



**Asset Training & Consultancy Ltd**

# Equality and Diversity Policy

<b>DOCUMENT CONTROL</b>			
Author	Ruth Smith	Version Number	09
Reviewer	Ruth Smith	Last Review Date	June 2013
Approved by	Peter McEvoy/ Marilyn McEvoy/ Ruth Smith	Next Review date	June 2014
Approved by	Ruth Smith	June 2016	June 2017

# **Equality and Diversity Policy**

## **Policy Statement**

Asset Training is fully committed to eliminating discrimination and encouraging diversity amongst its staff, learners, partners and associates. Our aim is that our staff learner's partners and associates will be truly representative of our business and each person within our business feels respected and able to give their best.

To that end the purpose of this policy is to provide equality and fairness for all in our employment or learning and not discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality national origin, disability, sexual orientation, religion and age. Asset training will not tolerate less favourable treatment of anyone on any grounds.

All potential employers or employees whether part time, full time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit and set criteria will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the work force will be fully utilised to maximise the efficiency of the organisation.

All learners will be treated fairly and with respect they will be helped and encouraged to develop their full potential and maximise their talents within their environment and will be included in our commitment to equality and diversity throughout the company.

## **Our Commitment**

- To create an environment in which individual differences and the contributions of all our staff and learners are recognised and valued
- Every employee and learner is entitled to work in an environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
- Training, development and progression opportunities are available for all staff
- Equality in the work place is good management practice and makes sound business sense
- We will review our employment practices and procedures to ensure fairness
- Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings
- This policy is fully supported by the senior management team
- This policy will be monitored and reviewed annually by senior management
- All staff and learners within ASSET will be made aware of the provisions of this Policy, have access to a copy of this policy, to enable them to meet with the requirements of this policy

# Equality and Diversity Policy and Procedure

## **1. Introduction:**

ASSET considers it desirable to produce a statement of policy on equality and diversity in employment, to provide the necessary encouragement and guidance to staff to implement our policy.

This document sets out our policy and must be adhered to by all employees (except where there are legal limitations on employment to particular posts). Disciplinary action may be taken when there is a breach of policy.

### Our statement of Equality and Diversity:

ASSET strives to be an equal opportunities employer. In keeping with this our aims and goals are:

- To work towards the elimination of discrimination on the grounds of sex, marital status, religion, disability, colour, ethnic or national origins or any disadvantage by conditions or requirements which cannot be shown to be justified.
- To promote equality of opportunity based on merit or ability.
- To implement the working of the Equal Pay Act 1970, Sex Discrimination Act 1975.
- Race Relations Act 1976 and its amended Act 2000, the Disability Discrimination Act 1995 and its amended Act 2005, the Human Rights Act 1998, the Gender Reassignment Act 1999, the Special Education Needs and Disability Act, the Civil Partnership Act 2004, The Racial and Religious Hatred Act 2006, the Equality Act 2006, the Age Act 1975 and its amended Act 2004 and the regulations that apply.
- To provide a safe environment which is not hostile, intimidating or humiliating to its staff

In order to assure all staff are aware of this Policy, and to ensure as far as possible the Policy is adhered to, the following sets out the principle codes of practice related to the Acts, and the procedures set out by ASSET for their implementation.

## **2. Definitions**

### Harassment.

Harassment can take many forms. It may involve action, behaviour, comment or physical contact which is found objectionable or which causes offence. It can include both physical and verbal violence.

Harassment is always unwanted, unreasonable and offensive and can result in the recipient feeling threatened or humiliated as well as being physically and mentally abused. Such conduct creates an environment which can be intimidating, hostile or humiliating for the recipient.

People can be subject to harassment on a wide variety of grounds including their:

- Disabilities, sensory impairments, learning difficulties or mental or physical ill-health
- Ethnic origin, nationality or skin colour
- Gender or marital status
- Sexual orientation

This list is not exhaustive. Anyone who is perceived as different, or who is in a minority, or who lacks organisational power, runs the risk of being harassed. Thus, health, physical characteristics, personal beliefs and numerous other factors may lead to harassment.

The following examples may help to provide clarity.

**Racial harassment** has been defined by the Commission for Racial Equality as: "Violence which may be verbal, or physical, and which includes attacks on property as well as on the person, suffered by individuals or groups because of their colour, race, nationality and ethnic or national origins, when the victim believes that the perpetrator was acting on racial grounds and/or there is evidence of racism".

**Sexual harassment** has been described by the European commission as: "Unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of men and women at work. This can include unwelcome physical, verbal or non-verbal conduct".

