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Equality and Diversity Policy

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This document is issued and controlled by the Director of Performance and Development and can only be modified after proposed modifications have been accepted by the Company Directors.
The latest version will be maintained on the company S:Drive under Policies and Procedures.

Scope

This policy applies to all employees, learners, contractors, stakeholders, colleagues, employers, customers and prospective employees.

Purpose

The overall purpose of this policy is to ensure that Learning Curve Group is a place where learning and working exist in an environment that promotes equality of opportunity, celebrates diversity and allows everyone to achieve their potential.

This policy will be communicated through different means to all staff, learners, subcontractors and customers.

Comment

Learning Curve Group wishes to secure genuine equality of opportunity, whether required by legislation or not, in all aspects of its activities as an employer and training provider.

To this end, Learning Curve Group will take all reasonable and practicable steps to ensure that there is no discrimination against any individual or individuals, including staff, directors, beneficiaries, learners, sub-contractors and customers, on account of their disability, age, sexual orientation, race, religion or belief, gender reassignment, gender, marital status and civil partnership, pregnancy and maternity or any other criteria.

Our Commitment

Every employee is entitled to a working environment which promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.

Every customer, stakeholder, employer and contractor is entitled to receive a service from Learning Curve Group that is free from bias and all unreasonable barriers.

Every employee and learner is entitled to expect equality of opportunity in all aspects of their employment, including its terms and conditions.

Every potential employee and learner is entitled to expect the recruitment process to be free from all unreasonable barriers.

Every learner will be supported in their learning to allow them to succeed in line with peers.

The commitment to equality and diversity in the workplace is good management practice and makes sound business sense. Promotion and embedding of equality and diversity is at the forefront for our employees, and is a focus of how we work with customers, stakeholders and learners.

We are committed to eliminating discrimination, harassment and victimization, advancing equality of opportunity between people who share a protected characteristic and those who do not, and fostering good relations between all who work or learn at Learning Curve Group or use our services.

Breaches of our equality and diversity policy will be regarded as misconduct and could lead to disciplinary proceedings.

This policy is fully supported by senior leaders, and improvement practices are embedded into the equality and diversity development plan and EDIMs action plan. The policy will be monitored, reviewed annually and updated accordingly in line with any legislative changes.

The policy can be made available in alternative formats on request.

Principles

The Equality and Diversity Policy of Learning Curve Group is underpinned by principles to which all staff, learners and stakeholders should adhere, namely:

- The creation and maintenance of an environment in which individual differences and the contributions of all our staff and learners are recognised and valued
- That successful implementation of the Equality and Diversity Policy is the responsibility of all staff, learners and stakeholders
- All learners, staff and other stakeholders of Learning Curve Group will be treated with fairness, respect and sensitivity and given every opportunity to reach their potential
- The creation and maintenance of a working and learning environment where all will have the opportunity to fully participate, in order to achieve their full potential in a climate free from discrimination, bullying or harassment
- Training, development and progression opportunities are available to all learners and staff
- We will regularly review our employment practices and procedures to ensure fairness

The Company Values will embed equality and diversity in their implementation, namely:

- Do the right thing - we endeavor to be open, honest and fair in our dealings with learners, employers, partners and stakeholders
- Learners are at the centre of everything we do, and we are driven by the desire to provide life-changing opportunities for each and every one of them

- Continuous improvement - we are committed to continually exploring ways to improve the services we offer for the benefit of our learners, partners and employers
- Develop and empower our staff - we are passionate about supporting staff at all levels so that they can realise their full potential and progress

The Company actively promotes British values through tutorial and classroom delivery, using the following key themes:

Democracy
 The rule of law
 Individual liberty
 Respect and tolerance

All staff will be required to attend development opportunities to ensure that they are aware of and adhere to the Company's Equality and Diversity Policy whilst being supported to embed British Values, like rule of law, and how this applies.

