

Equality and Diversity Policy

1. PURPOSE AND VISION

The purpose of this policy is to remove barriers to equal opportunities and to prevent any form of discrimination regardless of an individual's ability, age, responsibility for children or other dependents, gender, disability, gender reassignment, marital status, political or religious belief or non-belief, race, colour, national or ethnic origin, sexual orientation, work pattern or offending history that does not create risk to learners or other staff.

- Lomax Training Services Ltd (LTSL) has a duty to eliminate unlawful discrimination and promote good relations between all individuals.
- LTSL will demonstrate fairness and respect in our dealings with our employees, learners, apprentices, volunteers, partners and communities with whom we work.

2. SCOPE

This policy is designed to guide (LTSL) on Equality & Diversity matters. We intend on advancing equality and diversity as key features within all our activities as we believe this to be ethically right and socially responsible.

The policy is also linked to (LTSL) Business Plan, Self-Assessment process and is informed by appropriate legislation. It is supplemented by (LTSL) policies and procedures including:

- Policy Statement for Equal Opportunities
- Dignity at Work Policy
- Confidentiality & Disclosure of Disability Policy
- Maternity, Paternity & Adoption Leave Policy
- Safeguarding Children, Young people and Vulnerable Adults
- Disciplinary and Grievance Procedures

Implementation

(LTSL) Equality and Diversity Policy is supported by additional policies that provide for an integrated approach to equality and diversity. In the main, the national Equality & Diversity Forum will steer the implementation of this policy. Divisional Equality & Diversity forums will also have input by developing local action plans and setting Equality & Diversity Impact Measures (EDIM). The policy will also be implemented throughout the organisation in the following ways;

Communication

The policy is communicated to all employees, learners and apprentices through induction, training, staff meetings, displayed on notice boards and will be made known to all job applicants and adverts for training. The policy is also displayed on the 'about us' page on the company website.

Monitoring

All new employees, learners and apprentices joining Lomax Training Services Ltd are asked to complete an equality & diversity monitoring form, which will be used in conjunction with monitoring the effectiveness of this policy.

Positive Action

It is unlawful to discriminate positively. However, Lomax Training Services Ltd may take positive action to encourage people from a group to apply for jobs or to give them assistance so they can be considered for certain vacancies or training opportunities. Such positive action may be taken when monitoring reveals an imbalance category or in applicants for jobs or training opportunities. Data collected will be monitored and recorded and used to filter in to the business action plan and self-assessment reports.

(LTSL) believes that excellence will be achieved through recognising the value of every individual. We aim to create an environment that respects the diversity of employees, learners, apprentices, volunteers, partners, and communities with whom we work.

Lomax Training Services Ltd acknowledges the following basic rights for all employees, learners, apprentices, volunteers, and partners:

- To be treated with respect and dignity
- To be treated fairly regarding all procedures, assessments and choices
- To receive encouragement to reach their full potential.

3. DEFINITIONS AND LEGAL CONTEXT

(LTSL) will ensure that through this and other policies, we fulfil our obligation under all the relevant employment legislation including the following and its definitions below;

Expectations

Corporate Responsibility

(LTSL) acknowledges that, as an employer/training provider, it has responsibility to protect employees, learners and apprentices in the work place, to remove all barriers to individual development and to maintain and promote an environment that appreciates diversity and is free from discrimination, harassment and bullying. All employees, learners and apprentices will be treated with dignity and respect at all times and valued for the skills and talents they bring to the organisation.

(LTSL) will mainstream equality into all aspects of the business and aims to be recognised by learners, apprentices, employees and the business community and communities as an organisation that appreciates the benefits gained from celebrating diversity.

To actively demonstrate commitment, ultimately, the Managing Director will hold the corporate responsibility for equality and diversity within Lomax Training Services Ltd. This will be done by ensuring that the spirit of the policy is promoted and respected at all times by all within the organisation.

Recommendations and decision making will be made by the SMT with input from an adviser for Equality & Diversity. The advisor for equality and diversity will ensure that "equalities" are constantly given priority and mainstreamed into all aspects of (LTSL) business ethos.

