



Equality, Diversity, and Inclusion Policy

1. What is the policy about?

This policy statement outlines the philosophy of equality for all staff and associates and non-employed apprentices at The Vocational Academy as well as our apprentices and Employers and our expectations of a shared ethos with employers. This policy is available on request at admin@thevocationalacademy.co.uk and is also available on our website.

All of our policies are reviewed at least annually or when legislation/ guidance is updated. Staff, apprentices and other stakeholders are made aware of our policy during induction and during review.

2. Who is the policy for?

All staff, apprentices and other stakeholders.

Our staff and apprentices complete a robust initial assessment which includes reading and a check of understanding of each policy and later, if changes are implemented.

3. Policy statement

This document describes the minimum standards and guidance relating to developing a cooperative and non-discriminatory environment which is both supportive and challenging and dealing with instances of harassment, bullying and discrimination.

At The Vocational Academy we believe that all staff and apprentices must be equally respected and treated as individuals, taking positive account of age, gender, religion or belief, ethnic origin, cultural origin, sexual preferences, disability, pregnancy or maternity and marital status. We will constantly implement to apply this principle to all our policies, procedures, delivery and interactions across the projects.

The Ofsted Education Inspection Framework (EIF) sets out clear messages for both schools and providers/ colleges within the FE sector and our ethos reflects our key message below:

'Leaders promote equality of opportunity and diversity exceptionally well, for apprentices and staff, so that the ethos and culture prevent any form of direct or indirect discriminatory behaviour. Leaders, staff and apprentices do not tolerate prejudiced behaviour.'

We will ensure that all employers with whom we work are aware of our commitment to Equality and Diversity and the expectation that they will reflect this ethos when working in partnership regarding apprenticeship provision. Our policies, a copy of our policy and our commitment is identified at the start of each apprenticeship learning journey and reviewed throughout including stakeholders surveys/ questionnaires.

4. Protected characteristics

The following characteristics are protected under the 2010 Act

- age
- disability
- gender reassignment
- marriage and civil partnership

- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Age, Gender, Sexual Orientation, Transgender, Marital Status

No discrimination will be accepted with regards to the gender of the individual. All apprentices will be encouraged to participate in all activities regardless of gender or age. All staff and apprentices will have the same opportunities and be treated in the same manner regardless of their gender or age. No discrimination will be made with regards to individual sexual preferences and marital status.

Reference:

The Sex Discrimination Act 1975

Employment, Equality Sexual Orientation Regulations Dec 2003

Equalities Act (2010)

Religion, Ethnic origin, Cultural origin

No individual will be refused a place on the grounds of religion, ethnic origin or culture. Information will be available to all whenever possible, this will be in the first language if English is not understood, or an interpreter will be used to ensure information is exchanged accurately in a timely manner. All apprentices and staff will be expected to respect individual religion, ethnicity and cultural differences.

The curriculum encourages both staff and apprentices to treat everyone with equal concern and respect and to value each other. Questions about racial and cultural differences will be answered in a clear, factual way that is understood in an appropriate manner. Positive support for a learner's home language and cultures will be given as this provides a framework for learning English.

We also have use of quiet rooms for the use of faith-related activity and apprentices are asked if they have this requirement during initial assessment.

Reference:

The Race Relations Act .1976

Employment Equality Religion or Belief Regulations Dec 2003

Disability

The Vocational Academy is committed to the integration of apprentices and staff with a disability or additional needs. Extra help or special arrangements may be required including 'reasonable adjustment'.

The organisation will not discriminate directly or indirectly against a disabled learner or staff member. It is recommended that all disabilities or special needs are made known so any necessary reasonable adjustments can be made as soon as possible to promote engagement in work and learning.

Reference:

The Disability Discrimination Act 1995

5. Code of Conduct

The organisation will not allow harassment or bullying to apprentices or staff. This can include unwelcome comments or behaviour, repetitive criticism, intimidation, insulting, aggressive, undermining self-confidence or the misuse of power. Any action which makes the recipient feels upset, humiliated, threatened or vulnerable.

If the offensive behaviour is made by apprentices, an on the spot explanation of why it is not accepted will be made and the behaviour policy followed.

Any breach of this policy by an adult or apprentice may result in disciplinary action.

6. Definitions

Direct discrimination - means treating people less favourably because of their race, disability, race, gender, the colour of their skin, ethnic and national origin, nationality, sexual orientation, religion or age.

Indirect discrimination - occurs when an unjustifiable requirement or condition, whether intentional or not affects adults or children from certain groups.

7. Policy requirements

All staff will follow this policy statement at all times. Managers and other staff will ensure that this statement is followed through supervision and quality assurance processes.

