

The Equality Act 2010 consolidates and replaces anti-discrimination laws introduced over the past 40 years. The Act introduced a single Public Sector Equality Duty (PSED), which came into force in April 2011; replacing the separate duties on race, disability and gender. The PSED, sometimes referred to as the 'general duty', extends schools' equality duties to all protected characteristics:

- Race
- Disability
- Sex
- Age
- Religion or belief
- Sexual orientation / transgender
- Pregnancy and maternity
- Gender reassignment
- Marriage and Civil Partnership

The Public Sector Equality Duty consists of three main elements. In carrying out their functions public bodies are required to have 'due regard' when making decisions and developing policies, to the need to:

1. Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010.
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
3. Foster good relations across all protected characteristics – between people who share a protected characteristic and people who do not share it.

Having due regard to the need to advance equality of opportunity is defined further in the Equality Act 2010 as having due regard to the need to:

1. Remove or minimise disadvantages
2. Take steps to meet different needs
3. Encourage participation when it is disproportionately low.

In order to help schools in England meet the general equality duty, there are two specific duties that they are required to carry out. These are:

- To publish information to demonstrate how they are complying with the equality duty.
- To prepare and publish one or more specific and measurable equality objective.

1. POLICY STATEMENT

DIVAD TRAINING LIMITED is committed to promoting equal opportunities in all its activities. We will ensure that no job applicant, employee or learner is treated less favourably on the grounds of Sex, Marital Status, Race, Nationality, Ethnic Origin, Age,

Equality and Diversity Policy



Class, Sexual Orientation, Colour or Disability or any other grounds which cannot be legally justified.

DIVAD TRAINING LIMITED will ensure that selection decisions will be made on ability using objective, job related criteria. DIVAD TRAINING LIMITED will provide terms and conditions, training, promotion and appraisal without regard to **Sex, Marriage and Civil Partnership Status, Race, Gender Reassignment, Nationality, Ethnic Origin, Age, Class, Pregnancy and Maternity, Religion or Belief, Sexual Orientation, Colour or Disability.**

We state to all employees that any acts of discrimination, including harassment, will be grounds for serious disciplinary action and complaints will be raised through the grievance procedure.

We will monitor the implementation of the policy via a programme of action which will be regularly reviewed and updated.

Overall responsibility for the application of the policy rests with DIVAD TRAINING LIMITED Directors, however, all employees of DIVAD TRAINING LIMITED have a personal responsibility under the policy, in particular all managers and supervisors.

STATUS OF THE POLICY

This policy does not form part of the formal contract of employment, but it is a condition of employment that employees will abide by the rules and policies made by DIVAD TRAINING LIMITED from time to time. Any failures to follow the policy and procedures as set down can therefore result in disciplinary proceedings

POLICY IMPLEMENTATION

The information contained within this document provides a clear statement of the Company's commitment to equal opportunities in all its activities. It provides a Code of Practice to assure the implementation of this commitment, together with a statement of the action to be taken in the event of the Code of Practice being breached.

DIVAD TRAINING LIMITED is committed both as an employer and as an education and training provider to equality of opportunity for all in:

a) Access, Participation and Development

Our marketing and recruitment processes seek to ensure that all potential learners and trainees have access to non-discriminatory publicity and individual information and advice which will enable them to gain access to learning programmes appropriate to individual needs and aspirations.

b) Learning Programmes

DIVAD TRAINING LIMITED seeks to ensure that the learning programme offered to each individual learner matches the needs of that individual, subject to the availability of suitable resources.

Our priorities are to:

- Develop the potential of all our learners
- Encourage our learners' efforts to enable them to reach their potential
- Assure our learners' health, safety and wellbeing through all reasonably practicable measures.

