

# Equality, Diversity, and Inclusion Policy

## October 2023

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## **1. Introduction**

UK Skills Academy (UKSA) is committed to supporting, developing and promoting equality, diversity and inclusion in all of its practices and activities and aims to establish an inclusive culture free from discrimination which is based upon our values. We will support and develop our employees and learners by providing access to facilities, personal and career development opportunities, employment and training on the basis of equality. UKSA is committed to eliminating discrimination and advancing equality on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief (including lack of belief), sex and sexual orientation and to fostering good relations between different groups.

This policy builds upon the foundation of equality and anti-discrimination legislation and guidance. We aim to not only comply with legal requirements, but to work towards best practice.

The Equality Act 2010 covers exactly the same groups of individuals that were protected by the previous legislation. However, the headings of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity are now known as 'protected characteristics'.

Each characteristic is addressed in the Act in summary as follows:

### **1. Age**

The Act protects employees of all ages but remains the only protected characteristic that allows employers to justify direct discrimination, i.e. if an employer can demonstrate that to apply different treatment because of someone's age constitutes a proportionate means of meeting a legitimate aim, then no discrimination will have taken place.

### **2. Disability**

The Act includes a protection arising from disability and states that it is unfair to treat a disabled person unfavourably because of something connected with a disability. An example provided is the tendency to make spelling mistakes arising from dyslexia. Also, indirect discrimination now covers disabled people, which means that a job applicant could claim that a particular rule or requirement disadvantages people with that disability.

The Act includes a provision which makes it unlawful, with limited exceptions, for employers to ask about a candidate's health before offering them work.

### **3. Gender reassignment**

It is discriminatory to treat people who propose to start to, or have completed a process to change their gender less favourably, for example, because they are absent from work for this reason.

### **4. Marriage and civil partnership**

The Act continues to protect employees who are married or in a civil partnership. Single people are however not protected by the legislation against discrimination.

## **5. Pregnancy and maternity**

The Act continues to protect women against discrimination because they are pregnant or have given birth.

## **6. Race**

The Act continues to protect people against discrimination on the grounds of their race, which includes colour, nationality, ethnic or national origin.

## **7. Religion or belief**

The Act continues to protect people against discrimination on the grounds of their religion or their belief, including a lack of any belief.

## **8. Sex**

The Act continues to protect both men and women against discrimination on the grounds of their sex, for example paying women less than men for doing the same job.

## **9. Sexual orientation**

The Act continues to protect bisexual, gay, heterosexual and lesbian people from discrimination on the grounds of their sexual orientation.

UKSA values diversity and recognises that the organisation is greatly enhanced by the wide range of backgrounds, experiences, views, beliefs and cultures represented within its stakeholders. The company aims to embrace diversity in all of its activities and acknowledges that diversity is important to its well-being and future development.

All learners and employees are treated fairly and with respect. Recruitment onto training programmes is based on the criteria set out by funding agencies and employers. Selection for employment, promotion, staff training or any other benefit is on the basis of aptitude and ability. All learners and employees are helped and encouraged to develop their full potential. The talents and the resources of the workforce are fully utilised to maximise the efficiency of the organisation.

## **2. Policy Statement**

UKSA is an equal opportunities training provider and welcomes applications to join its training programmes from all individuals who are eligible regardless of their demographic background. We believe that everyone has the right to be treated with dignity and respect and that nobody should be bullied, harassed, discriminated against or victimised on any grounds.

UKSA is firmly committed to fair treatment of all and we comply with all relevant legislation in this area. We make every effort to promote equality, diversity and inclusion in all aspects of our organisation. We shall ensure that all parties understand what is expected of them through our Equality, Diversity and Inclusion Policy and related legislation.