Management Responsibility

The Managing Director, senior managers, at (LTSL) will demonstrate commitment to the equality and diversity policy and are responsible for ensuring the mainstreaming of equality throughout (LTSL).

The Managing Director and senior managers are responsible for monitoring individual behaviour and will take immediate action if there is evidence of discrimination, harassment, bullying or any breach of our Equality Policy. They will be responsible for continual raising awareness of individual rights and responsibilities. They are also responsible for supporting and encouraging employees, learners, volunteers and apprentices to reach their full potential and will do so by ensuring that no barriers to development exist.

Individual Responsibility

Every employee, visitor, learner and apprentice is individually responsible for her or his own behaviour. Any employee, visitor, learner or apprentice, who causes offence or makes another individual feel unsafe or undignified or unjustly, unfairly or unlawfully prevents them from developing within (LTSL) whether intentionally or not, may be subject to disciplinary action by and may face legal action from the complainant.

Any employee, visitor, learner or apprentice, who feels that he or she is suffering from unfair, unjust or unlawful treatment, should act as detailed in the Complaints or Grievance procedures. Similarly, any employee, visitor, learner or apprentice who witnesses another individual being treated in such a way should report the incident without fear as defined in the Complaints Policy.

Training has a key role to play in promoting equality of opportunity. (LTSL) will provide training to increase awareness of equality and diversity so that employees, learners and apprentices at all levels can perform effectively and develop their full potential within their jobs – this includes ensuring that management courses cover the implementation of equality and diversity policies.

Reasonable Adjustments

All learners, apprentices and employees have the right to work, study and progress in an environment where they:

- are fully respected
- feel welcomed
- are treated fairly
- have equality of opportunity for learning and training
- have full access, wherever possible, to the range of facilities and services
- feel confident that action will be taken to address any reported harassment or discrimination.

The company will make any reasonable adjustments to ensure employees, learners and apprentices can work and learn and expect :-

- To be treated with respect and dignity
- To be treated fairly regarding all procedures, assessments and choices
- To receive encouragement to reach their full potential.

Discrimination can come in one of the following forms:

- Discrimination - treating someone with a protected characteristic less favourably than others
- Indirect Discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage
- Harassment - unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment.
- Victimisation - treating someone unfairly because they've complained about discrimination or harassment.

Appendix 1

Protected characteristics: definitions

Throughout the guidance you will see reference to these 'protected characteristics'. This page gives you more information on each of the nine protected characteristics listed below;

Age

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment

The process of transitioning from one gender to another.

Marriage and civil partnership

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race

It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

A man or a woman.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Legal Requirements/Acts/Legislation and Reference

The Equality Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

The Equality Act came into force on 1st October 2010 and replaced previous anti- discrimination legislation including:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Equality Act 2006, part 2
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act (Sexual Orientation) Regulations 2007)
- Equality Act aims to harmonise the various discrimination strands which developed under previous legislation.

- The protected characteristics under the Act are:
 - Age
 - Disability
 - Gender reassignment
 - Marriage and Civil Partnership
 - Pregnancy and maternity
 - Race
 - Religion or Belief
 - Sex
 - Sexual orientation

The Act prohibits seven different types of discrimination in relation to the protected characteristics:

1. Direct discrimination
2. Associative discrimination
3. Indirect discrimination
4. Harassment
5. Harassment by a third party
6. Victimisation
7. Discrimination by perception.

Rehabilitation of Offenders Acts (1974)

An ex-offender after a period of rehabilitation has no need to disclose a previous conviction unless his or her sentence exceeded 2.5 years of imprisonment.

If any convictions are disclosed they are not necessarily a bar to employing that person; the relevance of the offence to the duties of the job must be considered at the short-listing stage.

Once a conviction becomes 'spent' an employer cannot refuse to employ, dismiss, or otherwise discriminate against an ex-offender on the grounds of a previous conviction.

Certain posts are exempt from the Act. Examples of these include medical, nursing and midwifery posts, any posts that involve contact with vulnerable people, as well as all posts requiring admission to professional register. In these cases, spent convictions have to be disclosed.

Additional Information

Useful websites:

<https://equalityhumanrights.com/en>

<https://www.gov.uk/guidance/equality-act-2010-guidance>