EQUAL OPPORTUNITIES POLICY

GENERAL STATEMENT OF POLICY

Our policy is to ensure that GHQfully complies with the acts of parliament which legislate that there should be no discrimination concerning sex, race, religion, age or disability.

The acts and directives are:

* **The Equality Act 2010:**
* **The Employment Equality (Age) Regulations 2006**
* **The Employment Equality (Sexual Orientation) Regulations 2003**
* **The Employment Equality (Religious Orientation) Regulations 2003**
* **Human Rights Act 1998**
* **Sex Discrimination Act 1975 (amended 1986, extended 1999 to include Gender Reassignment)**
* **Rehabilitation of Offenders Act 1974**

**And other Acts and Regulations which may pertain from time to time**

No discrimination will be applied to any learner, potential learner, or member of staff, on the grounds of sex, race, religion, age or disability. No form of discrimination will be entertained in the training centre and every effort will be made to prevent such discrimination in the learner's workplace.

Signed



Jean Rogers

**Managing Director**

**October 2023**

**CODE OF PRACTICE**

1.The purpose of this code of practice is:

a) To translate GHQ's Equal Opportunities Policy into guidelines for good practice in all matters relating to the treatment of staff and learners, and in the provision of and access to the services that it provides;

b) To make members of GHQ aware of equal opportunity issues and of GHQcentre policy in these matters;

c) To acquaint members of GHQ with current legislation on equal opportunities, and to make them aware of their responsibilities under this legislation;

d) To create a working environment supported by fair employment practices in which all members of GHQ can feel comfortable.

2.The guidelines for good practice as set out in the Code of Practice apply to all members of GHQ and to all those who act on behalf of GHQTraining.

3.GHQwill ensure that all staff and learners are made aware of the Equal Opportunities Policy and the Codes of Practice that derive from it.

*They are incorporated in Staff and Learner documentation. They are drawn to the attention of learners at induction and new staff are expected to subscribe them at the time of appointment. Staff and learners will be made aware of complaints procedures. Copies of the policy, codes of practice and complaints procedures will be available in staff rooms, common rooms, and will also be available to parents/ guardians and employers.*

4.Suitable training programmes will be provided to support the Equal Opportunities Policy.

*In particular, training in non-discriminatory practices will be provided for all staff involved in the recruitment or selection of staff or learners.*

In order to ensure equal access to its programmes of learning, GHQwill:

a) Operate an admissions policy which is based on the ability to succeed, and does not involve unduly restrictive conditions or requirements;

*In considering applicants for courses, those responsible for recruitment and selection will follow the principle that, provided places are available, all learners who are judged capable, with appropriate learning support, of success on the programme should be admitted to it;*

*Where particular qualifications and/or experience are specified as the normal entry requirements for a programme, due weight will be given to*

*any alternative qualifications and/or experience that a candidate may offer.*

b) Review the information that it provides about its programmes to ensure that it is clear, and readily understood by all potential learners;

*In writing promotional and other material referring to a course, staff will avoid the use of educational jargon and employ simple, clear language that does not assume a level of sophistication higher than that needed to cope with the course in question.*

c) Seek to make its academic staff more aware of the cultural assumptions and biases which may exist within teaching materials and assessment methods, and encourage and support them in developing curriculum materials which reflect a wider range of experience and culture;

*Appropriate training will be provided to help staff identify, in the materials they use, the cultural assumptions and biases, which can hamper or discourage some learners and to help them identify or develop more suitable materials;*

*Recruitment Retention and success rates will be monitored and the possible causes of any significant differences in retention or success rates will be investigated.*

d) Monitor the composition of the training body in each of its programme areas by gender, ethnic origin and age and address identified imbalances and under-representation;

*Positive steps will be taken to encourage the recruitment of underrepresented groups, through targeted marketing and the review of the content and presentation of the programme.*

e) Ensure, through its quality assurance processes, that equal opportunities issues are addressed in the design and delivery of learning programmes;

*It will be part of the remit of Programme Leaders, their teams and the Senior Management Team to monitor the implementation of equal opportunities policies in the recruitment and support of learners and in the delivery and assessment of the programme.*

* 1. Review its portfolio of programmes to ensure that the range of opportunities provided reflects the needs of all sections of the community.

5. Equal Opportunities Legislation

A series of laws enacted since 1975 provides redress for those who consider that they have been discriminated against by reason of sex, marital status, colour, race, ethnic or national origin, age or disability. The October 2010 Equality Act replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency in what employers need to do to ensure the workplace is a fair environment for all and to comply with the law. The legislation also covers differences in pay or conditions of employment for jobs of equal value.

**The Equality Act2010**

This covers the same groups that were protected by existing equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are now called ‘protected characteristics’.

The Act extends some protections to characteristics that were not previously covered, and also strengthens particular aspects of equality law.

