

EQUALITY AND DIVERSITY & RECRUITMENT POLICY

Effective for employees, students, directors, and volunteers on or after 12 November 2021

Last Review Date : 15 September 2022
Date of next Review : November 2024

Please Note: A formal, full review of this document will take place on a 3-yearly basis. However, in the interim, the document will be updated as necessary to remain current with any statutory legislation and/or significant Government guidance and updates on the subject.

DOCUMENT CONTROL

DOCUMENT TITLE: EQUALITY AND DIVERSITY & RECRUITMENT POLICY
DOCUMENT NUMBER: EDRP_V1.4
AUTHOR: FRAN DEELEY
CHANGE AUTHORITY: THE BOARD OF DIRECTORS

Fran Deeley

Signature: _____  _____ **Date:** 15/09/2022

Designation: Director of Operations **Review Date:** September 2025

Please Note: A formal, full review of this document will take place on a 3-yearly basis. However, in the interim, the document will be updated as necessary to remain current with any statutory legislation and/or significant Government guidance and updates on the subject.

CHANGE MECHANISM

Any person seeking to alter this document must consult the author before making any change.

L&F Change Authority must endorse any alterations to the approved version of this document before any wider dissemination of the altered document version.

The person making the alteration must indicate every change between the previous (approved) document version and the altered document version.

COPYRIGHT

The copyright in this work is vested in L&F, and the document is issued in confidence for the purpose for which it is supplied. It must not be reproduced in whole or in part or used for tendering or manufacturing purposes except under agreement or with the consent in writing of L&F and then only on condition that this notice is included in any such reproduction. No information as to the contents or subject matter of this document or any part thereof arising directly or indirectly there from shall be given orally or in writing or communicated in any manner whatsoever to any third party being an individual firm or company or any employee thereof without the prior consent in writing of L&F. Copyright© L&F, 2022. All Right Reserved

Contents

INTRODUCTION	4
Our mission statement	5
Our Values	5
Directors are responsible for	5
The Management Team is responsible for	6
Staff are responsible for	6
Learners are responsible for	6
Equality and Diversity responsibilities in relation to Prevent and Safeguarding	9
Recruitment	9
Staff Recruitment & Selection Policy and Procedure Policy	9
Marketing, staff recruitment and learner enrolment	9
Employment practice:	10
L&F QM/Policies & Strategies/Equality & Diversity Strategy (March 2017)	10
Workplace Practice:	11
Duties and Responsibilities:	11
Equalities Learning:	11
Unwanted Conduct:	11
Terms and Conditions of Employment:	12
Recruitment, Selection and Promotion:	12
Appendix	13

INTRODUCTION

L&F Training go beyond mere compliance with equality law; aspiring to be a proponent of best practice in all aspects of equality and diversity. L&F aim to create and maintain an inclusive organisation which is supportive of diversity; where all can learn, work, and reach their full potential, whilst feeling safe and secure to do so. The objective of this policy is to outline L&F's approach to fulfilling this commitment and to make it clear to all parties what they may expect from L&F and equally what is expected of them.

This Equality Policy reflects the L&F Equality & Diversity. And the Equality ACT 2010 which 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)
- **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 - gender)
- **Sexual orientation** (a person's sexual orientation to: persons of the same sex; persons of the opposite sex or persons of either sex)

All nine protected characteristics are covered with regards employment. The protected characteristic of marriage and civil partnership is explicitly excluded in the further education chapter of the Act

The 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 Appendix 1

The rest of this policy outlines how L&F intends to fulfil its General Public Sector Duty to give due regard to:

- **eliminating** discrimination, harassment, and victimisation
- **advancing** equality of opportunity between those who share a relevant protected characteristic and those who do not
- **fostering** good relations between those who share a relevant protected characteristic and those who do not.

The commitments within this policy apply to learners, staff, directors, volunteers, and users of the Academy. The policy also forms the standards L&F set for work with other organisations and visitors with regards achieving equality, for example work placements & employers, collaborative partners and not least contractors (both in terms of employment & as a service provision of education).

L&F will comply with all reasonable requirements of OFSTED and other bodies appropriately and not least to ensure that L&F's reputation is then measured and reported in the best possible light.