We encourage learners to participate in learning programmes which reflect and value people regardless of gender, marital status, family responsibilities, sexual orientation, race, ethnicity, nationality, religious belief, disability, age, socio-economic/geographic factors and unrelated criminal convictions so as to:

- Foster harmony, understanding and mutual support,
- Enable learners to recognise and counter all forms of prejudice, and
- Enable learners from a diverse range of communities to take part in learning programmes.

c) **Staff Recruitment, Employment and Development**

DIVAD TRAINING LIMITED policies and practices are designed and conducted to ensure that when employment decisions are made they are based solely on the skills and qualities required for the job and comply with relevant legislation. We believe that people of equal potential should have equal opportunity of being employed, developed and promoted regardless of gender, marital status, family responsibilities, sexual orientation, race, nationality, religious belief, disability, age and unrelated criminal convictions.

2. STATEMENT OF PRINCIPLES AND CODES OF PRACTICE

2.1 Access, Participation and Development

Statement of Principles

DIVAD TRAINING LIMITED marketing and recruitment processes seek to ensure that all potential learners and trainees have access to non-discriminatory publicity and individual information and advice which will enable them to gain access to programmes appropriate to individual needs and aspirations.

- i) Appropriate market research is undertaken so as to establish the learning needs of all potential participants.
- ii) Publicity material is developed to ensure that it portrays our Equal Opportunities Policy through photographs, profiles and other material and that all such publicity material is free from any discriminatory statements.

- iii) Application forms and other learner records are designed to be clear and unambiguous and not to contain any discriminatory questions or irrelevant information.
- iv) Educational and training information and advice provided by the Company is designed to inform learners of the complete range of learning opportunities available, so as to ensure there is no discrimination. Information and advice is designed to focus on enabling individuals to gain access to an appropriate learning programme to meet their specific needs.
- v) Appropriate opportunities are taken to promote and raise the awareness of the Company's commitment to equal opportunity matters through its Equal Opportunities Policy as it applies to prospective learners, employers, customers of other services, contractors and sub-contractors and staff.
- iv) All staff responsible for marketing and providing education and training information and advice receive appropriate training which ensures that they are conversant with and committed to the Company's Equal Opportunities and Harassment Policy.
- vii) Any data required to assist the monitoring and furtherance of equal opportunities is collected with care and suitable safeguards put in place to ensure confidentiality and the appropriate use of data collected.

2.2 Learning Programmes

Statement of Principles

DIVAD TRAINING LIMITED seeks to ensure that the learning programme offered to each individual learner matches the needs of that individual, subject to the availability of suitable resources and courses available. If DIVAD TRAINING LIMITED is unable to meet individual needs, we refer prospective learners to an appropriate agency able to fulfill this need.

Our priorities are to:

- develop the potential of our learners
- encourage our learners' efforts to enable them to reach their potential
- assure our learners' health and safety through all reasonably practicable measures.

We encourage learners to participate in society by developing an ethos and a range of learning programmes which reflect and value people regardless of gender, marital status, family responsibilities, sexual orientation, race, ethnicity, nationality, religious belief, disability, age, socio-economic/geographic factors and unrelated criminal convictions so as to:

- foster harmony, understanding and mutual support
- enable learners to recognise and counter all forms of prejudice, and
- enable learners from a diverse range of communities to participate in learning programmes

- 2.2.1. It is the responsibility of all staff to deliver learning programmes which are 'non-discriminatory' and encourage equality of opportunity.
- 2.2.2. All participants in the learning process are encouraged to develop recognition of and value the diversity of all members of society through guidance and training on equal opportunity issues.
- 2.2.3. Learning programme organisation and teaching methods, as far as possible, take into account the needs of different groups, including those with individual learning needs.
- 2.2.4. Where work experience or work based training forms part of the learning process, the process of monitoring work providers ensures that the work provider/employer is aware of and meets the requirements of our Equal Opportunities Policy.
- 2.2.5. All learners are made fully aware of the Company's policies and Codes of Practice on equality of opportunity in their learning programme via the appropriate induction material.