### Procedure for Harassment Policy

- All staff have a responsibility to take informal or formal action to stop any form of harassment which they witness or which is brought to their attention.
- A member of staff who believes that they have been the subject of harassment should report the alleged act to their nominated line manager or Equal Opportunities Coordinator.
- Wherever possible a member of staff who believes she or he is being harassed should ask the alleged offender to stop, or make clear that the behaviour is unwelcome. It is recognised that in some circumstances it may not be possible to first proceed on this informal basis. A record of incidents of harassment should be kept to assist if further formal action is required.
- If an informal approach is inappropriate or does not lead to the harassment stopping then a complaint may be made to the line manager or the EO Coordinator. All complaints will be investigated by an appropriate manager who will have received training in dealing with harassment. Complainants have the right to speak to someone of the same sex if this is their choice. Where a complaint is subject to investigation, care will be taken to ensure that the investigation does not cause unnecessary distress to either party.
- In the event of disciplinary procedures being invoked against the alleged harasser, any staff involved must be told what is happening and be informed of their rights.
- If the investigation upholds the complaint, prompt action designed to stop the harassment immediately and prevent its recurrence will be taken. In such circumstances, if relocation proves necessary, every effort will be made to relocate the harasser and not the person who has been harassed. Employees shall be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against an employee for complaining about harassment will be treated as disciplinary offence.
- Any member of staff who brings a complaint must be kept fully informed of the action being taken.

## Discrimination

It is unlawful and against the policy of this company to discriminate whether it be direct or indirect in:

### Recruiting arrangements:

- The terms offered with the job or not offering the job at all;
- Terms and Conditions of Employment;
- The way opportunities for promotion, transfer, training or any other benefits are made available to employees, or if they are not given at all; or
- By dismissing an employee or imposing any other penalty on any discriminatory grounds.

## **3. Preconceptions**

Asset staff will actively guard against discrimination on the grounds of possible assumptions about the individual on the grounds of sex, age, marital status, colour, religion, ethnic origin or disability, which would make them unsuitable for work and/or any other associated benefits.

## **4. Procedures**

All policies and procedures of the Company will be designed to strengthen our aim to strive to be an Equal Opportunities Employer.

### Recruitment and promotion

- It is unlawful, unless the job is covered by the exceptions, to discriminate directly or indirectly on the grounds of sex, age, status, religion, race or disability. Consequently, the following procedures have been established in consideration of this policy.
- Applications for posts shall be given clear and accurate information about posts through advertisements, job specifications and interviews, in order to enable them to assess their own suitability for a post. Information about post shall be placed and prominently displayed, where it may reach individuals from all sectors.
- Recruitment literature shall not imply that there is a preference from one group of applicants (e.g. using a photograph of members of only one sex), unless there is a genuine occupational qualification which limits a post to a particular sex, in which case this must be clearly stated.
- However, in accordance with section 47 and 48 of the Discrimination Act 1975, the company may encourage persons of sex only for vacancies where during the previous twelve months the numbers of the opposite sex employed on that work by the company. Nonetheless, after encouraging such applications, each candidate must be considered on his/her merits and their membership of an unrepresented group shall not influence appointment.
- Advertisements and recruitment drives shall be aimed at a wide group of suitably qualified and experienced people as possible.
- All applicants shall be informed that the Company encourages equality of opportunity and operates an Equality and Diversity Policy. Such information should be conveyed on job advertisements, job descriptions and application forms.

- All personnel specifications for post shall include only requirements that are necessary and justifiable for effective performance of the job.
- All interviews shall be thorough, conducted on an objective basis, and shall deal only with applicant's suitability for the job, and ability to fulfil the job requirements. Where necessary to judge whether personal circumstances will affect the performance of the job (e.g. where it involves unsocial hours or extensive travel), this should be discussed objectively without detailed questions based on assumptions about marital status, children, domestic arrangements or racial or cultural differences. Information necessary for personnel records can be collected after job offer has been made.
- Vacancies will be advertised internally, ensuring it is possible that all staff who have the appropriate qualifications and experience may apply.

## Training

Training will be provided in-house, as well as using external sources. All training is considered on an individual basis, agreed with the appropriate line manager, all staff will discuss their training needs with their line manager when appropriate. This will be discussed and documented in a monthly one to one meeting with the director.

## Access to information for learners

Equality and Diversity will be discussed and implemented at the initial assessment, which is the first contact with the learner. This will be reinforced at induction, which is the second stage.

A third stage follow up will be carried out by the assessor during each 12 weekly review, which covers their training plan, this gives an opportunity to promote our policy and raise awareness through focused discussion on related topics.