Although E&D is no longer a "limiting grade", it is explicitly tested by OFSTED in terms of Embedding into the Curriculum, and in terms of Management of the Academy in terms of the Promotion of E&D and how L&F closes Achievement Gaps.

Our mission statement is:

"L&F offer a personalised, professional, intimate training program, working with each student to offer a partnership in learning to ensure that each student receives the help and support that they deserve."

Our Values are:

- Creating a learner centred environment
- Exceeding expectations
- Valuing and respecting everyone
- Collaborating with our local community and employers
- Being flexible, innovative, and forward thinking

Directors are responsible for ensuring that:

- Positive action is taken to ensure that the membership of the company reflects the diversity of the communities served by the Academy.
- They are aware of and take ownership of L&F's responsibilities as outlined in this policy and equality legislation, notably the Equality Act 2010.
- Before making any major strategic decisions, the Corporation should consider equality issues in relation to learners and staffing

The Management Team is responsible for ensuring that:

- They promote this policy amongst their staff and ensure compliance
- 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 students with reference to equality of opportunity
- Learners' participation, attendance and success is monitored throughout the year and early remedial action is taken
- They take appropriate action where necessary to assist minority or under-represented 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

Staff are responsible for ensuring that:

- They are aware of this policy and duties in relation to all the protected characteristics and L&F's Public Sector Duties under the Equality Act
- 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 L&F 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 L&F's reputation.

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 L&F's 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
- 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.

L&F endeavours to be at the heart of the community, not just to provide a service to it. Whenever we can, we therefore welcome individuals and groups into L&F and take L&F into the community at every opportunity. The term “community” means the community of the areas that L&F are based in and the wider surrounding area (L&F’s “catchment area”). It also means parts of this area and localities within it. It also means sections of society.

L&F needs to ensure that it reaches all parts of the community as the service must be available to all and used by as many as possible to be fully inclusive.

Where minority groups are under-represented then it is the L&F’s duty to reach them. L&F will ensure there are no barriers to access in any terms and that all believe they can join L&F. Demographics and needs change but constant analysis of participation feeds the Marketing Action Plan and where priorities lie and where the college must make most effort to engage people.

L&F will provide periodic training and awareness raising to staff and governors through:

- E&D training courses
- Materials and information on the intranet and around the academy
- Training during staff development days and staff meetings
- Support in dealing with any issues that arise cross-academy by providing advice where needed.

All courses and learning activities provided by L&F 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.

All Teaching Learning Mentors 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 empower and validate 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 damage relationships, hinder communication and are therefore bad for education and business
- Acknowledges and celebrates the contribution of women and men of all backgrounds, ages, cultures, and religions to human progress in all fields.

All Teaching Learning Mentors will make it clear to learners that any work submitted for assessment or carried out on L&F premises or equipment must not include any discriminatory content or promote any organisation which breaches the commitments within this policy and equality legislation.

L&F has a role in promoting good practice in equality and diversity in the workplace. Work-based assessors will monitor equality and diversity through progress reviews and meetings with learners and employers/workplace supervisors. L&F expects that an employer with a work-based learner will have an equality and diversity policy. L&F will work alongside its partner employers to improve equality and diversity in the workplace and to eliminate discrimination.

The quality of the promotion of Equality and Diversity will be assessed through internal and external verification and observation of teaching and learning. L&F's scheme of work and lesson observation processes and papers are designed to capture and test for the embedding of equality & diversity in every lesson. This is overseen by the lead IQA.

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. Teaching Learning Mentors, 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.

Applicants to the L&F will not be discriminated against on the basis of any of the protected characteristics or association with them. L&F 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 College can meet any individual needs.

L&F 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.

Where possible, images of and by our own people will be used to show reality and encourage ownership.

To summarise:

L&F will not tolerate abuse, prejudice, harassment or bullying and will use the appropriate disciplinary policy to investigate and address any incidents.

Codes of conduct for students and staff explicitly state that discriminatory practices will not be tolerated. Notices are displayed in prominent locations to this effect, as well as positive messages about L&F's commitment to advancing equality.

