalities issues.
- We ensure that the content of this policy is known to all staff, all learners, parents/carers, and employers. This policy forms part of staff and learner recruitment and selection activity, induction, and employer information.
- It is our policy that all staff receive training in Equality, Diversity and Inclusion principles, legislation, and issues on an on-going basis. We will ensure that all staff are fully aware of their responsibilities towards the promotion of equality and diversity and take account of the different and differing needs of individuals/groups in all of their activities. Likewise, it is our policy that all learners receive opportunity as part of their learning to gain enhanced understanding of equality and diversity as part of their training.
- We will maintain records of the ethnic origin, sex and any disability of our learners and staff as a means of monitoring and identifying possible areas of inequality.
- We will include Equality, Diversity, and Inclusion on agendas for team meetings across Professional Apprenticeships, including at board level.
- It is the individual responsibility of every member of staff to seek to ensure the practical application of this policy. In addition, special responsibility falls upon management and those involved in staff recruitment and training delivery to ensure its effectiveness.
- We ensure that the core principles listed above apply also to the full range of our policies and practices.

Rights of Staff and Learners

Recruitment, appraisal, job allocation and promotion to be conducted on a fair and lawful basis, assessment of merit must be based on clear work-related criteria. Access to a Complaints Procedure which incorporate Equality and Diversity related issues. This will ensure that any complaints are taken seriously and investigated at senior management level.

- Equality of access to training and other career development opportunities.
- An environment free from discrimination, bullying or harassment.
- An environment that is consistent with and adaptable to the needs of the individual.
- An environment that proactively seeks to advance equality of opportunity for all.
- To complain, without fear of victimisation, should an individual or group feel they have been subject to discrimination, bullying or harassment.

Responsibility of Staff and Learners

All members of Professional Apprenticeships should: Be aware of and critically examine their attitudes to people and groups to ensure that prejudices, stereotypes, presumptions, and generalisations do not affect their judgement during selection, appraisal, career development or the delivery of the organisation's services. Irrespective of their position within the organisation recognise that they are personally and individually responsible for ensuring that they act in accordance with the principles of Equality, Diversity and Inclusion as outlined in this Policy and its provisions. Failure to do so may result in disciplinary action.

Of Professional Apprenticeships must not:

- Discriminate against colleagues, other employees, job applicants or learners.
- Bully or harass them or attempt to induce others to practice unlawful discrimination.
- Victimise a colleague, learner, or applicant.

Responsibility of Management

Managers and supervisors are responsible for promoting equality and diversity within their own commands and for ensuring that the business is conducted in accordance with our equality and diversity policies. While in-service training programmes may be directed at specific staff groups or learners, attention will be paid to ensure that training courses and access to them are not discriminatory.

Those responsible for organising training will ensure regular monitoring of participants on all training courses, to determine whether any group is under-represented. A regular process of reviewing the work of each staff member will be carried out by those staff having supervisory and management responsibilities. Training needs will be identified in conjunction with employees. It is the responsibility of those who are identifying training needs to look at suitable ways of meeting those needs. Overall responsibility for the implementation and enforcement of our equality and diversity policy lies with the Directors.

Managers have a responsibility to oversee equality and diversity in employment practices, to provide advice and guidance and to develop good practice. Monitoring will take place regularly to ensure that every section has taken action to implement and discuss the policy with their staff and learners. We commit to ensuring that all staff and learners that we are responsible for do not suffer discrimination, harassment, or bullying.

Staff and Learner Recruitment

Recruitment and selection procedures and practices throughout our organisation are regularly reviewed to ensure that no group is put at a disadvantage either directly or indirectly. To assist us in the process, equality monitoring will be conducted with those applying, short listed for and appointed posts and training positions. The company's aim is that the composition of the workforce should reflect that of the community. Where necessary, special steps as permitted by the relevant Acts, will be taken to help disadvantaged and/or under-represented groups to compete for jobs on a genuine basis of equality. All job descriptions will stipulate a commitment to the organisation's Equality, Diversity and Inclusion Policy and specify any responsibilities for the post-holder in implementing it.