## **5. Monitoring**

The designated equality person is responsible for monitoring the effectiveness of the Equality and Diversity Policy, together with the overall responsibility for its implementation and supervision

Where it appears that any employee/applicant, learner is not being offered equality of opportunity, the circumstance will be investigated by management, to see if there has been breach of this policy to be addressed. Appropriate action will be taken where necessary to address the breach.

This Equality and Diversity Policy will be reviewed annually by the designated person.

## **6. Grievances and Victimisation**

Particular care will be taken to deal effectively with any complaints of discrimination and harassment which should be pursued through the Grievance Procedure.

## **Whistle Blowing Policy**

Assets whistle blowing policy is written within the guidelines of the Public Interest Disclosure Act of 1998.

We aim to provide an essential protection to all from harassment after a person has been brave enough to tell the truth about something which is going on in secret.

A person is protected by law if they tell on the following:

- If a criminal offence has been, or is or could be committed.
- If a person failed to comply with a legal obligation.
- If a miscarriage of justice has or could occur.
- If health and safety rules are being or could be violated.
- If the environment is being or could be damaged.
- That someone else is concealing one of the above matters.

Asset will operate fully within the Public Interest Disclosures Act 1998.

It is Assets aim to comply with the ethos of this act to follow through any such reports in a professional manner that respects individual's rights. Therefore senior management will ensure it provides a safe environment for this policy to be adhered to.

## **7. Age Discrimination Policy Statement**

Asset Training will endeavour to work within the Code of Practice published by the DFEE.

We are mindful that Age Discrimination could mean that we miss out on valuable skills and expertise of older or younger workers.

Asset Training and Consultancy Limited will ensure age is not a barrier to its recruitment policy.

## **8. Rehabilitation of Offenders ACT 1974**

Asset Training will operate within the boundaries of the Act to ensure discrimination does not take place in either recruitment of staff or learners to our training courses.

We will ask, at the direction of the recruiting manager about criminal offences which are not spent. This information will only be accessed by the manager / senior person whilst respecting confidentiality.

The main aim of the policy is to ensure that we do not treat ex-offenders less favourably, whilst ensuring our staff / clients are not placed at risk.

## **9. Human Rights ACT 1998**

Asset Training fully supports the contents of the act and welcomes the full implementation, which means cases will be heard under UK law.

In particular Article 8 may have significance as it deals with the rights and respects for private and family life.

We aim to ensure that all aspects regarding the Act are made available to our staff.

## **10. Sex Discrimination (Gender Reassignment) Regulations 1999**

Asset Training acknowledges the above Regulations as part of its previous statement on the Sex Discrimination Act 1975.

- Specifically it will not discriminate against men or women, who have chosen to have gender reassignment whilst in employment or during recruitment.
- Harassment in any form will not be tolerated, as it would breach our current harassment policy.

## **11. Social Inclusion Policy Statement**

**‘To create a safe secure learning environment which is free from discrimination and prejudice of any kind and which encourages and helps all learners reach their full potential’**

- Asset Training is aware that learners can become excluded from the learning process .We recognise that this can happen when people or areas suffer a combination of linked problems such as unemployment, poor skills or low incomes.
- Discrimination can be a major factor which contributes to an individual becoming excluded due to race, age, gender or sexuality, disability, mental health, unemployment, low income, lack of basic skills, because English is not their first language, offending behaviour, homelessness or refugees.
- Individuals may be excluded for more than one reason.
- In addition to being excluded because of one or more of these factors, many live in geographic communities which are themselves deprived and experience additional discrimination because of where they live.
- There may be no family experience of employment.
- Without support or active intervention, many vulnerable young people will grow up to be excluded adults.

**Asset Training will strive to help young people to combat and overcome social exclusion in training in the following ways:**

- Proactive approach to the individuals barriers to be discussed at Initial Assessment stage i.e. what can we do which would make it easier for them to enter training, discuss and agree an action plan
- Recognise their achievements to date and agree their personal goals/development in small steps.
- Raise their awareness of their rights and responsibilities
- Provide the learner with support and guidance

This policy will receive ongoing review to ensure we respond to the needs of our learners

## **12. Alcohol and Drugs Policy**

### **Objective**

- To avoid the impact of alcohol and drug misuse on work performance and productivity



- To ensure as far as is reasonably practicable that no employee endangers themselves, fellow employees or learners/ trainees due to being under the influence of alcohol or drugs.
- To promote an awareness of the possible harmful effects of excessive drinking and drug misuse.
- To encourage employees to seek voluntary advice and assistance.
- To help minimise the need to invoke disciplinary measures.

