

Equality and Diversity Policy 21-22

Scope and Purpose

North of England Training Limited is committed to the promotion of Equality and Diversity for all our employees and learners. We aim to ensure that the culture and environment is one where all individuals are treated with respect and dignity.

As a company, we welcome and celebrate Equality and Diversity. We believe that everyone should be treated equally and fairly regardless of their age, disability, sex, gender identity, race, religion or belief, sexual orientation, marital status, pregnancy and maternity and socio-economic background. We seek to ensure that no member of staff, learner or employer receives less favourable treatment on any of these grounds which cannot be shown to be justified.

We will ensure that this commitment to Equality and Diversity applies to all areas of our operation, including our role as an employer, a deliverer of work-based learning, and an influencer of our employer base and collaborative partnerships.

This policy is supported by our staff handbook, policies and procedures and has been written with regard to the relevant legislation.

Emmelia Taylor – Operations Director has lead responsibility for Equality and Diversity.

North of England Training Limited as an Employer:

North of England Training has a legal duty to comply with equality and diversity laws. The Equality Act 2010 is the most relevant equality legislation applicable to public bodies and most aspects of the legislation came into effect on 1st October 2010. The Act replaces all previous equality and anti-discrimination legislation with a single Act which aims to streamline, strengthen and harmonise the previous equality law.

Policies and procedures extend to all aspects of a person's identity – known as 'protected characteristics' – that are protected under the Equality Act 2010.

Protected Characteristics

The following characteristics are protected under the Equality Act 2010, these are listed below:

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32-year olds) or range of ages (e.g. 18 - 30-year olds).

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - The process of transitioning from one gender to another.

Marriage and civil partnership - In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth (26 weeks), and this includes treating a woman unfavourably because she is breastfeeding.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex - A man or a woman. In relation to a group of people, it refers to either men or women or to either boys or girls.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. Everyone is protected from being treated unfairly because of their sexual orientation, whether they are bisexual, gay, lesbian or heterosexual.

Policies and procedures are in place to protect and promote equality for the protected characteristics and they apply to all staff, learners and visitors to the setting.

Prohibited Conduct

The Equality Act 2010 extends the scope of what conduct is prohibited in relation to the protected characteristics. The following provides an overview of what is included within the scope of the legislation.

Direct Discrimination - Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

Associative Discrimination - This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. Associative discrimination already applies to race, religion or belief and sexual orientation. It is now extended to cover age, disability, gender reassignment and sex.

Perceptive Discrimination - This 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. It already applies to age, race, religion or belief and sexual orientation and is now extended to cover disability, gender reassignment and sex.

Combined Discrimination - Combined or dual discrimination is where a person is discriminated against by another because of a combination of two relevant protected characteristics (e.g. if someone is treated unfairly because they are female and disabled).

Discrimination arising from disability - This is discrimination against a disabled person because of something arising in consequence of the disability and it cannot be shown to be proportionate to achieving a legitimate aim.

Indirect Discrimination - Indirect discrimination can occur when you have a condition, rule, policy or even a practice that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership and is now extended to cover disability and gender reassignment.

Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, i.e. that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision you make in running the organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including showing that you've looked at 'less discriminatory' alternatives to any decision you make.

Harassment - Harassment is "unwanted conduct related to a relevant 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". Protection includes harassment because of perception and association.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves.

Third Party Harassment - The Equality Act makes an organisation potentially liable for harassment of their employees by people (third parties) who are not employees of the company, such as customers or clients. The organisation will only be liable when harassment has occurred on at least two previous occasions, and they are aware that it has taken place, and have not taken reasonable steps to prevent it from

happening again. This already applies to sex and is now extended to cover age, disability, sex, reassignment, race, religion or belief and sexual orientation.

Victimisation - Victimisation occurs when a person is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. A person is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

Reasonable Adjustments - As well as making it unlawful to treat a disabled person less favourably because of a reason relating to their disability, it is also discrimination if an organisation fails to make 'reasonable adjustments'. Reasonable adjustments aim to remove the disadvantage that a disabled person experiences because of their disability. Making reasonable adjustments means changing policies, practices or procedures and/or providing auxiliary aids or services.

Positive Action - The Equality Act allows an organisation to take positive action if they think that employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

Genuine Occupational Requirement - In certain circumstances, it is legal to recruit someone purely on the basis of their characteristic. This is where it is legal to recruit someone purely on the basis of age, race, gender, sexual orientation, and religion or belief, where this is a genuine occupational requirement for the job.