STAFF RESPONSIBILITIES

All The Vocational Academy staff have a responsibility to be aware of and implement the policy on Equality and Diversity by

- Promoting a "challenge inequality and celebrate diversity" ethos
- Undertaking staff development appropriate to their role
- Promptly reporting any discriminatory issues, unfair treatment, poor practice or misconduct to the Equality and Diversity Champion
- Promoting equality and diversity in induction, teaching and at progress reviews

MANAGEMENT RESPONSIBILITIES

The Vocational Academy Management and Governance has a responsibility to:

- Ensure that all staff, apprentices, subcontractors and other stakeholders are aware of this policy and actively promote its implementation
- Promote learning to ensure participation is representative of the local, regional and national demographical data
- Ensure the learning environment is non-discriminatory and challenge negative behaviours towards race, religion, gender, disability or culture
- Embrace a whole approach to challenging inequality and celebrate diversity
- Ensure all staff are aware of the policy and ensure they receive appropriate and annual training and support to undertake their roles effectively
- If The Vocational Academy is working with a partner and any equality and diversity issue arises, the Equality and Diversity Champion will work with the partners' appointed person
- Ensure learning resources and marketing literature will promote fair and equal access to teaching, learning and assessment. Particular care will be taken to avoid the use of statements and stereotypes that might reasonably be expected to give offence on the grounds of Age, Gender, Sexual Orientation, Disability, Race, and Religion & Belief
- Collect data to analyse participation and achievement of under-represented groups

- by subject and programme area
- Agree EDIMs (equality and diversity impact measures) to promote participation and achievement of under-represented groups
 - Process all data in accordance with the requirements of the Data Protection Act (May 2018)
 - Learner registration forms ask to detail any additional support requirements that need to be in place. It is the responsibility of the Curriculum Manager to ensure that reasonable adjustments are in place to accommodate those with additional support requirements

8. Equal Opportunities for all

We are fully committed to providing a good and harmonious working environment that offers equal treatment and equal opportunities for all its apprentices and staff where everyone is treated with respect and dignity. The Vocational Academy recognises that the provision of equal opportunities in the workplace is not only good management practice; it also makes sound business sense. Our policy and processes will help all apprentices and employees develop their full potential so that the talents and resources will be fully utilized to maximize the efficiency of the organisation. Breaches of all policies including Equality, Diversity and Inclusion policy will result in the Company's disciplinary procedure being invoked against the individuals responsible or involved.

9. Recruitment of employees and apprentices (see Safer Recruitment Policy for further details)

No vacancy will be advertised or publicised (internally or externally) in a way which discourages applications from any sector of the population. All applications will be considered on merit. Each individual will be assessed against a set of objectives, non-discriminatory criteria that will be directly related to the demands of the particular vacancy. All advertisements, application forms and other recruitment material will clearly state that we are an equal opportunities employer and will avoid statements or questions which tend to discourage applications for employment from any sector of the population. All interviews will be conducted in accordance with the terms and spirit of this policy. The questions asked of candidates will be closely related to the selection criteria and will be asked in order to elicit information which will give a fair assessment of that particular applicant's ability to perform the tasks required by the vacancy. Specific questions will not be asked of candidates which make assumptions about a candidate's commitment or ability based on any of the grounds identified in the statement of this policy. No one sector of the population will be disadvantaged or discriminated against in relation to the terms of employment offered or applied to them. The Vocational Academy will, where appropriate, make reasonable adjustments to its arrangements for interviews and conditions of employment for disabled applicants where necessary to ensure that existing arrangements or conditions of employment do not place such applicants at a significant disadvantage to other applicants.

10. Promotion

Internal vacancies will, if possible, be filled by promotion. The Vocational Academy will, however, consider enlarging the pool of applicants for promotion where this proves necessary to ensure that, in accordance with its policy, the pool of applicants is capable of fairly representing all sectors of the population. Applicants for promotion will be considered only on the basis of their skill, aptitude, experience and suitability for the vacancy.

11. Training for staff and apprentices

Employees involved in recruitment and the management or supervision of others will receive training to help them understand and comply with the law and the policy. No employee will be denied access to training on discriminatory grounds. Specific and/or additional training will be made available for disabled employees as is reasonably necessary.

12. Monitoring

The Vocational Academy will regularly monitor the effectiveness of its processes and procedures to ensure that they are achieving our stated aims.

13. Harassment

Harassment is either:

- Unwanted conduct, whether verbal or not, which is of a sexual or racial nature or which refers to or is based upon a person's disability, or other conduct based on someone's race and/or gender and/or disability which affects the dignity of men or women at work; or
- Bullying of colleagues, especially junior colleagues, by intimidating behaviour; or
- Unfavourable conduct at work, whether verbal or non-verbal, towards someone based on his/her disability which could affect his/her dignity at work

Harassment or any form of discrimination will not be tolerated under any circumstances. A member of staff who harasses or discriminates against another employee or client or customer of the Company will be subject to our disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

Harassment generally may include any unwanted verbal or physical abuse and/or advances and/or behaviour which an employee may find offensive and which causes them to feel threatened, humiliated, patronized, distressed or harassed. It will not necessarily be a defence that such incidents consist of words or behaviour which might be claimed to be "commonplace" or which were intended as a joke or were not intended to be offensive.

