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POLICY STATEMENT

The Company is an equal opportunities employer. It is committed to:

Providing equal opportunities through employment including recruitment, training, and promotion of employees; and

Eliminating discrimination and other forms of unacceptable behaviour from the workplace.

This means that all job applicants, employees, clients and third parties will receive equal treatment regardless of gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age (the "Protected Characteristics").

The principle of non-discrimination and equality of opportunity applies equally to the treatment of former staff, visitors, clients, customers, and suppliers by members of the Company's current workforce.

This policy is non-contractual and will be subject to amendment and review as legislation and practice codes are introduced and updated.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity and respect at all times, and not to discriminate against or harass other members of staff, regardless of their status. Staff need to be aware of the sensitivities of others.

SCOPE & PURPOSE

This policy applies to The ATP as an organisation and all its employees and is intended to serve both employees and all those served by the ATP.

The Company will not unlawfully discriminate on grounds of gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, 36 religion or belief, disability or age, pregnancy, trade union membership, or part-time or fixed-term status.

This policy applies to job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, benefits, facilities and pay, health and safety, conduct at work, grievance and disciplinary procedures and to termination of employment, including redundancy.

Responsibilities:

- Encourage equality and diversity in the workplace
- Create a working environment free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued
- Embrace training regarding rights and responsibilities under the equality policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation, and unlawful discrimination
- Understand that individuals can be held liable for acts of bullying, harassment, victimisation, and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public

- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others during the organisation's work activities
- Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and any appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice
- Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence
- Make opportunities for training, development, and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation
- Decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act)
- Review employment practices and procedures when necessary to ensure fairness, and update them and the policy to take account of changes in the law
- Monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the equality policy
- Monitoring will also include assessing how the equality policy, and any sporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues

POLICY AUTHORITY

The equality policy is fully supported by the Board of Directors and has been agreed with trade unions and/or employee representatives.

This policy will be reviewed by Board of Directors annually.

RELATED POLICIES

This policy must be read in conjunction with:

Grievance and Disciplinary Policy and Procedure (employee handbook)

Details of the organisation's grievance and disciplinary policies and procedures can be found in the employee handbook. This includes with whom an employee should raise a grievance – usually their line manager.

Use of the organisation's grievance and/or disciplinary procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination

CPD Policy and Procedure

For relevant information on Mandatory training.

IMPLEMENTATION

DEFINITIONS

Direct Discrimination - occurs where a person is less favourably treated on the grounds of a Protected Characteristic. For example, rejecting an applicant on the grounds of their race because it is considered they would not "fit in" could be direct discrimination.

Indirect Discrimination - occurs where a requirement or condition, which cannot be justified, is applied equally to all groups, but has a disproportionately adverse effect on one group of those with a Protected Characteristic. For example, a height requirement would be likely to eliminate proportionately more women than men. If this criterion cannot be objectively justified for a reason unconnected with sex, it would be indirectly discriminatory on the grounds of sex.

Victimisation is less favourable treatment because of action taken to assert legal rights against discrimination or to assist a colleague in that regard.

Harassment - occurs when unwanted conduct related to any of the Protected Characteristics takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may involve physical acts or verbal and non-verbal communications and gestures. It is the affect upon the individual which defines Harassment not necessarily the conduct or the comment.

RECRUITMENT

The Company recognises the benefits of having a diverse workforce and will take steps to ensure that it attracts and recruits from the widest possible pool of qualified candidates. The Company will ensure that there are equal opportunities in all stages of the recruitment process.

Selection criteria and processes will not discriminate unjustifiably on grounds of a Protected Characteristic. All recruitment agencies acting for the Company are aware of its requirement not to discriminate and to act accordingly.

Job advertisements will contain a brief statement that the Company is an equal opportunities employer and any publicity relating to the Company and its employment opportunities will refer to the Equal Opportunities Policy.

Where appropriate, staff responsible for recruitment will receive training in equal opportunities and guidance will be available to all staff.

PROMOTION

Promotion and other employment opportunities, such as transfer opportunities, are open and accessible to all based solely on merit, without regard to a staff member's Protected Characteristic.

TRAINING

All staff will have equal access to training and other career development opportunities appropriate to their experience and abilities. Access to these opportunities will be made without regard to member of staff's Protected Characteristic

EMPLOYEE RESPONSIBILITIES

All staff have a personal responsibility to ensure that the Company's equal opportunities policy is observed and complied with.