We will;

- Communicate our equality, diversity and inclusion policy to, and discuss its implications with, all stakeholders;

- Take positive action to eliminate any form of discrimination or other inequalities that are brought to our attention;
- Ensure we adhere to all applicable legislation in this area. This includes following the Codes of Practice from the Equality and Human Rights Commission on gender equality, race equality and disability equality;
- Foster good working relationships with partners and stakeholders so that they understand their responsibilities;
- Update our policies and working practices in-line with changing legislation;
- Ensure that learning and assessment materials are inclusive and promote diversity.

### 3. Definitions

**Equality** – involves creating an environment in which everybody is treated fairly regardless of his or her background and that everyone is valued as individuals. It does not mean that everyone is treated in the same way but means that people are treated differently but with equity; as we all have different needs and requirements. Equality also means that nobody should be discriminated against.

**Diversity** - encompasses visible and non-visible individual differences that includes, but is not limited to, differences protected by anti-discrimination legislation. Appreciating diversity is about valuing differences and recognising that everyone through their unique mixture of skills and experience has their own valuable contribution to make.

**Inclusion** - is about embracing all people in a community irrespective of race, gender, disability, medical or other need. The aim is to give equal access and opportunities and remove discrimination and intolerance.

**Direct discrimination** - this occurs when a person is treated less favourably than other people are or would be treated. This is where there is no difference in circumstances and the reason for the treatment is due to a personal protected characteristic.

**Indirect discrimination**- this occurs when rules or practices, which are applied equally to everybody, result in certain people being put at a disadvantage.

**Dual discrimination** - this occurs when there is direct discrimination on two grounds. For example, a person may be discriminated against because of disability and gender or because of race and disability.

**Multiple discrimination** - this occurs when there is direct discrimination on the grounds of several aspects of a person's identity. For example, a black lesbian may experience racism, homophobia and gender prejudice.

**Discrimination by association** - this is when an individual is discriminated against through their association with another person. For example, an individual may be harassed due to the religion or race of their partner.

**Harassment** - is behaviour which is unwelcome or unacceptable and which results in the creation of a stressful or intimidating environment for the victim amounts to harassment. It can consist of verbal abuse, racist jokes, insensitive comments, leering, physical contact, unwanted sexual advances, ridicule or isolation.

**Victimisation** – this is when an individual is victimised because they made, or intends to make, a complaint or allegation or has given or intends to give evidence in relation to a complaint of discrimination in accordance with the Equality Act.

#### **4. Purpose**

This policy aims to promote:

##### **Our Commitment**

- To create an environment in which individual differences and the contributions of all our learners and staff are recognised and valued;
- Every learner and employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated;
- Training, development and progression opportunities are available to all staff;
- Equality in the workplace is good management practice and makes sound business sense;
- We will review all our training employment practices and procedures to ensure fairness;
- Breaches of our equality policy are regarded as misconduct and could lead to disciplinary proceedings;
- This policy is fully supported by senior management;
- To ensure that we provide an inclusive environment for all.

##### **Policy Objectives**

- To create a working environment for all learners and employees that is free from discrimination, harassment and bullying;
- To support equality in employment and ensure equal opportunity is an integral part of UKSA's training programmes and approach to employee relations;
- To encourage all employees to develop their potential, skills and abilities, recognising that the future success of the organisation depends on attracting and developing a diverse, high-calibre workforce in an increasingly competitive world;
- To ensure equal treatment for all learners, employees and applicants regardless of their; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation;
- To ensure that no learner or employee is treated detrimentally because they have made a complaint or intend to make a complaint about discrimination or harassment, or have, or are about to give evidence in relation to discrimination or harassment;
- We will ensure that all learners are treated fairly and without discrimination;
- To apply the principles of equality in the context of all conditions of work including; selection, employment, pay and benefits (excluding any statutory provisions which may apply), facilities, promotion and training. The policy applies to the management of UKSA, its employees, partners and agents all of whom are responsible for

ensuring there is no discrimination, direct or indirect, against any employee or group of employees;

- We will collect and monitor equality, diversity and inclusion data on different groups of learners (including ethnicity, gender and disability);
- We will minimise gaps in achievement between different groups of learners. This will include monitoring participation and success rates of learners by demographic data (e.g. ethnicity, gender and disability) and set targets and actions in quality improvement plans to minimise gaps in achievement.

