

Equality, Diversity, and Inclusion Policy

Policy Overview

This policy statement outlines the philosophy of equality for all. This policy is available on request and is also available on our website.

Roles & Responsibilities

All staff, apprentices, and other stakeholders.

Staff, apprentices, and other stakeholders are made aware of our policy during induction and during a review. Our policy is reviewed annually or sooner if legislation/ best practice changes. Our promotion to apprentices, staff, and employers ensures awareness of the law, as well as our own internal expectations which are identified firstly during all recruitment and enrolment processes.

Our commitment to staff development ensures equality and diversity are embedded within each learning journey and demonstrates our core values, including both apprentice and employer.

LEAP Apprenticeships will ensure that all employers with whom we work are aware of our commitment to Equality and Diversity and the expectation that they will reflect this ethos when working in partnership regarding all education provisions. Our policies, a copy of our policy, and our commitment are identified at the start of each learning journey and reviewed throughout including stakeholders' surveys/ questionnaires and apprentice reviews.

Policy statement

This document describes the minimum standards and guidance relating to developing a cooperative and non-discriminatory environment that is both supportive and challenging and dealing with instances of harassment, bullying, and discrimination.

We believe that all staff and apprentices must be equally respected and treated as individuals, taking positive account of age, gender, religion or belief, ethnic origin, cultural origin, sexual preferences, disability, pregnancy or maternity, and marital status. We will constantly apply this principle to all our policies, procedures, delivery, and interactions across the projects.

All employees and apprentices will receive Equality and Diversity Training as mandatory with the implementation of E&D and British Values throughout our curriculum and reviews.

The Ofsted Education Inspection Framework (EIF)

<https://www.gov.uk/government/publications/education-inspection-framework> sets out clear messages for providers within the FE sector and our ethos reflects our key message below:

“Leaders promote equality of opportunity and diversity exceptionally well, for apprentices and staff, so that the ethos and culture prevent any form of direct or indirect discriminatory behaviour. Leaders, staff, and apprentices do not tolerate prejudiced behaviour.”

We fully uphold and implement the objectives defined by Ofsted below:

Ofsted Objectives:

Objective 1: Ofsted will give due regard to equality, diversity, and inclusion during an inspection and in its research and evaluation work

In making judgments, inspectors will consider whether those we inspect comply with their relevant duties set out in the Equality Act 2010 and, where applicable, the extent to which they promote British values and promote equality and diversity.

1. Protected characteristics

It is against the law to discriminate against someone against protected characteristics, these include:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

<https://www.gov.uk/guidance/equality-act-2010-guidance>

Age, Gender, Sexual Orientation, Transgender, Marital Status

No discrimination will be accepted with regards to the gender of the individual. All apprentices will be encouraged to participate in all activities regardless of gender or age. All staff and apprentices will have the same opportunities and be treated in the same manner regardless of their gender or age. No discrimination will be made with regard to individual sexual preferences and marital status.

Religion, Ethnic origin, Cultural origin

No individual will be refused a place on the grounds of religion, ethnic origin or culture. Information will be available to all whenever possible, this will be in the first language if English is not understood, or an interpreter will be used to ensure information is exchanged accurately in a timely manner. All apprentices and staff will be expected to respect individual religion, ethnicity and cultural differences.

The curriculum encourages both staff and apprentices to treat everyone with equal concern and respect and to value each other. Questions about racial and cultural differences will be answered in a clear, factual way that is understood in an appropriate manner. Positive support for an apprentice's home language and culture will be given as this provides a framework for learning English. We are committed to ensuring all stakeholders are supported to maintain the best standards of Fundamental British Values.

Where possible we provide the use of quiet rooms for the use of faith-related activities.

Disability

We are committed to the integration of apprentices and staff with a disability or additional needs. Extra help or special arrangements may be required including 'reasonable adjustment'.

The organisation will not discriminate directly or indirectly against a disabled apprentice or staff member. It is recommended that all disabilities or special needs are made known so any necessary reasonable adjustments can be made as soon as possible to promote engagement in work and learning.

As part of our provision, we have a dedicated learning support team in place to tailor and individualise a learner's journey in order to reach their full potential and best outcome.