**Protected Characteristics**

**Direct discrimination** occurs when someone is treated less favourably

than another person because of a protected characteristic they have or

are thought to have or because they associate with someone who has a protected characteristic

**Discrimination by association** applies to race, religion or belief and sexual orientation as well as age, disability, gender reassignment and sex. This is directdiscrimination against someone because they associate with another personwho possesses a protected characteristic.

**Perception discrimination** applies to age, race, religion or belief and sexual orientation as well as disability, gender reassignment and sex. This is directdiscrimination against an individual because others think they possessa particular protected characteristic. It applies even if the person doesnot actually possess that characteristic.

**Indirect discrimination** nowapplies to disability and gender reassignment as well as age, race, religion or belief, sex, sexual orientation and marriage and civil partnership. It can occur when a condition, rule, policy or a practice in the company applies to everyone but particularly disadvantages people who share a protected characteristic

**Harassment** is defined as “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*”.*

Harassment applies to all protected characteristics except for pregnancy and

maternity and marriage and civil partnership.

**Third party harassment.** As well as applying to sex the law is extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation.

The Equality Act makes an employer potentially liable for harassment of their

employees by people (third parties) who are not employees of the company,

such as customers or clients.

**Victimisation** occurs when an employee is treated badly because they have

made or supported a complaint or raised a grievance under the Equality Act;

or because they are suspected of doing so. An employee is not protected from

victimisation if they have maliciously made or supported an untrue complaint.

**Positive Action**

The act allows positive action to overcome the effects of past disadvantage. This may take the form of encouragement or training, for example. It is important to emphasise the difference between positive action, which is allowed, and positive discrimination, which is not.

1. *There are possible circumstances that could arise within GHQ Training where such discrimination might be legal - e.g. in recruiting a member of staff whose job it was to liaise with a particular ethnic minority community, it could be legitimate to give preference to learners with a background rooted in the language and culture of that community. Such exceptions, however, are few.*
2. *For example, in recruiting staff, positive action might take the form of ensuring that job advertisements appeared in periodicals likely to be read by under-represented groups, such as ethnic minorities as well as in the conventional TES and Education Guardian, and/or including an explicit statement to the effect that applications from ethnic minority learners would be particularly welcome. It would NOT involve, however, applying less stringent requirements on learners or giving them preferential consideration because they came from an ethnic minority - the same standards would still be applied to all learners.*

 Equality Acts make specific reference to education, and make it illegal for an educational establishment to discriminate: - in terms set for admission to courses;- by refusing or deliberately omitting to consider an application for admission;- by unfair treatment with regard to access to facilities, services, or other benefits;- by any other unfavourable treatment of a learner.

6.The laws lay the duty for compliance specifically on the employer. However, all members of staff act as agents of that Enterprise, and it is reasonable and proper for the Enterprise to require of all its employees to obey both the letter and the spirit of these laws in all the actions they perform on behalf of GHQ.

6.GHQ, through its Equal Opportunities Policy, will not tolerate unjust discrimination in areas such as the following:

a) **Age**

*Except for the statutory minimum age of 16 and restrictions imposed on funding eligibility set by the Government, GHQdoes not consider age to be a barrier to access to any of its programmes or services, nor will it discriminate on grounds of age when recruiting staff.*

b) **Religion**

*GHQwill not, in recruitment or working practices, operate in such a way as to discriminate against or disadvantage anyone because of their religious beliefs or affiliations.*

c) **Sexual orientation**

*GHQwill not practice or tolerate discrimination against any member of GHQstaffon the grounds of sexual orientation.*

d) **Physical disability, sensory impairment or learning difficulty.**

*GHQwill not practice or tolerate discrimination against any member of GHQstaff on the grounds of physical disability, sensory impairment or learning difficulty.*

The Definition of Disability under the Equality Act 2010:

A person has a disability if:

* they have a physical or mental impairment
* the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

 For the purposes of the Act, these words have the following meanings:

* 'substantial' means more than minor or trivial
* 'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions)
* 'normal day-to-day activities' include everyday things like eating, washing, walking and going shopping

People who have had a disability in the past that meets this definition are also protected by the Act.

**The above are not exclusive and GHQ will not tolerate unjust discrimination on any other grounds.**

7.In dealing with outside agents, such as employers and placement providers, GHQwill expect and require that they treat training staff and learners in accordance with GHQ’s Equal Opportunities Policy and Code of Practice. Visitors are expected to behave within the spirit of the Policy, as are contractors and their employees when working on the premises.

8. **Code of Practice on Harassment**

**Definitions**

Harassment is unwanted behaviour which is offensive to the recipient and is not justified by the working relationship between the people involved.

Differences in attitudes and cultures can mean that what is acceptable to one person is seen as harassment by another, and harassment can take several forms - physical, verbal and non-verbal. The essential feature of harassment is that it is behaviour which is **unwanted** by the recipient.