UKSA seeks to promote a workplace where learners and staff treat one another with respect and value each other's differences. As such, there is a responsibility on every learner and employee to be familiar with and uphold the principles of this policy. Some of the behaviours we would expect to see are as follows:

- Ensuring that everyone treats each other with respect
- Recognising each other's skills and knowledge
- Taking into account other people's backgrounds and experience
- Understanding each other
- Valuing colleagues' professional integrity and judgement
- Recognising differences, such as culture, age and background, and seeing them as a strength
- Being open and inclusive
- Promoting equality of opportunity and diversity in training and workplace activities
- Avoiding stereotyping
- Ensuring all learners and colleagues are treated fairly in all situations.

Any employee who observes behaviour they perceive to be contrary to the principles of this policy should discuss this with their line manager or with the Director of Quality and Safeguarding.

The Prevent Duty requires UKSA to exemplify British values in our practice and to use opportunities to explore British values and to challenge extremism. British values are defined as including:

- Democracy
- The rule of law
- Individual liberty
- Mutual respect and tolerance for those with different faiths and beliefs

This includes complying with the Equality Act 2010 and preventing discrimination against those with protected characteristics.

### **Democracy**

*'An understanding of how citizens can influence decision-making through a democratic process.'*

Learner voice is significant and allows learners to input into how they learn. Learner questionnaires and interviews are also conducted throughout the year and underpin the concept of "you said, we did".

## **The Rule of Law**

*‘An appreciation that living under the rule of law protects individual citizens and is essential for their wellbeing and safety.’*

Rules and laws are important as they govern many aspects of life. Learners are provided with information about UKSA’s Code of Conduct and disciplinary process, which highlight our rules and expectations, aiming to create a safe environment for all. As individuals we are responsible to abide by rules and laws, and to respect their value, as they are in place to protect us. When rules and laws are broken then consequences and actions may follow. We must take responsibility for our own thoughts, words and actions and have a clear understanding of what is right and what is wrong.

## **Individual Liberty**

*‘An understanding that the freedom to choose and hold other faiths and beliefs is protected in law.’*

Within UKSA we provide boundaries and guidance for learners to help them make informed choices within education and life. Everyone has the freedom to make choices and to understand their rights to individual freedom in being able to choose and follow a particular faith or belief. Equality and diversity within UKSA focuses on raising awareness of individual rights, choices and beliefs.

## **Mutual respect**

*‘An understanding of the importance of identifying and combating discrimination.’*

Mutual respect is at the heart of UKSA’s values. Learners should understand that their behaviours have an effect on themselves and others. All members of UKSA should treat others in a respectful and polite manner. Treat others as we would wish to be treated. This is an important message within UKSA but also within everyday life.

## **Tolerance of those of different faiths and beliefs**

*‘An acceptance that other people have different faiths or beliefs to oneself (or having none) should be accepted and tolerated, and should not be the cause of prejudicial or discriminatory behaviour.’*

People may have different faiths or beliefs to yours, but that does not make it wrong - just different. Britain is a society of many cultures, religions and faiths and we need to respect and accept that others may have different views. Individuals or groups should not face discrimination because their views or values are not shared by all. UKSA actively promotes an understanding of equality and diversity through many activities and themes, in an attempt to combat discrimination of any individual or group.

## **5. Application of the Policy**

### **Recruitment / Selection**

We will ensure that our learner and staff recruitment processes are transparent, free from bias and above all non-discriminatory. We will ensure that our training programmes are available to all learners regardless of their background. We will also appoint the right

applicant for the position available on the basis of their skills and competencies, having regard to the job description.