Aims of the policy are:

- To comply with the Equality Act 2010
- To ensure an environment free from bullying, harassment and unfair or unlawful discrimination
- To develop an ethos of equality of opportunity and to take positive steps to promote it

Objectives of the policy are:

- To regularly report to the Board and Senior team on equality and diversity matters and the performance of different groups of learners
- To regularly review the policy and procedures that promote and protect equality and diversity
- To make all partners aware of their personal obligations to avoid discrimination, in accordance with this Equality and Diversity Policy
- To organise or access opportunities that foster a culture of equality for all
- To discourage and/or actively oppose any unfair or unlawful discrimination
- To monitor procedures and activities to ensure the effectiveness of Learning Curve Group's approach
- To take into account the needs of all, particularly those with protected characteristics
- To take positive action to redress unjustified disparities in training and/or employment

Equality and Diversity Statement

Learning Curve Group is committed to being an equal opportunities company, promoting and developing equality and diversity in all its functions across the business.

It will seek to do this by:

- Communicating its commitment to equality and diversity to all
- Creating an environment where there is mutual respect and equality of opportunity
- Providing relevant training for all staff
- Developing mechanisms for implementation, monitoring, evaluation and review
- Treating acts of discrimination as a disciplinary offence
- Dealing with harassment and bullying
- Engaging staff in the development, implementation and execution of our policies
- Actively promoting equality and diversity with our customers, learners and others
- Engaging a team of equality and diversity champions to share good practice

People that we deal with will receive equal treatment regardless of sex, marital status and civil partnership, pregnancy and maternity, race, colour, ethnicity, nationality, disability, age, sexual orientation, gender identity, religion or belief.

The Directors and Management team recognise that they have responsibility for ensuring that the Company operates within the legal framework for equality, and for implementing the policy throughout the business. All employees and learners of Learning Curve Group are responsible for trying to prevent discrimination that is within their control to prevent or challenge.

Definitions

Direct discrimination occurs when someone is treated less favourably in relation to any of the protected characteristics.

Indirect discrimination is a discrete type of discrimination that involves a policy, rule or procedure that is applied to everyone in a certain area but, ultimately, puts some individuals or groups at a disadvantage. Just like direct discrimination, indirect discrimination can affect people of a certain religion, race, ethnic group or age. Indirect discrimination can be posed as a formal or informal rule, practice or policy that may control behavior or set standards in the workplace.

Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive discrimination is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Harassment is recognised and means that employees will be able to complain with regards to behaviour that they find offensive, even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves.

Bullying is not a natural behaviour and should not be seen as such. It typically can be when someone uses superior strength or influence to intimidate.

Victimisation is the action of singling someone out for cruel or unjust treatment.

The Law

The Equality Act 2010 provides the framework for Learning Curve Group practices and supersedes all previous legislation.

The Equality Act 2010 recognises the following types of discrimination:

- Direct discrimination, including associative and perceptive discrimination
- Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from disability
- Failure to make reasonable adjustments

Legal Background

Discrimination is **unlawful** when it takes place against any of the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation

Accountability

All staff, learners and subcontractors/partners to the Company are made aware of the policy. Where staff or students are working at premises other than Company locations, they will be subject to the policy. The policy covers behaviour in the virtual learning environment, by email and other forms of social media. Breaches of this policy will be taken seriously and may lead to disciplinary proceedings.

The Company has a role in promoting good practice in equality and diversity in the workplace. Work-based assessors will monitor equality and diversity through progress reviews and meetings with learners and employers/workplace supervisors. The Company expects that an employer with work-based or placement learners will have an Equality and Diversity Policy. The Company will work alongside its partner employers to improve equality and diversity in the workplace and to eliminate discrimination.

Specifically:

The Board are responsible for ensuring that:

- They are aware of and take ownership of the Company's responsibilities, as outlined in this policy and equality legislation
- They review Company equality and diversity information and consider this with regards to setting targets for the Company
- They consider the diversity of the Company and how this is represented
- Before any major strategic decisions are made, the Company considers equality issues

The Senior Leadership Team is responsible for ensuring that:

- The Company's strategic plan encompasses our commitment to equality of opportunity and action plans deliver equality
- The quality improvement plan has equality at its core
- The Company recruits and retains an inclusive and diverse workforce, which is appropriately developed to ensure each individual has the opportunity to achieve their full potential

