

Equality, Diversity and Inclusion Policy

V2 – January 2021

Family:	Human Resources
Manager Responsible:	Ashleigh Penny
Reviewed and Updated:	January 2021
Issue Date:	January 2021
Next Review Date:	January 2022

1. Policy Statement

- 1.1. The Skills Network celebrates and values diversity and aims to promote the benefits of diversity in all our business activities. We seek to develop a business culture which reflects that belief. The principles of equality and diversity are at the heart of our business and are supported by appropriate policies, procedures and good practice.

2. Scope

- 2.1. This policy applies to all individuals involved with The Skills Network; including staff, learners, visitors and individuals contracted to provide services.
- 2.2. This policy covers equality and diversity in relation to the protected characteristics as described by the Equality Act 2010. These are: age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

3. Aims

- 3.1. To ensure that all individuals are treated fairly and with dignity and respect.
- 3.2. To create and promote an inclusive and positive culture and environment, fostering good relations and challenging and preventing prejudice, discrimination and harassment.
- 3.3. To enable all individuals to achieve their full potential, contribute fully and derive maximum benefit and enjoyment from their involvement with The Skills Network.
- 3.4. To promote awareness, understanding and involvement in equality and diversity matters among staff.
- 3.5. This policy operates in accordance with legislation and other company policies.
- 3.6. The company will ensure its policies, procedures and practices comply with relevant legislation.

4. Responsibilities

4.1. A successful equality and diversity policy requires the active support of the entire business. Whilst there is a collective responsibility to ensure this policy is successfully implemented, there are also specific responsibilities as set out below:

- The Human Resources Manager is responsible for ensuring that staff-related issues are effectively addressed.
- Managers in all areas are accountable for delivering the equality commitments in their designated areas of responsibility.
- All staff and others to whom this policy applies are responsible for ensuring that they read and understand this policy and seek clarification where required. Staff will be reminded of their responsibilities through the appropriate communication channels.
- Anyone carrying out work or delivering services on behalf of the company is required to adhere to this policy and is expected to support the company in promoting equality and challenging discrimination and harassment.

4.2. The Equality and Diversity Steering Group is responsible for overseeing the continuing application and development of the Equality, Diversity and Inclusion Policy in line with legislation and the company's strategic objectives.

5. Definitions

5.1 Direct discrimination

Direct discrimination occurs when an individual is treated less favourably because of a protected characteristic. Treating someone less favourably means treating them poorly in comparison to others who do not have that protected characteristic.

It is unlawful to discriminate against a person on the grounds of a protected characteristic:

- In the terms on which The Skills Network offers to provide any of its services;
- By refusing or deliberately omitting to provide any of its services;
- In the way it provides any of its services.

Direct discrimination can take place even if the individual does not have the protected characteristic but is treated less favourably because it is assumed that he or she has the protected characteristic or is associated with someone that has the protected characteristic. This is known as discrimination by association.

Direct discrimination would also occur if The Skills Network accepted and acted upon instructions from an employer which states that certain persons cannot be hired due to a protected characteristic, unless an exception applies. The Act contains provisions that permit specifying a requirement that an individual must have a protected characteristic in order to undertake a role. These provisions are referred to as occupational requirements.

Where there is an occupational requirement, the client must show that applying the requirement is a proportionate means of achieving a legitimate aim (i.e. the employer must be able to objectively justify applying the requirement). An occupational requirement does not allow an employer to employ someone on less favourable terms or to subject a person to any other unfair treatment. Neither does an occupational requirement provide an excuse for harassment or victimisation of someone who does not have the occupational requirement.

5.2 Indirect discrimination

Indirect discrimination occurs when a Provision, Criterion or Practice (PCP) is applied but this results in people who share a protected characteristic being placed at a disadvantage in comparison to those who do not have the protected characteristic. If the PCP can be objectively justified, it will not amount to discrimination.

Indirect discrimination would also occur if The Skills Network accepted and acted upon an indirectly discriminatory instruction from an employer or service user. The Skills Network will use its best endeavours to comply with the Act and will not accept instructions from clients or service users that will result in unlawful discrimination.

5.3 Harassment

Under the Act, harassment is defined as unwanted conduct that relates to a 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. This includes unwanted conduct of a sexual nature.

The Skills Network is committed to providing a work environment free from unlawful harassment.

Examples of prohibited harassment are:

1. Verbal or written conduct containing derogatory jokes or comments;
2. Slurs or unwanted sexual advances;
3. Visual conduct, such as derogatory or sexually orientated posters;
4. Photographs, cartoons, drawings or gestures which some may find offensive;
5. Physical conduct, such as assault, unwanted touching, or any interference because of sex, race or any other protected characteristic;
6. Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours;
7. Retaliation for having reported or threatened to report harassment.

5.4 **Victimisation**

Under the Act, victimisation occurs when an individual is treated unfavourably because he/she has committed a 'protected act' which is bringing a claim for unlawful discrimination or raising a grievance about discrimination or giving evidence in respect of a complaint about discrimination.

