

EQUALITY, DIVERSITY AND INCLUSION POLICY



Policy Group: Equality and Diversity

Effective: July 2023

Approved: The Board

Responsible Officer: Rachel Butt, Director of Excellence

Next Renew Date: July 2024

Ref no: 3.1



GUIDANCE

Vision

Transform lives through learning

Values



PASSIONATE - We are passionate about inspiring young people, adults and our Purple People to be their best and we take pride in creating a positive learning environment to fulfil their potential.



UNSTOPPABLE - We are unstoppable in our quest for the pursuit of excellence. We are dedicated and resilient to develop ourselves and our learners.



RIGHT - We treat each other with respect and strive to do the right thing through insight, inclusion, honesty, growth and trustworthiness.



PARTNERSHIPS - We support the people surrounding us in our everyday lives, building effective partnerships with businesses, learners and all stakeholders where we can pass on our knowledge and skills to help them meet their goals.



LEARNERS - Learners are at the centre of everything we do and we are driven to provide life-changing and life-long learning for them.



EMPOWERED - We encourage our Purple People to be independent and autonomous to maximise their goals surpassing their barriers and targets. Feel it, believe it, live it.

Tone of voice

Our tone of voice takes its direct influence from our core values. We are passionate about people and learners and are driven to get the best out of everyone by understanding them. We are caring and supportive, as well as being determined and striving for growth. We talk with purpose and enthusiasm in a way that connects and empowers people.

Innovation is at the heart of Learning Curve Group and we're always thinking about what's next!

SUMMARY CHANGES

Date	Page	Details of Amendments
23/03/2019	All	New format bringing in positive approach to language
20/10/2020	All	Reflective of new acquisitions
02/07/2021	All	Annual review to ensure it meets external stakeholder requirements
19/07/2022	All	Integration review
27/07/2023	All	Annual review

INTRODUCTION

Learning Curve Group (LCG) are committed to providing equal opportunities in employment and to avoiding unlawful discrimination against our colleagues, learners, employers, or subcontractors.

This policy helps us to put this commitment into practice. By complying with this policy, you are helping to ensure that we create a work environment that is free from discrimination, where everyone can achieve their potential.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities and diversity and inclusion in employment. We have a separate anti-bullying and harassment policy to help us achieve this environment.

This policy is approved by the Board and Senior Leaders and covers all areas of the business which include but not limited to ESFA Government-funded provision, ESF match funding and NEET ESF-project. Actions are embedded into the Equality and Diversity Development Plan and Quality Improvements Plans.

The policy will be monitored and reviewed at least annually and updated accordingly in line with any legislative changes and approved by the Board.

This policy can be made available in alternative formats on request.

Applies to

All

Reason for policy

The overall purpose of this policy is to abide by the Equality Act 2010 and to ensure that Learning Curve Group (LCG) is a place where learning and work exists in an environment that promotes equality of opportunity, celebrates diversity, and allows everyone to achieve their potential.

This policy will be communicated through different means to all staff, learners, subcontractors, stakeholders, and prospective employees and is approved and reviewed by the Board at least annually.

Our commitment is that every:

- Employee is entitled to a working environment which promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
- Every individual is entitled to receive a service from Learning Curve Group and its subcontract partners that is free from bias and all unreasonable barriers
- Employees, learners, customers, and suppliers are entitled to expect equality of opportunity in all aspects of their employment, training, and engagement with us, including its terms and conditions
- Potential employees and learners are entitled to expect the recruitment process to be free from all unreasonable barriers
- Learners will be supported in their learning to allow them to succeed in line with peers and progression to new opportunities

- Employees will be provided training and development opportunities to support their understanding and commitment to the policy
- Managers will be committed to monitoring progress towards targets set for representation and performance of different groups

This policy and procedure does not form part of your terms and conditions of employment and can be changed at any time as we deem appropriate

POLICY

The Legislation

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment (i.e., transgender status), pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion, or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g., refusing to give a reference for a reason related to one of the protected characteristics.