Harassment may be deliberate or unconscious, open or covert, direct or indirect, an isolated incident or a series of repeated actions. It may also include, in certain circumstances, off-duty conduct.

It is the duty and responsibility of The Vocational Academy employees as well as our apprentices to stop all types of harassment and discrimination in the workplace. It is only through the efforts of individual employees that harassment and discrimination can be eradicated. We must all recognize that every employee in the Company has the right not to be subjected to any form of harassment or discrimination.

Racial Harassment

Racial harassment is racial discrimination and is contrary to the Company's equal opportunities policy. It is also unlawful. This type of harassment will not be tolerated under any circumstances and the Company will take prompt action upon becoming aware that such incidents have taken place.

Examples of racial harassment may include:

- abusive language and racist jokes
- racial name calling
- the display or circulation of racially offensive written or visual material including graffiti
- physical threats, assault and insulting behaviour or gestures
- open hostility towards workers of a particular racial group, including organized hostility in the workplace
- unfair allocation of work and responsibilities
- exclusion from normal workplace conversation or social events, i.e. being “frozen out”

The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts.

Sexual Harassment

Sexual harassment is similarly sex discrimination, unlawful and contrary to the Company’s policy. It is defined as unwanted behaviour of a sexual nature by one employee towards another.

Examples of sexual harassment may include:

- insensitive jokes and/or pranks
- lewd comments about appearance
- unnecessary bodily or physical contact
- displays of sexually offensive material, for example, pin-ups and calendars
- requests for sexual favours
- speculation about an employee’s private life and/or sexual activities
- threatened or actual sexual violence
- the threat of dismissal, loss of promotion etc. for refusal of sexual favours
- exclusion from normal workplace conversation and social events

Whilst the above list gives examples of sexual harassment, harassment takes many forms from relatively mild sexual banter to actual physical violence. The above examples are not intended to be exhaustive.

Harassment of an individual in this manner on the basis of their sexual orientation (i.e. because they are homosexual, transsexual or undergoing “sex change treatment”) will also be regarded by the Company as sexual harassment and will not be tolerated.

Harassment on grounds of disability

Harassment of an individual who has a disability or who has had a disability in the past is unlawful. It is also contrary to the Company’s policy, which seeks to ensure that people with disabilities receive treatment that is fair, equitable and consistent with their skills and abilities.

In accordance with statutory requirements, the Company recognizes that a person with a disability is someone who has or has had a physical or mental impairment that has a substantial and long-term adverse effect on his/her normal day-to-day activities. Therefore, depending on individual circumstances a person who has been seriously injured, has or had a progressive illness, significant learning difficulties or poor hearing, vision or mobility may be a person with a disability.

Harassment on grounds of disability may include the following:

- abusive or insensitive language
- inappropriate jokes or pranks
- non-verbal offensive gestures (e.g. staring at a particular affliction)
- inappropriate assumptions about the capabilities of a disabled person
- unfair allocation of work and responsibilities
- exclusion from normal workplace conversation or social events
- physical mistreatment (e.g. jostling or assault)

The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts.

As part of the Company's Equality and Diversity policy, we will make every effort, if a disabled person joins the Company or if an existing employee becomes disabled, to make such adjustments as are required by law, whether in their existing job or in a suitable available alternative.

The Company will seek to ensure that the needs of people with disabilities are considered generally in both the context of the Company's working practices and in the nature of its premises and continuing services.

14. Victimization

Victimization occurs when a member of staff treats another member of staff less favourably because that other person has:

- brought proceedings alleging that he or she has been discriminated against contrary to this policy
- indicated that they intend to make such a claim or claims
- assisted a colleague to make a claim

Victimization will not be tolerated under any circumstances and any member of staff who victimizes another employee will be subject to the Company's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct resulting in summary dismissal.

15. Complaints and disciplinary action

Where an employee or apprentice believes that he/she is being harassed, victimised or discriminated against contrary to the law or to the Equality and Diversity policy, he/she can invoke the complaints procedure, whether formal or informal, against the harasser or discriminator.

Every complaint will be investigated and dealt with sympathetically without bias and as quickly as is practicable.

Every effort will be made to ensure that individuals who make a complaint in good faith will not suffer any further detriment or be victimised because of making such a complaint. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimization will result in disciplinary action, which may include summary dismissal.

Any acts of discrimination or acts which contravene this policy will result in the disciplinary procedure being invoked against the individuals responsible or involved. In severe cases, summary dismissal may be justified.

All members of staff are encouraged to use the procedure outlined in this Policy if they are harassed, discriminated or victimised. We take all allegations seriously. However, if an allegation is made which the Company (after investigation) believes has been made dishonestly or maliciously, the Company may invoke the disciplinary procedure against the

complainant. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

Please see Complaints and Whistleblowing Policies for further information.