

Equality, Diversity and Inclusion Policy



This policy applies to all SECCTA employees, including those who work full time or part time. This policy is also relevant to Freelance Tutors, Subcontractors and any other company, organisation or individual providing services on behalf of SECCTA to learners or employers.

This policy does not form part of any Contract of Employment and can be amended at any time. The Company may also vary the processes within the policy, including the time limits, if appropriate in any case.

Policy Statement

We are committed to creating a culture of inclusion and connectedness. We are able to grow and learn better together with a diverse team of employees. Bringing together the collective sum of the individual differences, life experiences, knowledge, self-expression, and talent of our employees helps drives us to success.

It is our view that equality does not mean treating everyone in the same manner, but rather treating everyone according to their individual needs to ensure they have the equal access to opportunities and to enable participation.

It the responsibility of all employees to fully support and abide by the terms and spirit of this statement.

It is our policy that all staff, job applicants and learners are treated fairly in an environment which is free from any form of discrimination, especially with regards to the protected characteristics which are:

- Age
- Disability (including invisible disabilities)
- Gender Reassignment
- Marriage or Civil Partnership
- Pregnancy and Maternity
- Race (including colour, nationality or ethnic origin)
- Religion and / or beliefs
- Sex
- Sexual orientation

For the purposes of this policy, for a belief to be protected it must:

- be genuinely held
- be a belief and not just an opinion or viewpoint based on the present state of information available
- be about a weighty and substantial aspect of human life and behaviour
- attain a certain level of cogency, seriousness, cohesion and importance, and

- be worthy of respect in a democratic society, not incompatible with human dignity and not in conflict with fundamental rights of others. For example, Holocaust denial, or the belief in racial superiority are not protected.

In addition to the protected characteristics above, existing members of staff and job applicants are expected to be treated fairly, in an environment which is free from any form of discrimination with regards to:

- Accent
- Adoption and Paternity
- Caring responsibilities
- Culture
- Emotional well-being
- Employment hours, such as part time employees or those working flexibly
- Family Structure (for example whether they are married, single or co-habiting, or whether or not they have children)
- Gender identity and expression
- Membership or non-membership of a trade union
- Neurodiversity
- Political opinion
- Socio-economic circumstances
- Spent criminal convictions (except as required to protect vulnerable adults or children)

This policy outlines the responsibilities of the Board of Directors, managers and individuals to comply with the Equality Act 2010. Furthermore, the company will always abide with any changes in equality legislation and where that conflicts with this policy, the legislation shall always take precedence.

Our Aims

It is our aim, that through this policy and our actions, we will:

- promote equality, diversity and a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work
- comply with relevant equality legislation, the Equality Act 2010, Codes of Practice and relevant best practice guidance
- pro-actively tackle discrimination or disadvantage and to ensure that no individual or group is directly or indirectly discriminated against for any reason with regard to employment with the company or accessing our services
- ensure all aspects of working and learning at the company are inclusive to all individuals irrespective of categorisation
- ensure all employment-related policies, practices and procedures are applied impartially and objectively;
- create an environment which promotes wellbeing and where every individual can feel safe

By achieving these aims we will create an environment in which:

- all staff have a sense of belonging within the company, and all learners (and where relevant their employers) feel included in their learning journey;

- all staff are provided with opportunities to develop, and which does not create barriers which may hinder individuals in realising their full potential;
- the company works towards achieving a diverse workforce at all levels;
- employees can work in an atmosphere of dignity and respect.

Our Approach

Our approach will be driven by the following guidelines:

- We will not discriminate against any groups or individuals
- We will not tolerate prejudice in the form of victimisation or harassment from or towards employees of the company
- We will challenge prejudice in the form of victimisation or harassment from or towards our learners
- That treating people according to their individual needs is the responsibility of all people and organisations working for, with or on behalf of the company
- That all employees, customers and clients will be aware of this policy and will support its implementation
- We will have an open and trusting environment in which individuals are encouraged to challenge inequality and have the freedom to discuss equality, diversity and inclusion where appropriate
- We will ensure that the materials we create that use images, examples and texts will include people with a variety of personal characteristics to represent them. Including both physical and digital media.

Lead for Equality, Diversity and Inclusion

This policy creates the Lead for Equality, Diversity and Inclusion role. This is a role, which may or may not be a permanent position, that holds day to day responsibility for the oversight and promotion of the company Equality, Diversity and Inclusion policy, aims and objectives, and for reporting to Senior Management and the Board of Directors on how effectively the company is meeting the goals set out in this policy.

