



Policy and Code of Practice

First Avenue Training Ltd.

EQUALITY, DIVERSITY AND INCLUSION POLICY STATEMENT

The code is intended to cover all staff and learners of First Avenue Training Ltd., and refers to staff and learners in an integrated manner wherever possible.

First Avenue Training Ltd. is fully committed to supporting the Policy by achieving the following objectives:

That no unfair discrimination on the grounds of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age will be applied in education or employment opportunities.

That these groups will be fairly represented at all levels within First Avenue Training Ltd.

That the needs and interest of these groups will be fairly represented within the courses offered by First Avenue Training Ltd..

First Avenue Training Ltd.

EQUALITY, DIVERSITY AND INCLUSION POLICY AND CODE OF PRACTICE

1 Introduction

1.1 The code is intended to cover all staff and learners of First Avenue Training Ltd., and refers to staff and learners in an integrated manner wherever possible. It covers events which occur at any place or time which are in connection with the individual's employment or education and training with First Avenue Training Ltd.

1.2 First Avenue Training Ltd. is committed to making full use of the talents and resources of all its employees; to allowing access to education by all potential learners and users of educational services; and to providing an environment which will encourage good practice and productive working and learning.

- 1.3 First Avenue Training Ltd. is fully committed to supporting the policy by achieving the following objectives:
 - 1.3.1 That no unfair discrimination on the grounds of gender/gender reassignment, sexuality, civil partnership, marital status, colour, religion, race, disability, health status, pregnancy/maternity or age will be applied in education or employment opportunities.
 - 1.3.2 That the needs and interests of these groups will be fairly represented within the courses offered by First Avenue Training Ltd.
- 1.4 First Avenue Training Ltd. recognises and respects the value that results from a diverse staff and student body. It realises that that diversity should ideally mirror that of local communities.
- 1.5 This code should be read in conjunction with other First Avenue Training Ltd policies and procedures. Furthermore, in developing this policy, First Avenue Training Ltd. is aware of the legal framework (including the
Sex Discrimination Act 1975
Race Discrimination Act 1976
Disability Discrimination Act 1995)
Equality Act 2010
and is committed to adhering to the legal requirements.
- 1.6 Access to this policy will be via the staff information sheet for staff or the induction pack for learners.
- 1.7 All contractors and visitors to First Avenue Training Ltd are expected to adhere to the ethos and standards of behaviour set by the company. In letting contracts, the contractors will be informed of First Avenue Training Ltd's Equality, Diversity and Inclusion Policy.
- 1.8 The policy sections are shown in italics.

2 Responsibilities

The success of the Equality, Diversity and Inclusion programme depends on the understanding, and commitment of all people in all levels in First Avenue Training Ltd.. They must be made aware of what is expected of them by First Avenue Training Ltd. and what is required of them by law, and be given continuous training and support. It is the responsibility of all staff and learners to uphold First Avenue Training Ltd.'s Equality, Diversity and Inclusion Policy.

2.1 Implementation

The management is responsible for the implementation of this policy.

- 2.2 The management will take responsibility for selecting staff for training or for allocating work to ensure that no discrimination is made, either directly or indirectly. All staff will be given equal access to training, further education and personal development regardless of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age.
- 2.3 The management will be expected to monitor the courses on offer to ensure that they are free of bias in respect of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age. Annual reviews of progress will be made.
- 2.4 Disciplinary action will be taken against any learner or member of staff who has breached the First Avenue Training Ltd's Equality, Diversity and Inclusion Policy or who has harassed (in any aspect of harassment) a learner, member of staff or visitor. See Appendix A for definition of harassment.

3 Part-Time Employment

*Part-time work is desirable for many people and many parts of the education Service depend on the valuable contribution of part-time workers.
It is our policy to create opportunities for part-time work where possible.*

Implementation

- 3.1 Jobs or areas will be identified where part-time staff could be employed.