It is unlawful for an employer to fail to make reasonable adjustments to its requirements, working practices or the physical features of the workplace where these put a job applicant or employee who is disabled at a substantial disadvantage. Employers are also under a duty to take reasonable steps to provide equipment or technology to help with a disability.

When we are providing services, goods, or facilities, you must not discriminate against or harass a member of the public. We are under a duty to make reasonable adjustments to overcome barriers to using services caused by disability including the removal, adaptation, or alteration of physical features. In addition, we need to think ahead and make reasonable adjustments to address any barriers that may impede disabled people from accessing a service.

The Company Values (found on Page 2 of this policy) will embed equality and diversity in their implementation

We are committed to equip learners to be responsible, respectful, active citizens who contribute positively to society and are prepared for life in modern Britain. We will teach learners how to protect themselves from radicalisation and extremist views.

Our learners will develop their understanding of fundamental British values gaining a greater understanding and appreciation of diversity; celebrating what we have in common; and promoting respect for the different protected characteristics as defined in law.

The Fundamental British Values are:

- Democracy
- The rule of law
- Individual liberty
- Respect
- Tolerance

We will seek the views of our learners, customers, employees, and stakeholders in relation to the implementation of the policy and the effectiveness of service we provide to them in line with the commitment statement we make.

Complaints

Any external complaints regarding equality, diversity or inclusion will be dealt with through the complaints process.

Equal Opportunities in Employment

We will strive to avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline, and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

We will consider any possible indirect discriminatory effect of our working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. We will refuse requests for variations to working practices only if we have good reasons for doing so that are unrelated to any protected characteristic. We will comply with our obligations in relation to statutory requests for contract variations and will also make reasonable adjustments to our working practices for individuals with a disability.

We will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified because of the monitoring process.

Bullying and Harassment

We have a separate anti-bullying and harassment policy and a separate Learner Behaviour Policy that sets out our commitment to create an environment free from harassment and bullying, and the processes we have in place to support that.

Customers, Suppliers, and other People Outside our Workforce

We will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by us.

If you are subjected to any bullying or harassment by customers, suppliers, visitors, or any other person you encounter through your work, you should report it to your manager (or if you prefer the People Team) who will take appropriate action.

Reasonable Adjustments

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a person who is disabled at a substantial disadvantage compared with someone who does not have

that disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Training

We provide training in equal opportunities, diversity, and inclusion to all our colleagues. Additional training will be given to address the steps that decision-makers can take to avoid unconscious bias.

We provide training to all existing and new employees and others engaged to work for us to help them understand their rights and responsibilities under the anti-harassment policy and what they can do to help create a working environment free of bullying and harassment. We will provide additional training to managers, to enable them to deal more effectively with complaints of bullying and harassment.

Your Responsibilities

You need to play your part in helping us create a work environment that is free from harassment and bullying, and where everyone can achieve their potential.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under our disciplinary procedure. We treat this type of conduct extremely seriously and it may lead to dismissal without notice.

Grievances

We encourage anyone who believes that they have been harassed or victimised to come forward and share their experiences and concerns with us. To facilitate this, we have robust procedures designed to assist our people to have open conversations, engage in dispute resolution and, where appropriate, implement a disciplinary process.

If you think you have been discriminated against, bullied, or harassed you can raise this under our grievance procedure.

We take any complaint seriously and you will not be penalised for raising a grievance, even if your grievance is not upheld, unless in the very unlikely situation that your complaint is both untrue and made in bad faith.