North of England Training will:

1. Not tolerate discrimination on the grounds of race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership, gender reassignment and socio-economic status. Any incident or complaints of discrimination, bullying, harassment or victimisation will be investigated, and if proven, disciplinary action will be taken.
2. Identify and challenge stereotypical and discriminatory assumptions and act on attitudes, remarks and behaviour based on prejudice or discrimination.
3. Work to address any equality gaps in performance (success, achievement and retention rates) for different groups of learners.
4. Collect and report on information in relation to the diversity of its staff, learners, corporation members together with local community data to assess needs and inform service delivery.
5. Ensure that recruitment, selection and promotion opportunities are open to all learners and staff from different groups and backgrounds for all courses of study and employment opportunities, using positive action where required for employment.
6. Promote and embed an inclusive curriculum which upholds the principles of equality and diversity.

7. Encourage the participation of different groups and consult with staff, learners and service users in the delivery and shaping of services in the company.
8. Take steps to take account of people with disabilities, even where this involves treating people with a disability more favourably than other people. The College will make reasonable adjustments to support people with disabilities to help overcome barriers.
9. Support learners and Staff wishing to participate in cultural/religious activities will not be discouraged and the company will provide a supportive environment for staff or learners who wish to follow cultural, philosophical and religious practices and express their cultural and religious identity. The exception to this is where the health, safety and welfare of the person is compromised or where there is likely to increase the risk to other people
10. Identify opportunities to encourage learners to engage with other learners from a different background. The company will be involved in multi-agency partnerships working on promoting equality and community cohesion.

Roles and responsibilities

Every member of staff has a responsibility for equality and diversity.

Promoting equality and preventing discrimination is the responsibility of all staff. This policy outlines the roles and responsibilities of everyone involved and connected with the setting, so that each individual knows what is expected of them.

The reporting and monitoring of equality and diversity occurs through team meetings, self-assessment processes, equality impact assessments and through standardisation.

Staff and learners have the right:

- to be treated fairly irrespective of their ethnicity, sex, disability, age, religion and belief, sexual orientation, gender identity, socio-economic background or any other perceived differences;
- to work in an environment free from harassment, discrimination and bullying.

Staff and learners have the duty:

- to treat others with the respect they would wish to be treated with themselves;
- to treat others kindly and fairly without prejudice, discrimination, bullying or harassment;
- not to bully, intimidate, demean, undermine or harass others;
- report any incidents of discrimination, bullying or harassment using the appropriate systems.

All staff have the duty:

- to be role models in how to behave;

- familiarise themselves with this scheme and know what their responsibilities are ensuring that it is implemented;
- promote respect, equality, inclusion and good community relations;
- to make appropriate responses if witness to discriminatory behaviour - challenge inappropriate language and behaviour, tackle bias and stereotyping, respond appropriately to incidents of discrimination and harassment and report any incident using the appropriate systems;
- highlight any staff training or development that they require to carry out the above role and responsibilities.

Teaching staff need to:

- promote an inclusive curriculum and whole company ethos which reflects our diverse society;
- ensure that lesson plans, lesson content and teaching and learning resources demonstrate sensitivity to issues and promote opportunities for equality and diversity;
- undertake training to support the embedding of equality and diversity in teaching, learning and assessment;
- challenge inappropriate behaviour by learners and work placement providers.

The company will:

- make sure it complies with all current equality legislation;
- receive and discuss regular equality reports on progress and performance;
- monitor achievement of equality objectives;
- oversight of equality impact assessments.

The Senior Management Team will:

- take appropriate action in any cases of bullying, harassment, and discrimination in line with the company guidance;
- ensure policies and procedures are successfully promoted;
- allocate appropriate responsibilities and provide suitable training and development for staff to implement policies and procedures;

The Director will:

- provide effective leadership on equality, diversity and community cohesion;
- ensure staff, learners and any other interested stakeholders are aware of this policy and their roles and responsibilities in implementing it;
- make sure the policy is readily available;
- produce an equality and diversity report on progress on an annual basis.

Visitors and contractors are responsible for:

- knowing and following our policy.

This policy is reviewed annually.



Policy Name:	Equality and Diversity Policy
Policy Ref:	V5 July 2021
Who it applies to:	All Staff of NOET, employers and learners
Date of Issue:	July 2017
Last Revision Date:	July 2021
Review Date:	July 2022
Version:	5
Policy Owner:	Mrs E Taylor – Operations Director
Available to:	All staff, our employers and learners
How the policy is communicated:	Policy and Procedure file in OneDrive Staff handbook Staff meeting Company website