Reference:

<https://www.disabilityrightsuk.org/equality-act-and-disabled-people>

2. Code of Conduct

The organisation will not allow harassment or bullying to apprentices or staff. This can include unwelcome comments or behaviour, repetitive criticism, intimidation, insulting, aggressive, undermining self-confidence or the misuse of power. Any action which makes the recipient feel upset, humiliated, threatened, or vulnerable.

If the offensive behaviour is made by apprentices, an on-the-spot explanation of why it is not accepted will be made and where required an escalation will be made.

Any breach of this policy by an employee or apprentice may result in disciplinary action.

3. Definitions

'Direct discrimination' is defined as **treating people less favourably** because of their race, disability, race, gender, the colour of their skin, ethnic and national origin, nationality, sexual orientation, religion or age.

'Indirect discrimination' is defined as or occurs when **an unjustifiable requirement or condition, whether intentional** or not affects adults or children from certain groups.

4. Policy requirements

All staff will follow this policy statement at all times. Managers and other staff will ensure that this statement is followed through supervision and quality assurance processes.

Coach Responsibilities

All LEAP Apprenticeship Coaches have a responsibility to be aware of and implement the policy on Equality and Diversity by:

- Promoting a “challenge inequality and celebrate diversity” ethos
- Undertaking staff development appropriate to their role
- Promptly reporting any discriminatory issues, unfair treatment, poor practice or misconduct to the Equality and Diversity Champion
- Promoting equality and diversity in induction, teaching and at progress reviews

Leadership and Governance body responsibilities

Leadership and Governance has a responsibility to:

- Ensure that all staff, apprentices, employers, and other stakeholders are aware of this policy and actively promote its implementation. All will be signposted to our website and

also our commitment will be demonstrated throughout our assessment, planning, and review of apprenticeship learning and implementation.

This includes new staff, employer, and apprentice induction activity, frequent reviews, equality, diversity, and inclusion (as well as other themes) are actively embedded within each learning journey and stakeholder reviews ensure compliance as well as feedback to promote a culture of support and continuous improvement.

- Promote learning to ensure participation is representative of the local, regional and national demographic data
- Ensure the learning environment is non-discriminatory and challenge negative behaviours towards race, religion, gender, disability or culture
- Embrace a whole approach to challenging inequality and celebrate diversity
- Ensure all staff are aware of the policy and ensure they receive training and support to undertake their roles effectively by driving CPD activities.
- Where LEAP Apprenticeships are working with a partner we will ensure any equality and diversity issues that arise are dealt with appropriately in line with our complaints policy
- Ensure learning resources and marketing literature will promote fair and equal access to teaching, learning and assessment. Particular care will be taken to avoid the use of statements and stereotypes that might reasonably be expected to give offence on the grounds of Age, Gender, Sexual Orientation, Disability, Race, Religion & Belief
- Collect data to analyse participation and achievement of under-represented groups by subject and programme area
- Agree on EDIMs (equality and diversity impact measures) to promote participation and achievement of under-represented groups
- Process all data in accordance with the requirements of the Data Protection Act (May 2018)
- Apprentice registration forms ask to detail any additional support requirements that need to be in place. It is the responsibility of LEAP coaches and our dedicated learning support team to ensure that reasonable adjustments are in place to accommodate those with additional support requirements

5. Equal Opportunities for all

We are fully committed to providing a good and harmonious working environment that offers equal treatment and equal opportunities for all its apprentices and staff where everyone is treated with respect and dignity. LEAP Apprenticeships recognises that the provision of equal opportunities in the workplace is not only good management practice; it also makes sound business sense. Our policy and processes will help all apprentices and employees develop their full potential so that their talents and resources will be fully utilised to maximise the efficiency of the organisation. Breaches of all policies including the Equality and Diversity policy will result in the Company's disciplinary procedure being invoked against the individuals responsible or involved.

6. Recruitment of employees and apprentices

No vacancy will be advertised or publicised (internally or externally) in a way that discourages applications from any sector of the population. All applications will be considered on merit. Each individual will be assessed against a set of objectives, and non-discriminatory criteria that will be directly related to the demands of the particular vacancy. All advertisements, application forms, and other recruitment material will clearly state that we are an equal opportunities employer and will avoid statements or questions which tend to discourage applications for employment from any sector of the population.

