



Equality and Diversity Policy

What is Equality & Diversity?

Equality - is about treating people fairly and ensuring that everyone is given a fair chance, it is not about treating everyone the same.

Equality - recognises that people have many different needs that have to be met in different ways.

Diversity - is about valuing difference between individuals and groups of people. Diversity - welcomes these differences rather than trying to get rid of them. It is only where diversity is recognised and celebrated that there can be real equality.

The Peterborough Skills Academy's Way

Promoting equality and diversity will help us to get the best out of all our staff and improve our delivery. We don't want a tick-box mentality or for people to take these issues seriously only because the law requires them to. We want them to be actively considering how equality and diversity interacts with what they do and how they do it.

Inequality of opportunity & discrimination in any form is, at the very least hurtful, destructive, cruel and wasteful. Unfairness will be challenged wherever and whenever we encounter it. We will not limit ourselves to those examples covered by legislation but will endeavour to fulfil our moral as well as legal responsibilities.

A successful culture which embraces all aspects of equality & diversity will only be achieved through the support, compliance and goodwill of all our employees and learners.

Discrimination

The generally accepted dictionary definition of discrimination is;

'To treat a person or particular group of people differently, especially in a worse way from the way in which you treat other people, because of their skin colour, religion, sex, or other identity etc'

Different types of discrimination

Direct Discrimination

This happens when one person is treated less favorably than another person would be treated in the same circumstances.

Example: Refusal to employ an applicant because of their gender.

Indirect Discrimination

This happens when a requirement is applied equally to everyone but has the effect of excluding or leaving out one person or group more than another.

Example: Introducing a rule that all new employees had to be below 30 years of age.

Discrimination by association

This happens when a worker is treated less favorably because of the workers association with someone who has a protected characteristic

Example: Treating someone less favorably because they are friends with someone who is gay.

Discrimination by perception

This happens when a worker is treated less favorably because the employer mistakenly thinks that the worker has a protected characteristic.

Example: Rejecting a job application from a white woman who the employer thinks is black due to the woman having an African sounding name.

Institutional Discrimination

This happens when the way an organisation works leads to unequal access or unfair treatment.

Example: Having a rule which states that only women are allowed to make cups of tea.

Individual Discrimination

This happens when an individual makes a decision which is based on prejudice against an individual because they are from another group or have a different identity.

Example: Deciding that a British Asian candidate cannot speak English as well as a white candidate.

Victimisation

This occurs when a person is singled out because they have used a complaints procedure or the law to challenge the treatment which they have received.

Example: An employee or learner making a complaint and then being unfairly treated as a result of making the complaint.

Harassment

The dictionary definition of 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'.

The following outlines examples of the type of behaviour which we consider would constitute harassment, for which the perpetrator(s) will be liable for disciplinary action and in serious cases liable to summary dismissal:

- Coarse or insensitive jokes and pranks
- Coarse or insensitive comments about appearance or character
- Display of offensive material - written or pictorial
- Deliberate exclusion from conversation or activities
- Unwelcome familiarity or body contact
- Abusive, insulting, or threatening language
- Demands or threats to intimidate or obtain favours
- Threatened or actual violence

The above is not an exhaustive list.

We understand the sensitive nature of complaints of harassment, but would urge that if you feel that you are the victim of such behaviour, to implement the Grievance Procedure in order that the situation can be satisfactorily resolved. Individuals are assured that should you raise such a grievance, the matter will be dealt with promptly in a discreet and caring manner.

It is your duty to respect the feelings and well being of all your colleagues. What may be acceptable to one person may be upsetting and/or intimidating to another person. Harassment is unacceptable language or behaviour, which causes the recipient of such actions to be embarrassed, offended, or threatened.

Third Party Harassment

You should not be exposed to harassment from third parties whilst at work or whilst in learning.

Third parties are anyone who is not an employee of Peterborough Skills Academy. If any employee is subject to third party harassment this should be reported immediately to your line manager.