## **Policy Statement**

Alcohol and drug dependency are problems affecting people in all occupations, the effects of which can have disastrous consequences for the individual, their families and, in certain circumstances, members of the general public.

Asset Training & Consultancy is committed to ensuring the highest safety standards in all its operations and to this end will introduce the following Policy. Asset Training is also committed to providing high quality services uncompromised by excessive and inappropriate drinking and drug use.

There is a responsibility on all employees, especially those working directly with candidates, to present themselves and Asset Training in a way that inspires confidence. This could be compromised if alcohol or drugs have been consumed.

The difference between 'problem drinking' and 'drinking/ drug' offences is recognised.

### Problem Drinking

- Asset Training recognises problem drinking as an illness. A definition of problem drinking is when a person is drinking, either intermittently or continuously, to such an extent that it affects their health, work performance, efficiency or the safety of themselves, colleagues or others.
- Employees whose work performance or other indications suggest a problem will be encouraged to seek help from their GP, specialist agencies or the Occupational Health Unit.
- Employees who are identified by their managers and recognised as having a drink problem and who refuse treatment or default during treatment, will be dealt with under normal disciplinary procedures. These may be suspended whilst help is sought, providing the employee pursues treatment and agrees to the monitoring of attendance.
- A problem drinker cannot be excused from complying with the normal standards of conduct and safety required of Asset Training employees. Any employee who behaves contrary to those standards or is found to be intoxicated on duty will be subject to the agreed disciplinary procedure.

### Drinking Offences

- All employees, irrespective of position, are required to report for work at the start of the day or shift able to carry out their work competently and with due regard for the

safety of themselves, their colleagues and members of the public. Contravention of this requirement will result in disciplinary action being initiated.

- The Health & Safety at Work Act 1974 requires employers to provide safe places and safe systems of work (Sec. 2) and employees to be responsible for their own safety and the safety of others (sec. 7).

### Drug Misuse

- No member of staff may present for work under the influence of misused drugs, nor may any member of staff misuse drugs during the working day whether on the premises or off-site
- Drug misuse in breach of the above restrictions is strictly prohibited; it risks the safety and comfort of other staff and visitors and will be regarded as a disciplinary matter.
- Managers may be required to take account of the illegal nature of drug activity which occurs outside of work. Such cases may include: those which could affect Asset Training's reputation or business; or circumstances where the employee's behaviour is incompatible with his/her position of responsibility.

**NOTE:** There is no 'safe level' for drugs; therefore, employees must inform their supervisor if they are taking prescribed drugs or medication which may affect their ability to perform tasks safely.

### Employees' Responsibilities

Managers are required to bring this Policy to the attention of visitors and contractors. Employees are required to inform their line manager if they see anyone consuming alcohol or misusing drugs in the workplace, or, who appears to be under the influence of either. Employees should also feel able to identify colleagues who are suspected of being affected by problem drinking or drug misuse.

### Policy Application

This policy will replace the existing policy and will apply to all employees throughout the company irrespective of the position they hold, and will not discriminate at any level.

### Procedure for dealing with employees with alcohol and drug problems

#### Self Referral

If an employee is worried that their drinking or drug use is causing problems and feel they require help, they are advised to approach their own GP or the Occupational Health Unit, who will refer the individual to an appropriate treatment agency if necessary. Confidentiality will be strictly maintained.

#### Management Referral

An employee's immediate line manager and work colleagues may often be the first to notice the signs of a drinking or drug problem and, therefore, should alert senior management. Managers, once made aware of the problem, have a responsibility to take the necessary action to ensure an offer of assistance is made via a referral system and/or to address work related factors.

It is a manager's responsibility to take the lead role in the referral process by seeking advice on the problem from internal/external experts and then providing advice and guidance on the support available. All such requests will be treated in the strictest confidence.

### Assistance

Procedures will allow liaison between management and an official of the appropriate trade union, whichever the person feels may be of greatest assistance, in an effort to determine the nature and extent of the problem. If it is then considered necessary, advice will be offered on the availability of assistance (see below). The person may elect to seek assistance from their own medical practitioner;

Those employers agreeing to seek external assistance after referral by management will have their attendance at the relevant agency monitored.

Any person electing to accept or seek remedial assistance will, if necessary, be considered to be sick and receive the normal benefits, or, if more applicable, given paid time off as required to attend a recognised assistance centre, or medical practitioner, although certification will be required as for all sickness absences.

All matters relating to alcohol and drug problems will be treated in the strictest confidence and staff shall be directed to those agencies that can assist them.