Every person appointed must be made aware, as part of the induction process, of the Equality, Diversity, and Inclusion Policy, and how it is applied.

- To avoid racist sexist, or other discriminatory practices in staff recruitment, we will ensure:
- That where possible those staff involved in interviewing and selection are given special training to avoid discrimination in these processes.
- That staff and learners are given an equal opportunity to progress within the organisation and, where appropriate, may be offered special training to ensure that they are able to achieve their full potential

Grievance and Disciplinary Procedure

No staff or learner at Professional Apprenticeships should have to suffer discrimination, bullying or harassment. All complaints of discrimination, harassment or bullying etc will be treated seriously and investigated with all possible speed, confidentiality and sensitivity. Such activities, if established against Professional Apprenticeships staff and learners, will be dealt with as misconduct. Anyone believing that a complaint has not been properly acted upon is entitled to and should initiate The Grievance Procedure. The procedure explains in detail how to do this and staff and learners are entitled to receive copies of the Grievance Procedure. This policy should not be read in isolation but cross-referenced with all relevant employment and learner policies.

The Equality Act 2010

The Equality Act 2010 brought together and replaced the major pieces of Equal Opportunities legislation as well as bringing together around 100 other instruments within a single Act. It covers the same groups that were protected by previous equalities-based legislation and refers to these as "Protected Characteristics". The nine "Protected Characteristics" as set out in the Equality Act 2010 are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

Discrimination - The Act defines the following different types of discrimination.

- Direct Discrimination: This occurs when a person is treated less favourably because of a protected characteristic they have.
- Indirect Discrimination: This occurs when a condition, rule, policy or practice that an organisation has in place disadvantages people who share a protected characteristic - even if the condition, rule, policy or practice is applied to everyone.
- Discrimination arising from Disability: This occurs when a disabled person is treated unfavorably because of something connected with their disability and the unfavorable treatment cannot be justified.
- Associated Discrimination: This occurs when a person is treated less favorably than another person because they associate with another person who possesses a protected characteristic.
- Victimization: This occurs when someone is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act.
- Perceptive Discrimination: This occurs when a person is treated less favorably than another person because others think they possess a protected characteristic – even if the person does not possess that characteristic.
- Harassment: This is unwanted conduct related to a protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Protected Characteristics

Age - The Equality Act protects people of all ages. Different treatment because of age is not unlawful if it can be objectively justified i.e. it can be demonstrated that it is a **proportionate means of achieving a legitimate aim**.

Gender Reassignment -The Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts, or has completed a process to change his or her gender. The Act does not require a person to be under medical supervision to be protected – so a woman who decides to live permanently as a man but does not undergo any medical procedures would be covered.

Transgender people such as cross dressers, who are not transsexual because they do not intend to live permanently in the gender opposite to their birth sex, are not protected by the Act. It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured. Medical procedures for gender reassignment such as hormone treatment should not be treated as a 'lifestyle' choice.

Sex - Both men and women are protected under the Act.

Marriage and Civil Partnership - The Act protects people who are married or in a civil partnership. Single people are not protected.

Sexual Orientation -The Act protects bisexual, gay, heterosexual, and lesbian people

Disability - The Equality Act protects anyone who has, or has had, a disability, for example, if a person has had a mental health condition in the past that met the Act's definition of disability and is harassed because of this, it would be unlawful. The Act defines disability as a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities.

'Substantial' means more than minor or trivial. 'Impairment' covers, for example, long-term medical conditions such as asthma and diabetes, and fluctuating or progressive conditions such as rheumatoid arthritis or motor neurone disease. A mental impairment includes mental health conditions such as bipolar disorder or depression, learning difficulties such as dyslexia and learning disabilities such as autism and Down's syndrome. Some people, including those with cancer, multiple sclerosis, and HIV/AIDS, are automatically protected by the Act. People with severe disfigurement will be protected without needing to show that it has a substantial adverse effect on day-to-day activities.

