



Equality & Diversity Policy and Procedures

Contents

EQUALITY & DIVERSITY STATEMENT	3
1. POLICY STATEMENT	4
2. DEFINITIONS	5
2.1 Direct Discrimination	5
2.2 Indirect Discrimination	5
2.3 Victimisation	5
2.4 Harassment & Bullying	5
2.5 Associative Discrimination	6
2.6 Perceptive Discrimination	6
2.7 Third-party Harassment	6
3. POLICY RESPONSIBILITIES	7
3.1 Individuals (Employees and Learners))	7
3.2 Managers	7
3.3 Equality & Diversity Lead and representatives	8
3.4 Equality & Diversity Working Group	8
4. EMPLOYMENT PRACTICE	9
4.1 Recruitment and Selection	9
4.2 Training, Development and Promotion	9
5. ACCESS TO ASSESSMENT	10
6. MONITORING AND ENFORCEMENT	11
6.1 Monitoring	11
6.2 Policy Enforcement – Grievance and Discipline	11
7. HARASSMENT & ANTI-BULLYING POLICY	12
7.1 Staff Harassment & Anti- Bullying Procedure	13
8. Equality and diversity – the legal aspects	14
9. WS TRAINING REFERENCE POINTS	16

Equality & Diversity Statement

“We value diversity, recognise difference and treat everyone with respect”

We believe that all have a right to equality of opportunity regardless of gender, race, disability, age, sexual orientation, religion or belief, background or personal circumstance.

We expect all staff, learners and delegates to play an active role in promoting equality and challenging discriminatory behaviour.

We expect any learner, delegate or staff member who

- feels unfairly treated
- is upset by thoughtless comments or jokes
- Experiences any form of discrimination, harassment, victimisation or abuse to tell us.

We take any form of discrimination and harassment very seriously.

If you experience or witness any discriminative behaviour you can talk to a member of staff, your tutor or your assessor.



1. Policy Statement

WS Training Limited is an equal opportunities employer and provider of training. It recognises the need for and wholeheartedly supports a policy of equality and diversity in all areas of its work and responsibilities.

As an employer and training provider, WS Training Limited aims to ensure that no job applicant, staff member, participant, candidate or customer receives less favourable treatment on the grounds of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or beliefs or because somebody is married or in a civil partnership. These are known as “protected characteristics”.

WS Training Limited aims to ensure that people with disabilities are given equal opportunity to enter employment/training. In doing so, it will fully consider making reasonable adjustments to working practices, equipment and premises to ensure that a person with a disability is not put at a substantial disadvantage due to their disability. In addition, when staff members or participants become disabled in the course of their employment/ training, every effort will be made through reasonable adjustment, retraining, or re deployment to enable them to remain in the employment of WS Training Limited or on the training programme they are following.

It is the responsibility of every individual, to eliminate discrimination by ensuring the practical application of the Equality and Diversity policy and reporting incidents of discrimination to an appropriate person. Reporting incidents, breaches of policy etc. should be made in accordance with the WS Training Grievance Procedure for staff and for learners it should be reported in the first instance to the Lead Person responsible for Equality and Diversity or the Equality and Diversity Adviser. (Details are listed at Section 6)

All allegations of discrimination or harassment will be treated seriously. Any discrimination is totally unacceptable to WS Training Limited and anyone found to be discriminating would face disciplinary action. All allegations of harassment and discrimination are treated seriously and all practicable steps taken to prevent the behaviour continuing.

2. Definitions

WS Training Limited considers that staff and participants should be aware of the following definitions with regard to its Equality and Diversity Policy.

2.1 Direct Discrimination

This means denying a person or group of people workplace opportunities or benefits. People may be treated less favourably because of a protected characteristic. They are stereotyped or assumptions are made based on their age, sex, race, colour, disability, religion, sexual orientation and other similar issues.

For example, the best candidate for a job is a woman but the employer gives the job to a man – assuming that the woman will eventually ask for maternity leave.

2.2 Indirect Discrimination

This happens where there is apparently equal treatment of all employees but in practice the effect of certain processes, rules or practices puts a group, individual or one sex at a disadvantage.

For example, if all part-time staff are paid a lower rate than full-time staff doing a similar job, then because women are more likely to work part time than men, this could be indirect sexual discrimination.

2.3 Victimisation

This occurs when an employee is subjected to a detriment such as being denied training or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010 or because he/she is suspected of doing so. However an employee is not protected from victimisation if they have acted maliciously or made or supported an untrue complaint.

For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments and is subsequently excluded from staff meetings this could amount to victimisation.