Objectives of the policy are to:

- Regularly report to the Board and Senior team on equality and diversity matters and the performance and participation of different groups of learners
- Regularly review the policy and procedures that promote and protect equality and diversity.
- Make all Subcontract Partners aware of their personal obligations to avoid discrimination, in accordance with the policy
- Organise or access opportunities that foster a culture of equality for all
- Monitor procedures and activities to ensure the effectiveness of Learning Curve Group's approach
- Consider the needs of all, particularly those with protected characteristics
- Take positive action to redress unjustified disparities in training and/or employment

Statutory Acts

There are several statutory and other provisions relating to Equality & Diversity and these are enveloped in one Single Equality Bill (October 2010). These include:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Religion Act 1976
- Disability Discrimination Act 1995
- Employment Equality (Religion of Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006

Implementation

The Board carries the ultimate responsibility, under law, for ensuring that LCG meets the requirements of equality legislation. The authority for this is delegated to the CEO who, in turn, has designated the Director of Excellence to take the strategic lead for championing equality, diversity and inclusion. This role is shared with the Director of People regarding the Company as an employer. However, all colleagues have the responsibility to uphold the policy, comply the law and support the Company in fulfilling its duties and commitments.

Equal Opportunities Statement

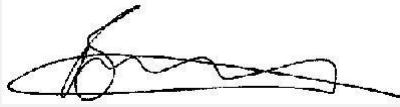
Learning Curve Group is committed to being an equal opportunities employer and training provider, promoting and developing equality, diversity and inclusion for staff, customers, and suppliers across all our services.

It will seek to do this by:

- Communicating our commitment to equality and diversity to all
- Creating an environment where there is mutual respect and equality of opportunity providing relevant training for all staff and Subcontract Partners
- Implementing mechanisms for implementation, monitoring, evaluation, and review what we do to promote and embed
- Treating acts of discrimination as a disciplinary offence dealing with harassment and bullying timely and effectively
- Engaging staff, learners and stakeholders in the development, implementation, and execution of our policies
- Ensuring our Subcontract Partners promote equality and diversity in line with legal requirements

All employees, suppliers, learners, and customers will receive equal treatment regardless of sex, marital or civil partnership status, race, disability, age, sexual orientation, gender realignment, pregnancy, maternity, religion, or belief.

The Directors and Management Team recognise that they have responsibility for ensuring that the company operates within the legal framework for equality and for implementing the policy throughout the business. All employees and learners of LCG are responsible for trying to prevent discrimination that is within their control to prevent or challenge.

A handwritten signature in black ink, appearing to be 'Brenda McLeish', written on a white rectangular background.

Signed:

Brenda McLeish OBE DL
Chief Executive Officer

DEFINITIONS

Direct Discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic (for example refusing to employ a woman because she is pregnant).

In very limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect Discrimination

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim (for example requiring employees to have held a driving licence for 10 years may be indirect age discrimination, unless that requirement could be objectively justified).

Discrimination by Association

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the Government and ACAS) pregnancy and maternity).

Perceptive Discrimination

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Harassment

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity which are covered by direct discrimination provisions in the Equality Act 2010) that has the purpose or effect of violating a person's dignity; or is reasonably considered by that person to create an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether this effect was intended by the person responsible for the conduct.

Bullying

Bullying is not a natural behaviour and should not be seen as such. It typically can be when someone uses superior strength or influence to intimidate.

Victimisation

Victimisation occurs where an employee is subjected to a detriment (essentially where the employee is treated badly), such as being denied a training opportunity or a promotion because they made or

supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments and is then systematically excluded from all meetings. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint in bad faith.

All matters of discrimination, bullying and harassment will be dealt with effectively and efficiently, using the following processes where applicable:

- Complaints Procedure
- Grievance Procedure
- Staff Disciplinary Policy
- Learner Behaviour Policy
- Anti-Bullying and Harassment Policy

RELATED POLICIES AND LINKS

Group 1

Disciplinary Policy

Grievance Policy

Anti-Bullying and Harassment Policy

Hormonal Health Policy

Whistleblowing Policy

Recruitment Policy

Code of Ethics and Conduct

Group 4

Complaints Policy and Procedure

Group 8

Learner Behaviour Policy

Learner Handbook and Enrolment Processes

Equality Act 2010 - [Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2010/15/contents/enacted)