

## Equality and Diversity Policy

### Equality & Diversity Statement

#### 1. Commitment

Choose ICT Limited, referred to as CICT within this document aims to promote equal opportunities for everyone, including learners, members of the public, and employees. We recognise and celebrate diversity.

We are committed to providing a learning and working environment that is free from any type of discrimination for our employees and learners, and any other people who have contact with us.

We aim to provide an environment that is free of harassment and victimisation, which we will not tolerate. We will take action under our complaints and disciplinary procedures to deal with any direct or indirect discrimination.

We will monitor existing practices and proactively develop new ones to prevent anyone who works and learns, or wishes to work and learn, with us from suffering any experience that breaks this policy.

#### 2. Legislation

The following pieces of legislation are currently relevant to this policy:

##### 1. Equalities Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society, which replaces previous anti-discrimination laws with a single Act.

##### 2. Equal Pay Act (1970) and Equal Pay (Amendment Regulations) 1983

The Equal Pay Act 1970 makes it unlawful for employers to discriminate between men and women in terms of their pay and conditions where they are doing the same or similar work.

##### 3. Rehabilitation of Offenders Act 1974

Under this Act, many ex-offenders are given certain employment rights if their convictions become 'spent'. Broadly speaking, anyone who has been convicted of a criminal offence and who is not convicted of a further offence during a specified period (the 'rehabilitation period') becomes a 'rehabilitated person'. There are some exceptions to the Act - broadly relating to work with children, the sick, disabled people and the administration of justice.

##### 4. Protection from Harassment Act 1997

This Act makes harassment a criminal offence. It also creates a new type of civil claim, allowing individuals who are harassed to claim damages and/or seek a court order to stop the harasser from continuing the harassment.

## **5. Human Rights Act 2005**

This incorporates rights under the European Convention of Human Rights into domestic law. Individuals can bring claims under the HRA against public authorities for breaches of Convention rights. UK courts and tribunals are required to interpret domestic law, as far as possible, in accordance with Convention rights.

## **6. The National Minimum Wage Act 1999 (Amendment no2 regulations 2020)**

This Act sets hourly rates below which pay must not be allowed to fall and is universally applicable to 'ordinary workers'. There are some exclusions, including fishermen paid in a share of profits, unpaid volunteers and prisoners.

## **7. Working Time Regulations 1998, Working Time Regulations 1999, Working Time (Amendment) Regulations 2001 and Working Time (Amendment) Regulations 2002 (Amendment 2020)**

The Working Time Directive is a piece of EU legislation designed to prevent damage to the health of workers through working excessive hours. The Regulations set out statutory rights for employees in respect of rest, maximum working time and holidays.

## **Equality & Diversity Policy**

### **1 Introduction**

This policy illustrates how CICT will implement its commitment to equality & diversity and who is responsible.

Equality & diversity means promoting the basic human rights of all individuals in society, ensuring just and fair treatment, equal access and full opportunities for personal development and growth. This Equality & Diversity Policy should enable all individuals to realise their full potential, develop self-respect and self-esteem in a fair and just environment. All forms of prejudice and discrimination will be addressed and challenged in a culture of mutual respect and acceptance. In short, this policy seeks to ensure that all individuals can work and learn peacefully in our Centres, accepting and enjoying the benefits of its diversity.

Directors, managers, staff and learners of CICT and its partners are committed to implementing this Equality & Diversity Policy. Everyone who comes into contact with CICT will be treated fairly and without discrimination.

The intention is to ensure that an environment free from harassment, victimisation and discrimination is maintained within an overall culture of equality.

### **2 Definitions**

It is against the law to discriminate against anyone because of:

- Age

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- Being or becoming a transsexual person
- Being married or in a civil partnership
- Being pregnant or having a child/Maternity
- Disability
- Race including colour, nationality, ethnic or national origin
- Religion, belief or lack of religion/belief
- Sex
- Sexual orientation
- Trans Gender/Gender Re-assignment

These are called 'protected characteristics'

**Bullying:** Bullying is a form of harassment and can be defined as the use of position or power to coerce others by fear, oppression or threat. It is made up of a number of things, such as aggressive behaviour, intimidation, persistent criticism, constant undermining, and the spreading of malicious rumours. It can be difficult to detect, as it can be subtle and devious.