The Management Team is responsible for ensuring that:

- They promote this policy amongst their staff and ensure compliance
- Actions within their departments contribute towards the Company meeting its duties
- All programmes of learning offered will be regularly reviewed through the Self-Assessment Report and curriculum planning processes. They will examine how far they meet the needs of all learners, with particular reference to equality of opportunity

- The participation, attendance and achievement of learners from different groups is monitored throughout the year, and early remedial action is taken [this will be tracked within the equality and diversity impact measures (EDIMs) action plan]
- They take appropriate action, where necessary, to assist minority or underrepresented groups to increase participation, retention and achievement, tailored to any patterns within curriculum areas (e.g. gender bias)
- Teaching observation reports include an evaluation of how successfully equality and diversity are embedded and advanced
- Internal verification procedures include scrutiny of equality and diversity
- Schemes of work, lesson content and teaching resources of staff within their areas are reviewed against the commitments within this policy, and action is taken to make improvements or adjustments accordingly

Staff are responsible for ensuring that:

- They are aware of this policy and their duties in relation to all of the protected characteristics and the duties under the Equality Act 2010
- They demonstrate sensitivity to issues of diversity and that they attend and complete staff training to help their understanding of the issue in this area
- Whatever their role, they challenge, within their ability, inappropriate behaviour of any person wherever it might occur within the Company or during its activities
- Subcontractors are made aware of and comply with the policy
- They monitor their conduct and language to eliminate discriminatory remarks or practices. All employees should challenge colleagues where this is not adhered to
- They conduct themselves throughout their employment in a way that positively supports this policy and protects the Company's reputation
- Learners have the opportunity to comment on equality and diversity issues

Learners are responsible for ensuring that:

- They attend induction, enrichment and tutorial activities to expand their knowledge of equality and diversity
- Their coursework reflects sensitivity to issues of equality and diversity and does not include any discriminatory content
- They do not use any company equipment or resources to produce or research material in such a way that could be considered discriminatory, or in opposition to the commitments within this policy
- They refer cases of inappropriate behaviour by any staff, visitors or fellow learners to a member of staff, act as good role models to peers and challenge inappropriate behaviour, where they are confident in doing so

The Learning Curve Group Approach

Staff and Recruitment

Job selection processes will promote our commitment to equality and diversity and will be examined to ensure any advertisement does not discourage applicants from underrepresented groups.

Recruitment advertisements will indicate the company is an equal opportunity employer and will include our continued commitments to being a Disability Confident Employer. Neither recruitment advertisements nor post details will include conditions or requirements which have an adverse impact to the protected characteristics.

Job descriptions will contain, without discrimination, the clear requirements based on the needs of the role and will, as standard, contain the employees' responsibilities relating to equality and diversity.

Candidate information relating to equality and diversity will not be shared with the recruitment team and will only be used for monitoring purposes.

Pre-employment health questionnaires will not be used as part of the selection process.

Successful candidates with protected characteristics will have their needs reviewed and catered for, where reasonably possible.

At interview, applicants will not be asked questions which may be considered discriminatory, and members of the interview panel will have received specific equality and diversity training for this role.

All staff will be asked to complete a form denoting their protected characteristics. In addition, staff will be invited to disclose sexual orientation and their religion and belief.

This information will be used for monitoring the effectiveness of the policy, including the promotion of race equality, and, as above, will remain anonymous.

Short-listing and selection of applicants will be made against specified criteria. Those short-listing and interviewing will indicate reasons for decisions against such specified criteria.

The Company will pursue non-discriminatory practices relating to pay and conditions. All staff will have access to induction, regular performance development reviews, training and development reviews and appropriate staff development in equality and diversity, to equip them with the ability to recognise and embed diversity and to challenge any form of discrimination.

All employment policies and procedures will be developed and reviewed within the context of the Equality and Diversity Policy.

Any employee may use the grievance procedure to complain about discriminatory conduct. If the matter relates to harassment on the basis of disability, then the grievance may be raised in line with the Dignity at Work Policy, or directly with the HR team. The Company wishes to ensure that staff feel able to raise such grievances and no individual will be penalised for raising such a grievance, unless it is untrue and made in bad faith.

