



THE
LEARNING
FOUNDRY

Equality and Diversity Policy

Overview:	This policy sets out The Learning Foundry's commitment to ensure the provision of equal opportunities to any person who is undertaking any form of learning, or who works for us, or with us at The Learning Foundry, in accordance with The Equality Act 2010.
Approved by:	TLF Management Team / Board
Date approved:	1st May 2018
Next review date:	1st May 2021
Champion:	Managing Director
Lead:	Quality and Performance Manager



1. Introduction/ policy statement

- 1.1 The Learning Foundry is opposed to all forms of unlawful and unfair discrimination. All job applicants, colleagues, learners and others who work for us and with us will be treated fairly and will not be discriminated against on any of the below grounds. Decisions about recruitment and selection, promotion, training or disciplinary action will be made objectively and without unlawful discrimination.
- 1.2 The Equality Act came into force in October 2010 bringing together 116 separate pieces of legislation. Protection from unlawful discrimination is provided by this act in relation to the following 9 protected characteristics:
- Race
 - Age
 - Sex
 - Gender reassignment
 - Marital or civic partnership status
 - Pregnancy & Maternity
 - Religious belief
 - Disability
 - Sexual orientation
- 1.3 We recognise that the provision of equal opportunities in the workplace is not only good management practice it also makes sound business sense. Our Equality & Diversity policy and ongoing updates and awareness sessions will help all our colleagues and learners develop their full potential. The talents and resources of the workforce will be utilised fully to maximise the efficiency of the organisation.
- 1.4 We will do all that we can to ensure that all colleagues who work with us and all learners will have the opportunity to participate fully and achieve their full potential and will take positive steps to eliminate physical, social and economic barriers to access.
- 1.5 We adopt a zero-tolerance approach to bullying and harassment and will ensure that all colleagues and learners accept their individual responsibility to uphold equality and show respect to others. They are expected to actively promote equality and diversity by valuing and respecting the many differences which exist between people.

2. Scope and exemptions

- 2.1 This policy applies to The Learning Foundry, a wholly owned subsidiary of Regenda Homes, which is part of The Regenda Group.
- 2.2 All job applicants, learners, colleagues and others who work with us are within scope.

3. Definitions

- 3.1 Learner: any person who is undertaking any form of learning at The Learning Foundry. This applies to Apprentices and Traineeship learners.
- 3.2 Colleague: any employee of The Learning Foundry.
- 3.3 Third parties: anyone who is not an employee of The Learning Foundry.

4. Policy detail

- 4.1 Equality is about treating people fairly and ensuring that everyone is given a fair chance, it is not about treating everyone the same. Equality recognises that people have many different needs that have to be met in different ways.
- 4.2 Diversity is about valuing difference between individuals and groups of people. Diversity welcomes these differences rather than trying to get rid of them. It is only where diversity is recognised and celebrated that there can be real equality’.
- 4.3 Promoting equality and diversity will help us to get the best out of all our colleagues and improve our delivery. We don’t want a tick-box mentality or for people to take these issues seriously only because the law requires them to. We want them to be actively considering how equality and diversity interacts with what they do and how they do it.
- 4.4 Inequality of opportunity & discrimination in any form is, at the very least hurtful, destructive, cruel and wasteful. Unfairness will be challenged wherever and whenever we encounter it. We will not limit ourselves to those examples covered by legislation but will endeavour to fulfil our moral as well as legal responsibilities.
- 4.5 A successful culture which embraces all aspects of equality & diversity will only be achieved through the support, compliance and goodwill of all our colleagues and learners.
- 4.6 The generally accepted dictionary definition of discrimination is: ‘To treat a person or particular group of people differently, especially in a worse way from the way in which you treat other people, because of their skin colour, religion, sex, or other identity etc’.
- 4.7 Direct Discrimination happens when one person is treated less favourably than another person would be treated in the same circumstances; e.g.: refusal to employ an applicant because of their gender.
- 4.8 Indirect Discrimination happens when a requirement is applied equally to everyone but has the effect of excluding or leaving out one person or group more than another; e.g.: introducing a rule that all new colleagues had to be below 30 years of age.