**Disability:** Under the terms of the Equalities Act 2010, a 'disabled' person is classed as someone who has physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.

## Disability Statement

We will as an employer and as a disability aware organisation will:

- Provide any reasonable adjustments to ensure disabled people have access to our services and employment opportunities.
- Challenge discriminatory assumptions about disabled people.
- Seek to continue to improve access to information by ensuring availability of loop systems, braille facilities, alternative formatting and sign language interpretation.

**Discrimination – Direct discrimination:** Treating people less favourably than others on grounds listed above.

**Discrimination – Indirect discrimination:** Applying a provision, criterion or practice that disadvantages people on the grounds listed above.

**Diversity:** The concept of diversity encompasses acceptance and respect. It is understanding that each individual is unique, and recognising individual differences. It is the exploration of these differences in a safe, positive and nurturing environment. It is about understanding each other and moving beyond simple tolerance to embracing and celebrating the rich dimensions of diversity contained within each individual.

**Harassment:** Unwanted conduct that violates an individual's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. Harassment can be sexual, racial, or directed at people with disabilities, although this list is not exhaustive.

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**Reasonable Adjustment:** Good employment practice, which enables the safe employment of disabled persons, depends on actions and arrangements, which are called 'adjustments' under the terms of the Act. The Act places an obligation on employers to make such adjustments whenever it is reasonable to do so. Guidance on what is reasonable is provided within the Act itself and in the accompanying Code of Practice.

**Victimisation:** Treating people less favourably because of something they have done under, or in connection with, equality legislation, e.g. made a formal complaint of discrimination or given evidence in a tribunal case.

## 3 Marketing

All advertisements and literature will be inclusive and welcoming, stating and actively promoting equality & diversity and provide any additional information or facility required to encourage participation from all groups. This promotion will communicate the positive attitude and commitment of equality of opportunity.

## 4 Access to Learning Programmes

- CICT will strive to ensure that all learning opportunities are available to all within health and safety guidelines and that all learners are supported as far as possible to pursue their learning programme/career of their choice.
- Wherever possible all reasonable efforts will be made to ensure physical access to the learning environment/workplace.
- Additional Learning Support will be provided for learners with learning, physical or sensory disabilities or those with an identifiable support need where reasonable adjustments can be made, including making adjustments to their learning workstation to create an accessible environment.
- No learner will be excluded from a learning programme on any of the grounds listed above, or any other status that cannot be justified.

## 5 Disclosure

- CICT actively encourages learners to disclose any disability that they may have to a member of Centre staff. CICT also encourages learners to disclose any issues relating to their age, ethnicity, sexual orientation, or religion/belief that might have a negative effect on their learning, e.g. restrictions with the time of day when learning can take place due to daily worship.
- Under the terms of the Act, CICT has a duty to make reasonable adjustments for disabled learners. It encourages learners to disclose their disability at the earliest possible stage so that a needs assessment can be carried out and reasonable adjustments can be made where appropriate and additional support can be given which will benefit the learner.
- A learner may indicate that (s)he has a disability, or an illness or medical condition that affects their learning, or a specific learning difficulty such as dyslexia. For the purposes of this policy, references to disability incorporate all such conditions that might require support.
- CICT understands that some individuals may not wish to call themselves 'disabled' and respects their right not to do so, or to be so labelled by virtue of receiving support. However, the Centre strongly advises learners to consider carefully the implication of insisting that a disability remain confidential in terms of the level of support they can reasonably expect.
- Although the Centre will respect and adhere to requests for confidentiality, there may be circumstances where information about a disability will need to be disclosed to third parties. This will only occur in circumstances permitted by the DPA where the Centre cannot obtain the learner's consent to disclose, for example in cases of sudden illness where healthcare professionals outside the Centre need to know about the disability.

