

360 GSP Training

POLICIES, RULES AND PROCEDURES

Equal Opportunities and Diversity Policy

Policy Last Reviewed on: 20/10/2018

Aim

To ensure that the assessment system and practices does not limit or discriminate against individuals on the grounds of colour, race, sexual orientation, religious beliefs, ethnic or national origin, gender, sexual orientation, marital status, age or disability

The college will act against any possible discriminatory or biased practices and will positively promote access to learning and assessment.

EQUAL OPPORTUNITIES AND THE LAWS

- Equality Act 2010
- The Employment Equality (Age) Regulations 2006
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Religious Orientation) Regulations 2003
- Disability Discrimination Act 1995 Amended 2005

There is no service requirement (length of service) for raising complaints under equal opportunities to report to the senior management of GCMS. Prospective employees may therefore lodge complaint to the Registrar of GCMS for such a persisting attitude or behavior. If the issue is not resolved, then both parties will have reconciliation session as per agreed to the terms and conditions.

The Equality Act 2010

This Act legally protects people from discrimination in the workplace and in wider society and this will replace previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

These provisions came into force on 1 October 2010 and it covers the following

- The basic framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions, premi, work, education, associations and transport
- Changing the definition of gender reassignment, by removing the requirement for medical supervision
- Providing protection for people discriminated against because they are perceived to have, or are associated with someone who has, a protected characteristic
- Clearer protection for breastfeeding mothers
- Applying a uniform definition of indirect discrimination to all protected characteristics
- Harmonising provisions allowing voluntary positive action

Discrimination can come in one of the following forms:

- Direct discrimination - treating someone with a protected characteristic less favourably than others
- Indirect discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage
- Harassment - unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them
- Victimisation - treating someone unfairly because they've complained about discrimination or harassment

Previously there were several pieces of legislation to cover discrimination, including:

- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995

The Employment Equality (Age) Regulations (2006)

These regulations have been introduced to ensure age equality within recruitment, selection, promotion, training & development, redundancy and retirement practices. This means that it is essential for organizations not to recruit, select, promote, develop, nor make individuals redundant on the basis of age. In terms of retirement

practices, mandatory retirement ages below 65 years will be outlawed, those under the age of 65 may retire early if they wish, and should those individuals over the age of 65 wish to continue working, and they have the right to request this. The College has ensured that this legislation is reflected throughout the organization and is inherent within its policies and procedures.

The Employment Equality (Sexual Orientation) Regulations (2003)

These regulations stipulate that it is unlawful for someone to be treated less favorably in the workplace because of their sexual orientation, their perceived sexual orientation or because they associate with someone of a particular sexual orientation. Sexual orientation is defined as either having a sexual attraction towards persons of the same sex, persons of the opposite sex or persons of both sexes. The implications of these Regulations are for the College to ensure it does not discriminate against employees or job applicants on the basis of their sexual orientation.

The Employment Equality (Religion or Belief) Regulations (2003)

In a similar way to the above, it is unlawful to treat employees or job workers less favorably because they follow, are perceived to follow or do not follow a particular (or any) religion, religious belief or similar philosophical belief.

Race Relations (Amendment) Act (2000) - RRAA

The RRAA came into force in April 2001 and amended the Race Relations Act 1976. The amended act takes equality requirements one step further under the law than other earlier Equal Opportunities legislation. This is because it places a positive duty on organizations to promote equality as well as ensuring employment practices are non-discriminatory.

Organizations must ensure that racial equality is a fundamental part of strategic planning and management processes. Steps must be taken to ensure all systems and procedures comply with the legislation and action must be taken to engender change where necessary. Organizations must collect data and analyze and assess it against publicly available benchmarks to measure performance and effectiveness and to identify how the organization might improve. In relation to recruitment and selection the College has reviewed procedures to ensure compliance with the RRAA and to promote practices that will assist in raising good practice in race relations. This will also be of benefit in raising the profile of other underrepresented groups. The detailed advice is contained throughout the recruitment and selection guidance pack and is incorporated in all stages of the process from drawing up the job description to interviews, references and vetting of candidates.

Human Rights Act (1998)

The Human Rights Act came into force on 2nd October 2000, and covers 16 basic human rights. These range from freedom from torture and killing to individual rights in everyday life. The Act also covers the right not to be treated differently because of your race, religion, sex, political views or any other status, unless it can be objectively justified.

Disability Discrimination Act (1995, extended 2005) - DDA

The DDA applies to anyone who has a physical, sensory or mental impairment, which has a substantial long term and adverse effect on their ability to carry out normal day to day activities. It is against the law for an employer to treat a disabled person less favorably than an able bodied person because of their disability, unless this can be justified. This applies to all employment matters (including recruitment, training, promotion and dismissal).

Discriminatory employment practice will not be justified based on past or previous disabilities e.g. a person who has a history of mental illness. In 2005, a new Disability Discrimination Act came into force, which extends the existing provisions in the DDA 1995. In particular, those who have HIV, cancer or multiple sclerosis are now covered by the DDA from the moment they are diagnosed.

Sex Discrimination Act (1975, amended 1986, extended 1999) and Equal Pay Act (1970)

These Acts require that employers do not discriminate, either directly or indirectly, between men and women, or married and unmarried people, in recruitment or in any other way in their treatment of employees.

Equal treatment, in respect of pay, terms of contract and employment, must be given to men and women doing the same or broadly similar work.

The Sex Discrimination Act also:

- Granted individuals a right of direct access to employment tribunals for legal remedies for unlawful discrimination and established the Equal Opportunities Commission to help enforce the legislation and promote equal opportunities and provide information and advice.