All questions which relate to this policy should be addressed to a Director

BREACHES

If a member of staff believes that he/she may have been disadvantaged or harassed on any of the unlawful grounds listed at 38 paragraph 13.7, he/she is encouraged to raise the matter through the Company's grievance procedure. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Employees who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach of this policy which are found to have been made in bad faith will, however, be dealt with under the disciplinary procedure.

If, after investigation, the employee is proven to have harassed any other worker on the grounds of a Protected Characteristic or otherwise acts in breach of this policy, the employee will be subject to disciplinary action. In many cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Company will always take a strict approach to serious breaches of this policy.

As this policy applies equally to the Company's employees relations with visitors, clients, customers and suppliers, if, after investigation, the employee is proven to have discriminated against or harassed a visitor, client, customer or supplier he/she will also be subject to disciplinary action.

Promotion of the policy:

EMPLOYEES

The ATP will inform all employees that an equality and diversity policy is in operation and that they are obligated to comply with its requirements and promote fairness in the workplace. The policy will also be drawn to the attention of funding agencies, stakeholders, customers, learners, and job applicants.

The ATP acknowledges that this policy needs to be supported by a comprehensive programme of training. This involves all stakeholders (the Board, senior management team, staff, delivery team and learners), regardless of their role or their location. Some groups of learners and/or staff will need to receive additional and more specific forms of training than others depending on their roles and on the findings from the ATP's continuous monitoring of equality objectives.

Promoting equality and diversity will be a part of the induction process for all new staff and learners, and training events for all will be publicised and monitored as part of our quality review of staff and learner's development. Training will be provided for managers on this policy and the associated arrangements. All managers who have an involvement in the recruitment and selection process will receive specialist training.

All ATP staff will complete mandatory training for equality and diversity. Please refer to CPD policy for job role specific training and development.

The aim of equality and diversity training is to:

- To ensure potential and current staff, learners and visitors do not experience discrimination.
- To create a positive and inclusive work and study environment for all learners and staff where all members feel valued and respected.
- To raise awareness with regards to discrimination and ensure that all learners, staff, stakeholders, and service users are aware of their responsibilities under the current equality legislation.
- To support the recruitment, retention, progression, and personal and professional development of all our staff and learners.
- To keep updated on equality legislation.

The ATP will deliver an innovative, effective service. This is not possible without investment in our employees.

To recruit and retain a motivated and professional workforce which reflects the local diversity and beyond, we will:

- Ensure our human resources policies are fit-for-purpose and review them regularly.
- Act robustly to challenge and eliminate prejudice, bullying or harassment.
- Support recognised trade unions and staff forums.
- Regularly review our workforce monitoring figures and act where appropriate.
- Use a variety of different methods to attract and retain staff from all equality backgrounds.
- Comply with all equalities related employment legislation.
- Make reasonable adjustments for staff with needs.
- Train staff in equality and diversity issues to enable them to carry out their jobs in a way that reflects the ethos of the organisation.
- Encourage open, honest discussion about issues which support personal development and a learning culture.
- Continue to develop a workforce that is reflective of the diverse mix of the area.
- Monitor data on ethnicity, gender, age, and disability in relation to applications for jobs, appointments, and the staff profile
- Identify trends so that any unreasonable imbalances can be addressed appropriately
- Monitor the attendance of staff at professional development and training ensuring teaching staff complete a minimum of PTTLS qualification and encourage self-reflection, good practice
- Conduct an annual self-assessment to establish progress in equality and diversity.
- Staff will be encouraged to consult the **EHRC website** <https://www.equalityhumanrights.com> on a regular basis and to make themselves aware of the information and guidance there as and when needed. Information in relation to equality and diversity should be discussed at staff training, and be part of the staff induction

LEARNERS

The ATP will provide an effective learning and teaching environment for our learners, whatever the background. To do this, we will:

