



Construction Assessments

Providing National Construction Awards

REVIEWED: 9 APRIL 2019, V1

EQUALITY AND DIVERSITY POLICY

Responsible SMT person	Centre Manager
Main points of policy	<ul style="list-style-type: none">▪ The Centre is committed to advancing equality of opportunity, respecting and celebrating difference, eliminating discrimination, harassment and victimisation and fostering good relations▪ The Centre strives to create and maintain a good working and learning environment in which everyone has the opportunity to participate fully, give of their best and achieve their full potential in a climate culture free from discrimination or harassment.▪ The policy establishes the expectation that all have a right to equality of opportunity irrespective of race, disability, gender, gender reassignment, age, nationality, sexual orientation, religion or belief, marital or civil partnership status, pregnancy or maternity status, or socio-economic status, background or class.▪ The Centre will actively challenge and tackle all forms of prejudice, discrimination and stereotypical attitudes. Any form of discrimination, harassment or victimisation carried out by an individual will be treated as a matter for possible disciplinary action.
List of procedures for implementation	<ul style="list-style-type: none">▪ Equality Impact Analysis▪ ED checklist (appendix B)▪ Definitions (appendix A)▪ Roles and responsibilities (appendix B)
Related policies, documents and strategies	<ul style="list-style-type: none">▪ Staff recruitment▪ Candidate admissions policy▪ Candidate behaviour management disciplinary policy▪ Teaching and learning strategy▪ Staff development policy/CPD▪ Staff code of conduct, Candidate code of conduct/Capability▪ Staff disciplinary, staff grievance▪ Staff and Candidate bullying and harassment policy▪ Complaints policy▪ Data Protection Policy



1. Background to the policy

This policy provides the overarching Centre vision, values and commitments in relation to equality and diversity. It has been updated to reflect changes in equality legislation including the Equality Act 2010.

2. Definitions

The Equality Act 2010 introduces the term 'protected characteristic' to refer to aspects of a person's identity explicitly protected from unlawful discrimination. Nine are identified:

- Race
- Disability
- Gender
- Age
- Sexual orientation
- Religion and belief
- Gender reassignment
- Pregnancy / maternity
- Marriage / civil partnership.

However, other aspects of a person's identity, background or circumstance can cause them to experience discrimination, for example a person's socio-economic status, class or background. The Centre is committed to advancing equality and eliminating discrimination on these and other grounds

The Equality Act 2010 recognises the following types of discrimination:

- Direct discrimination, including associative and perception discrimination
- Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from a disability
- Failure to make reasonable adjustments

These are explained in Appendix A to this policy

The Equality Act 2010 introduces a Public Sector Equality Duty, in force from April 2011, which requires the Centre to give due regard to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity;
- foster good relations.

'Advance' involves having due regard, in particular, to the need to:



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- a) remove/minimise disadvantages experienced by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who don't share it;
- c) encourage persons with a relevant protected characteristic to participate in public life or in any other activities where participation by such persons is disproportionately low.

'Foster good relations' includes having due regard to tackling prejudice and promoting understanding.

The PSE Duty covers eight of the nine protected characteristics (only the first 'arm' of the new duty, to eliminate discrimination, harassment and victimisation, applies to the protected characteristic of marriage and civil partnerships).

3. Scope of the Policy

This policy applies to all staff, candidates and visitors to the Centre. It also applies to people using the services of the Centre such as the Centre catering facilities, or providing a service such as contractors and sub contractors. All of these groups will be expected to adhere to the tenets of this Policy. Where staff or candidates are working or studying in locations other than Centre premises they will still be subject to the Policy. The Policy also applies to external contractors, employers and other partners that the Centre collaborates with. The Policy also extends to cover behaviour in the V-L-E, by email and other social media.

Behaviour outside working time and outside Centre premises may also fall within the scope of the policy e.g. the Centre has a duty to act where discriminatory behaviour or harassment by a staff member outside working hours affects a member of staff or candidate, either directly or indirectly.