Equality and Diversity responsibilities in relation to Prevent and Safeguarding

L&F Training takes its duties in relation to Prevent and Safeguarding very seriously. At any time that a Teaching Learning Mentor, or any other member of staff becomes aware of an issue or concern in relation to equality and diversity, which could lead to a Safeguarding or Prevent incident (e.g. abuse or a risk of radicalisation); they should report the matter to the Designated Safeguarding Lead or a Deputy.

The Prevent Policy and Safeguarding and Child Protection Policy contain more detail in relation to the process to follow in relation to Prevent or Safeguarding concerns

Recruitment

Our recruitment policy positively supports equality of opportunity. Our approach is to achieve a workforce that is representative of the diversity of the communities from which we recruit and the apprentice population. All candidate's CV's for consideration will be anonymised to ensure fair and transparent recruitment. The HR Manager will monitor the recruitment profile of all applicants for employment.

Staff Recruitment & Selection Policy and Procedure Policy

We aim to recruit and retain the best staff to enable us to deliver our Corporate Plan. Our policy is to ensure that recruitment and selection decisions are based on the ability of the applicant to meet the requirements of the job description, person specification and any other relevant criteria. All applicants and employees will be treated fairly and according to this policy and procedure, and our relevant equality policies. We are committed to valuing diversity and promoting equality.

Marketing, staff recruitment and learner enrolment:

- Use of a range of promotional methods e.g. brochure, L&F's website, presentations, informal visits to community groups, use of local websites, local press, 'good news' case studies, email promotions, flyers, displays, local community radio, community events, tasters, recruitment events / information events etc that are intended to reach a diverse audience.
- Use a format for published materials that is accessible, easy to understand, positive and inclusive. E.g. Published materials are made available in alternative formats such as large print, audio format, Somerset Total Communication and other languages to ensure we reach learners who may have a disability, or who may have limited or no English language skills.

- Use positive images in our publicity that reflects equality and diversity of opportunity. L&F aims to make all publicity as accessible as possible and available in public places throughout the community.
- Engage in outreach activity and community development to widen participation in learning, and to stimulate interest and generate local involvement for people not currently engaged in adult education.
- Increase participation in courses by learners affected by educational, economic and social disadvantage. L&F promotes equality of opportunity by reaching out to groups of people who may be disadvantaged in some way and who are not currently involved in learning (e.g. low skilled learners, learners with low level qualifications, members of a Black Minority Ethnic group, people with a disability, people with experience of mental ill health, members of a minority group such as travellers or homeless people).
- Create an inclusive, positive and secure environment where staff and learners feel confident and safe enough to disclose.
- Alert staff and learners to the dangers of radicalisation and to contact a Safeguarding Designated Person if they have any concerns.
- Have a team of Learning Support Coordinators that can advise and support learners to ensure they are on the right course, and to provide support to enable them to participate fully in their chosen area of learning.

Employment practice:

- Meet and exceed all equality legislation and ensure good practice as an employer.
- Ensure recruitment and promotion for all positions within SS&L are carried out in a manner which reflects equal opportunities practice.
- Ensure all interview panels have undertaken training in recruitment and selection practices and procedures.
- Monitor the overall L&F staff profile to ensure, where possible, it is diverse and reflective of the Somerset population.

L&F QM/Policies & Strategies/Equality & Diversity Strategy (March 2017)

- Ensure reasonable adjustments for staff with disabilities are identified and catered for at every stage of employment from recruitment onwards.
- Ensure relevant support and training is available for all staff to support the organisations equality and diversity policy. L&F provide development and training to ensure staff are committed to removing possible barriers and supporting all learners to achieve their full potential.
- Line managers ensure that all staff are aware that Equality & Diversity is not a specialist function, but the responsibility of all. Contribution to equality and diversity is embedded within the annual staff review process.
- Through the L&F 'Equality and Diversity Group' send a clear message that L&F values equality and diversity matters and sees these as of the utmost importance. Through this group

promote 'Champions' of Equality and Diversity that can advise and support other members of staff in such matters.