4 Recruitment of Staff

*The staff recruitment process must result in the selection of the most suitable person for the job in respect of experience, competence and capability.
It is against the law unfairly to discriminate either directly or indirectly on the grounds of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age at any stage of the recruitment process.*

Implementation

- 4.1 All jobs will be made open to all applicants except in the case of a job covered by a genuine occupational qualification. Posts which are available only to internal candidates will have this stated in the advert.
- 4.2 No assumptions or pre-judgements will be made about the suitability of any person's gender, sexuality, marital status, colour, religion, race, disability, health status or age for a particular job. For example, preferences of colleagues or clients must not be pre-supposed.
- 4.3 No decisions will be made, or preference stated, in advance, regarding the outcome of the recruitment process.

- 4.4 All applicants will be given equal consideration.
- 4.5 No discrimination will be made on the grounds of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age in the terms on which a job is offered, for example, pay or holidays.
- 4.6 All applicants will be made aware of the policy and practice on recruitment of staff.
- 4.7 All existing staff will be made aware of First Avenue Training Ltd's policy and practice on recruitment and selection via the Staff handbook.
- 4.8 Those making appointments will be trained in the implementation of the recruitment and selection policy.

5 Recruitment Publicity for Employment of Staff

Recruitment publicity must positively encourage applications from all suitably qualified and experienced people.

It must show that First Avenue Training Ltd offers opportunities at all levels to people of any gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age and it should avoid any stereotyping of roles. Recruitment solely, or in the first instance by "word of mouth " or through recommendations of existing staff can be unlawful and must be avoided.

Implementation

- 5.1 Copies of the Equality, Diversity and Inclusion Policy will be given to all the agencies which have a role in staff recruitment for First Avenue Training Ltd.
- 5.2 In all recruitment and publicity literature and in all the internal and external advertisements:
 - 5.2.1 It will be stated that First Avenue Training Ltd is "Committed to Equality, Diversity and Inclusion".
 - 5.2.2 Job titles and job content will be presented without bias of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age.
 - 5.2.3 Jobs will be described in such a way that no suitable person is deterred from applying.
 - 5.2.4 There will be nothing in either words or illustrations to indicate any role stereotyping.
 - 5.2.5 Vacancies will be advertised in a wide variety of ways.

- 5.2.6 Where First Avenue Training Ltd decides to promote a vacancy through positive action, the advert will clearly state this.

6 Recruitment and Publicity for Learners

The recruitment of learners must result in participation of people according to their own needs and interests, regardless of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status pregnancy/maternity or age.

Recruitment publicity must avoid any stereotyping of roles and should demonstrate a variety of opportunities, regardless of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age.

Implementation

- 6.1 Every effort will be made to ensure that all courses or activities will be accessible to all potential learners.
- 6.2 No assumptions arising from gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age will be held about any learner's suitability for any course or activity.
- 6.3 All learners will be made aware of First Avenue Training Ltd's Equality, Diversity and Inclusion Code of Practice.
- 6.4 Account will be taken of certain groups who do not normally approach institutions for courses/activities and alternative services e.g. outreach work will be considered.
- 6.5 The timing of courses and activities will be planned remembering that some groups have domestic and other commitments.
- 6.6 It will be noted, when offering courses and activities, that under represented groups and individuals may have a wealth of experience and skills equal in value to formal training and qualifications.
- 6.7 First Avenue Training Ltd. will work with and support employers and other referral agencies to ensure that:
- 6.7.1 Men and women in non-traditional roles will be portrayed in a positive image in publicity material.
- 6.7.2 Courses/activities will be presented without bias of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age.

- 6.7.3 There will be nothing in words or illustrations suggesting any role stereotyping.
- 6.7.4 Advertising material will be displayed in a wide variety of locations.
- 6.7.5 Access to courses for learners with additional needs will be clearly shown on all advertising materials.

7 Selection Process for Employment and Entry to Courses

It is vital that the selection process, including any assessment procedures, is carried out consistently for all jobs/courses at all levels within First Avenue Training Ltd and that it is seen to be non-discriminatory.