Bullying

Bullying is also a form of harassment and can also take many different forms:

- Being called names / being teased
- Being pushed about / pulled out
- Having rumours spread about you
- Being ignored / left out

All employees and learners will be liable to face disciplinary action if it has been determined that any individual or group has been subject to discrimination, harassment or bullying.

Responsibilities

The Senior Management team have overall responsibility for ensuring Peterborough Skills Academy operates within a framework for promoting Equality & Diversity.

The Operations Manager is charged specifically with duties relating to Equality and Diversity. These include raising employee awareness of Equality & Diversity and reviewing the Equality & Diversity Policy at least annually.

Line Managers are responsible for ensuring their employees understand Equality & Diversity and how to report any perceived discrimination, harassment or bullying.

All employees and learners have a big responsibility for promoting Equality & Diversity and for ensuring that they both neither intentionally nor unintentionally discriminate, harass nor bully fellow colleagues or learners.

Tutors and assessors are responsible for promoting and raising learners understanding and awareness of Equality & Diversity. Promotion and awareness will be raised via learner reviews and visits and also within classroom sessions.

Individuals who witness discrimination or harassment are encouraged to challenge any individual's behaviour and where appropriate inform their line manager or a member of Senior Management.

Allowing discrimination, bullying and harassment to occur can at times be as unacceptable as engaging in the behaviour.

We will raise employees and learners awareness and understanding of Equality & Diversity in accordance with the annual plan and this will be achieved in a number of ways:

- Regular staff training, awareness and updates
- Equality & Diversity are standard items on meeting agendas
- External advice and guidance from approved sources such as the Equality & Human Rights Commission and ACAS
- Poster Campaigns / Dedicated Equality & Diversity notice-boards within our locations
- Raising awareness at learner inductions
- Raising learner awareness at monthly reviews and documenting this on assessment plans to confirm understanding
- Promoting Equality & Diversity in the Learner Handbook

Recruitment

All posts, when appropriate will be advertised both internally and externally and the content of all advertisements will be reviewed to ensure that its content is appropriate.

All advertisements will explicitly state the company's commitment to Equality & Diversity.

Analysis will be undertaken on the number and nature of inquiries and applicants responding to advertisements.

When possible, advertisements will indicate that flexible working arrangements may be negotiated.

Application Forms

All questions on application forms will be relevant and non-discriminatory.

The application form includes a section to enable monitoring of Equality & Diversity.

Interviews

At least one person will be present when conducting interviews and that person will have sufficient knowledge, understanding and experience in Equality & Diversity. Interview questions will be related to the requirements of the job, and we will not seek irrelevant qualifications. Applicants will be short listed/selected solely on the basis of capability.

Interview times will be flexible and every attempt will be made to accommodate interviewee's needs in that respect.

Job Specification

Job specifications will in no way imply that the role will only be suitable for people of a specific gender, age, race, or marital status etc, nor will they exclude people with a disability.

Every post will have a job specification which will describe the role concisely, specifying the responsibilities and typical activities. It will not contain requirements or conditions that cannot be shown to be justifiable.

Job specifications will be reviewed and monitored continuously.

Induction

The company's commitment to promoting Equality & Diversity will be fully explained at induction and this will be reaffirmed by ensuring that the location of this policy is made known to them. New employees are advised to read all company policies (paying particular attention to their own responsibilities) within their first month of employment.

Employees

Terms and conditions of employment will include a mandatory agreement to abide by the company's Equality & Diversity policy.

Working Practices

Flexible working practices will be considered for all employees according to the job role being undertaken by them.

Flexible working practices may include; job sharing, part time working, occasional working from home and prolonged breaks. This list is neither exclusive nor exhaustive and an employee should discuss their individual needs with their line manager.

Training & Development

All employees will be actively encouraged to pursue training and further qualifications.

Opportunities and support with training will be monitored at individual appraisals.

