

## Equality and Diversity Policy

### Policy Context & Scope

This policy relates to all activities of Leaping Man Learning Limited trading as Swift.

All references to "Swift" below should be recognised as pertaining to Leaping Man Learning Limited.

All references to "learners" below should be recognised as pertaining to "apprentices" and vice versa.

This policy **includes all training provision** provided by Leaping Man Learning Limited trading as Swift.

This Policy relates to all aspects of employment and academic life, including (but not limited to) advertisement, marketing, events, recruitment and selection, benefits, disciplinary and grievance, assessment and pedagogy practices.

This policy shall apply to all interactions with Swift, including, but not limited to:

- Advertisement of vacancies for employment or apprenticeship
- Assessment and selection of candidates for employment or selection
- Agreement of contractual terms.
- The employee life cycle including promotion and development.
- The apprentice life cycle including opportunities for placement.

For the avoidance of doubt, "employee" shall include contractors, volunteers, those in paid employment with Swift and those applying to employment with Swift.

"Learner" or "Apprentice" shall denote any learner on a programme with Swift or applying to a programme.

### Policy Statement

Discrimination of any kind is abhorrent and will not be tolerated.

Swift is committed to ensuring that no individual is treated less favourably as a result of sex, sexual orientation, pregnancy and maternity marriage and civil partnership, gender reassignment, race, colour, age, religion or belief, or disability.

Swift is fully committed to developing a culture of fairness, equality, diversity and inclusion; and to ensuring compliance with the terms of the Equality Act 2010, at all times.

### Policy Purpose

The purpose of this policy is to:

- provide equality, fairness, and respect for all in our employment, whether temporary, part-time or full-time as well as for all applying for and undertaking programmes of learning with Swift.
- not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation
- oppose and avoid all forms of unlawful discrimination. This includes (for employees) in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities

## Policy Aim and Objectives

The aim of this policy is to create a culture of fairness, equality, diversity and inclusion, free from bullying, harassment, victimisation and unlawful discrimination, that promotes dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

This will be achieved by:

- Encouraging equality, diversity and inclusion in the workplace as they are good practice and make business sense. This includes engaging apprentice employers to do the same.
- Creating a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued. This includes engaging apprentice employers to do the same.
- Training managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.
- Educating staff that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.
- Taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities. This includes engaging apprentice employers to do the same.

## Definitions

Where discrimination against any person or organisation is referred to it shall be deemed to be potential discrimination within any of the categories listed in the policy statement.

Discrimination takes one of two forms: direct or indirect.

## Direct Discrimination

Direct discrimination occurs when a person or organisation is treated less favourably than others.

Segregating a person or organisation because of a protected characteristic is unlawful. It also is unlawful for an employer to discriminate against a job applicant whose conviction is spent.

## Indirect Discrimination

Indirect discrimination occurs when a provision, criterion or practice (PCP) is imposed which, although applied equally to all individuals, unfairly impacts a group or individual, due a protected characteristic.

In this situation, indirect discrimination will have occurred where:

- the organisation cannot show that the PCP is a proportionate means of achieving a legitimate aim.
- it is to the disadvantage of the individuals concerned because they cannot reasonably comply with it.

## Reasonable Adjustments and Protecting Persons with Disabilities

Under the terms of this policy, the organisation is required to:

- make reasonable adjustments to maintain the services of an employee or apprentice who becomes disabled, for example, training, provision of special equipment, reduced working hours.
- exclude disability as a consideration during selection for employment, promotion or programme enrolment and ensure access is equal.
- not discriminate against persons with disabilities during recruitment, promotion or enrolment processes.

## Victimisation and Harassment

Victimisation occurs when a person is treated less favourably than another because he/she had asserted his/her rights under the Acts relating to discrimination or had helped another person to assert those rights.

There is a separate policy dealing with all forms of harassment.

## Responsibility of Managers

The overall responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Directors. Directors shall ensure that they and their staff

operate within the policy and arrangements and that all reasonable and practical steps are taken to avoid discrimination. Each manager will ensure that:

- all their employees are aware of the policy, the arrangements and the reasons for the policy.
- grievances concerning discrimination are dealt with fairly and as quickly as possible.
- proper records are maintained.

