



Education & Skills
Funding Agency



Equality and Diversity Policy



1. Introduction

Skills People Group consists of the following companies.

- *Construction Skills People*

The company is committed to be an Equal Opportunities Employer and Provider of Training in accordance with the Equality Act 2010 – *'legally protects people from discrimination in the workplace and in wider society. It replaces previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in certain situations.'*

Our funded learning programmes are directly funded using funds from the Adult Education Budget (AEB) or funded using European Social Fund (ESF) monies which come direct from the European Union (EU). Both funds are managed by the Education and Skills Funding Agency (ESFA). "The European Social Fund (ESF) Operational Programme is part of the European Structural and Investment Funds Growth Programme for England in 2014-2020. It will deliver the Programme's priorities to increase labour market participation, promote social inclusion and develop the skills of the potential and existing workforce."

This policy is designed to ensure the company is a committed Equal Opportunities Employer and Provider of Training in accordance with the Equality Act 2010 and will ensure that everyone is treated in a fair, honest and dignified manner.

2. Overview

The company is committed to raising awareness of equality and human rights, promoting diversity and combatting all forms of inequality, disadvantage, prejudice, unfair discrimination, harassment and mistreatment to ensure that our working practices are free from unfair and unlawful discrimination.

3. Purpose

The purpose of this policy is to ensure that no staff, learner and/or associate assessor/tutor are unlawfully discriminated because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.

4. Scope

This Equality and Diversity Policy applies to staff, learners, visitors, contractors and anyone acting on behalf of the company including associate assessors/tutors.

5. Equality & Diversity Policy

The company recognise its duty of care to staff, associate assessors/tutors and learners on our training programmes and are committed to treating every individual equally in line with this policy and the Equality and Human Rights Commission Code of Practice.

It is the responsibility of all staff, learners, associate assessor/tutor and employers to work together towards combating all forms of discrimination. By ensuring the Equality and Diversity Policy is adhered to and that all incidents of discrimination are reported through the appropriate channels.

Where necessary, the company will consider reasonable adjustments to ensure that any individual with a disability is not at a disadvantage. In all relevant cases the company will consult with the

individual and the decision whether or not to make reasonable adjustments will take into account all relevant factors, including, where necessary, referrals to outside organisations.

The company will ensure that all staff, associate assessor/tutors, learners and visitors, as well as those who apply to seek to apply to work or study with us, are treated fairly and not discriminated on any grounds, including those protected by the Equality Act 2010.

The policy will act as our commitment to towards the Public Sector Equality Duty under Section 149 of the Equality Act 2010. **section 149.2 - a person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection 1.*

This company will continue to be ambitious when advancing and embedding Equality and Diversity for all staff, learners, associate assessor/tutor, stakeholders, contractors and visitors and to challenging all forms of discrimination based on the promotion of fundamental British values and to have due regard to the three aims of the general equality duty:

- *Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act*
- *Advance equality of opportunity between people who share a protected characteristic and those who do not*
- *Foster good relations between people who share a protected characteristic and those who do not*

6. Learners

All individuals who wish to **enrol onto one of our programmes** are required to undertake a comprehensive enrolment which includes, completion of English and maths Initial Assessments (IA). Individuals are provided with relevant information, advice and guidance and, when necessary, will be sign-posted to a course that meets their needs. Information about our programmes are available on the company website.

The company will ensure that all learners have **equal access to training and equal opportunities for assessment** regardless of their gender/reassignment, colour, ethnic or national origin, race, disability, age, sexual orientation, gender reassignment, socio-economic background, religious or political beliefs, trade union membership, family circumstance/marital status or other irrelevant distinction.

During the induction and enrolment stage learners start to develop an Individual Learning Plan (ILP) to identify any support requirements and/or development needs. Prior achievements, and/or recognition of prior learning will be taken into consideration, and where applicable all relevant evidence mapped towards the current qualification. Where applicable, learners will also complete a digital skills screener. This allows the company to see if online delivery is the best option for the learner and, if not, to see how we can adapt.

On programme learners have access to a learner handbook, course materials and as part of the curriculum will participate in discussions around: Health and Safety, Equality and Diversity, Safeguarding, Fundamental British Values and Prevent.

Training and assessment will be undertaken fairly and without discrimination. The company will ensure that **assessment decisions** are free from discrimination on grounds other than competence and assessments and not demand levels of literacy, numeracy and verbal skills beyond those required to demonstrate occupational competence.

All instances of bullying, harassment or discrimination will be taken seriously and fully investigated, with appropriate action taken. The company will ensure that such discrimination does not occur either directly or indirectly.

All vulnerable and / or young learners will be protected from all forms physical, verbal and electronic harm within the learning environment and any other legal requirements. This includes harm from other learners or employed staff or associate partners. Appropriate measures will be put in place where vulnerable and / or young learners may be put at risk using an internal risk assessment.

For further information refer to the following policy.

- Safeguarding and Prevent Policy

HESA course suitability; Under the Equality Act 2010 unless minimum age is specified in legislation the company will not discriminate based upon age alone (age is a protected characteristic). For learners defined as children or young people, the company will carry out a full and detailed risk assessment that incorporates the immaturity of trainees including factors such as physical size and weight and mental lack of awareness of dangers.

Pre-course screening takes place to ensure suitability for a course and appropriate supervision will be provided throughout. The company will consider the instructor to learner ratio and whether equipment needs to be modified at any stage during the course.

7. Staff

The company opposes all forms of unlawful discrimination. This includes pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities

All staff have equal chance to staff development, career development and promotion opportunities.

The company uphold equal opportunities during the recruitment process for all available posts within the business, for both internal and external candidates. Candidates for all roles will be selected based on the individual's merits, aptitude and ability. For further information on recruitment & selection processes, please refer to the Safer Recruitment Policy.