- 4.9 Discrimination by association happens when a colleague or learner is treated less favourably because of their association with someone who has a protected characteristic; e.g.: treating someone less favourably because they are friends with someone who is gay.
- 4.10 Discrimination by perception happens when a colleague or learner is treated less favourably because the organisation mistakenly thinks that they have a protected characteristic; e.g.: rejecting an application from a white female who the employer thinks is black due to the woman having an African sounding name.
- 4.11 Institutional Discrimination happens when the way an organisation works leads to unequal access or unfair treatment; e.g.: having a rule which states that only females can make cups of tea.
- 4.12 Individual Discrimination happens when an individual makes a decision which is based on prejudice against an individual because they are from another group or have a different identity; e.g.: deciding that a British Asian applicant cannot speak English as well as a white applicant.
- 4.13 Victimisation occurs when a person is singled out because they have used a complaints procedure or the law to challenge the treatment which they have received; e.g.: a colleague or learner making a complaint and then being unfairly treated as a result of making the complaint.
- 4.14 Harassment – the dictionary definition of harassment is; 'Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.
- 4.15 The following outlines examples of the type of behaviour which we consider would constitute harassment, for which the perpetrator(s) will be liable for disciplinary action and in serious cases liable to summary dismissal: -
- coarse or insensitive jokes and pranks;
 - coarse or insensitive comments about appearance or character;
 - display of offensive material - written or pictorial;
 - deliberate exclusion from conversation or activities;
 - unwelcome familiarity or body contact;
 - abusive, insulting, or threatening language;
 - demands or threats to intimidate or obtain favours;
 - threatened or actual violence.

The above is not an exhaustive list.

- 4.16 We understand the sensitive nature of complaints of harassment but would urge that if any colleague or learner feels that they are the victim of such behaviour, to implement the Grievance Procedure in order that the situation can be satisfactorily resolved.

Individuals are assured that should they raise such a grievance; the matter will be dealt with promptly in a discreet and caring manner.

- 4.17 It is every individual's duty to respect the feelings and wellbeing of all your colleagues and other learners. What may be acceptable to one person may be upsetting and/or intimidating to another person. Harassment is unacceptable language or behaviour, which causes the recipient of such actions to be embarrassed, offended, or threatened.
- 4.18 Third Party Harassment: No individual should be exposed to harassment from third parties whilst at work or whilst in learning. Third parties are anyone who is not an employee of The Learning Foundry. If any colleague is subject to third party harassment this should be reported immediately to their line manager. If any learner is subject to third party harassment this should be reported immediately to an appropriate member of The Learning Foundry staff.
- 4.19 Bullying is also a form of harassment and can also take many different forms;
- Being called names / being teased
 - Being pushed about / pulled out
 - Having rumours spread about you
 - Being ignored / left out
- 4.20 All colleagues and learners will be liable to face disciplinary action if it has been determined that any individual or group has been subject to discrimination, harassment or bullying.

5. Associated documents

5.1. Associated legislation, regulation and guidance

- Equality Act 2010
- GDPR

Equality & Human Rights Commission

<http://www.equalityhumanrights.com/>

Equality Act Guidance

<http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidance-downloads/>

6. Development and implementation

- 6.1 This policy has been developed to meet the required standards in line with legislation regarding the equal treatment of all individuals and their individual needs and requirements when engaging with The Learning Foundry.

6.2 We will raise colleagues and learner awareness and understanding of Equality & Diversity in a number of ways;

- Regular training, awareness and updates
- Publishing the Equality & Diversity policy on the website
- External advice and guidance from approved sources such as the Equality & Human Rights Commission and ACAS
- Poster Campaigns / Dedicated Equality & Diversity notice-boards within our locations
- Raising awareness at learner inductions
- Raising learner awareness at monthly reviews and documenting this on assessment plans to confirm understanding
- Promoting Equality & Diversity in the Learner Handbook
- Integrated Equality and Diversity topics throughout all curriculum delivery, supported by awarding body specification

6.3 Colleague Recruitment

- All posts, when appropriate will be advertised both internally and externally and the content of all advertisements will be reviewed to ensure that its content is appropriate.
- All advertisements will explicitly state the company's commitment to Equality & Diversity.
- Analysis will be undertaken on the number and nature of inquiries and applicants responding to advertisements.
- When possible, advertisements will indicate that flexible working arrangements may be negotiated.

6.4 Application Forms

- All questions on application forms will be relevant and non-discriminatory.
- The application form includes a section to enable monitoring of Equality & Diversity.

6.5 Interviews

- At least one person will be present when conducting interviews and that person will have sufficient knowledge, understanding and experience in Equality & Diversity.
- Interview questions will be related to the requirements of the job and we will not seek irrelevant qualifications. Applicants will be short listed/selected solely on the basis of capability.
- Interview times will be flexible and every attempt will be made to accommodate interviewee's needs in that respect.

