



# Equality and Diversity Policy

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**2019 -2020**

**Commitment:** JAG Training believe in going beyond compliance with equality laws. It aspires to be a proponent of best practice in all aspects of equality and diversity. The Centre aims to create and maintain an inclusive organisation where all can learn, work and reach their full potential.

To be reviewed March 2020

## 1. Context and objectives

### 1.1 The objectives of this policy are

- To outline JAG's approach to fulfilling its statutory and moral commitment to Equality and Diversity (E&D)
- To ensure everyone connected with us is aware of our commitment to Equality and Diversity and knows what they may expect from the Centre and what we expect of them.
- To demonstrate how we ensure the law is upheld and that we meet our duties.
- To show how we use E&D to improve the quality of our provision.

This policy applies to all current and future learners, employees, employers, subcontractors, visitors and other stakeholders.

### 1.2 This Equality and Diversity Policy reflects the requirements of the Equality Act 2010 and the Centre's own view of the need to recognise and celebrate difference. The Act (and this policy) identifies nine 'Protected Characteristics'. These are:

- Age (older people, younger people, people of an age group)
- Disability (physical or sensory impairments, mental health disability, some long-term medical conditions, aspects of learning difficulties, neuro-diverse conditions such as dyslexia, autism, Tourette's or ADHD)
- Gender reassignment (transsexual people, transgender people – also see section 12)
- Marriage and civil partnerships (a person who is married, a person who is a civil partner)
- Pregnancy and maternity (pregnant women, women on maternity leave, women who have recently given birth)
- Race (colour, nationality, ethnic or national backgrounds, heritage)
- Religion or belief (any religion or lack of religion, any religious or philosophical belief or lack of belief)
- Sex (women and men – asexual, non-binary)
- Sexual orientation (gay and lesbian people, bisexual people, heterosexual straight people, those who do not wish to have their sexuality labelled).

All nine protected characteristics are covered with regards to employment and education.

### 1.3 The Equality Act defines the following types of illegality and our policy recognises these:

- Direct discrimination, including by association (e.g. carer) and perception
- Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from a disability
- Failure to make reasonable adjustments

*These are further defined in the Glossary*

### 1.5 This policy outlines how the Centre intends to fulfil its ethical duty by giving due regard to:

- eliminating discrimination, harassment and victimisation.
- advancing equality of opportunity between those who share a relevant protected characteristic and those who don't.
- fostering good relations between those who share a relevant protected characteristic and those who don't.

### 1.6 Action Plans will be used for specific and focused to areas of our business. They will have explicit and achievable goals to deal swiftly with any identified issues. They will typically be focused on closing any achievement gap (performance), admissions and participation (marketing) and recruitment and staffing (Human Resources). There is no separate "Equality Action Plan" as E&D is delivered through all our mainstream processes.

### 1.7 E&D will remain high on all staff meeting agenda and will be on-going in teaching and learning under British Values.

## 2. Scope

- 2.1 The commitment within this policy apply to learners, staff, stakeholders, volunteers and users of the Centre. The policy also forms the standards the Centre sets for work with other organisations and visitors with regards to achieving equality, for example work placements & employers, collaborative partners and contractors (both in terms of employment & as a service provision of education).
- 2.2 The Centre will comply with all reasonable and appropriate requirements of OFSTED and other regulatory bodies to ensure that the Centre's reputation is measured and reported in the best possible light.
- 2.3 Although E&D is no longer a "limiting grade", it is explicitly tested by OFSTED in terms of embedding into the Curriculum, particularly in regard to the management of the Centre and in terms of the Promotion of E&D and how the Centre closes Achievement Gaps. It therefore remains a business necessity in all three areas if the ambition of being a grade 1 Training Provider is to be achieved.

## 3. Strategic Plan

- 3.1 Our mission statement is: *To create an environment, which respects and values each other's differences and promotes dignity, equality and diversity that inspire and support individuals to develop and maximise their true potential.*
- 3.2 Our Values include:
  - Creating a learner-centred environment
  - Exceeding expectations
  - Valuing and respecting everyone
  - Collaborating with our local community and employers
  - Being flexible, innovative and forward thinking
- 3.3 Our aim is to contribute to economic growth by working with employers, partners and learners providing high quality and relevant training that ensures a well-qualified and skilled workforce and a culture of lifelong learning.