All interviews will be conducted in accordance with the terms and spirit of this policy. The questions asked of candidates will be closely related to the selection criteria and will be asked in

order to elicit information that will give a fair assessment of that particular applicant's ability to perform the tasks required by the vacancy. Specific questions will not be asked of candidates which make assumptions about a candidate's commitment or ability based on any of the grounds identified in the statement of this policy.

No one sector of the population will be disadvantaged or discriminated against in relation to the terms of employment offered or applied to them. LEAP Apprenticeships will, where appropriate, make reasonable adjustments to its arrangements for interviews and conditions of employment for disabled applicants where necessary to ensure that existing arrangements or conditions of employment do not place such applicants at a significant disadvantage over other applicants.

7. Promotion

Where possible, promotional opportunities will be advertised to internal colleagues in the first instance. Applicants for promotion will be considered only on the basis of their skill, aptitude, experience, and suitability for the vacancy.

In some instances there may be a requirements to enlarge the pool of applicants with external recruitment, recruitment of external applicants will be completed in line with E&D policies and procedures.

8. Training for staff and apprentices

Employees involved in recruitment and the management or supervision of others will receive training to help them understand and comply with the law and the policy. No employee will be denied access to training on discriminatory grounds. Specific and/or additional training will be made available for disabled employees as is reasonably necessary.

9. Harassment on grounds of disability

Harassment of an individual who has a disability or who has had a disability in the past is unlawful. It is also contrary to the Company's policy, which seeks to ensure that people with disabilities receive treatment that is fair, equitable, and consistent with their skills and abilities.

In accordance with statutory requirements, the Company recognizes that a person with a disability is someone who has or has had a physical or mental impairment that has a substantial and long-term adverse effect on his/her normal day-to-day activities. Therefore, depending on individual circumstances a person who has been seriously injured has or had a progressive illness, significant learning difficulties, or poor hearing, vision or mobility may be a person with a disability.

Harassment on grounds of disability may include the following:

- Abusive or insensitive language
- Inappropriate jokes or pranks
- Non-verbal offensive gestures (e.g. staring at a particular affliction)
- Inappropriate assumptions about the capabilities of a disabled person
- Unfair allocation of work and responsibilities
- Exclusion from normal workplace conversation or social events
- Physical mistreatment (e.g. jostling or assault)

The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts.

As part of the Company's Equality and Diversity policy, we will make every effort, if a disabled person joins the Company or if an existing employee becomes disabled, to make such

adjustments as are required by law, whether in their existing job or in a suitable available alternative. This will also be the same for any apprentices to ensure they are supported through their apprentice journey.

The Company will seek to ensure that the needs of people with disabilities are considered generally in both the context of the Company's working practices and in the nature of its premises and continuing services.

10. Special Consideration / Reasonable Adjustment

LEAP Apprenticeships aims to facilitate open access to all qualifications for apprentices who are eligible for reasonable adjustment and/or special consideration in assessments, without compromising the assessment of the skills, knowledge, understanding, or competence being measured. This will be achieved through:

Reasonable Adjustment – This is agreed upon at the pre-assessment planning stage or throughout the duration of their apprentice's programmes and any action that helps to reduce the effect of a disability or difficulty, which places the apprentice at a substantial disadvantage in the assessment situation. Reasonable adjustments must not, however, affect the reliability or validity of assessment outcomes nor must they give the apprentice an assessment advantage over other apprentices undertaking the same or similar assessments.

Special Consideration – This is a post-assessment allowance to reflect temporary illness, injury, or indisposition that occurred at the time of assessment. Any special consideration granted cannot remove the difficulty the apprentice faced at the time of assessment and can only be a relatively small adjustment to ensure that the integrity of the assessment is not compromised.

A reasonable adjustment helps to reduce the effect of a disability or difficulty that places the apprentice at a substantial disadvantage in the assessment situation.

Reasonable adjustments must not affect the validity or reliability of assessment outcomes but may involve:

- Changing usual assessment arrangements
- Adapting assessment materials
- Providing assistance during assessment
- Re-organising the assessment physical environment
- Changing or adapting the assessment method
- Using assistive technology

LEAP Apprenticeships understands that reasonable adjustments must be approved (internally or externally) and set in place prior to assessment commencing. It is an arrangement to give an apprentice access to a qualification.

The work produced following a reasonable adjustment must be assessed in the same way as the work from other apprentices.