6.6 Job Specifications

- Job specifications will in no way imply that the role will only be suitable for people of a specific gender, age, race, or marital status etc, nor will they exclude people with a disability.

- Every post will have a job specification which will describe the role concisely, specifying the responsibilities and typical activities. It will not contain requirements or conditions that cannot be shown to be justifiable.
- Job specifications will be reviewed and monitored continuously.

6.6 Induction

- The company's commitment to promoting Equality & Diversity will be fully explained at induction and this will be reaffirmed by ensuring that the location of this policy is made known to them. New colleagues are advised to read all company policies (paying particular attention to their own responsibilities) within their first month of employment.
- Terms and conditions of employment will include a mandatory agreement to abide by the company's Equality & Diversity policy
- New Apprenticeship and Traineeship learners are advised to read all company policies within the learner handbook (paying particular attention to their own responsibilities) within their first month of training. This will be confirmed at their progress review.

6.8 Working Practices

- Flexible working practices will be considered for all colleagues according to the job role being undertaken by them.
- Flexible working practices may include; job sharing, part time working, occasional working from home and prolonged breaks. This list is neither exclusive nor exhaustive and a colleague should discuss their individual needs with their line manager.

6.9 Training & Development

- All colleagues will be actively encouraged to pursue training and further qualifications. Opportunities and support with training will be monitored at individual appraisals.
- Ongoing training and awareness sessions will be aimed at increasing knowledge and awareness of the principles and company approach towards Equality & Diversity.

6.10 Advertisement & Publicity

All advertising and publicity material will:

- Avoid stereotypical images in both language and illustrations and be free of discriminative wording (within the limits set by the funding mechanism)
- Include a statement of the company's commitment to Equality & Diversity

6.11 Selection

- All selection criteria will be clear, open and specifically related to the programme and no more than the minimum necessary entry qualifications will be required for access to a course of training.

6.12 Interviews

- At least one person will be present when conducting interviews and that person will have sufficient knowledge, understanding and experience in Equality & Diversity.
- Interview times will be flexible, and every attempt will be made to accommodate interviewee's needs in that respect.

- Confirmation of understanding will be obtained by the completion of an induction evaluation checklist and retained on file.

6.13 Support

- Learners may encounter harassment in a number of different ways including day-to-day interactions with The Learning Foundry colleagues, other learners and whilst employed or in placement with an employer. The complaints procedure will be followed for all allegations of harassment.

6.14 Employers

- Guidance and support will be offered to all employers to promote the values of Equality & Diversity throughout their own individual organisations.

7. Equality, diversity and human rights

7.1 The Learning Foundry is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out our duty with positive regard for the following protected characteristics: age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion, sex, sexual orientation. We also recognise that some people experience disadvantage due to their socioeconomic circumstances, employment status, class, appearance, responsibility for dependants, unrelated criminal activities, being HIV positive or with AIDS, or any other matter which causes a person to be treated with injustice. The Learning Foundry will also ensure that all services and actions are delivered within the context of current Human Rights legislation.

8. Monitoring and reporting

8.1 The Managing Director has overall responsibility for ensuring that The Learning Foundry operates within a framework for promoting Equality & Diversity.

8.2 The Quality and Performance Manager is charged specifically with duties relating to Equality and Diversity. These include raising colleague and learners' awareness of Equality & Diversity and reviewing the Equality & Diversity Policy at least every three years, or if required by changes in legislation, recording of equality data and reporting to Senior Management Team, Management team/Board and regulatory bodies.

8.3 Line Managers are responsible for ensuring their employees understand Equality & Diversity and how to report any perceived discrimination, harassment or bullying.

8.4 All colleagues and learners have a big responsibility for promoting Equality & Diversity and for ensuring that they both neither intentionally nor unintentionally discriminate, harass nor bully fellow colleagues or other learners.

8.5 Tutors and assessors are responsible for promoting and raising learners' understanding and awareness of Equality & Diversity. Promotion and awareness will be raised via review meetings and visits and also within classroom sessions.

8.6 Individuals who witness discrimination or harassment are encouraged to challenge any individual's behaviour and where appropriate inform their line manager or a member of the Senior Management team. Allowing discrimination, bullying and harassment to occur can at times be as unacceptable as engaging in the behaviour.

9. Risk Management

9.1 This Policy has been developed to mitigate the following risks:

- Failure to comply with OFSTED regulatory obligations
- Changes in regulation
- Inadequate Policies and Processes