

**Train4Academy Limited Equality and Diversity Policy – Reviewed December 2019.  
Next review due December 2020.**

**Our Statement of General Policy is:**

- **We are committed to the principle of valuing diversity**
- **We recognise the benefits that can be secured through employing a diverse workforce and harnessing the individual talents of staff from different backgrounds and with different skills**
- **In the same way we recognise the benefit that can be secured through engaging suppliers and partners from different backgrounds with different skills**
- **We are committed to providing fair and equal treatment for all staff, customers, suppliers and visitors and all staff are expected to treat everyone with whom they come into contact with dignity and respect**
- **These values are built into our contracts of employment and consultancy agreements.**
- **We acknowledge that it is unlawful to discriminate either directly or indirectly in recruitment or employment because of the nine “protected characteristics” in the Equality Act 2010. This remains the primary legislation relating to Equality and Diversity**

## **Equality and Diversity Policy**

In accordance with legislative requirements, this document and linked documents form the basis for Train4academy's Equality and Diversity Policy. It is important to understand the difference between equality and diversity.

Equality, or Equal Opportunities, is about protecting certain groups of staff against unfair treatment based on a particular personal characteristic. This protection is normally based on but not limited to those groups. The groups are defined in law under the provisions of the Equality Act 2010 and are the nine protected characteristics listed as follows:-

1. Age
2. Disability
3. Gender
4. Reassignment
5. Marriage and civil partnership
6. Pregnancy and maternity
7. Race
8. Religion or belief
9. Sex and sexual orientation

Diversity is about recognising, valuing and using the differences which people have in a positive way.

Although Equal Opportunities Legislation relates to employed staff we recognise that much of our work is contracted out to individual consultants and trainers and therefore the same principals apply.

Also many of our customers are individual learners working in industry so access by learners from all backgrounds falls within our policy objectives.

For this reason we have combined the two policies to link legislative requirements with policy objectives.

The scope of the policy then is to relate to all aspects of employment, including individual standards of behaviour, the advertisement of jobs, recruitment and selection, training and development and all aspects of contracts of employment.

## Legal Obligations

In valuing diversity the company commits itself to go beyond the legal minimum regarding equality. However in applying this policy the company still needs to take into account of current and future equality legislation and associated codes of practice. This includes but is not limited to the following

- Equal Pay Act 1970
- Sex Discrimination Act 1975 (as amended)
- Race Relations Act 1976 (as amended)
- Disability Discrimination Act 1995 (as amended)
- Employment Equality (Sexual Orientation) Regulations 2003
- Age Discrimination Legislation 2006
- Employment, Equality, Religion and Belief Regulations 2003
- Gender Recognition Act 2004
- Equality Act 2010
- Equality Act 2012 short guide
- Any other relevant statutory instruments, regulations and specific Acts not mentioned above that are relevant to the promotion of Equal Opportunities and valuing diversity

The above legislation protects individuals against direct discrimination, harassment (including bullying) and victimisation associated with the 9 characteristics.

Discrimination takes many forms and the following are some of the common terms and characteristics currently understood or referred to in legislation:-

- Direct Discrimination is treating a person less favourably because of a personal characteristic.
- Indirect Discrimination is applying a criteria or practice equally to all people but which has the effect of disadvantaging one group of people
- Harassment is unwanted behaviour which affects the dignity of others.
- Third party harassment is where clients or customers harass a member of staff because of a personal characteristic and if the employer fails to take action, this would be illegal under the provisions of the Equality Act 2010
- Bullying is a form of harassment, which is normally related to an abuse of power.

- Victimisation is treating a person less favourably because they have asserted their rights under this policy or equality legislation (i.e. made or assisted with a complaint). The Equality Act 2010 has firmed this up to include lack of promotion or training opportunities as specific examples
- Personal Characteristic. Those associated with that person's group. (Not those characteristics that can be associated with illegal actions or going against this policy)
- Discrimination in the delivery and development of goods and services are not yet covered by legislation but the organisation will actively pursue access to all groups including the protected characteristics
- Associative Discrimination is where someone may not have a protected characteristic but they are directly discriminated against because they have an association with another individual who has a protected characteristic. Under the Equality Act 2010, this is illegal
- Perceptive discrimination is where someone directly discriminates against someone because they perceive they have a protected characteristic when in fact they have not.

### Responsibilities

All staff are expected to have read and understood this policy, ensure they behave in accordance with its principles, encourage the same level of behaviour in colleagues and immediately report any breaches

The Directors will ensure that the policy is understood and complied with and the implementation of action to deal with breaches and complaints and the advancement of diversity principles within the organisation.

### Implementation of this policy

Rowland Bridgewater is the Director with particular responsibility for implementing this policy

In order to ensure the principles of this policy are embedded in everything we do, all existing staff will receive a copy of this policy and instruction, training or supervision as to how this should be interpreted. This policy will be explained at induction.