****Breaches of this policy will be taken seriously and may lead to disciplinary proceedings.**

4. Policy Statement

It is the policy of the Centre to recognise and encourage the valuable and enriching contribution from all who work and learn here and the rights of all individuals who come into contact with the Centre such as prospective candidates and job applicants. We are committed to advancing equality of opportunity, respecting and celebrating difference, eliminating discrimination, harassment and victimisation and fostering good relations between all who work or learn at, or use the services of the Centre. We will treat all candidates, staff and others associated with the Centre with fairness, respect and sensitivity. We aim to create and maintain a working and learning environment in which all people have the opportunity to participate fully, give of their best and achieve their full potential in a climate free from discrimination or harassment. We recognise that all have a right to equality of opportunity irrespective of race, disability, gender, gender reassignment, age, nationality, sexual orientation, religion or belief, marital or civil partnership status,



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pregnancy or maternity status, or socio-economic status, background or class. Equality and diversity is central to all that we do, and fundamental to our mission and values.

Our commitment to staff

We will

- Strive to employ a diverse workforce which reflects the local community and the learner population
- Make clear our expectations and commitments to equality and diversity during the recruitment and selection process and again during induction
- Provide ongoing continuous professional development in equality and diversity, to equip staff to recognise and embed diversity and to challenge any form of discrimination
- Provide reasonable adjustments for staff who are or who become disabled
- Embed equality and diversity throughout workforce practice, for example providing good customer care, embedding equality and diversity in teaching and learning and providing a high quality service for all.

Our commitment to learners

We will

- Make clear our expectations and commitments to equality and diversity in our marketing and recruitment materials and events, during the learner and staff admissions processes and again during induction.
- Celebrate equality and diversity for example via Centre posters, tutorial activities and Centre-wide celebratory events.
- Strive to provide an inclusive teaching and learning environment that is personalised to the individual and which takes account of individual need and cultural backgrounds.
- Embed equality and diversity within curriculum planning and teaching and learning.
- Strive to provide additional learning support (ALS) tailored to individual needs for learners who require ALS to support their learning and progression.

Our commitment to service users

We will

- Ensure our services are accessible.
- Provide clear and meaningful information about our services.



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Tackling discrimination, harassment and victimization

We will:

- actively challenge and tackle all forms of prejudice, discrimination and stereotypical attitudes ;
- deal with all allegations of discrimination, harassment and victimization sensitively and investigate fairly and thoroughly;
- treat any form of discrimination, harassment or victimisation carried out by an individual as a matter for possible disciplinary action.

Appendix B provides information on roles and responsibilities in relation to the implementation of this policy

5. Monitoring performance

We will actively monitor our performance to ensure we are meeting our commitments. For example, we will gather and use the following information, disaggregated by equality and diversity parameters, to monitor and improve practice

For employment:

- Staff profile
- Grievance records
- Disciplinary records
- Complaints
- Staff progression
- Access to and satisfaction with, staff development opportunities.

For learners:

- Recruitment, retention, achievement and success
- Attendance and punctuality
- Enrichment
- Progression
- Learner satisfaction
- Complaints
- Disciplinary records.

Outcomes from analysis of the above information will inform self-assessment processes and Centre improvement plans.

We will publish annually, on our website, a Centre Equality & Diversity Annual Report that will summarise the outcomes from the above activities and highlight our progress and performance in equality and diversity.

Where sensitive data is used, the Centre will always comply with the Data Protection Act (1998) and the Centre's Data Protection Policy.



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Appendix A

Definitions of discrimination

The Equality Act 2010 recognises the following types of discrimination:

- Direct discrimination, including associative and perception discrimination
- Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from a disability
- Failure to make reasonable adjustments

Direct discrimination occurs 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 (the Act) extends the definition of direct discrimination to cover **association discrimination**. This is direct discrimination against someone because they associate with another person who has the protected characteristic. The Act also extends the definition of direct discrimination to cover **perception discrimination**. This is direct discrimination against someone because they are perceived to have a protected characteristic.