The Board of Directors will nominate an individual to hold this position, and where necessary ensure the individual is receiving sufficient training to ensure they can undertake their responsibilities effectively.

Discrimination

The company will not tolerate processes, attitudes or behaviour that amounts to Direct Discrimination, Associate Discrimination or Indirect Discrimination. These terms are defined below:

Direct Discrimination:	Direct discrimination occurs when someone is treated less favourably than another person in a comparable situation, based on a protected characteristic such as race, gender, age, disability, sexual orientation, or religion. This type of discrimination is explicit and intentional, meaning that the unfavourable treatment is directly attributed to the person's characteristics. For example, if an employer refuses to hire someone solely because of their race, that would be considered direct discrimination.
Associative Discrimination:	Associative discrimination happens when someone is treated unfairly or less favourably because of their association with another person who has a protected characteristic. This means that discrimination can occur not just because of someone's own attributes, but also due to their relationship with someone who has those attributes. discrimination by perception.
Indirect Discrimination:	Indirect discrimination occurs when a policy, practice, or rule that appears neutral on the surface disproportionately disadvantages people with a protected characteristic compared to others. Unlike direct discrimination, where the unfair treatment is explicit, indirect discrimination is more subtle and often arises from practices that unintentionally create barriers or disadvantages for certain groups.

All staff are expected to consider the manner in which they communicate, the actions they take and the decisions they make to ensure that they are not directly, or inadvertently, discriminatory. Staff should also feel empowered to challenge colleagues or other employees, in a constructive manner, where they see actions or decisions that may be discriminatory or otherwise not in keeping with this policy.

Bullying and Harassment

We believe that bullying and harassment are unacceptable on moral grounds and may, if they are allowed to go unchecked or are badly handled, create serious problems for the company and the individuals involved. Harassment is also against the law and can result in an employment tribunal or other civil claims against the company or individuals involved.

The company has a responsibility towards clients and staff, in that they can attend and work in a supportive and constructive climate, free from bullying and harassment.

The company also has a responsibility to our staff to ensure they are not harassed, bullied and put under pressure by customers, clients and their representatives.

The company does not accept harassment and bullying from anyone, this includes all staff, customers and clients. We consider bullying and harassment a serious breach of this policy.

Definitions

Bullying: We define bullying as persistent unacceptable, offensive, intimidating, malicious, insulting or humiliating behaviour, abuse of power or authority which attempts to undermine an individual or group of employees and which may cause them to suffer stress.

Harassment: Harassment is unwanted behaviour which a person finds intimidating, upsetting, embarrassing, humiliating or offensive. We judge harassment by whether the behaviour is acceptable by normal standards and is disadvantageous, not just by whether it was intentional or not.

Examples of Bullying and Harassment

The following list includes some examples of what may constitute Bullying and Harassment, but is in no way meant to define an exhaustive list:

- Physical contact
- Jokes, offensive language, gossip and slander
- Isolation or non-co-operation and exclusion from group activities
- Pressure to participate in political or religious groups
- Intrusion by pestering, stalking or spying.
- Shouting, swearing and threatening behaviours
- Humiliation - especially in front of other staff or customers
- Belittling and undermining the work of the staff member or clients, especially in front of others
- Sexist, racist, or religious remarks
- Overloading an individual with work, unreasonable duties, or inappropriate tasks.
- Insisting on repeated attendance at the job with early starts, late finishes, outside the stated hours of work in the contract.
- Intimidation of customers or clients with respect to trying to prevent the customer making justifiable comments or complaints
- Bullying by email, with the sending of repeated messages to harass the individual about work in progress, or comments about performance
- Spreading malicious or insulting rumours
- Copying memos or emails that are critical about someone to others who do not need to know.
- Ridiculing or demeaning someone - picking on them or setting them up to fail
- Unfair treatment
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances
- Making threats or comments about job security without foundation
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Forms of bullying and harassment may be related to any personal characteristic of the individual and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

It is important to note that firm management is not generally considered to be bullying as long as such management is in line with the management styles set by and demonstrated by the Directors and Senior Managers. However, all managers should adjust their management styles to take account of individual needs and situations, especially considering the characteristics (protected and otherwise) detailed in this policy, to ensure, as far as possible, individuals feel included, and not alienated.