In 1999, the Sex Discrimination Act was extended to make it unlawful to discriminate against an employee intending to, undergoing or having undergone, gender reassignment. (Gender reassignment is defined as a process undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex).

Rehabilitation of Offenders Acts (1974)

- The aim of this Act is to make working life easier for those who have been convicted of a criminal offence.
- An ex-offender after a period of rehabilitation has no need to disclose a previous conviction unless his or her sentence exceeded 2.5 years of imprisonment.
- Once a conviction becomes 'spent' an employer cannot refuse to employ, dismiss or otherwise discriminate against an ex-offender on the grounds of a previous conviction.
- However certain posts are exempt from the Act. Examples of these include medical, nursing and midwifery posts, any posts that involve contact with vulnerable people, as well as all posts requiring admission to professional register. In these cases, spent convictions have to be disclosed.
- If any convictions are disclosed they are not necessarily a bar to employing that person; the relevance of the offence to the duties of the job must be considered at the short-listing stage.

In order to do this, the college will:

Recruitment of staff and Learners

- We will ensure that all its marketing materials display positive images of different ethnic minority groups and people with different abilities and disabilities and people of different ages and gender.
- We will ensure that all advertising does not directly or indirectly discriminate against anyone, except where legal requirements make this necessary.
- We will ensure that advertising targets all groups and types of people, as much as reasonably possible.
- We will ensure that all recruitment of staff and students complies with legal requirements and that our practice and decisions are fair and consistent.
- We will ensure that all staff has access to employment opportunities, training and information regardless of their age, sex, colour, creed, race, religion, sexual orientation or beliefs.
- All our staff will abide by the equal opportunities requirements of the Joint Awarding Bodies and QCA.

Equal opportunities in our learning provision

It is our aim to offer a framework which promotes equal opportunities from those who have special needs arising from race, gender, religion, disability or learning disability. Therefore, in adhering to this philosophy, we intend to make the following provisions

through its course delivery:

- Learners will be made aware of the precise requirements for every qualification and course at the induction. Registration of students does not occur until after induction, therefore Learners will not be penalised if they decide to opt out of the course.
- Learning by any method including open and distance learning will be made available.
- All Learners will have the opportunity to undergo a diagnostic test to ascertain the need for additional learning support, such as basic skills and ESOL can be arranged as necessary to successfully complete the qualification.
- No upper or lower age limits will be specified, other than that published by the awarding body for assessment and award of a qualification
- For those where English is a 2nd language, the college staff will endeavour to ensure that such Learners are not disadvantaged in demonstrating competence to the required standard. Where such problems are identified extra off the job training sessions will be recommended and extra time to complete the qualification or alternative assessment methods identified with special needs will be strongly encouraged to pursue units of competence in which they have a reasonable chance attaining the required standard. The College assessment staff will support those who require assistance in obtaining appropriate learning opportunities and assistance.
- Any discriminatory or unfair behaviour displayed by Learners towards other learners or staff will not be tolerated. Such behaviour will result in the Learner being asked to leave the course and, if relevant their employer being informed.
- Curriculum delivery and learning materials will not discriminate against any person or group.

Special provision for Learners with special needs

We strongly believe that all Learners should be supported in their learning, despite any special needs they may have.

Special needs could include the following:

- Learners who work part time
- Learners who work nights
- Learners with physical impairments e.g.: Wheelchair bound, deaf, blind etc
- Learners who don't drive
- People at the extremes of the workforce age group

- Learners who don't use English as their 1st language
- People who have not studied for a while
- Learners with dyslexia and other learning difficulties
- Learners who lack confidence
- Learners with special needs and requirements will be supported by their Assessor, Mentor and Internal Verifier or Tutor. The support required will be discussed on or before commencement onto the course and agreed between Learner and Assessor. This will be then be recorded on the Learner application form. The Internal Verifier should also be made aware.
- Learners who cannot/ have difficulty with writing for whatever reason can be supported to complete their course through dictation or oral tapes or receive basic skills tutoring and support by referral to a selected basic skills co-ordinator.
- Learners with dyslexia, physical impairments or learning difficulties may be allowed more time to complete their course than the usual time scale. Under special circumstances this can be arranged, and will be agreed by the Lead Internal Verifier.

Referrals to specialist help and support organisations will be arranged as appropriate. Learners who require it can be provided with handbooks and centre information on tape.

We will do their utmost to enable Learners who work part time or nights to obtain their qualification by providing opportunities for assessment through the employment of Assessors who can work flexible hours.

Where possible we will offer Learners the opportunity to attend alternative study days to enable to access to learning, when it may otherwise be difficult i.e. because of working hours or children to consider.

All Learners will be made aware of and have access to the centre appeals procedure. Learners can appeal against any practice that they feel is unfair through the centres appeals procedure.

Diversity and Equality actions for 360 GSP College for 2018

1. Diversity baseline and targets:

- To conduct a gap analysis using our data to identify our equality baseline position among students and staff – by May 2018.

- Identify our starting point and agree, in consultation with staff and students, our targets and actions to improve the diversity at the College – by July 2018.

2. Equality of Achievement/ Outcomes

- To conduct a baseline analysis and external benchmarking of our student achievement and outcomes by ethnic and diversity characteristics – by Sept 2018.
- Identify our starting point and agree, in consultation with staff and students, our targets and actions to improve the success rates for students and staff from groups with protected characteristics – by Dec 2018.

3. Teaching and Learning Styles

- To audit the curricula and teaching and learning styles to ensure that students experience methods of learning to meet their needs – by Sept 2018.
- To identify areas for modification and change to meet the needs of the diversity of our students – by Dec 2018.