6. Implementation and Monitoring

- 6.1. In monitoring and progressing the policy, The Skills Network will:
 - Consult employees and other stakeholders;
 - Take into account any relevant information from internal or external sources;
 - Have in place an Equality and Diversity Steering Group.
- 6.2. The company as a whole shares responsibility for the successful application of this policy, with specific responsibility on individuals who are professionally involved in staff support, development and management.
- 6.3. The company will provide relevant equality and diversity training.
- 6.4. The company will seek to ensure that all individuals have equal access to all facilities. Adjustments to working and learning practices will be considered wherever reasonably possible in order to accommodate a more diverse community.
- 6.5. Where data relevant to EDI or protected characteristics is gathered/stored, it will be done so in line with GDPR guidelines.
- 6.6. The company will ensure that effective support and complaints mechanisms are available for people experiencing discrimination.

7. Employment

- 7.1. The Skills Network aims to employ a workforce that reflects, at every level, the community which it serves.
- 7.2. In seeking to achieve a balanced workforce at all levels, the company will ensure that no employee, job applicant or candidate for promotion will be disadvantaged or treated less favourably because of conditions or requirements that are not related to the job.
- 7.3. All staff will treat each other in a fair and respectful manner that is free from discrimination.
- 7.4. Reasonable adjustments will be made to working arrangements and premises to ensure equal access for employees or potential employees who have a disability or a particular health concern.
- 7.5. All staff will receive timely and relevant equality and diversity training.
- 7.6. The Human Resources Department will be responsible for the maintenance and reporting of equality data relating to the workforce.

8. Curriculum, Learning and Student Support

- 8.1 The Skills Network is committed to promoting equality and diversity through its learning programmes.
- 8.2 Equality and diversity will be fully integrated into the learning experience, and will be evident in curriculum planning, delivery and assessment.
- 8.3 Leaders and managers will monitor learner performance by protected characteristic and set actions to narrow any achievement gaps between different groups of learners.
- 8.4 The curriculum offered will be regularly reviewed to ensure it is culturally sensitive and reflects the EDI agenda.
- 8.5 All resources used will be free from discriminatory or stereotypical assumptions or images.
- 8.6 All learners will receive information on equality and diversity, Prevent and British Values as part of their induction.
- 8.7 Work-based learners will be empowered and supported to challenge practices and behaviours in the workplace, which they feel contravene TSN policy in relation to equality and diversity.
- 8.8 TSN recognises that support services enable learners to gain access to the curriculum, stay on programme and achieve to the best of their ability. All learners have access to a Learner Support Advisor (LSA) who provides support, advice and guidance, and can arrange any reasonable adjustments where necessary.

9. External Partners

- 9.1. External partners working with The Skills Network must comply with the Equality, Diversity and Inclusion Policy and have appropriate policies and procedures in place regarding equality and diversity.
- 9.2. When drawing up contracts and service specifications, the company will ensure that external partners are made aware of their legal duties in relation to equality and that they are specifically required to comply with all equality legislation when delivering services on behalf of the company.

10. Visitors, Contractors and Sub-contractors

- 10.1. Visitors, contractors and sub-contractors must comply with the company's Equality, Diversity and Inclusion Policy.
- 10.2. Staff meeting visitors or employing contractors and sub-contractors are responsible for making them aware of the Equality, Diversity and Inclusion Policy.
11. The Public Sector Equality Duty

As an organisation that works with several public sector organisations, The Skills Network understands and complies with the public sector equality duty set out by the Equality Act 2010 and the Equality Act 2010 (Specific Duties) Regulations 2011.

Under this duty public bodies and others carrying out public functions have a duty to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and those who do not.

12. Unacceptable Actions and Behaviour

- 12.1. This policy aims to ensure equality of opportunity and fair treatment for everyone. It is based on the principle that people have the right to their own beliefs and do not engage in activities or acts which interfere with the rights or beliefs of others.
- 12.2. Any attempt to coerce or threaten others to comply with a particular belief system (e.g. through unauthorised distribution of literature, threats or offensive remarks) may result in disciplinary action.
- 12.3. Any form of bullying, harassment or victimisation of any individual will not be tolerated. Allegations will be taken seriously and dealt with appropriately under the relevant procedure.
- 12.4. Any member of staff found guilty of unlawful discrimination or harassment will be subject to disciplinary action including, where appropriate, dismissal for gross misconduct. Appropriate action will be taken against any member of the public, visitor or service provider involved in unlawful discrimination or harassment.

13. Complaints

If an individual believes that they have been unlawfully harassed or discriminated against, they should make an immediate report to hrenquiries@theskillsnetwork.com followed by a written complaint as soon as possible after the incident. The details of the complaint should include:

- Details of the incident
- Name(s) of the individual(s) involved
- Name(s) of any witness(es).

The Skills Network will undertake a thorough investigation of the allegations in line with the prevailing Complaints Procedure. If it is concluded that harassment has occurred, remedial action will be taken.

14. Publishing the policy

- 14.1 This policy will be published on the Company website and intranet and will be reflected throughout various documentation and practices. A variety of alternative formats will be available on request.

Appendix

Policies and Procedures

Staff Disciplinary Policy and Procedure

Staff Grievance Policy and Procedure

GDPR Data Protection Policy

Complaints Procedure

Safeguarding and Prevent Policy

Legislation

The Equality Act 2010

Data Protection Act 2018/General Data Protection Regulation 2016