- Ensure ATP staff review the Equality and Diversity Policy with new learners upon enrolment.
- During the induction process, all new learners complete an online learning module, including equality and diversity
- Ensure learner policies are fit-for-purpose and review them regularly.
- Act robustly to challenge and eliminate prejudice, bullying or harassment.
- Support our learners' feedback as an empowering tool for change.
- Regularly review our learner monitoring figures and act where appropriate.
- Use a variety of different methods to attract and retain learners from all backgrounds.
- Comply with all equalities related legislation.
- Make reasonable adjustments for learners with needs.
- Encourage open, honest discussion about issues which support learners' educational attainment and a learning culture.
- Ensure that course materials, resources and displays celebrate cultural diversity and include positive images of different social and racial groups
- Promote understanding, empathy, and respect for all cultures
- Encourage tolerant discussion of a range of political beliefs and religious conviction when appropriate
- Respect all cultures and where possible or relevant allowing access to quiet areas for those with religious needs.
- Work with a range of external groups of all religions, beliefs and cultures, ensuring learners and other users of our services aware of behaviour which amount to discrimination, harassment or victimisation and that such behaviour may result in disciplinary action and/or amount to a criminal offence.
- Strive to challenge racism and stereotyping in all its forms as well as negative attitudes or remarks, seeking advice appropriately from organisations representing under-represented groups in the community such as the Equality and Human Rights Commission

- Respond sensitively whenever learners raise concerns on equality and Inclusion in the workplace
- Ensure that all learners know the procedure for making a complaint and provide advice on how to follow the correct Complaints Procedure.

Roles and Responsibilities

The Board of Directors:

Has overall responsibility for this policy and ultimate accountability for compliance with the organisation's equality obligations. They are responsible for:

- The policy and ensuring all its procedures are followed.
- Promoting commitment to equality.
- Adequate resources are made available for implementation of this policy and its procedures.
- The organisation's development plans foster a positive ethos with regards to diversity and the elimination of discrimination and that strategic plans includes a commitment to equality.
- Receive and respond to reports on recruitment, retention, achievement, and success rates for learners from different backgrounds and to information regarding staff and Equality Analysis (EIAs).

The Management Team:

- Taking the lead in creating a positive, inclusive environment in which everyone is treated with respect and dignity.
- Overall implementation of our equality commitments and for promoting equality.
- Ensuring that equality procedure is integral to the business planning processes.
- Assessing the impact of any current and future policies in relation to equality.
- Ensuring monitoring information is collected, analysed, and regularly reported.
- Ensuring that the procedures for the recruitment and promotion of staff enshrine best practice in equal opportunities.
- Setting targets in the recruitment and promotion of staff based upon the analysis of monitoring information.
- Embedding equality and diversity into all quality assurance mechanisms:
 - Programme/framework reviews.
 - Feedback questionnaires.
 - Self-assessment reports.
 - Observations of teaching, learning and assessment.
- Implementing systems that deal with incidents of discrimination or harassment effectively.
- Setting targets on the recruitment, retention and achievement of learners based upon the analysis of the monitoring information.
- Monitor and report on the recruitment, retention, achievement, and progress of different groups of learners.
- Gather the range of learner quantitative and qualitative information and share this information with relevant parties to ensure it is used effectively to improve equality.
- Gather local information that will help target recruitment of specific groups of learners to programmes.
- Consulting staff, learners, parents and employers on equality and diversity.
- Acting against staff or learners who discriminate for any reason.
- Ensuring that all premises and facilities are accessible.
- Ensuring that the procedures for procurement are inclusive and open to all.

Delivery Team and Support Staff

- Consistently challenging and reporting any inappropriate language, behaviour or discrimination by learner, work placement providers, employers, or other members of staff.
- Dealing with equality and diversity incidents and being able to recognise and tackle bias and stereotyping.

- Promoting equality of opportunities, eliminating discrimination, and fostering good relations.
- Becoming familiar with the organisation's equality data and trends, knowing their contribution to the overarching targets, and setting targets.
- Keeping up to date with our statutory duties on equality and taking up training and learning opportunities.
- Involving learners in all aspects of decision making.
- Ensuring those responsible for managing teaching and learning have schemes of work and teaching resources that demonstrate sensitivity to issues of equality.
- Promoting a positive working and learning environment that is free from discrimination, harassment or bullying and treat all individuals with dignity and respect.
- Introducing all learners to equality principles and opportunities during induction and initial assessment.
- Conducting EIAs.
- Reporting any incidents promptly.

Learners and employers

Have a proportionate responsibility for:

- Understanding and acting in accordance with this policy.
- Complying with the organisations policies and regulations in respect of equality and diversity.
- Support staff in challenging and reporting discriminatory behaviour and language.
- Participating in any activity that celebrates and promotes equality and diversity.