Below are examples of reasonable adjustments. It is important to note that not all adjustments described below will be reasonable, permissible, or practical in particular situations. The apprentice may not need, nor be allowed the same adjustment for all assessments.

Reasonable Adjustments permitted by the LEAP Apprenticeships may fall into the following categories:

- Changes to assessment conditions
- The use of mechanical and electronic aids
- Modification to the presentation of assessment material
- Alternative ways of presenting responses
- Use of access facilitators

Please note that a reasonable adjustment must never affect the validity or reliability of assessment, influence the outcome of the assessment or give the earner(s) in question an unfair assessment advantage.

11. Examples of Reasonable Adjustments as defined by the above categories are listed below:

- Allowing extra time – e.g. assignment extensions / extra time on controlled assessments
- Using a different assessment location
- Use of coloured overlays, low vision aids, CCTV
- Use of assistive software
- Assessment material in large format or Braille
- Readers / Scribes
- Practical Assistants, Transcribers, Promoters
- Assessment material on coloured paper or in audio format
- Language-modified assessment material
- British sign language (BSL)
- Use of ICT / Responses using electronic devices

12. Applying Reasonable Adjustment

Reasonable adjustments are approved before an assessment and are intended to allow attainment to be demonstrated. An apprentice does not have to be disabled (as defined by the Equality Act 2010) to qualify for reasonable adjustment; nor will every Apprentice who is disabled be entitled to reasonable adjustment. Allowing reasonable adjustment is dependent upon how it will facilitate access for the apprentice. A reasonable adjustment is intended to allow access to assessment but can only be granted where the adjustment does not:

- Affect the validity or reliability of the assessment
- Giving the apprentices(s) in question an unfair advantage over other Apprentices taking the same or similar assessment
- Influence the final outcome of the assessment decision

LEAP Apprenticeships to apply reasonable adjustment in a transparent and unbiased manner. All reasonable adjustments made must be recorded using a reasonable adjustment form. Once completed, these would be held by LEAP Apprenticeships in the apprentice's file and shall be available at all times for scrutiny by the awarding body, if so requested.

All reasonable adjustments implemented by LEAP Apprenticeships are subject to meeting the requirements of the appropriate assessment strategy and assessment criteria for each qualification and awarding body. It is the responsibility of the Learning Support Team to ensure that any access

arrangement implemented by LEAP Apprenticeships on behalf of the apprentice, is based on firm evidence of a barrier to assessment. If further clarification is required in relation to the application of reasonable adjustment, the coach and/or learning support coordinator would contact the apprentice.

For all qualifications that are internally assessed, LEAP Apprenticeships will apply to the awarding body to request to implement a reasonable adjustment, but it must:

- Only make reasonable adjustments that are in line with this policy
- Record all reasonable adjustments made on the appropriate forms
- Keep all forms on the appropriate Apprentice's record
- Make forms available to the awarding body as required

13. Assessing Achievement

LEAP Apprenticeships would ensure that for all internal assessments, the achievement is given only for the skills demonstrated by the apprentice and that reasonable adjustments do not compromise the outcomes of the assessment.

14. SEN

LEAP Apprenticeships note that a Statement of Special Educational Needs (SEN) does not automatically qualify the earner for a reasonable adjustment to assessment, as the SEN statement may not contain a recent assessment of the needs; and the reasonable adjustment may compromise assessment.

15. Inappropriate use of Reasonable Adjustment

LEAP Apprenticeships understands that if they misuse the reasonable adjustment policy, then the awarding body will take appropriate action. Such action will range from advice and action for the centre through to the implementation of steps to manage assessment malpractice; this could ultimately lead to the recall of certificates, removal of qualification approval or removal of centre approval.

16. Victimisation

Occurs when a member of staff or apprentice treats another member of staff/apprentice less favourably because that other person has:

- Brought proceedings alleging that he or she has been discriminated against contrary to this policy.
- Indicated that they intend to make such a claim or claims.
- Assisted a colleague to make a claim.

Victimisation will not be tolerated under any circumstances and any member of staff who victimises another employee will be subject to the Company's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct resulting in summary dismissal.

17. Handling discrimination, harassment and bullying

All learners should consider whether their actions could be deemed to be inappropriate or offensive to others at all times. LEAP treats this extremely seriously and will address any breach through its disciplinary procedure which, in some cases, could lead to dismissal.