2.4 Harassment & Bullying

Harassment or bullying means repeated un-reciprocated and unwelcome comments, looks, action, suggestions or physical contact which is found objectionable and offensive and which might threaten an employee or learner or create an intimidating environment. Harassment can be sexual, racial, directed against people with disabilities or indeed related to any characteristic exhibited by the individual.

Bullying is an oppressive kind of harassment and a misuse of power. Physical or verbal bullying may cause humiliation, anger, vulnerability, mental anguish or a sense of impotence. (Please also see Learner Anti- Bullying Policy)

2.5 Associative Discrimination

This is where an individual is directly discriminated against or harassed because they are associated with an individual who has a protected characteristic.

2.6 Perceptive Discrimination

This occurs when an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she in fact does not have that characteristic.

2.7 Third-party Harassment

This happens when an employee or learner is harassed by a third party such as a clients or customer and the harassment is related to a protected characteristic.

3. Policy Responsibilities

Whilst WS Training Limited recognises that the overall co-ordination responsibility for Equality and Diversity lies with the Chief Executive; it believes that all employees and participants have an individual responsibility to actively co-operate to ensure that discrimination does not occur. WS Training has appointed a Lead Person for Equality and Diversity and has representatives at every site.

3.1 Individuals (Employees and Learners)

Must co-operate with measures introduced by WS Training Limited to ensure equality of opportunity and non-discrimination.

Must not harass abuse or intimidate any other employee or learner on the grounds of gender, race, disability, age, sexual orientation, religion or belief, background or personal circumstance or any other causes which incorrectly and unfairly discriminates against a person or their human rights.

Must inform management if they suspect discrimination is taking place.

3.2 Managers

In addition to their responsibilities as individual's employer, Managers must also:

Ensure that proper records of employment decisions are maintained and regular reviews of departmental employment practices are carried out.

Ensure that grievances are dealt with in a fair and consistent manner and in line with WS Training Limited's Grievance Procedures.

Ensure that all individuals within their area are aware of their responsibilities, the law and the organisation's Equality & Diversity Policy.

Ensure that employee and learners become familiar with organisational changes and developments relating to equal opportunities in the work place.

Actively promote the benefits of employees and learners diversity, in employment training.

Ensure that the learning environment is accessible, welcoming and supportive and all learners feel included and valued.

3.3 Equality & Diversity Lead and representatives

In addition to their responsibilities as individual employees, the Equality & Diversity Lead and representatives should:

Assist the managers in the implementation of the Equality & Diversity Policy and Procedures.

Maintain liaison with his/her manager, offer advice and make recommendations in relation to equal opportunities and the implementation of the Equality & Diversity Policy.

Collate and discuss statistical information and make recommendations to his/her Manager.

Offer advice and guidance to members of staff and participants in Equality & Diversity Policy and Procedures.

Maintain up to date information on Equal Opportunities legislation, best practice and local contacts and regularly update staff on legislation changes or developments.

3.4 Equality & Diversity Working Group

Representatives from all departments within the organisation meet on a bi-monthly basis to review and discuss company procedures and processes. The team is responsible for monitoring the Equality & Diversity policy, discussing and sharing good practice across the organisation, developing company systems and identifying areas for improvement to be presented to the Senior Management Team.

4. Employment Practice

WS Training Limited will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, training, pay and benefits, discipline and selection for redundancy.

The company will consider any possible indirectly discriminatory effect of its standard working practices including number of hours worked, times at which these are worked and the place at which work is to be completed, when considering requested for work variations and will refuse requests if the company considers there is good reason for doing so which are unrelated to any protected characteristics. The company will make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

4.1 Recruitment and Selection

WS Training operates Safer Recruitment practices.

The intention of the recruitment process is to ensure the most appropriate response to any employment or training vacancy within the organisation. Recruitment and selection decisions will be made on the basis of job/programme requirements and the individual's ability to do the job.

In all recruitment and selection practices, selectors will use objective job specifications to ensure that candidates are tested against fair and objective criteria.

Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

4.2 Training, Development and Promotion

The organisation will not discriminate in the provision of training courses.

Appropriate training will be provided to enable **all** staff to perform effectively and pursue development opportunities.

Where appropriate training courses will promote equality & diversity within WS Training Limited.

All recruitment and selection training will include comprehensive equal opportunities components.