Implementation

- 7.1 Application forms will be made available in a variety of formats, including disk, audio-tape and large print as requested.
- 7.2 Application forms will include only those questions which are necessary at the initial stage of selection.
- 7.3 All application forms will state that First Avenue Training Ltd is "Committed to Equality, Diversity and Inclusion".
- 7.4 All questions on the application form will be relevant and non-discriminatory.
- 7.5 Application forms will include only those questions which are essential at this stage. Questions on marital status, children, religion, colour, race, sexuality etc. will not be allowed.
- 7.6 No discrimination will be made on the basis of postal code or address.

8 Selection Criteria

Only those qualifications, experience and skills which are essential for the job/course are to be established as criteria for selection. They must not exclude minority groups, or discourage people with minimum qualifications from applying.

Implementation

- 8.1 All selection criteria will be strictly job/course related.
- 8.2 The acceptability of equivalents to formal qualifications will be stated (e.g. substantial experience).

- 8.3 The imposition of unjustifiable age limits may constitute unlawful discrimination and should be avoided.
- 8.4 All tests will be relevant to the position/course being considered, whether specific to a particular job or general, and will be valid and reliable.
- 8.5 All assessment procedures will be administered and scored in a consistent and non-discriminatory manner.
- 8.6 As far as possible no-one will be knowingly disadvantaged during assessment procedures because of existing disabilities.
- 8.7 Recognition will be given to prior learning experience and achievement and First Avenue Training Ltd will develop appropriate evaluation mechanisms to facilitate this.

9 Interviews

Interviews are to be conducted by adequately trained staff. All questions will be strictly relevant to the job/course. In no case will questions be asked or assumptions made about a person's personal and domestic circumstances or plans where the requirements of the job/course will affect the candidate's personal life (e.g. unsociable hours or extensive travel). This should be discussed objectively. Information necessary for personnel records will be collected only when a job/place offer has been made.

Implementation

- 9.1 Those who conduct interviews will be trained:
 - 9.1.1 To take an unbiased approach regardless of the applicant's gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age.
 - 9.1.2 To ask only factual questions which relate to the job and which are non-discriminatory.
 - 9.1.3 In the legal requirements, policy and practices of Equality, Diversity and Inclusion.

10 The Curriculum

The curriculum should maximise the potential of all learners and ensure free and open access to all courses and options, regardless of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age.

The courses should reflect the diversity of experience of all groups within society and actively promote a multi-cultural society in which men and women of all ethnic backgrounds and both disabled and able bodied contribute equally.

Implementation

- 10.1 The following should be examined, reviewed and evaluated for bias and stereotyping:
 - 10.1.1 Course content and syllabi.
 - 10.1.2 The hidden curriculum, including language codes and illustrations used in text books.
 - 10.1.3 Resource material including audio visual tapes, handouts etc.
 - 10.1.4 Publicity information.
 - 10.1.5 Guidance procedures.

11 Career Development

All staff, regardless of their gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age are entitled to staff development opportunities sufficient for identified and agreed career development.

First Avenue Training Ltd is committed to identifying and providing opportunities to develop the full potential of staff.

Implementation

- 11.1 Annual Staff Reviews provide an opportunity for discussions on potential, career development and training. These will be available to all staff.

12 Staff Development

All staff, regardless of their gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status, pregnancy/maternity or age are entitled to staff development opportunities sufficient to enable them to perform their duties.

First Avenue Training Ltd will provide staff development in Equality, Diversity and Inclusion for all staff.

Implementation

- 12.1 Access to staff development for management or other purposes will be made available to all employees, irrespective of gender/gender reassignment, sexuality, marital status, civil partnership, colour, religion, race, disability, health status pregnancy/maternity or age.
- 12.2 First Avenue Training Ltd will seek to make available the same opportunities for staff development for part-time as for full-time staff.
- 12.3 Staff development courses and materials will be free from bias.
Specific areas requiring special Equality, Diversity and Inclusion training will be identified and staff development programmes generated.
All employees will be expected to undertake staff development in Equality, Diversity and Inclusion in order to assist in the implementation of the Equality, Diversity and Inclusion Code of Practice.
- 12.4 Staff development courses and procedures will be continually revised and updated.
- 12.5 The take-up rate of staff development opportunities will be monitored and evaluated in the light of the Equality, Diversity and Inclusion Policy.
- 12.6 All staff development course materials should reflect First Avenue Training Ltd's policy as an Equality, Diversity and Inclusion employer.