All those with line management responsibility must ensure that all workers are aware of this policy and understand their own, and the organisation's responsibilities. Managers have a particular duty to ensure that, within their area of responsibility, everyone is treated with dignity and respect. It is expected that managers will:

- Always challenge any unacceptable or questionable behaviour that they become aware of even if they are not directly affected.
- Be aware of behaviour and language that can cause offence including jokes and banter, and if necessary, remind workers of the expected standards.
- Respond to complaints of harassment (including sexual harassment) swiftly, sensitively and objectively.

Managers are expected to be exemplars to others in regards to how they conduct themselves. Any inappropriate behaviour or response to such behaviour or abuse of a manager's positional power will serve to condone harassment and will be considered a serious breach of this Policy.

Sexual Harassment

Sexual harassment occurs when a person is subjected to unwanted conduct of a sexual nature which has the purpose or the effect of:

- violating the person's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Such conduct can be harassment even if the effect was not intended.

The company recognises that anyone can be a victim of sexual harassment regardless of their sex, sexual orientation, gender identity or any other personal characteristic. This is the case whether or not the harasser shares those personal characteristics.

Sexual harassment may be from colleagues, or other people at work, or from third parties such as customers and clients.

We recognise that due to the type of work we do (including working in various sites or locations, and the range of individuals our staff may encounter) we have a number of risk factors in relation to sexual harassment. For example:

- Encountering service users who may have learning disabilities or conditions such as dementia and may therefore not understand what constitutes sexual harassment or unwanted behaviours.
- Lone working and remote working where staff may meet customers or learners on an individual basis, which may also be at times and locations where there are no other staff in close proximity (such as tutors undertaking observations of learners delivering home care at a client's premises)

This is in addition to risk factors that are common amongst businesses in various sectors such as work parties and social events, especially where alcohol is being served.

The company does not accept sexual harassment from anyone, including staff, customers or clients. Sexual Harassment in particular is a serious breach of this policy, and may be grounds for gross misconduct.

Hate and Violence

We consider Hate to be the targeting of an individual based on their personal characteristics, as defined in this policy. This is a slightly broader definition than those defined by law. It is important to note that Hate can include violence, assault, verbal abuse, threatening violence, written or online abuse, damaging someone's property, or inciting or stirring up hatred.

Whether or not Hate has occurred does not require the perpetrator to be correct. For example, attacking someone because they are thought to be gay, even though they are not, is still Hate.

Furthermore, any communication that is intended to harass, threaten, or intimidate another person may be considered malicious communications. Examples of such communications may include:

- communications over email or text message,
- stalking or harassment online,
- spreading rumours or false information,
- sending obscene or offensive images or videos
- creating a fake profile or website to damage someone's reputation

The company considers such communications to be totally unacceptable. Where such actions are taken during an employee (or others working on behalf of the company) working time, or when undertaken outside working hours but such communications are directed to another employee (or worker), supplier, customer, client, learner or other similar contact of the company, it will be considered a serious breach of this policy.

We would also like to make clear that aggression, violence or abuse in the workplace, for whatever reason is never acceptable in the workplace. This is true whether the violence is connected to any of the principles of this policy or otherwise. For more information on our approach to Violence and Aggression, please see our Health and Safety Policy.

Responsibilities of Employees

Whilst management have a responsibility for establishing procedures and practice to implement this policy, it will only be genuinely effective if the policy is reflected in the behaviour and attitudes of all staff throughout the organisation. We therefore expect all employees to play their part in promoting equality, diversity and inclusion by co-operating with measures introduced to implement this policy.

This includes supporting and caring for their colleagues, customers and learners. All staff have a duty to assist in the creation of a safe working environment, where harassment of any kind is not tolerated.

All staff have a duty to report discrimination or harassment when they witness it. We also encourage all staff to report situations where they felt at risk, even if nothing happened. This may be during regular supervision where the line manager was not involved in the situation or by speaking to Human Resources or the person holding Lead Equality, Diversity and Inclusion role. Alternately it could be reported using the Anonymous Reports procedure detailed below.

Ideally such reports should be made promptly to allow the company to monitor the situation and hopefully prevent any negative outcomes.

The company views breaches of this policy extremely seriously. Those involved with, or responsible for, such breaches will be subject to disciplinary proceedings at an appropriate level.

Responsibilities of the Company

This policy outlines some of the steps the company has put in place to reduce the risk of discrimination, harassment, bullying, hate speech and acts driven by hate (such as Hate Crime). However, other company policies also play a role in how we work to keep staff safe, including our Health and Safety policy and our Safe Working Practices policy.