Any employee who harasses another employee on the grounds of any of the protected characteristics will be subject to the Disciplinary Procedure. In serious cases, such behaviour will be deemed to constitute gross misconduct and, as such, could result in dismissal.

The Disability Confident employer scheme will be maintained through the implementation of the Equality and Diversity Policy.

LCG will provide reasonable adjustment for any staff who are, or who become, disabled. LCG will embed equality and diversity throughout workforce practice, for example, by providing good customer care, embedding equality and diversity in teaching and learning and providing a high-quality service for all.

To enable employees to reach their potential, Learning Curve Group will provide support and guidance to all employees. Specific support for employees with protected characteristics may include:

- Tailored training programmes
- Job sharing
- Flexible working hours
- Negotiated career breaks
- Paternity and adoption leave
- Enhanced maternity leave
- Shared parental leave, in line with SPL stipulations
- Rehabilitation adjustments

The Company training programme will include a range of events relating to equality and diversity. All employees should be aware of the complaints and bullying and harassment procedure. Learning Curve Group will monitor the makeup of the workforce against the protected characteristics and will compare this with similar sectors.

Staff

The Company is an equal opportunity employer. Equal opportunity is about good employment practices and enabling an efficient contribution by our staff.

LCG will actively monitor our performance to ensure we are meeting our commitments. For example, we will gather and use the following information to monitor and improve practice:

- Staff Profile
- Grievance Records Disciplinary Records Complaints
- Staff Progression
- Access to and satisfaction with staff development opportunities

Learners

Learner recruitment processes will promote our commitment to equality and diversity and will be examined to ensure any advertisement encourages applicants from underrepresented groups. Learner eligibility will be established prior to starting the course. Learning Curve Group will actively use images and undertake activities that promote diversity. Learners' equality and diversity information will not influence the admission processes and will only be used for monitoring and determining support requirements.

If required, all reasonable adjustments will be made for learners with protected characteristics and will include:

- Additional learning support
- Provision of an area for prayer
- Bespoke provision of workwear to suit religion or belief
- Purchase of specialist equipment
- Flexible timetabling
- Ensuring suitable physical access arrangement

Participation, retention and achievement rates for underrepresented groups will be analysed and actioned for improvement, where required. Where possible, work experience will be provided across a wide range of employers' learners from underrepresented groups. Curriculum activity will look to promote equality and diversity and monitor learners' ongoing understanding. This may include:

- Questioning within progress reviews
- Learner surveys
- Discussions and debates
- Bespoke project research
- Observation of practice

Other Stakeholders

The services LCG provides should be easily accessible to others, regardless of their personal characteristics under the Equality Act 2010, protection is given on the basis of the following protected characteristics: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

The ethos of good customer service applies to all providers; everyone, regardless of background, is entitled to the same good level of customer service.

It is recommended that you pay particular attention to how you will meet the needs of:

- Clients with a disability, who may require a reasonable adjustment to be made
- Clients who are unable to communicate effectively in English

Active Advancement through Publicity and Marketing

The image that the Company projects of itself in its promotional material, advertising and public relations activity will be inclusive. This includes vetting and approval of LCG material to be used by our subcontractors/partners about the Company's approach to equality and diversity.

Company publicity will be regularly reviewed to ensure that:

- It is non-discriminatory to any group or individual
- It is provided in hard copy and electronic forms, to ensure that information is widely available and accessible by individuals with a range of needs
- It gives a positive image of a place that welcomes all for education and training
- Where groups might be under-represented, applications from members of disadvantaged/ under-represented groups are actively encouraged

Every effort will be made to ensure that appropriate publicity reaches all groups in the community, enabling the widest possible recruitment.