**Examples include:**

* **Racial harassment**

Racial harassment is unwanted behaviour as a hostile or offensive nature based on race or ethnic origin.

* **Sexual harassment**

Sexual harassment is unwanted behaviour of a sexual nature or behaviour of a hostile or offensive nature based on gender or sexuality.

* **Bullying**

Bullying is behaviour which is deliberately threatening, intimidating or humiliating. Threatening behaviour which may be an isolated incident is still unacceptable.

9. **GHQ Training Ltd’s policy on harassment:**

GHQis concerned to foster an environment in which learners and staff can work and study effectively.

Unwanted behaviour of the kind described above is not acceptable, and GHQis concerned to eliminate all forms of harassment.

10. **Responsibilities**

All members of GHQ, staff and learners alike, are responsible for helping to ensure that individuals do not suffer sexual, racial or any other form of harassment, and that they are encouraged and supported in any legitimate complaint. Any difficulty in defining what constitutes harassment should not deter anyone from complaining of behaviour they find offensive of distressing.

11. **Confronting Harassment**

Behaviour which causes offence or distress may be conscious and deliberate, or may arise from thoughtlessness or insensitivity.

In either case, the perpetrator should be given a clear signal that his/her behaviour is unacceptable.

This may be done directly or through a suitable third party. No-one should be deterred from complaining of behaviour which distresses them by embarrassment, intimidation or fear of publicity. The need for confidentiality will be respected.

Notwithstanding the above, if an individual is in physical danger, appropriate emergency procedures will be followed e.g. calling the police.

12. **What to do if you feel that you are being discriminated against or harassed?**

For staff, learners and members of the public (including interviewees), the first step should be an approach by the aggrieved person to the other party, either directly or through a suitable intermediary, in an attempt to resolve the matter informally.

a) For learners with a "suitable intermediary" may be a lecturer, a personal tutor or the centre coordinator.

b) For staff a "suitable intermediary" may be the line manager, another senior member or the centre coordinator.

c) For members of the public a "suitable intermediary" may be a member of the staff or the centre coordinator.

If this is not possible, owing to the severity of the issue, or the resolution is not acceptable. Learners may invoke the Learner Grievance procedure available from centre coordinator. Staff may invoke the Staff Grievance procedure available from centre coordinator.

Where the allegation is of indirect or institutional discrimination by GHQor by an outside body, then the matter will be referred to such authorities who have an interest in the aggrieved person in order that an independent investigation may be undertaken where appropriate. Depending on the nature of the grievance, disciplinary action could be taken by GHQagainst the perpetrator. Moreover, the above steps do not rule out the possibility of the matter being immediately viewed as a disciplinary issue.

13. **Disciplinary action**

GHQwill not tolerate breaches of the above Code of Practice, and will initiate disciplinary action against those - learners or staff - who contravene it. Where appropriate, such action will be backed up by appropriate support and training.

a) It will be a disciplinary offence to fail to comply with GHQ’s Equal Opportunities Code of Practice or Policy.

b) Acts of wilful and unjust discrimination or harassment against members of GHQon any of the grounds prohibited by the Equal Opportunities Policy will be treated as serious misconduct.

c) GHQ will take a serious view of acts of discrimination or harassment which persists or is repeated after a warning has been given, and will regard as gross misconduct.

EQUALITY AND DIVERSITY

GHQwill treat all students and staff with respect and dignity.

Harassment and unfair discrimination are not acceptable under any circumstances.

GHQ will challenge all forms of inequality, disadvantage, prejudice and unfair discrimination, including stereotyping, within its communities.

GHQ embraces diversity in all its aspects. Its staff and student populations will reflect and complement local communities and clients.

Equality issues will be embedded, and clearly identifiable, in all policies and procedures to ensure that all potential and actual students and staff are treated with fairness at all stages of their time with GHQ and that their treatment is based solely on objective and relevant criteria.

In accordance with the Equality Act 2010, GHQ will, in all aspects of its work:

* Promote equality of opportunity for all races
* Foster good relations between people of different racial groups
* Seek to prevent and avoid unlawful racial discrimination before it occurs
* Address the lack of knowledge of other cultures and different communities, preparing students and staff for work in more diverse communities
* Raise awareness of racial discrimination
* Provide evidence that it undertakes all of the above and modifies its practice as necessary and diversity implementation.
* Understand the significance of equality of opportunity and diversity.

GHQ's policy on equality and diversity will be widely publicised within its buildings and documentation, in publications for students and staff, on its internet and intranet pages.

The results of GHQ's equality and diversity assessment and monitoring will be published in the annual self-assessment report, team leaders minutes, in house publications and individually to those directly affected by the findings together with the plans of action.

GHQ will draw on local and national information and consult with its students, its staff and their trade unions (where applicable), local and national equality organisations, community groups and others in the formulation and implementation of its policies, procedures and practices

**GHQ will provide robust means of redress where it falls below these standards.**