## 4. Responsibility, accountability and compliance

- 4.1 Jag Training's Leadership Team is responsible for ensuring that:
  - The Centre's Strategic Plan encompasses our commitment to equality and diversity and that our action plans deliver equality
  - The Quality Improvement Plan has equality at its core
  - The centre recruits and retains an inclusive and diverse workforce which is appropriately developed to ensure each individual has the opportunity to achieve their full potential thus improving the performance of the Centre
  - Equality Objectives deliver aspects of equality that apply most to the centre
  - Full Equality Assessments are conducted for major decisions and changes and that all policies have been written and maintained so that their outcomes are fair and non-discriminatory
  - Ensure employers are aware of this policy and abide by it
- 4.2 The Centre's Management Team is responsible for ensuring that:
  - Lead by example in matters relating to equality and diversity
  - Ensure policies, procedures and practices promote equality of opportunity and do not discriminate
  - Promote this policy to all staff and ensure compliance
  - Create an inclusive, safe, supportive and conducive learning environment in their centres and areas of learning

- Make sure that actions contribute towards the centre meeting its duties under the Equality Act.
- All programmes of learning offered, whether existing or new, will be regularly reviewed through the SAR and curriculum planning processes to examine how far they meet the needs of all learners with particular reference to equality of opportunity
- Learners' participation, attendance and success is monitored throughout the year and early remedial action is taken where there is cause for concern.
- Identify good practice and share it with managers and staff in other areas of learning
- Challenge out-dated or discriminatory behaviour sensitively but firmly
- Appropriate action is taken where necessary to assist minority or underrepresented groups to increase participation, retention and achievement tailored to any patterns within curriculum areas (e.g. gender bias)
- Teaching observation reports include an evaluation of how successfully equality and diversity is embedded and advanced
- Internal verification procedures include scrutiny of equality and diversity
- Schemes of work, lesson content and teaching resources of staff within their areas are reviewed against the commitments within this policy and take action to make improvements or adjustments accordingly
- Business Support areas analyse their service and resources against the commitments within this policy and take action to make improvements or adjustments accordingly, accounting for equality in their SAR.

4.2 All staff are responsible for ensuring that:

- They are aware of this policy and duties in relation to all protected characteristics and the Centre's duties under the Equality Act
- They are also aware of their moral duty to be inclusive in areas that are not necessarily covered by the Equality Act (appropriate support for learners with particular needs for example).
- They demonstrate sensitivity to issues of diversity and that they attend and complete staff training to help their understanding of the issues in this area
- Whatever their role, they challenge, within their ability, inappropriate behaviour of any person wherever it might occur within the centre or during its activities
- That visitors and contractors are made aware of and comply with the policy
- They conduct themselves throughout their employment in a way that positively supports this policy and protects the centre's reputation.

4.3 Delivery staff are responsible for ensuring that

- They embed equality and diversity in the planning, delivery and assessment of learning, using group profiling and learning support
- Learners are aware of their rights and responsibilities under all areas associated with E&D (including safeguarding, PREVENT and British values)
- Promote equality and diversity to learners and employers
- Share good practice with managers and tutors in other areas of learning

4.4 Learners are responsible for ensuring that:

- They attend induction, enrichment and tutorial activities concerning equality and diversity and fulfil their responsibilities towards other learners and members of staff
- Their coursework reflects sensitivity to issues of equality and diversity and does not include any discriminatory content
- They do not use any of the centre equipment or resources to produce or research material in such a way that could be considered discriminatory or in opposition to the commitments within this policy and British Values.
- They refer cases of inappropriate behaviour by any staff, visitors or fellow students to a member of staff, act as good role models to peers and challenge inappropriate behaviour where they are confident in so doing.

## 5. Involving stakeholders

- 5.1 Equality of opportunity and inclusivity is, and will continue to be, at the heart of the centre's ethos. The centre will seek to involve and consult with its community and make consultation accessible as far as is practicable.
- 5.2 Consultation on the development and implementation of the Equality Policy and more so the development of our Equality Objectives will involve individuals and groups as well as the formal groups and committees of the Centre such as the Management team, staff and learners for and the analysis of surveys. Consulting with our own people (learners and staff) will remain a strong focus of our business.
- 5.3 Jag training believes that effective involvement of learners in the Centre's activities will have a positive impact on learner achievement, employability and citizenship. It will also raise the quality of the Centre's provision for current and potential learners.