2.3 Staff Recruitment, Employment and Development Statement of Principles

DIVAD TRAINING LIMITED Human Resources policies and practices are designed and conducted to ensure that when employment decisions are made they are based solely on the skills and qualities required for the job and comply with relevant legislation. People of equal potential have equal opportunity of being employed, developed and promoted regardless of gender, marital status, family responsibilities, sexual orientation, race, ethnicity, nationality, religious belief, disability, age and unrelated criminal convictions.

- 2.3.1. All job and person specifications and job advertisements are free of criteria that may directly or indirectly discriminate against particular categories or groups of persons who might be considering applying for a post as a member of staff. The only exceptions should be where the employment category is exempted by legislation.
- 2.3.2. All job and person specifications are regularly reviewed to ensure they are up to date, relevant and comply with the Statement of Principles on Staff Recruitment and Development and this Code of Practice.
- 2.3.3. Job advertisement and other material provided to potential applicants for appointments at DIVAD TRAINING LIMITED clearly indicate that the company is committed to promoting equality of opportunity and positive action.
- 2.3.4. Job advertisements are placed to attract, on a cost-effective basis, candidates with the required knowledge, skills and experience and avoid excluding any potentially suitable candidates.

- 2.3.4. All short listing is carried out by not less than two persons, one of whom has received equal opportunities recruitment and selection training, and one of whom is the person to whom the post holder reports.
- 2.3.5. All short-listing criteria are objectively drawn and based solely on the knowledge, skills and experience required for the post. A record is maintained, and kept for a minimum of 6 months, of the criteria used for short listing purposes and the extent to which each applicant satisfies the criteria. Candidates are advised of this practice as part of the Company's obligations under the Data Protection legislation.
- 2.3.6. The interview panel is always more than one person and will normally be two or three people. At least one member of an interview panel will have received equal opportunities recruitment and selection training, and one of the panel will be the person to whom the post holder reports. Whenever possible.
- 2.3.7. Interview panels focus their questions on issues related to the skills and qualities required for the post and avoid questions of a personal nature which may, in any way, imply direct or indirect discrimination.
- 2.3.8. The interview panel's decision is not, in any way, influenced by issues other than those relating to the skills and qualities required for the job. Decisions are based on the interview and other material, e.g. selection tests, presentations, group discussions, references and evidence of past performance, where applicable. The decision is taken against the panel's agreed criteria of the skills and qualities required, and a record is maintained of the panel's overall assessment of each candidate against these criteria for a minimum of 6 months. Candidates are advised of this practice.
- 2.3.9. The company ensures that all new staff are provided with training in equal opportunities and given a copy of the Equal Opportunities Policy as part of the induction process. Managers take on the responsibility to ensure that staff are aware of their specific individual responsibility to comply with the Company's Policies and Code of Practice on equality of opportunity.
- 2.3.10. All staff have equal access to opportunities for training and development where these relate to the individual's current and future role within the organisation and are agreed as part of the Performance Management and Staff Development processes.
- 2.3.11. Equality of opportunity is embedded within all training and development available to staff.

3. DISSEMINATION

- 3.1 DIVAD TRAINING LIMITED Equal Opportunities Policy is made accessible to (prospective) learners, employers, customers of other services, contractors and sub-contractors and staff.

- 3.2 All members of staff receive a copy of the policy document and training in its implementation. The Policy as it relates to access and learning programmes is published in staff/learner handbooks and other induction documents as appropriate.

4. RESPONSIBILITY, AUTHORITY AND IMPLEMENTATION

- 4.1 A nominated Director has overall responsibility for the implementation of the Equal Opportunities Policy.
- 4.2 All staff have a responsibility for ensuring that the Principles and Codes of Practice relating to Access, participation and development are adhered to. Training staff are responsible for implementing the Principles and Codes of Practice relating to learning programmes.
- 4.3 Learners are made aware of their role in upholding the Company's Equal Opportunities Policy and are expected to act within the spirit of the Policy.
- 4.4 The Codes of Practice which accompany each of the Principles set out in the Policy document explain in detail how the Policy is implemented.