- Ensure appropriate support is available for employees who are carers. This can be through a range of solutions such as flexible working, temporarily or permanently reduced hours, home working (if viable), compassionate leave etc.
- Provide regular and supportive line management where employees can discuss any additional needs or support that may be required due to a disability.
- Provide an informal staff forum and support network for staff with a disability to ensure that the voices of staff with disabilities are heard. Ensure all staff feel supported and safe in their working environment

Workplace Practice:

L&F will not condone behaviour at work, near the workplace and at work-related social functions, which discriminates, harasses or victimises job applicants or individual employees because of legally protected characteristics. The legally protected characteristics are: age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

This also applies where: an employee is treated less favourably because they are perceived to have a protected characteristic even if they do not have that protected characteristic or an employee is treated less favourably because they are associated with someone who has a protected characteristic even if they themselves do not have that protected characteristic.

Duties and Responsibilities:

All employees have a role to play in treating each other as individuals with respect and dignity at all times, taking responsibility for ensuring their own behaviour and actions comply with and support the Policy. All employees and managers must aim to avoid potential conflict by identifying problems at an early stage and attempting to deal with them by, for example, talking to the people involved in a non-confrontational way.

Equalities Learning:

All managers have responsibility for ensuring that their employees understand this policy through induction, probation and further learning and are helped to put that learning into practice. All managers will receive opportunities to learn about their duties and responsibilities through management induction, probation and further learning.

Unwanted Conduct:

Unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual constitutes harassment. Any employee who is found to

have committed an act of harassment, victimisation or discrimination to the detriment of job applicants, other employees, volunteers, staff of suppliers, service users, or members of the public because of protected characteristics, will be subject to disciplinary action. An employee who feels they have suffered a detriment as a result of harassment, victimisation or discrimination directed at them because of a protected characteristic, or who has witnessed behaviour directed at others that has led to such a detriment, will be supported in seeking a resolution. Managers need to seek a resolution promptly and appropriately where they are made aware of behaviour or actions, which L&F has designated as unacceptable; and ensure support is provided for all those involved. L&F has a Dignity at Work Code of Practice. The Grievance Procedure provides a framework for dealing with complaints about bullying and harassment

Terms and Conditions of Employment:

L&F will comply with its legal duty to provide equal pay for work of equal value and provide benefits and facilities equally and proportionately to all employees. L&F will follow flexible employment policies, which recognise the skills and expertise of employees and the need to retain them. The impact of employment policies and practices will be assessed to identify potential detriment to those with protected characteristics based on perceptions which are irrelevant, or on assumptions unjustifiable in terms of an individual's ability to do a job. Managers will aim to ensure informal working practices do not directly or indirectly disadvantage any employee from accessing career opportunities.

Recruitment, Selection and Promotion:

L&F aims to eliminate bias and discrimination in recruitment, selection and promotion practice. When vacancies occur, managers are expected to consider the possibilities of job sharing, part time working or other flexible working arrangements. Employees who are selecting candidates must comply with the Recruitment and Selection policy and must have undertaken recruitment and selection training. L&F will not ask job candidates about their health at an early stage in the recruitment process, unless such questions are necessary for:

- Establishing whether a candidate is able to comply with a requirement to undergo an assessment for the job and whether reasonable adjustments are needed in respect of this assessment
- Establishing whether a candidate is able to carry out a function that is intrinsic to the work concerned
- Monitoring diversity
- Establishing any gaps in employment (Safeguarding Children and Vulnerable Adults)
- Taking Positive Action Establishing whether a candidate has a particular disability which is an occupational requirement

Appendix

Definitions of terms

- **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.
- **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.
- **Direct Discrimination** happens when someone is treated unfairly, or less favourably than another person, because they have a protected characteristic. This often arises because of assumptions, stereotyping or prejudice. The Equality Act 2010 extended the definition of direct discrimination to cover **association discrimination** and **perception discrimination**. This is direct discrimination against someone because they associate with a person who has the protected characteristic or because they are perceived to have a protected characteristic.
- **Indirect discrimination** happens when a ‘provision, criteria or practice’ is applied that appears to affect everyone equally but which in fact puts people who share a protected characteristic at a disadvantage.
- **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 e-mails of a sexual nature.
- **Victimisation** happens when someone experiences disadvantage *because* they have supported someone in making a complaint or an allegation of discrimination or because they have personally made a complaint or allegation.