Access to the Curriculum Services

- Course programmes, schemes of work and resources are regularly examined to ensure they do not discriminate, directly or indirectly, against any group
- Schemes of work and resources include positive acknowledgement of the contributions made to society by a diversity of cultures
- Courses are available to the widest range of learners possible, by enhanced flexibility in both delivery and timing
- After due process of assessment of need, learning support is made available to all learners requiring it
- Ways of modifying curriculum delivery to allow access to classes for individuals with learning difficulties and/or disabilities continue to be sought
- Assistive technologies will continue to be developed and deployed to assist and enhance the participation of students with disabilities and impairments in their use of learning opportunities
- Procedures for accreditation and assessment will, wherever practicable, be flexible and responsive to the needs of the whole range of learners
- The Company supports the entitlement, for the whole Company community, to information, support, guidance and well-being, which will enable individuals to manage their personal development
- By adapting and modifying the environment and facilities, the Company will strive to make all groups feel welcome
- Offensive material of a discriminatory nature will not be displayed anywhere within the Company
- If required, a facility at each of the Company's locations will be made available to meet religious needs
- The Company will comply with the requirements of all current legislation pertaining to the access rights of people with mobility problems

Other Considerations

- Make sure that employees, including reception staff, are sufficiently trained to deal with people with courtesy, politeness and consideration, regardless of their background

- Take care to assess what customers can understand and ask the customer how they need to communicate, rather than making assumptions about this based on their ethnic origin, age or disability
- Ensure that your premises and services are accessible to people with disabilities, as far as possible. This does not always mean that you have to make expensive alterations or adjustments
- Ask your client if there are any adjustments that you can make to help them better access service, for example:
 - A client with a visual impairment may like to receive an audio message or may prefer to be contacted by email and receive electronic attachments
 - A client with a hearing or speech impairment may prefer advice by email or text phone in replacement of a phone-based service
 - Car parking arrangements can be notified in advance for those clients with mobility difficulties

Dealing with Discrimination

All matters of discrimination, bullying and harassment will be dealt with effectively and efficiently, using the following processes where applicable:

- Complaints Procedure
- Grievance Procedure
- Staff Discipline Policy
- Student Discipline Procedure

All incidents of discrimination, bullying and harassment will be dealt with through the appropriate processes and reported to the Executive Group and the Board.

Impact Assessment

As a function of the Quality Team, Equality and Diversity Impact Assessments will be conducted on all Company policy and procedures.

Implementation

The Board carries the ultimate responsibility, under the law, for ensuring that the Company meets the requirements of equality legislation. The authority for this is delegated to the CEO who, in turn, has designated the Director of Performance and Development to take the strategic lead for championing equality, diversity and inclusion. This role is shared with the Head of Human Resources in regard to the Company as an employer. However, all staff have the responsibility to uphold the policy, comply with the law and support the Company in fulfilling its duties and commitments.

Supporting Documentation

Equality Act 2010: www.legislation.gov.uk/ukpga/2010/15/contents

Impact Assessment Template and Action Plan

1.6.1 Complaints Procedure

1.6.2 Grievance Procedure

1.6 Staff Discipline Policy

4.5.4 Student Discipline Procedure

Appendix A

A Fair and Diverse Workplace

Good Workplace Practices

There are strong business benefits in developing good practice that encourages fairness and diversity.

A good policy would also cover the following topics:

- Arrangements for recruitment and selection
- Criteria used to select employees
- Terms and conditions of employment
- Access to training opportunities, promotions and transfers
- Grievances and disciplinary action
- Demotion
- Selection for redundancies
- Dress codes
- Post-employment activities, such as the provision of references
- Bonus schemes and work allocation
- Any other benefits, such as childcare provision or healthcare benefits

There is a vast amount of advice and guidance on how to develop equality and diversity policies and practices for the workplace. This guide does not seek to replace that advice. Some sources are provided below.

ACAS: <http://www.acas.org.uk>

Provides information, good practice advice and guidance to employers and employees on a wide range of employment relation issues, including the latest developments in equality law and easy guides for employers. ACAS equality and diversity advisers specialise in providing practical help.

Equality and Human Rights Commission: <http://www.equalityhumanrights.com>

EHRC is the statutory body that has the responsibility to protect, enforce and promote equality across the nine 'protected' grounds – age, gender reassignment, pregnancy and maternity, race, religion or belief, gender, sexual orientation and marriage and civil partnership.