## 6 Induction/Information Advice and Guidance

- In receiving enquiries about learning programmes, staff will ensure that all prospective learners receive a prompt and fair service.
- Learners will be entitled to advice and guidance at the pre-entry stage and during induction to try to ensure that they are on the right course for them.
- All learning programmes are open to all learners. Where learners meet the criteria, they may be eligible for government funding. Funding regulations will be explained to the learner as appropriate. During the learner's initial assessment a range of courses and support provisions will be discussed that are offered by the Centre or if appropriate elsewhere.
- CICT is dedicated to ensuring that the learners are not only made aware of but understand the Centre's commitment to equality & diversity during induction.
- Simplified versions of policies are available to learners within centre to maximise understanding and use.
- Every learner will have access to Equality & Diversity Policy. This policy includes an overview of Disclosure and of Unacceptable Behaviour.
- Disclosure and Unacceptable Behaviour will be explained verbally to learners at induction. A more detailed Learner Disclosure Policy and Learner Unacceptable Behaviour Policy will be available for learners on request or should the need arise.

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- All learners will be clearly informed that, in signing their learning agreement, they are agreeing to respect and follow the ethos of this Equality & Diversity Policy.

## 7 The Learning/Working Environment

- The learning/working environment will foster an atmosphere of openness and acceptance of a variety of views, perceptions and experiences. It will also challenge, in a developmental and supportive way, all forms of prejudice discrimination and stereotypical attitudes.
- Learning materials and resources will reflect the diverse society in which we live, addressing individual needs as fully as possible. CICT will provide, where appropriate, and on request, access to a range of resources to support learners with additional needs, such as:
  - Large screens;
  - Foot rests
  - Wrist rests;
  - Trackball mouse.
- CICT staff can request additional/specialist support to support learner needs by:
  - Upon receipt of a request from a learner, the member of staff will notify management of the learner need and resources required, if known.
  - Management will assess the learner's need, and where it is measured as appropriate will provide access to the appropriate resource.
- Within the management of human resources, CICT will seek to establish a flexible non-discriminatory culture, which is encouraged through staff development and through appropriate equality & diversity training, including general awareness and specific equality training needs.

## 8 Unacceptable Behaviour

- CICT classes any behaviour that does not respect the rights of others or that harasses, vilifies or discriminates against others, including threatening or violent behaviour, as unacceptable.
- If a staff member or learner behaves in an unacceptable way, which does not uphold or represent the values and intent of this Policy, then the tutor will take responsibility for responding to this situation as soon as it is evident.
- To prevent or manage this situation as much as possible, the tutor will ensure the following:

### *Centre Staff:*

- All staff are not only made aware of this quality & diversity policy but also understand it and can explain it to learners.

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- Opportunities are provided for staff to raise relevant issues and discuss difficult, uncomfortable or unfamiliar situations and how best to behave or respond in these circumstances in order to meet the policy's commitment.
- Staff development and training needs regarding equality & diversity are identified on a regular basis.
- Relationships are developed with local organisations that represent different equality groups so that best practice, appropriate language etc. can be shared to assist staff when working alongside people with additional needs.
- Staff are aware of where to source additional information or practical guidance when needed.
- There is an opportunity to speak with individual staff members about potential issues concerning their behaviour with the aim of raising their awareness of their behaviour and resolving any individual issues that may be precipitating it.

### *Learners:*

- All learners are made aware of the Equality & Diversity Policy.
- Clear upfront information is provided to the learner about the Centre's expectations and the consequences of unacceptable behaviour. The Centre is clear about what it considers as unacceptable and what will happen if they have behaved in this way, e.g. learners will be asked to leave should their behaviour be disruptive or have a negative impact on other learners.
- A copy of the detailed Learner Unacceptable Behaviour Policy is provided to learners upon request or should the need arise.
- There is an opportunity for the learner to understand the consequences and amend their behaviour, particularly if the learner requires additional support themselves. In some cases, Centre staff may consult the learner's carer or support worker for approaches that work best with the learner. However, Centre staff will always try to speak with the learner first.
- Staff are equipped with the knowledge and skills required to manage difficult situations when working with learners, e.g. working with people with mental health difficulties or learning difficulties, as they may find it more difficult to manage their behaviour in unfamiliar situations or when finding it difficult to communicate.

In situations where the above has been provided and the learner continues to behave in an unacceptable way, the tutor will either:

- With the learner's agreement, refer them to a different learning environment, which will meet their needs more effectively, or
- Ask the learner to leave the Centre.