## 6 Partnerships and contracts

- 6.1 As an educational establishment, Jag training will promote E&D with our partners and ensure that no learner is exposed to an inappropriate placement. A professional judgement will be made on this with every placement combined with extra reinforcement with a learner where appropriate.
- 6.2 Every placement must have due regard to E&D in the package of work experience.

## 7 Staff development and awareness

- 7.1 The Centre will provide periodic training and awareness raising to staff. We will do this by;
  - Ensuring staff complete the mandatory online E&D induction course within 3 weeks of commencing employment
  - Checking materials and information on Moodle and through shared drives.
  - Gaining specialist advice for the Senior Leadership Team
  - Coaching staff in how to effectively embed equality and diversity in the curriculum
  - Supporting staff with regard to promoting E&D,
  - supporting the ALS team in developing their process and advice and reviewing it as part of closing achievement gaps
  - Equality and diversity will feature as a standing agenda item at all meetings.
  - Maintaining and promoting the user of a diversity calendar
  - Including E&D in staff supervision.

## 8 Teaching and learning

- 8.1 All courses and learning activities provided by the Centre will have equality and diversity embedded in their content and delivery. Resources, learning materials, case studies, projects and learning activities will reflect and promote equality and diversity whether or not this is included in awarding body criteria.
- 8.2 All tutors will review schemes of work, lesson plans, course materials and learning strategies to ensure teaching:
  - Takes account of the diverse learning needs, styles and preferences of learners
  - Responds to the diverse perspectives of learners
  - Is anti-discriminatory and teaches learners about their rights and responsibilities to each other in the classroom, the workplace and wider society
  - Fosters understanding of how stereotyped attitudes and prejudiced thinking damages relationships, hinders communication and remains detrimental to education and business
  - Acknowledges and celebrates the contribution of people of all backgrounds, ages,

- cultures and religions to human progress in all fields.
  - All teachers will make it clear to learners that any work submitted for assessment or carried out on centre premises or equipment must not include any discriminatory content or promote any organisation which breaches the commitments within this policy and equality legislation and British Values.
- 8.3 The Centre has a role in promoting good practice in equality and diversity in the workplace. Tutors will monitor equality and diversity through progress reviews and meetings with learners and employers/workplace supervisors.
- 8.4 The Centre expects that any employer who has a learner with us, will have an E&D policy. The Centre will work with its partner employers to improve equality and diversity in the workplace and to eliminate discrimination.
- 8.5 The quality of the promotion of E&D will be assessed through SARs, internal and external verification and observation of teaching and learning. The centre's scheme of work and lesson observation processes and papers are designed to capture and test the embedding of equality & diversity in every lesson. This is overseen by the Quality Manager
- 8.6 Individual learners will have their learning and personal support needs identified and met through effective planning, reasonable adjustments and the involvement of support staff or specialist agencies. Tutors, assessors and support staff will act as positive role models in the learning environment and will routinely challenge any unacceptable behaviour or language, whether or not learners from any of the protected groups are present.
- 8.7 The learner induction and enrichment programme includes information and activities which make the centre's commitments under this policy very clear and help to raise learners' general awareness and understanding.

## 9 Admissions

- 9.1 Applicants to the Centre will not be discriminated against on the basis of any of the protected characteristics or association with them. The Centre has an important role in promoting participation in education and training for minority groups. Therefore, applications from people from minority groups will be welcomed and, wherever possible, reasonable adjustments made to ensure the Centre can meet any individual needs.
- 9.2 In addition to our general ethos on this, all staff will comply with the provisions of the Equality Act 2010 with regards to admissions. In particular, no-one will be discriminated against in the arrangements made for admissions, the terms of the offer or by refusing to enrol a learner. Similarly, no-one will be discriminated against in our provision of education.
- 9.3 As with the rest of the Act, the legislation is wider and stronger in protecting people with disabilities and this must be recognised in all decision-making. Specialist advice will be sought and used where this is needed.

## 10 Publicity, marketing and published images

- 10.1 The Centre will ensure that it has no negative imagery of individuals in its publications and, wherever possible, will provide positive images of people covered by the protected characteristics within the Equality Act 2010.
- 10.2 Where possible and with permission, images of and by our own people will be used to show the diversity of our own workforce and to encourage ownership.