5. Access to Assessment

W S Training Ltd aims to:

- Ensure that all learners experience effective opportunities for learning and achievement.
- Ensure that all staff and learners have equal access to information enabling them to work, learn, develop and progress

By:

- Employing systems which include and empower learners and staff
- Equipping staff to deliver effective learning and achievement opportunities
- Offering targeted additional support to meet the individual and / or additional needs of learners on programme
- Ensuring key documentation is accessible to all
- Challenging assumptions and positively promoting equality

All learners have the opportunity for effective support through:

- Detailed initial assessment, induction and negotiation
- Research of relevant history of additional needs and support
- Qualified staff to ensure effective support to all learners
- Systems to negotiate Individual Learning Plans to suit each individual learner
- Access to impartial information advice and guidance

Additional Learning Support is available to learners with a Educational Health Care Plan or statement of additional needs including, for example, specific or general learning difficulty, hearing or sight impairment, mental or physical disability.

Learners who are identified as having additional needs but without a specific statement to that effect will be given appropriate individual support

Staff identified with learning support needs will have appropriate support, particularly, but not only, when they are participating in staff development activities

Materials

Learning and organisational materials will be presented in a variety of appropriate formats

Assumptions and prejudice will be challenged directly through specific learning modules on equality issues

6. Monitoring and Enforcement

WS Training Limited recognises the need for a continuing commitment to genuine equality & diversity within the organisation. The effectiveness of meeting the aims and objective of this policy can only be judged using feedback on how the policy operates in practice.

6.1 Monitoring

WS Training will monitor the implementation of its Equality & Diversity Policy. Wherever evidence is found to suggest that the policy is ineffective, immediate action will be taken to ensure that it is reassessed in the light of this evidence.

The following staff information will be collected and reviewed by the HR Manager using information from the Job Application Survey Form and Ethnicity Form on an annual basis:-

Breakdown of workforce composition by:

- Ethnic Background
- Sex
- Disability
- Age

The following will be collated from the PICS database system on a 3-monthly basis for analysis by the Equality & Diversity Working Group. (E and D Dashboard)

Breakdown of training programme composition by:

- Age
- Sex
- Ethnicity
- Disability
- Learning Issue/Difficulty
- Success rates

6.2 Policy Enforcement – Grievance and Discipline

Employees or participants who feel that they have been the victims of unlawful discrimination will have the right to have their complaints processed through WS Training Limited Grievance Procedure.

All incidents of discrimination are disciplinary offences and will be dealt with under the Disciplinary Procedure. Incidents of victimisation or harassment will be dealt with in accordance with WS Training Limited Harassment & Bullying Procedure (see section 7). Where incidents of victimisation and harassment are proven, the issue will be dealt with under WS Training Limited Disciplinary Procedure.

WS Training Ltd Grievance and Disciplinary procedures are detailed in 'Handbook of Company Procedures'.

7. Staff Harassment & Anti- Bullying Policy

WS Training Limited believes that every individual should be treated with dignity and respect. Accordingly, any harassment or bullying, whether intentional or unintentional, is totally unacceptable. In our respect for each other, we are all responsible for challenging all forms of harassment or bullying.

For definition of harassment & bullying refer to section 2.4 of this policy statement.

It is best to follow the route outlined in the procedure detailed below. However there may be occasions where it would not be appropriate to use this procedure and the complaint should be made to an appropriate senior member of staff.

All allegations of harassment or bullying will be treated seriously and confidentially and the matter will be thoroughly investigated and dealt with as quickly as possible.

If it is found that an allegation of harassment or bullying has been made maliciously, the matter will be treated very seriously and disciplinary action taken against the person who made the allegation.

Whatever the outcome of a complaint of harassment or bullying, no one who has made a complaint should be allowed to suffer victimisation for having made the complaint. (See also Learner Anti Bullying Policy and Procedure)

7.1 Staff Harassment & Anti- Bullying Procedure

Individuals who feel that they have been harassed or bullied should:

- Communicate to the harasser that the individual expects the behaviour to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the harasser, the individual should ask their manager to help.
- If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, they should inform their manager and write down exactly what happened, keep a copy and give another copy to the manager. The report should contain details of:-
 - what, when and where it happened;
 - who was involved;
 - exactly what was said or what the harasser did;
 - witnesses to the harassment;
 - what the employee said or did, either at the time or later;
 - how the employee felt; and
 - how the harasser responded.

Following this stage the manager will fully investigate the incident & report back to the individual with their findings and decision on how to resolve the issue.

If at any stage the employee is unhappy with the way the issue is being dealt with they must report their concerns to the H R Manager.

8. Equality and diversity – the legal aspects

Equality initiatives typically happen because the law has compelled organisations to create a 'level playing' field in the workplace. The law plays an important part in ensuring that the 'rules of the game' are fair.