### Complaints by staff

If staff feel that this policy has been breached they should speak to a Director in the first instance, who will ensure that all issues are investigated and dealt with appropriately.

Formal complaints about breaches of this policy can be made using the company's grievance procedure.

### Complaints and appeals by candidates

Train4academy is directly and indirectly involved with candidates based in various locations and subject to many policies and procedures controlled by government and private organisations. It is expected that all staff will apply the standards associated with this policy when dealing with candidates or any members of the public.

It is recognised that it would be impracticable to take responsibility for the implementation of all government and customer policies. It is however expected that if any significant breaches of any reasonable policy are observed, then these should be brought back to the regular staff meetings and if necessary referred to the Board to be considered under the set agenda item for this.

With regard to e-learning awards, complaints and appeals procedures are communicated as part of the candidate instructions and they are also given a link to the web site giving full details of our policies.

Candidates are advised of the procedure within the instructions supplied with each course which is:

1. If an issue has not been resolved to their satisfaction then they should let us know by calling the customer service team within 7days
2. Alternatively sending an e-mail on a set form within 7 days

3. Train4food will respond within 7 days upon the receipt of a call or e-mail
4. If the complaint or appeal is not answered to their satisfaction then they should write to the customer service manager within 7 days of the response
5. A director will respond within 7 days with a final decision on behalf of the company

### Access to courses and positive action

Train4academy aims, as far as possible, to enable all eligible candidates to have access to our courses.

As a demonstration to its commitment to promoting diversity, the organisation may undertake positive action initiatives for certain groups of staff, consultants or learners. Positive action will involve offering particular development opportunities for certain groups to enable them to compete more equally with others. This should not be confused with positive discrimination (i.e. deliberately offering someone preferential treatment) which is illegal. An example of illegal discrimination would be to make a vacancy available exclusively to candidates of the same sexual orientation

An example of positive action could be providing a foreign translation to a non-English speaking learner to enable them to complete an e-learning course.

A further example is that we offer, over and above our normal discounting process, a permanent additional discount to charitable organisations.

### Practical aspects of application

Below are some examples to illustrate how this policy impacts on all other work policies and practices. This list is not exhaustive, as each situation must be considered on its merits.

- **General Standards of Behaviour:** The Company expects staff to conduct themselves in a professional and considerate manner at all times. Any behaviour that causes offence or harm to others would be contrary to this expectation. Remember that it is for the recipient of the behaviour to decide what they consider to be offensive. It is the impact of the behaviour rather than the intent, which is important.

- Recruitment and Selection: Individuals involved in the recruitment and selection of staff will ensure that the company recruitment and selection policy is adhered to and that;
  1. A job and person description is clearly conveyed to potential candidates
  2. The content and distribution of advertisements are agreed by a member of the Board and encourage applications from all sections of the community. Advertisements will not specify age limits
  3. All applicants will have access to a policy statement.
  4. Short listing and selection will be based on objective criteria relevant to the job. The reasons for decisions will be recorded under the set agenda item in Board Meetings.
  
- Training Development and Promotion  
 The company will ensure that irrespective of any personal characteristics that:
  1. The training necessary to implement this policy is provided
  2. All employees are encouraged to achieve their full potential
  3. Selection for training, career development opportunities and job moves will be based purely on the basis of merit.
  4. Any development meetings will be carried out objectively and with the sanction of the board.
  5. Selection for promotion will be purely on the basis of merit.
  
- Meeting Individual Needs:

As far as possible the company will try to meet the needs of individuals at work. For example:

1. Caring and domestic responsibilities- Time off may be appropriate to allow staff to care for children or sick relatives to help them balance their work and home responsibilities
2. Working patterns- Wherever possible training courses and meetings will be planned to allow attendance by staff working non-standard hours
3. Disability - Staff who have a disability will be consulted about any reasonable adjustments or adaptations which could be made to allow them better to perform their functions.

4. Religious practices-It may be necessary to provide time off for prayer or religious festivals or relax dress standards to meet religious needs

Directors recognise that sometimes there is a conflict between the will to implement the above and practical considerations relating to office cover and health and safety considerations

### General

It is considered that our company is too small to produce its own statistical monitoring with regard to its own staff. We are aware that many of our larger customers monitor diversity issues as part of their quality assured system.

We do however expect our staff to be alert to direct and indirect discriminatory practices and procedures. Our practical monitoring system will mirror that of health and safety.

During regular staff meetings, there will be an agenda item concerning equal opportunities, health and safety and other quality issues. Any action needed will be recorded in summary staff meetings held at a minimum of one meeting every three months.

**Date of Next Review – December 2020.**