Indirect discrimination happens when a 'provision, criterion or practice' is applied that appears to affect everyone equally but which in fact puts people who share a protected characteristic at a disadvantage. The Act harmonises the definition of indirect discrimination across protected characteristics (with the exception of pregnancy/maternity). Although pregnancy and maternity are not covered by indirect discrimination, policy and practice that disadvantages pregnant women and new mothers could constitute indirect gender discrimination

Harassment occurs when someone behaves in such a way that a person's dignity is violated, or behaves in such a way that they create an environment that is offensive, hostile, degrading, humiliating or intimidating for a person, where this is

- related to a protected characteristic (except pregnancy / maternity or marriage / civil partnerships), or
- of a sexual nature (sexual harassment), or
- where a person is treated less favourably because they have either submitted to or rejected sexual harassment, or harassment related to sex or to gender reassignment (this is known as 'consequential harassment')

The Act does not specifically cover harassment on the grounds of pregnancy / maternity or marriage / civil partnerships. However, direct discrimination prohibits treatment such as bullying or harassment which results in a person being treated less favourably.

The Act changes the definition of harassment from unwanted conduct 'on the grounds of' to unwanted conduct 'related to'. This subtle change has two benefits. Firstly, it will protect people who are offended by



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conduct even if it is not specifically directed at them. Explanatory notes to the Act provide the following examples:

- A white worker sees a person from a black and minority ethnic background being subjected to racially abusive language, and complains that this has caused her environment to be offensive, even though she is white and not the subject of the abuse.
- An employer displays a topless calendar in the workplace. A male worker complains as he finds this offensive.

Secondly, the definition protects in relation to association or perception. For example protection for someone who experiences harassment because their partner or their son is a disabled person, or because they are perceived to be gay.

Victimisation happens when someone is treated unfairly, or less favourably because they have supported someone in making a complaint or an allegation of discrimination, or because they personally have made an allegation of discrimination.

Previous equality legislation recognised disability-related discrimination. The Act replaces this with two new causes of action in relation to disability – indirect discrimination (see above) and **discrimination arising from a disability**. The latter occurs when a disabled person is treated less favourably because of something connected to their impairment, medical condition or specific learning difficulty.

Failure to make reasonable adjustments happens when an organisation fails to make reasonable adjustments for a disabled person, to avoid the disabled person being placed at a substantial disadvantage when compared to a non disabled person.

Direct discrimination (with the exception of age), harassment, victimisation and failure to make reasonable adjustments can never be justified. Indirect discrimination and discrimination arising from a disability may be permissible if an organisation can 'objectively justify' that their actions are a proportionate means of achieving a legitimate aim.



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Appendix B

Roles and responsibilities

The **Centre Manager** will:

- ensure that the Centre's strategic plan has a commitment to equality and diversity
- receive and respond to staff and to learner monitoring reports
- agree relevant equality targets and monitor progress towards these
- take an active and visible lead in driving forward equality and diversity
- oversee implementation of this policy
- ensure equality and diversity data is embedded within self assessment reports and development plans
- agree equality targets with relevant managers
- review the policy annually
- monitor its effectiveness and measure its impact.

All staff will:

- attend regular training opportunities to ensure they understand the principles of this policy and the implications for their job role and responsibilities

All staff, learners and users of the Centre, including contractors are expected to adhere to this policy.

Breaches of this policy will be taken seriously and may lead to disciplinary proceedings.



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Checklist to be completed and submitted with the policy

Policy Name	Equality and Diversity Policy
Senior Management Team, SMT Responsible Person	Centre Manager

The following issues should be resolved before the policy is presented to the External Bodies.

Does this policy need a legal check?	No
Does the policy comply with the requirements of the Data Protection Act?	Yes
Are there any issues around Freedom Of Information disclosure?	No

Does this policy require consultation with	
Stakeholder	Yes No If yes, record action and date – Candidates will be consulted on revisions and updates
Other	Yes /No If yes, record action and date

Dissemination and training plans	All approved policies are published on shared One Drive. Regular Equality and Diversity training is available for new staff through Staff Development. Awareness of policy to be rolled out through meetings and to be cascaded via team meetings.
Policy is effective from this date	May 2014
Approved by	Centre Manager