## 11 Monitoring and reporting

- 11.1 All applicants and new employees are invited to declare information about themselves with regards to all nine protected characteristics, where they feel comfortable in doing so. This helps the centre to demonstrate that all are treated fairly and to take more informed action where it is found necessary
- 11.2 Data is based on self-declaration by staff and students. Every effort will be made to further

- reduce the category of 'not known/not provided' to increase the validity and analysis of data. However, the Centre respects the right of an individual not to declare personal data.
- 11.3 Our learner enrolment processes capture the same range of information. Information is used for statistical reporting, informing the provision of reasonable adjustments for people with a learning difficulty or disability, analysing and action planning for quality improvement. The information is held for no other reason and reporting in a public forum will never identify individuals.
- 11.4 Additional analysis and reporting will be focused on need and service provision and therefore learner outcomes. The Success, Retention and Achievement Rates (SRA) for work-based learning at 16-18 and 19+ is our core business and therefore is the focus with equality too, in particular with regards to any achievement gaps, so that action is taken to close them. Participation, progression and destinations are also monitored and reported.

## 12 Promoting “Trans” equality

- 12.1 Since this may be an area in which staff and learners have less knowledge and about which there are still a number of misconceptions, this policy includes this specific statement:
- 12.2 Jag training welcomes applications from staff and learners irrespective of their gender identity or gender reassignment status. It recognises the need to respect an individual's right to work or study with dignity, to respect their personal identity and name and their privacy and confidentiality.
- 12.3 The Centre will:
- Refer to trans people by the gender in which they live rather than by their birth gender and comply with any wishes expressed on this
  - Not pass on information about a trans person's Gender Recognition without their written consent
  - Ensure all records of someone who has a Gender Recognition Certificate reflect their legal gender and no reference to their previous gender is held or passed to a third party
  - Grant time off for gender reassignment treatment on the same basis as for any other medical treatment.
  - The “need to know” is very restricted. It should be dictated by and negotiated with the member of staff or learner themselves. In principle, only one manager needs to know but in reality, this is more likely to be a line manager, the director, or a tutor, so that all appropriate adjustments can be made, and processes completed.

## 13 Publication

- 13.1 This Policy is published on the Centre's shared drive. A summary is published in the learner handbook. A summary forms part of induction to all staff on appointment and to all learners. This policy will be provided in alternative formats on request.

## Summary

**Jag training will not tolerate abuse, prejudice, harassment or bullying and will use the appropriate disciplinary policy and procedures to investigate and address any incidents. Codes of conduct for learners and staff explicitly state that discriminatory practices will not be tolerated. Notices are displayed in prominent locations to this effect, along with the use of positive messages about the centre's commitment to advancing Equality and Diversity.**

**Glossary: Definitions of terms:**

- i. **Equality** is about creating a fairer society where everyone can participate and have the opportunity to fulfil their potential – to live as equal citizens in society free from discrimination and harassment.
- ii. **Diversity** is about respecting, valuing and celebrating aspects that make us unique as individuals – recognising that we contribute to society because of these aspects, not in spite of them.
- iii. **Direct Discrimination** happens when someone is treated unfairly, or less favourably than another person, usually because they have a protected characteristic. This often arises because of assumptions, stereotyping or prejudice.
- iv. The Equality Act 2010 extended the definition of direct discrimination to cover **association discrimination and perception discrimination**. These seek to define discrimination against someone because they associated with a person who has the protected characteristic or because they are perceived to have a protected characteristic.
- v. **Indirect discrimination** happens when a 'provision, criteria or practice' is applied that appears to affect everyone equally but, in practice, puts people who share a protected characteristic at a disadvantage.
- vi. **Harassment** happens when someone who behaves in such a way that their conduct has the purpose or effect of creating an environment that is hostile, degrading, humiliating or intimidating. Sexual harassment can include unwelcome sexual advances, touching, sexual jokes, displaying pornographic images and sending emails of a sexual nature.
- vii. **Victimisation** happens when someone experiences disadvantage. This may include when they have supported someone in making a complaint or an allegation of discrimination or because they have personally made a complaint or allegation.

**British Values:** These are the British values we uphold:

- Respect and tolerance of all backgrounds and cultures, ages, genders and sexualities, religions and beliefs, physical, mental and learning disabilities
- Individual liberties – the freedom to speak out
- Democracy – individual opinion matters
- The rule of law – the law applies to, and protects everyone