The Board of Directors is also responsible for creating and maintain company Codes of Conduct for both employees and learners, which (for employees) must include conduct at work social events.

It is the responsibility of all managers to actively prevent discrimination, harassment and bullying, especially the Senior Management Team and Directors. In addition, the person holding the Lead Equality, Diversity and Inclusion role is the primary person in the company who is tasked with taking steps to prevent discrimination, harassment (including sexual harassment) and bullying, and for bringing recommendations to senior managers and directors to take actions or make changes where they are identified.

The policy creates an obligation on all managers to ensure all staff, freelance workers, subcontractors and anyone else working on behalf of the company knows and understands this policy, can recognise discrimination, bullying, harassment (including sexual harassment) and hateful acts or speech. Normally this should be included in staff induction training.

This policy also creates an obligation on the Board of Directors to ensure managers are properly trained so they can carry out their duties under this policy effectively.

Making Adjustments for Disabilities

The company has a duty to make reasonable adjustments to remove or reduce a disadvantage related to someone's disability. This may include finding a different way to do something, making a change to the workplace, providing equipment, services or support or changing someone's working arrangements.

Reasonable adjustments are usually specific to an individual person, and they can be made for both physical or mental health conditions.

Due to their nature, adjustments are not usually as one-size-fits-all approach. Rather they should be discussed and agreed with individuals who need or have requested them. It should also be reviewed periodically to ensure they continue to meet their needs.

Adjustments may be required for employees, other workers or contractors undertaking work for the company, job applicants and learners.

While it is not practical to list all possible adjustments in this policy, the company will seriously consider any adjustment where it will remove or reduce the disadvantage, it is practical and within the company's power to make, is affordable and does not harm the health and safety of others.

Complaints

Any applicant (whether applying for employment or to become a learner with the company), employee, learner, customer or client wishing to raise a complaint under this policy should do so as follows:

- Employees:** All employees, including former employees raising a complaint regarding events that occurred during their employment, should raise a complaint under the company grievance policy.
- Job Applicants:** All individuals applying for employment should raise a complaint in writing to Human Resources within 15 working days of the alleged incident.
- Learners:** All learners, including former learners and those applying to become a learner with the company should raise a complaint in line with the Complaints Policy.
- Customers:** Customers who hold a contract with the company may have defined Complaints or Dispute Resolution terms agreed under that contract. In such cases these terms should be followed.
- All other customers, including their clients, should raise a complaint in line with the Complaints Policy.

The relevant processes above will usually define the timescales for lodging a complaint. Where this is not the case, complaints under this policy should be submitted within 15 days of the alleged incident taking place.

All complaints under this policy should be treated in the strictest confidence and where necessary investigated promptly and thoroughly.

Investigating Complaints

All complaints regarding Equality, Diversity and Inclusion should be immediately forwarded to Human Resources, who will lead and oversee the investigation and handling of these complaints. This is true regardless of whether the complaint is from an employee or a third party.

Human Resources shall appoint a suitable person to investigate the complaint as soon as possible, and usually within 10 working days. Such investigators must have a good understanding of Equality, Diversity and Inclusion, as well as this policy, and the legal aspects of harassment and bullying. Human Resources will also inform the staff member holding the Lead for Equality, Diversity and Inclusion role that an investigation has been initiated.

Human Resources must also ensure that the investigator is not someone involved in the complaint, and furthermore that they would not have a personal conflict of interest (for example investigating a relative, or close friend) wherever possible.

Where the manager is suitably experienced (and is not involved in the complaint), the manager who has responsibility for the complainant should lead the investigation. As such, complaints from employees should be investigated by a manager in the complainant's direct line management hierarchy, complaints from learners should be investigated by the manager responsible for the delivery of services to that learner, and complaints from or about a customer should be led by the relevant manager in the sales team.

Where the relevant manager is not suitably experienced to run the investigation, Human Resources should notify them an investigation has been started and inform them who is leading such investigation.

Throughout the investigation Human Resources should be kept informed as to the progress and they may provide guidance and advice to ensure it is fair, thorough and compliant with legislation. The investigator, and Human Resources, may seek specialist advice from external third parties where necessary, such as gaining advice from experts in employment law.

On completion of the investigation, the report must be sent Human Resources who will review the conclusions. Human Resources may require further investigation, query the conclusions when they are not supported by the evidence or accept the findings.

Once the report has been accepted (including after any further investigation), the complainant shall be informed of the outcome of their complaint.

Where it has been concluded that an employee has breached this policy, the employee's line manager will be informed, and appropriate disciplinary action should be initiated.