## Responsibilities: Staff and Apprentices

Whilst the overall responsibility for ensuring that there is no unlawful discrimination rests with management, the attitudes of staff and apprentices are crucial to the successful operation of fair practices. In particular, all members of staff and apprentices should:

- comply with the policy and arrangements.
- not discriminate in their day-to-day activities or induce others to do so.
- not victimise, harass, or intimidate other staff or apprentices on the grounds specified in the policy.
- inform their manager or tutor if they become aware of any discriminatory practice.
- understand they act as ambassadors for the organisation and as such should positively promote this policy in their dealings with other employees, apprentices, employers of Apprentices and the public

All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation, and unlawful discrimination, in the course of their employment, against fellow employees, apprentices, suppliers and the public.

Staff and apprentices not complying with this policy should understand that their actions will be subject to investigation and may result in enforcement of the Staff or Apprentice Disciplinary Procedure.

## Procedure

Employees and apprentices have a right to pursue a complaint concerning discrimination or victimisation via the Grievance, Harassment or Appeals and Complaints Procedures as appropriate. If the complaint is against the individual's manager or tutor, the complaint should be raised with the next level of management.

Discrimination and victimisation are serious matters. They will be treated as disciplinary offences and dealt with under the Disciplinary Procedure.

## Promoting, Engaging and Gaining Commitment

A thorough induction is completed with all new employees, volunteers and contractors, that includes a review and acceptance of this policy. This induction also includes the completion of a mandatory training programme covering the practical implementation of this policy.

Learners and apprentices also complete a thorough induction which includes the review and acceptance of this policy.

Equality, diversity and inclusion activities and assessments are embedded into programmes to support learners to build skills, knowledge and behaviours that promote inclusivity and diversity.

Annual refresher training is completed by employees, in accordance with the Swift CPD Policy.

Employers are engaged around the concepts of this policy during initial meetings and required to accept the policy in full prior to signing Service Agreements.

Assessors discuss the policy at regular intervals with both employers and apprentices to determine the cultural penetration of the policy at the employer.

Equality and Diversity information of apprentices and employees is regularly provided to the Board of Directors and analysis conducted.

Swift utilises its social media platforms and "hot topics" newsletters to target and highlight areas of this policy to stakeholders.

The policy is available to all stakeholders via the Swift website and to employees internally via the intranet.

## **Engaging and Training Employees and Apprentices in implementation of this Policy**

All staff and apprentices know what is expected of them with regards to the Equality and Diversity Policy as a result of the inductions for employees and apprentices.

Where staff are involved in the training and assessment of apprentices, the Quality Processes for observation of teaching, learning and assessment incorporate scrutiny of the promotion of Equality and Diversity to ensure this is being delivered in line with Swift expectations as set out in this policy.

Appropriate training and coaching will be provided to assist with implementation of the Equality and Diversity policy.

Staff and Apprentices are made aware of the organisation's contacts for expressing any concerns relating to Equality and Diversity, as well as the organisation's Complaints Policy. Both staff and apprentices are encouraged to call out discriminatory practices, both in the learning environment and in Apprentices' workplaces.

Swift will continue to review and update its curriculum to ensure its' programmes meet the needs of a diverse range of apprentices.

All apprentices receive workbooks specifically designed to further their learning on Equality and Diversity as part of their personal development during their programmes of learning. Where directly related to the apprenticeship standards being delivered, Equality and Diversity is taught as part of the apprenticeship curriculum.

## **Monitoring and Review**

The Senior Leadership Team will be responsible for monitoring and reviewing the Policy, with the Quality Director holding overall responsibility for maintaining this policy.



Monitoring will include assessing how the Equality Policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

The organisation's MI and data system (PICS) will be used in this monitoring to provide data on admissions, progression of apprentices and destination data to ensure that equal opportunities are promoted and upheld.



Where there are any legislative changes to UK Government Policy on Equality and Diversity, the review date of this policy will be brought forward accordingly to ensure any changes are reflected within this policy.

**Author:** Hayley Faulkner (Quality Director)

**Review date:** 12/8/2021

**Next review date:** 1/4/2022

Authorisation by the Managing Director:



**Name:** Greg Morrall

**Signed:** *Gregory Morrall*

**Date:** 20/09/2021