All staff are obliged to comply with this policy and promote fairness in the workplace. Staff are required to conduct themselves in a manner which helps the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

8. The company's commitment to Equality and Diversity to:

- Encourage equality, diversity and inclusion in the workplace and during learner visits.
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

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- Take responsibility for promoting a fair, inclusive and supportive environment.
 - Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation. Please refer to the 'Training & Development' policy for further details.

9. Data Protection

The company is committed to comply with the General Data Protection Regulation (GDPR) which forms part of data protection regime in the UK, together with the Data Protection Act 2018 (DPA 2018) and the main provisions that apply from the 25th May 2018.

The company is required to collect and retain certain information about its staff, learners and third parties to monitor: achievement of qualifications, health and safety, safeguarding and safer recruitment.

It is necessary to collect and process information to enrol learners onto courses, claim certificates, organise training and ensure that legal obligations are complied with. The company are required to provide details of learner characteristics in line with current UK GDPR requirements when registering with awarding organisations. Awarding organisations include but are not limited to: HABC, Pearson, CITB, Proqual, Lantra, SQA, City & Guilds, Open Awards and HESA when registering for Apprenticeship Vocational Qualification Awarding organisations monitoring purposes

Information collected may include personal information stipulated under the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.

Data such as race, ethnic origin, politics, religion, trade union membership, genetics, biometrics, health, sex life, or sexual orientation data, is only requested where the law allows it and processed in accordance with the data principles.

Criminal Offence Data (convictions and offences) will only be processed where we have a lawful basis to do so. A privacy impact assessment will be completed for this special category data.

Information may be shared with awarding organisations, regulatory bodies, funding partners and third parties for education, training, employment and well-being related purposes including research. Sharing will only take place where the law allows it and the sharing is in compliance with data protection legislation.

Consent can be withdrawn at any time by contacting the Data Protection Officer.

For further information refer to the following policy.

- The Data Protection Policy

10. Right to Access Information

Individuals have rights to access personal data that is being held about them either on computer or in manual files. Any person who wishes to exercise this right is required to submit a subject access request to The Data Protection Officer.

For further information refer to the following policy.

- Subject Access Request Policy

11. Complaints

The company will endeavor to respond to all complaints in a timely manner treating all complaints from learners/stakeholders with the utmost respect and dignity. Taking into consideration the individual nature of each complaint, every effort will be made to preserve anonymity as far as reasonably possible.

The company will aim to resolve all complaints within the specified period of our Complaints Policy, keeping the individual updated on the progress of their complaint.

The company take seriously complaints of bullying, harassment, victimisation and unlawful discrimination in the course of the organisation's work activities. Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and any appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence

Individuals have the right to make a complaint about an assessment related matter (not assessment decision as this is dealt with in the appeals procedure) to the relevant awarding organisation. **If an individual wish to exercise this right**, the details are recorded within the learner handbook, portfolio or alternatively, can be requested from the tutor/assessor/delivery specialist, IQA, centre coordinator or quality team. **Awarding organisations** include but are not limited to: HABC, Pearson, CITB, Proqual, Lantra, HESA, SQA, City & Guilds and Open Awards. Learners may not raise a complaint to an awarding organisation which is not related to the qualification.

12. Monitoring

The company is committed to using the views and opinions of our, learners and other stakeholders to improve our services and will endeavor to track the progress of all learners, ensuring that our systems and procedures consider their needs and monitor the performance of different groups.

Monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the equality policy.

Monitoring will also include assessing how the equality policy, and any sporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

13. Review

The company review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes to legislation.

This policy will be reviewed annually by HR, Head of Quality and Performance and Director of Quality and Operations or, in line with changes to legislation.

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Document Control

Date of change	Version	Overview of amendment	Amended by / Job title	Approved by	Approval date
05/09/17	3	Annual review	Quality Team	Senior Management	05/09/17
11/12/18	4	Policy revised and included self-employed partners. Developed complaints procedures; from internal and external stakeholders. Included Right to Access Information.	Sarah Booth (HR Assistant)	Tom Armstrong (Director)	14/12/18
29/01/19	5	Policy revised, and updates include: funded learning programmers and the company's commitment to section 149 of the Equality Act 2010	Julie Lawton (Quality Manager)	Tom Armstrong (Director)	29/01/19
28/06/19	6	Policy development: Section 5, 6,7 – reviewed and developed. Section 9 – Data protection section added Section 11 – complaints added Section 12 - reviewed and developed.	Julie Lawton (Quality Manager)	Tom Armstrong (Director)	01/07/19
11-06-20	7	Page 3: Added Digital Skills Screener Page 4: Staff section reviewed Page 5: Added 'Please refer to the 'Training & Development' policy for further details.'	Sarah Booth (HR Assistant)	David Read (Group HR Manager)	26-06-20
23-06-2021	8	Policy reviewed by HR and Director of Quality and Operations	Perry Adams, HR Advisor	Brendan Knowles (Head of Quality and Performance)	20/08/21
20/08/2021	9	Reviewed, no amendments required	Brendan Knowles	Brendan Knowles (Head of Quality and Performance)	20/08/21
01/09/2022	10	Policy reviewed by Head of Quality and Performance Page 5: Open Awards added to awarding organisations. Added UK to GDPR requirements. Page 6: Open Awards added to awarding organisations. Head of Quality and Performance added to review policy annually.	Brendan Knowles	Brendan Knowles (Head of Quality and Performance)	01/09/2022
23/08/2023	11	Policy reviewed by Head of Quality and Performance ESF logo removed C&G Assessments and Training Futures logos removed. Both companies removed from the introduction page.	Brendan Knowles (Head of Quality and Performance)	Sacha McCarthy (Director of Quality and Operations)	23/08/2023