13 Equality, Diversity and Inclusion Appeals Procedure – Learners

It is expected that Equality, Diversity and Inclusion will be achieved by the implementation of the policies and programmes outlined in this Code of Practice.

It will, however, take time to change attitudes and work patterns so that all staff have an equal chance of competing for all jobs on merit and young people and adults receive education and training on an equal basis.

Until this is achieved an Equality, Diversity and Inclusion appeals procedure will be made available to individual learners who feel they have received unfair treatment in any of the following:

- Access to course/activities

- Selection of options

- Representation within the curriculum

The Equality, Diversity and Inclusion appeals procedure may also be invoked in cases of alleged bullying and or harassment (harassment is defined as unreciprocated and unwelcome comments or actions, which are found objectionable and could create an intimidating working environment or create discomfort/embarrassment and offence). See Appendix A

Any learner or intending learner with a complaint under Equality, Diversity and Inclusion should follow the procedure below.

- 13.1 Before taking a decision to invoke the procedure, the learner has the right to approach named First Avenue Training Ltd representatives, for informal confidential advice.
- 13.2 In order to proceed, the individual accompanied by a friend who can support them, should make known his/her complaint to the management of First Avenue Training Ltd.
- 13.3 Either party may at this stage request specialist advice from a named person.
- 13.4 This Equality, Diversity and Inclusion appeals procedure will be carried out in the strictest confidence and will not prejudice the learner's education, training and career prospects.

Care should be taken to deal effectively and seriously with all appeals. It should not be assumed that they are made by people who are over sensitive about discrimination.

The use of this internal procedure does not take away any individual's rights under the law.

14 Right to Complain - Staff

Any member of staff who considers that they have good reason to complain of unfair discriminatory practice in First Avenue Training Ltd (by a fellow employee, a student, or a visitor/contractor) should use the Company's Grievance Procedure.

It is explained to staff at induction and to learners as an integral part of their training their rights and responsibilities in line with the Human Rights Act 1998 and 'whistle blowing' i.e. 'making a disclosure in the public interest'

15 Monitoring

Adherence to the principals of this policy will be constantly monitored. In particular, the management of First Avenue Training Ltd is responsible for monitoring the recruitment and selection process.

Equality, Diversity and Inclusion Policy

16 Review

This policy will be kept under regular review.

This policy was adopted at a board meeting of First Avenue Training Ltd held on: 25.6.11

Signed on behalf of the Company:

I have read and understood the **Equality, Diversity and Inclusion Policy** for First Avenue Training Ltd and agree to work within it's guidelines at all times.

Name:.....

Signature:.....

Date:.....

Reviewed; October 2013

Appendix A – Definition of Harassment

Harassment at Work

Harassment may be defined as conduct that is unwanted and offensive and which affects the dignity of a person.

Harassment is often related to abuse of power and is defined as discriminatory treatment of a person based on specific characteristics such as sex, race, disability, sexuality, age or class.

Sexual Harassment

The most important point to note is that the key to deciding whether or not sexual harassment has occurred, lies in whether the action is welcomed by the person it is directed against. The following are forms of sexual harassment:

- Unwelcome physical contact (ranging from touching and patting to sexual assault and rape)
- Demands for sexual favours
- Propositions or pressure for sexual activities
- Suggestive remarks, innuendoes, or lewd comments
- Display of offensive pictures, posters or written material
- Unwanted comments on dress or appearance
- Offensive conduct such as derogatory abuse and insults which are gender related.

Harassment based on race

The Commission for Racial Equality defines racial harassment as “unwanted conduct of a racial nature, or other conduct based on race affecting the dignity of women and men at work”.

According to the Race Relations Act it is illegal to treat a person less favourably than others based on race, colour, nationality and national or ethnic origin. Applying stereotypes to persons because of their membership of a racial group and hence treating them less favourably is discrimination based on racial grounds. An action against racial harassment may be taken to either criminal or civil courts.