Monitoring and reporting

The ATP deems it appropriate to state its intention not to discriminate and assumes that this will be translated into practice consistently across the organisation. Accordingly, a monitoring system will be introduced to measure the effectiveness of the policy and arrangements:

The system will involve the routing collection and analysis of information on employees and learners.

Learners:

- Information relating to all protected characteristics.
- Applications and conversion rates to programmes across any groups.
- Retention, achievement, attendance, and success rates across all groups.
- The progression rates of all groups.
- Learner satisfaction feedback across all groups.
- Disciplinary action relating to all groups.
- Complaints by learners.
- Assessment appeals by all groups.

Staff:

- Information relating to all protected characteristics.
- Applications for employment, appointments, training, and promotion.
- Type of contract (permanent, temporary) by group.
- Training application and take up rates of all groups.
- Promotion rates of all groups.
- Grievances by group.
- The number of staff who leave employment by group.

This information will be used to:

- Monitor whether there are any differences in the way different groups are treated or in their experience.
- If there are any gaps in recruitment, attainment, and success of different groups of learners/staff.
- Analyse and investigate the underlying reasons for any differences.
- Identify areas where specific action could be taken and ensure that it is taken.
- Highlight any unfairness, disadvantage or possible discrimination and act where appropriate.

- Compare our data to local and national statistics to identify success and areas for improvement.
- Ensure facilities remain accessible and inclusive.

We will judge our success against this policy on:

- Our progress in improving participation, retention, achievement, and success of learners
- Our progress in ensuring a positive experience and environment for all our learners measured through perception surveys
- The thoughts and perceptions of our employees measured by the results of staff and learner perception surveys and outcomes of employee consultation and communication events and systems
- Our progress in recruiting a diverse workforce
- Our progress in addressing learner recruitment

Complaints relating to equality

Staff and learners will be made aware of the complaint's procedures via induction. Copies of this policy and the complaints procedure will be made available on our website, the learner's e-portfolios and in the staff handbook.

All complaints will be taken seriously, and any member of staff or learners found guilty of unlawful discrimination or harassment will be subject to disciplinary action, including where appropriate, gross misconduct.

The ATP will seek to provide a supportive environment for staff, learners or other parties who make claims of discrimination or harassment through the appropriate procedure. Any complaints will be dealt with promptly and fairly.

For those who wish to make a formal complaint, full details of how to do this can be found in our Complaints Procedure.

All incidents and complaints of an equal opportunity's nature, however informal, should be logged, anonymously if necessary, showing the nature of the complaint and any outcome. Such a record should be kept even if the individuals concerned did not wish to make the matter formal. The ATP will monitor the equality data of complainants, whenever possible and use this information to ensure that there are no discrepancies in the level or type of complaints from different equality groups.

Appendix 1

Definitions of Terms

Sexual Harassment

- unwelcome sexual remarks, such as jokes, innuendo, teasing and verbal abuse
- the display of pin-ups, pornographic pictures, or sexually suggestive subject matter
- unwelcome remarks about a person's dress, appearance, or marital status
- behaviour which condemns or ridicules a person because of their sexuality
- unwelcome physical contact or demands for sexual favours
- transmission of offensive materials or statements via electronic means or through the post

Racial Harassment

- racially derogatory remarks or racist jokes
- the display of racially offensive material or graffiti
- insulting behaviour, threats, or physical assault
- deliberate isolation or non-co-operation at work
- transmission of offensive materials or statements via electronic means or through the post

Age Discrimination

- ridiculing or demeaning behaviour towards people because of their age

Discrimination against disabled people

- harassment, undignified treatment, ridicule, or exclusion of people because of their impairments, vulnerability, actual or perceived reduced independence

Religious Discrimination

- behaviour which fails to acknowledge the rights or needs of people with beliefs or practices

Bullying

- the intentional intimidation or belittling of someone through the misuse of power or position, which leaves them feeling hurt, upset, vulnerable or helpless

Victimisation

- less favourable treatment of an individual because, for example, that person has brought proceedings, given evidence, or complained about the behaviour of someone who has been harassing or discriminating against them

Inclusive Learning

- An inclusive learning culture is one which widens participation and raises achievement by removing barriers to learning. Inclusive learning is defined as the best match or fit between how learners learn best (learning styles), what they need and want to learn (goals), and the learning environment (physical resources, support, teaching methods).

UPDATED November 2020

FOR REVIEW November 2021