Where complaints against third parties are upheld, the relevant manager in consultation with Human Resources and the staff member holding the Lead for Equality, Diversity and Inclusion role must decide the necessary actions that should be taken to ensure a recurrence does not occur. This may include withdrawing service, terminating a contract or banning individuals from the premises if undesired behaviour is not moderated.

Referral to Law Enforcement

It is expected that in most cases breaches of this policy will be an internal matter, dealt with either through the disciplinary process or through contractual arrangements (such as ceasing to work with a customer), but in extreme cases it may be necessary to involve law enforcement.

All staff investigating any complaint under this policy should have a basic understanding of the law regarding discrimination, harassment, sexual harassment, hate crime (including hate speech), malicious communications and other similar laws. Any investigation should consider if these, or any other legislation has been breached, and if so, consideration must be made whether or not the company has a legal or moral duty to inform law enforcement.

Such a decision must be taken in consultation with, and approved by, either a member of the Board of Directors, or the staff member holding the Lead for Equality, Diversity and Inclusion role.

In general, it is the position of the company that referral to law enforcement should always be made where there is a reasonable belief that the individual or individuals being investigated pose a real risk of causing harm to others. Where this is not the case, the company may be guided by the wishes of the original complainant, and any other victims identified during the investigation.

Nothing in this policy limits or prevents any individual from reporting any discrimination or harassment to the police, or other similar bodies.

Furthermore, where a crime is actively in progress, such as a physical altercation between staff, the company encourages anyone who is a witness to not place themselves in danger, and where they deem it appropriate, to call the police and any other emergency service that is required by the situation.

Anonymous Reports

While the company prefers any complaints under this policy to be made formally, we also recognise that staff may not wish to raise a formal complaint. In such circumstances, a staff member (or other worker undertaking work for the company) may write to any Director of the company, without signing their name.

This is the case for any complaint under this policy, regardless of whether the employee was directly involved in an incident, it was witnessed by the employee, or where they were in a situation where they felt at risk.

While it may be more difficult to investigate complaints submitted anonymously, the company would still prefer to be aware of any potential breaches of this policy so that we can monitor and act when necessary to keep the company one which is safe for all those who work with or for us.

Policies and Procedures

Equality, Diversity and Inclusion are matters which are not limited to this policy alone. Many policies and procedures may cover issues which impact Equality, Diversity and Inclusion. In such cases these policies should take care to address these issues. This may require specifying in these policies how we promote Equality, Diversity and Inclusion, how we value and respect diversity, and the measures that staff are expected to take to deliver on the aims of this policy.

This may include specific actions that must be taken, or that should be avoided; or it may be about specifying behaviours for staff that are to be encouraged or to be challenged when carrying out their duties.

Monitoring Effectiveness

Much of this policy does not have direct, measurable data attached to it. While other policies will certainly have areas which can be monitored to ascertain whether our aims in relation to Equality, Diversity and Inclusion are being met, details of this monitoring will be contained in the relevant policies.

As such this policy shall require the Directors and Senior Management Team to gather the views of employees, freelancers and other workers, and learners to answer the question of whether we are meeting the aims we have specified in this policy.

Furthermore, on an annual basis, the staff member holding the Lead for Equality, Diversity and Inclusion role shall ensure that at least once each year, data from across the company is gathered and reviewed with the intent of assessing whether or not the company is succeeding in our aims under this policy. Such data may include information on employee recruitment, diversity makeup of the company, learner recruitment and other information identified by the Lead which can contribute to the assessment.

The Lead for Equality, Diversity and Inclusion shall have the authority to request from any department that they record or generate data which will allow them to effectively monitor the organisation's equality, diversity and inclusion, and to report to the company on how effective the company's equality and diversity measures are. Where such data will require significant time or resources, the Lead should work with the relevant budget holder to agree how much data or information is required and reasonable given the resources available to that team or department.

Workforce Diversity Monitoring

Human Resources, are responsible for monitoring the make-up of the workforce regarding diversity, including the protected characteristics, as well the additional personal characteristics this policy defines, to the extent we record such information.

It is the responsibility of Human Resources to report to the Directors, Senior Managers and the staff member holding the Lead for Equality, Diversity and Inclusion role on the make-up of the organisation as a whole, as well as individual departments to ensure that they are aware of the diversity of the organisation, and to enable them to make changes when necessary to meet the aims of this policy.

Associated documents

- Staff Code of Conduct
- Learner Code of Conduct