What needs to be considered?

- Is it unacceptable behaviour?
- By 'normal standards' would it be unacceptable?
- It's not the intention of how the behaviour was meant, rather, how was it received?
- Does it constitute one of the following examples:

Harassing behaviour

Where this behaviour is directly or indirectly based on discriminatory grounds based on gender, race, colour, ethnic origin, sexual orientation, religious belief, age, disability, marital status (including civil partnership), pregnancy or maternity or gender re-assignment, the following are examples of unacceptable behaviour:

- Physical abuse
- Abusive language
- Mockery and discriminatory jokes
- Patronising remarks
- Discriminatory name calling
- Unfair allocation of work and responsibility
- Unfair pressure on colleagues about speed and quality of work
- Misuse of email, internet and mobile devices for accessing and distributing discriminatory materials
- Spreading malicious rumours or insulting someone whether verbally, via email, or on social networking sites

Examples that relate specifically to acts that amount to sexual harassment include:

- Physically abusing or intimidating another colleague; physical contact ranging from unnecessary touching, patting, pinching or brushing against another colleague's body through to assaulting. It includes unwelcome offensive or embarrassing remarks, comments, banter or innuendoes.
- Unwelcome propositions or pressure for sexual activity.

- Continued suggestions for social activities outside work after it has been made clear that such suggestions are unwelcome.
- Display of pornographic or sexually suggestive materials which includes pictures or written material.
- Leering, whistling or making sexually suggestive gestures.
- Misuse of email, the internet and mobile devices for accessing disturbing pornographic or sexually suggestive materials.

Bullying Behaviour

Bullying is the intentional intimidation of someone, through the misuse of power or position, which leaves them feeling upset, hurt, vulnerable, frightened or helpless. Examples of bullying behaviour:

- Sharing documents critical about a colleague with others that do not need to know.
- Ridiculing or demeaning someone – setting them up to fail.
- Exclusion or victimisation.
- Overbearing supervision or misuse of power of position.
- Making threats about role security without foundation.
- Deliberately undermining a competent colleague by overloading and making constant criticism.
- Preventing colleagues from progressing by deliberately blocking promotion or training opportunities.

Resolving discrimination, harassment or bullying

The following provides an outline of the informal and formal procedures that may be instigated as a result of allegations involving discrimination harassment and/or bullying.

Informal Resolution

Whether the colleague has been discriminated against, harassed or bullied by another colleague, the first step to take is to try to resolve the problem informally. In some cases, it may be possible and sufficient to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome, it is found offensive and needs to stop immediately. In circumstances where this is too difficult or uncomfortable for the colleague to confront their

alleged harasser, they should seek support from a friend at work or speak to your Line Manager. Alternatively, the Company would encourage them to put this in writing to the person causing offence.

If in doubt as to whether an incident or series of incidents could constitute discrimination, harassment or bullying then advice can be sought from your Line Manager who will be able to advise on the most appropriate way to deal with the matter in strictest confidence.

Every encouragement must be provided by colleagues for the informal stage to be followed in the first instance. This will give every opportunity to those involved to recognise the effect the behaviour is having and obtaining a mutually agreeable resolution. If, however, after exhausting all informal attempts the problem cannot be resolved then a formal complaint should be raised, as detailed below.

Making a formal complaint

A formal complaint must be in writing to the Apprenticeship Quality Manager and state:

- The name of the person causing the offence
- The nature of the unwanted conduct
- The dates and times when the misconduct has occurred
- Names of witnesses to any incidences
- Any action already taken to stop this behaviour

This will be reviewed and a course of action decided upon, which may constitute an investigation.

18. Complaints and disciplinary action

Where an apprentice believes that he/she is being harassed, victimised or discriminated against contrary to the law or to the Equality and Diversity policy, he/she can invoke the complaints procedure.

POLICY REVIEW

The Policy owner will be responsible for ensuring that this policy is monitored and evaluated annually or in the event of changes in legislation.

Date of Publishing: Dec 2022
 Review Date: Dec 2023
 Policy/Process Owner: Apprenticeship Leadership Team
 Andy Rayner, Head Of Apprenticeships & Early Careers.

Signed by	Andy Rayner - Director of Apprenticeships and Early Careers
Signature	Signed on behalf of Leap Apprenticeships 