Ongoing training and awareness sessions will be aimed at increasing knowledge and awareness of the principles and company approach towards Equality & Diversity. Various communicative tools will be used including; Updates within the Company Report, Guidance and visual posters on notice boards at each location and regular awareness sessions involving all employees. Training session has a specific element of training and awareness which focuses on matters of Equality & Diversity.

Advertisement & Publicity (Learner recruitment)

All advertising and publicity material will:

- Avoid stereotypical images in both language and illustrations and be free of discriminative wording (within the limits set by the funding mechanism)
- Include a statement of the company's commitment to Equality & Diversity Selection

All selection criteria will be transparent, open and specifically related to the programme and no more than the minimum necessary entry qualifications will be required for access to a course of training.

Interviews

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Induction

The company's commitment to promoting Equality & Diversity will be fully explained at induction and this will be reaffirmed by ensuring that the location of this policy is made known to them.

New learners are advised to read all company policies within the learner handbook (paying particular attention to their own responsibilities) within their first month of training. This will be confirmed at their progress review.

Confirmation of understanding will be obtained by the completion of an induction evaluation checklist and retained on file.

Support

Learners may encounter harassment in a number of different ways including day-to-day interactions with Peterborough Skills Academy's employees, other learners and whilst employed or in placement with an employer. The complaints procedure will be followed for all allegations of harassment.

Employers

Guidance and support will be offered to all employers to promote the values of Equality & Diversity throughout their own individual organisations and this will be monitored both formally (by visiting employers premises and carrying out reviews) and informally (via telephone and email).

Complaints Procedure

The following procedures are designed to deal with alleged breaches of the Equality & Diversity Policy promptly and fairly. Procedures are intended to deal with any breach at the appropriate level with sensitivity and impartiality, both for the applicant and the person alleged to be in breach.

The fact that an employee or a learner has made a genuine complaint (formal or informal) shall not adversely affect that individual's prospects at Peterborough Skills Academy in any way. Nobody shall be discriminated against for making a genuine complaint under the Equality & Diversity Policy and disciplinary procedures may be invoked against any person attempting such discrimination.

The Equality & Diversity Policy has been designed to protect the well-being of all members of Peterborough Skills Academy.

Peterborough Skills Academy expects its employees and learners to respect the intentions of the policies and to use them only to make complaints in good faith.

A complaint found on investigation to have been malicious, vexatious or unreasonable may in itself constitute harassment or a breach of the Equality & Diversity Policy.

A serious breach of the Equality & Diversity Policy may be dealt with under the relevant formal disciplinary procedure. Several minor breaches of the Equality & Diversity Policy may constitute a serious breach and may therefore also be dealt with

under the relevant disciplinary procedure. In the event of doubt, the Directors will advise on what constitutes a serious breach.

Informal Stage

It is normally advisable to resolve complaints and issues in an informal manner, where possible and every effort will be made to try and resolve issues and problems informally and without recourse to the formal procedures. If at all possible, it is important to make it clear to the person causing offence that such behaviour is unacceptable. However, if an employee or learner feels unable to confront the person directly or if talking to them has no effect, then a more formal procedure can be undertaken.

Stage 2 – Formal complaint or grievance

If complaints and difficulties cannot be resolved informally, formal complaints should be lodged in accordance with the grievance procedures as explained within the Learner Handbook and Employee Handbook.

Both these procedures involve an investigation stage in which both the individual making the complaint and the person alleged to be in breach are heard. Any complaints made about bullying and harassment or other inappropriate behaviour will be investigated thoroughly and without delay, according to the approved procedures.

If it is found that a serious breach of the Equality & Diversity Policy may have been committed, Peterborough Skills Academy will normally invoke the relevant disciplinary procedure for both learners and employees.

Useful Information

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

Equality Act Guidance

<http://www.equalityhumanrights.com/advice-and-guidance/new-equality-actguidance/equality-act-guidance-downloads/>