Diversity initiatives go further: they aim to take people's diverse characteristics fully into account to gain maximum benefit from their uniqueness as individuals. Consequently, it makes sense that treating everyone the same is not necessarily going to work. Different people will have different aspirations, expectations, opportunities, responsibilities and needs. Therefore, treating people fairly means recognising their differences, respecting them and acting accordingly. In short, diversity is about valuing difference and respect for people.

Summary of Equality & Diversity Legislation

1970 The Equal Pay Act makes it unlawful for employers to discriminate between men and women in terms of their pay and conditions (including pay, holiday entitlement, pension etc) where they are doing the same or similar work; work rated as equivalent; or work of equal value.

1975 The Sex Discrimination Act makes it unlawful to discriminate on grounds of sex or marital status in areas such as employment, education and the provision of goods and services.

1976 The Race Relations Act makes it unlawful to discriminate on grounds of colour, race and nationality, ethnic or national origin. The Race Relations (Amendment) Act 2000 outlaws discrimination in all public authority functions, and places a general duty on public authorities to promote race equality and good race relations.

1995 The Disability Discrimination Act makes it unlawful to discriminate on grounds of disability in the areas of employment, the provision of goods and services and education. The 2005 Regulations provide new definitions of direct discrimination and harassment and widen the duty to make reasonable adjustments.

1998 The Working Time Regulations, aim to improve health and safety by controlling working hours. The Regulations afford basic rights and protections to workers not just employees, including minimum paid annual leave entitlements, rights to rest periods at work and limits on weekly working time.

1998 The Human Rights Act gives effect to rights and freedoms guaranteed under the European Convention on Human Rights. The legislation makes it unlawful for a public authority to breach convention rights, unless an Act of Parliament prevents it from acting differently.

1999 The Sex Discrimination (Gender Reassignment) Regulations make it unlawful to discriminate against a person for the purpose of employment or vocational training on the ground that that person intends to undergo, is undergoing, or has at some time in the past undergone gender reassignment. In particular, the Regulations give transsexuals the right to be protected from direct discrimination.

2004 The Civil Partnership Act defines a new legal relationship, which can be registered by two people of the same sex. It gives same-sex couples the ability to obtain legal recognition for their relationship and affords them equal treatment to married couples in a wide range of legal matters.

2004 The Gender Recognition Act 2004 gives legal recognition to a transsexual's acquired gender. For example, a male-to-female transsexual will be legally recognised as a woman in English law.

2005 Disability Discrimination Act makes substantial amendments to the 1995 Act. It introduces a duty on all public bodies to promote equality of opportunity for disabled people.

2005 The Employment Equality (Sex Discrimination) Regulations are concerned with the principle of equal treatment of men and women as regards access to employment, vocational training and promotion, and working conditions. It makes changes to the definition of harassment at work and indirect discrimination, and also prohibits discrimination on the grounds of pregnancy and maternity leave.

2006 The Employment Equality (Age) Regulations make it unlawful to discriminate against employees, job seekers or trainees on grounds of age in employment and vocational training. They prohibit direct and indirect discrimination, victimisation, instructions to discriminate and harassment. They introduce a minimum retirement age of 65; a duty on employers to respond to requests to work beyond retirement age; and remove the upper age limit for claiming a redundancy payment or unfair dismissal.

2007 The Equality Act (Sexual Orientation) Regulations 2007 make it unlawful to discriminate on the grounds of sexual orientation in the provision of goods, facilities and services, education, disposal and management of premises and the exercise of public functions.

2010 The Equality Act has replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It simplifies the law by removing anomalies and inconsistencies that had developed over time in the existing legislation, and it extends the protection from discrimination in certain areas.

You can find more detailed information relating to the Equality & Diversity legislation on the websites listed below:

www.gov.uk

www.acas.org.uk

www.equalityhumanrights.com

9. WS Training Reference Points

Further Information

Overall company responsibility for Equality & Diversity is held by -

Name: Jane Vincent **Tel :** 01284 788005

Designation: Chief Executive

Further information about Equal Opportunities and Harassment Procedures can be obtained from -

Name: Julie Mills **Tel :** 01473 604260

Designation: Head of Strategic Development and Lead for Equality & Diversity

If you are a staff member or applicant for a vacancy and think that you are the victim of harassment or unlawful discrimination please contact:

Name: Beverly Lawrence **Tel :** 01473 786690 or **01473 604260**

Designation: HR Manager

If you are a Learner and think that you are the victim of harassment or unlawful discrimination please contact:

Name: Julie Mills **Tel :** 01473 604260

Designation: Head of Strategic Development and Lead for Equality & Diversity

Received By: _____

Date: _____