Where the unacceptable behaviour involves a member of staff, the management will try to resolve the issue informally by talking with the member of staff concerned. If the issue cannot be resolved in this way, the Company's Employee Disciplinary Procedure will be followed.



- If the tutor behaves in an unacceptable way, which does not uphold or represent the values and intent of this Policy, then the person witnessing or affected by the behaviour should report this to a Director who will take responsibility for responding to this situation.

## 9 Recruitment and Selection of Personnel

CICT will ensure that its recruitment and selection procedures are fair, non-discriminatory and recognise diversity.

- All vacancies will be advertised appropriately. We will aim to ensure that all potential applicants are informed of available opportunities.
- Equal opportunity statements will be included in all promotional material and advertisements.
- All promotional material will be designed to encourage suitably qualified and experienced applicants and to avoid stereotypical images.
- Equal opportunities monitoring information will be obtained from application forms. This information will not be used as part of the selection process. This information will be analysed on a regular basis in order to identify any trends or under-represented groups to enable appropriate action to be taken.
- There will be a fair and consistent approach to assessing an individual's merits and ability to do the job. Selection of employees will be on the basis of skills, experience and qualifications, i.e. the most suitable person for the job.

## 10 Procedures for Making a Complaint

- An employee or learner who feels that they have been the victim of unlawful discrimination, or suffered victimisation, bullying or harassment has the right to have their complaints investigated through the CICT complaints procedure.
- CICT will ensure that there is always a copy of the complaints procedure available within the Centre, including a simplified version to ensure it is understood and used by all.
- CICT will ensure that all staff and learners are aware of the steps to follow if they want to make a complaint and how to obtain further information about the procedure
- Any employee or learner who is subject to or witnesses any act of discrimination, harassment, victimisation or bullying should report it immediately to their tutor or line manager in the first instance.
- If an employee or learner does not wish to report the instance to their tutor or line manager, they can contact a Director who will investigate the complaint and provide a response, in line with the Complaints Policy.

## 11 Monitoring

As a measure of commitment to equality & diversity, targets, otherwise known as Equality & Diversity Impact Measures (EDIMs), will be set against local population statistics and they will be monitored throughout the year.

Monitoring the effectiveness of equality & diversity practices will take place via:

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- Assessing Centre performance against targets.
- Withdrawal monitoring in each Centre to identify trends of learners
- The collection and analysis of relevant statistical data.
- Regular performance management visits from company Directors.
- Regular customer satisfaction surveys and learner feedback.
- Learning observations.

Individual data collected will be used confidentially.

Monitoring and evaluation will ensure areas of delivery requiring improvement and remedial actions are identified. Any actions required will be recorded in the Development Plan.

The data for monitoring will look to:

- Provide quantitative information on the gender and ethnicity of learners compared to the local population.
- Provide information on the proportion of learners with disabilities compared to the local population.
- Enable the targeting of and action planning for engagement of under-represented groups.
- Enable Centres to identify under-represented staff groups and ensure the screening of recruitment and selection procedures are not discriminatory.

The monitoring of the wider culture of the organisation will be achieved via the annual self-assessment process, completed by staff. Learners are also encouraged to provide feedback and become involved in this process.

## 12 General Procedures

CICT will seek to ensure that this Equality & Diversity Policy is implemented efficiently and effectively.

- All staff are responsible for ensuring implementation of the policy.
- Equality & diversity training and support will be given to all staff who interact with learners to enable them to implement this policy effectively.
- Staff will proactively ensure all learners are supported throughout their learning. However, should there be any breach of this policy, it will be dealt with promptly and formal procedures implemented accordingly.
- It is important that staff do not overlook offensive comments or actions that may be made in the learning environment. Staff will discuss sensitively with the person responsible for the comments/actions, explaining the distress that they may have caused to other learners/employees.
- This Equality & Diversity Policy will be reviewed at least annually and more frequently if necessary due to significant internal, external or legislative changes.

## 13 Responsibility

Choose ICT Limited's Director has overall responsibility for the implementation of this policy. However, it is recognised that it is the collective responsibility of all persons connected with the organisation to contribute to the implementation of this policy in their day-to-day work.

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