Discrimination is not unlawful if a service provider can show that it did not know or could not reasonably be expected to know that the person was disabled. This means that employers and service providers need to take reasonable steps to find out whether someone is disabled, though care needs to be taken to ensure that any enquiries do not infringe the disabled person's privacy or dignity.

There is a legal requirement to make reasonable changes to the way things are done; this could include changing a policy, making changes to the built environment, such as making changes to the structure of a building to improve access, and providing auxiliary aids and services, such as providing information in an accessible format, an induction loop for customers with hearing aids, special computer software or providing additional support for employees or customers using a service.

Where a service is delivered from a building that cannot be made accessible through reasonable adjustments, it may be a reasonable adjustment to provide the service at a different venue, which, as an example, could include a home visit.

Reasonable changes are required wherever disabled employees, potential employees or potential customers would otherwise be at a substantial disadvantage compared with non-disabled people. A substantial disadvantage is more than a minor or trivial disadvantage. Service providers and employers cannot charge disabled customers for reasonable adjustments. What is reasonable will depend on all the circumstances, including the cost of an adjustment, the potential benefit it might bring to others (for example, ramps and automatic doors benefit people with small children or heavy luggage), the resources an organisation has and how practical the changes are.

The Equality Act 2010 requires that service providers must think ahead and take steps to address barriers that impede disabled people. It is not acceptable to wait until a disabled person experiences difficulty using a service, as this may make it too late to make the necessary adjustment (this is an anticipatory and continuing duty owed to disabled people generally, regardless of whether it is known that a particular person is disabled or whether there are currently any disabled service-users).

Pregnancy and Maternity - A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.

It is unlawful to consider an employee's period of absence due to pregnancy-related illness when deciding about her employment. It is unlawful to discriminate against a woman because she is breastfeeding. Women to whom an organisation is providing goods, facilities and services should be able to breastfeed should they so wish.

Race - 'Race' includes colour, nationality, and ethnic or national origins. A racial group can be made up of two or more different racial groups, for example, Black Britons. 'Ethnicity' is where a group has a long-shared history and cultural tradition, come from a common geographical area, descend from a small number of ancestors, have a common language or literature and a common religion.

Religion or Belief - Religion includes any religion. It also includes a lack of religion, in other words people are protected if they do not follow a certain religion or have no religion at all. A religion must have a clear structure and belief system.

Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief. Humanism is a protected philosophical belief. Political beliefs would not be protected by discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.

The Public Sector Equality Duty

The Equality Act 2010 has replaced the three previous separate Duties (covering Race, Disability and Gender) with a single Public Sector Equality Duty. The Public Sector Equality Duty states that a public authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimization, and any other conduct that is prohibited by the Equality Act 2010.
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it; this means:

- removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- encouraging persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- Foster good relations between persons who share a protected characteristic and persons who do not share it; this means tackling prejudice and promoting understanding

All staff undertake Equality and Diversity / Safeguarding training to ensure they are kept up to date with any changes to current legislation and to familiarise themselves with the responsibilities of not just them but everybody.

Sources and Legislation

1. The Equality Act 2010
<https://www.legislation.gov.uk/ukpga/2010/15/contents>
2. Public Sector Equality Duty
<https://www.gov.uk/government/publications/public-sector-equality-duty>
3. The Human Rights Act 1998
4. The Data Protection Act 2018
5. The Equality Act 2010 (Specific Duties) Regulations 2011
6. The Equality Act 2010 (Disability) Regulations 2013
7. The Equality Act 2010 (Gender Reassignment) Regulations 2012
8. The Equality Act 2010 (Statutory Codes of Practice) 2011

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