5 ORGANISATION AND REPORTING LINES

- 5.1 The monitoring and reporting of the Equal Opportunities Policy is undertaken by the Board of Directors as regards all aspects of Equal Opportunities issues arising. Plans are reported via Board Meetings.

6. MONITORING OF EQUAL OPPORTUNITIES

- 6.1 The policy is monitored and reported using the processes of quality review detailed below. This will include:
- monitoring of statistics relating to course enquiry, enrolment, retention and achievement,
 - internal verification of assessment material,
 - observation of all delivery staff,
 - annual programme review process,
 - recruitment and selection process,
 - staff development process,
 - exit interviews.
- 6.2 Questionnaire surveys of all learners undertaken post enrolment, address equal opportunities issues where appropriate.

7 REVIEW AND EVALUATION OF THE POLICY

- 7.1 The nominated Director has overall accountability for the review and evaluation of the Equal Opportunities Policy. The Policy is presented to the Board of Directors for ratification annually.

8. RESOLUTION OF DISCRIMINATION

- 8.1 Any concerns about discrimination should be notified to:

- DIVAD TRAINING LIMITED Director, David Joseph

- 8.2 Every effort is made to resolve matters informally in the first instance, where this might be appropriate. In the event that the person who has suffered the alleged discrimination wishes to make a formal complaint, then the Procedure for Investigating Formal Complaints is followed.

9. HARASSMENT

- 9.1 Harassment is defined as 'any conduct which is unwanted by the recipient, or any such conduct based on characteristics which affect the dignity of any individual, or group of individuals. Such characteristics could be gender, race, sexual orientation, religious belief, age or disability. Harassment may be repetitive, or an isolated occurrence against one or more individuals and may be:

- **Physical:** contact, assault or gestures, intimidation or aggressive behaviour.
- **Verbal:** unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter based on characteristics as defined above.
- **Non-verbal:** offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion from social activities.
- **Bullying:** persistent, offensive, abusive, intimidating, or insulting behaviour, abuse of power or unfair sanctions which makes the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self-confidence, and which may cause them to suffer stress.

- 9.2 It is the duty of every member of the Company to take responsibility for their behaviour and modify it if necessary, as harassment is not acceptable under any circumstances. In the event that an individual has suffered alleged harassment, then the process for the Resolution of Discrimination is followed. If the individual wishes to make a formal complaint, then the Procedure for Investigating Formal Complaints is followed.

- 9.3 Learners under the age of 18: In the event that the person alleging harassment is under the age of 18, then the matter will proceed according to the Company's Child Protection Policy and Procedures.

10. PROCEDURE FOR INVESTIGATING FORMAL COMPLAINTS

10.1 Any formal complaint is expected to be put in writing to the nominated Director.

11. DISCIPLINARY PROCEDURES

11.1 If the investigating manager identifies as a result of investigations that there has been a breach of Staff or Learner Codes of Conduct, then, where applicable, Staff or Learner Disciplinary Procedures are invoked.

12. APPEALS

12.1 Staff have the right of appeal according to the Company Grievance Procedure.

12.2 Learners have the right of appeal according to the Learner Appeals Procedure or complaints procedure.

13. LEGISLATION

13.1 This policy is written and implemented with reference to the following legislation:

- The Disabled Persons Acts 1958 and 1994
- The Disability Discrimination Act 1995
- The Sex Discrimination Act 1975 (and its amendments, 1986)
- The Sex Discrimination (Gender Reassignment) Regulations 1999
- The Race Relations Act 1976
- The Race Relations (Amendment) Act 2000
- The Working Time Regulations 1998
- The Equality Act 2006
- The Equal Pay Act 1970 (and its amendments 1983)
- The Rehabilitation of Offenders Act 1974
- The Data Protection Acts 1984 and 1998
- The Human Rights Act 1998
- The Children Act 1989
- The Employment Equality (Age) Regulations 2006/07/08
- Equality Act 2010