In order to maintain this commitment, the following should be adhered to;

- Employment application forms should not ask for information which is irrelevant to the job, e.g. the sex or sexual orientation of the applicant, nationality or place of birth, marital or partnership status, number and ages of children, religious beliefs and age or date of birth;
- Job and training advertisements are written in non-discriminatory language in terms of race, ethnic or national origins, colour, religion or religious beliefs, sex or sexual orientation, gender reassignment, age, disablement, and marital or partnership status, unless there is a genuine occupational reason for a restriction;
- Job and training vacancies are advertised in ways which do not exclude or disproportionately reduce the number of applicants from any particular group;
- Job and training advertisements should be placed in a manner that is likely to reach all possible candidates;
- All jobs should have a job description and person specification which can be used to ensure a consistent approach to the interview and for answering the questions of applicants during the interview;
- Photographs of applicants should not be requested;
- Job requirements must be reasonable and strictly related to the job. Educational requirements should be job related and overseas equivalent qualifications will be considered. Each applicant should be assessed on his/her personal capability to carry out the job as described in the job description. Age should not automatically debar any applicant for the job;
- All applicants should be handled consistently (e.g. there should not be separate lists of male and female applicants);
- All job and learner interviews are conducted in a consistent manner;
- Reasonable adjustments are made for any disabled applicants to attend an interview that meet the criteria for the role;
- Interview notes must be recorded in a consistent manner and retained securely for six months for unsuccessful candidates and within personnel files for successful candidates and current employees.

### **Recruitment of Ex-Offenders**

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, UKSA complies fully with the Code of



Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

UKSA is committed to the fair treatment of its learners and staff, potential staff or other users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependents, age, physical/mental disability or offending background.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applicants from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

Unless the nature of the position allows UKSA to ask questions about an applicant's entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

### **Grading and Promotion**

All grading and promotions criteria and procedures are free from prejudice and must be applied equitably and consistently.

### **Staff Development**

All staff will have equal access to induction, personal and career development opportunities and facilities.

### **Performance Management**

Probation and appraisal procedures are clear and transparent and applied fairly to all staff.

### **Discipline and Grievance**

Disciplinary and grievance procedures are applied fairly and transparently to all staff.

Allegations of discrimination, harassment or inappropriate behaviour are dealt with under the appropriate disciplinary procedures for staff.

We will collect and analyse data on grievances and complaints made by employees and learners, including those relating to a discrimination claim on the grounds of gender, race, disability, age, sexual orientation and religion or belief.

## **6. Training**

Equality, diversity and inclusion awareness training is mandatory for all staff. Information is provided to all employees in order to raise awareness of equality, diversity and inclusion and the contents of this policy. This is done through staff meetings, standardisation, UKSA's SharePoint repository and regular policy update webinars.

The policy is made available to learners as a resource during induction; the policy is continually reinforced during progress reviews and teaching and learning.

## **7. Communication of this Policy**

The policy is communicated to staff through policy update webinars, team meetings and standardisation and is stored in a central repository, SharePoint.

## **8. Responsibilities**

Every learner and employee has a responsibility to ensure that the organisation is free from discrimination. Individuals should be aware that they too can be personally liable for a discriminatory act as well as, or instead of the Company, and may also be guilty of a criminal offence. Anyone who commits a discriminatory act will be subject to the Company's disciplinary procedure which could lead to action being taken up to and including dismissal on the grounds of gross misconduct.

UKSA's senior management team has overall responsibility for ensuring this policy is adhered to with day-to-day responsibility for its operation being delegated to line managers. In the event you believe that you have been discriminated against please contact your line manager in the first instance. If this is not appropriate, please contact the Director of Quality and Safeguarding. Learners can raise any issues that affect them via their Tutor / Skills Coach or the Designated Safeguarding Lead (DSL).

Any matter raised will be treated seriously, confidentially and will be dealt with sensitively. You should note however, that in the event that a malicious allegation is made, and because of the potential consequences to the individual concerned, this could result in disciplinary action being taken against the person making the allegation.

Matters raised will be subject to the grievance and disciplinary procedures as appropriate.



**Gemma Beech**  
**Managing Director**