



Equality & Diversity Policy

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1. Introduction

The Learning Curve recognises that it is essential to provide equal opportunities to all persons without discrimination. This policy sets out the organisation's position on equal opportunity as a service provider and in all aspects of employment, including recruitment and promotion, and provides guidance and encouragement to employees at all levels to act fairly and prevent discrimination on the grounds of gender, race, marital status, disability as defined by the Disability Discrimination Act 1995, part-time and fixed term contract status, age, sexual orientation or religion.

2. Definition of Discrimination

- 2.1. Discrimination can be direct or indirect. Both forms of discrimination must be avoided.
- 2.2. Direct discrimination occurs when one person is treated less favourably than another on grounds relating to gender, race, marital status, age, disability, sexual orientation or religion.
- 2.3. Indirect discrimination occurs where a requirement is imposed which can be complied with by a smaller proportion of persons of a particular gender, race, marital status, disability, age, part-time or fixed term contract status, sexual orientation or religion, than persons in another group and which is not objectively justifiable in the given situation. Examples include:
 - 2.3.1. Seeking job applications only from persons under 27 years of age and with five years' post-graduate experience;
 - 2.3.2. Demanding technical qualifications for a job which are not strictly necessary;
 - 2.3.3. Sending only full time employees on training courses.

3. Statement of policy

- 3.1. The Learning Curve aims to be an equal opportunity employer and service provider and this policy covers all aspects of employment and service delivery.
- 3.2. The organisation will ensure that all relevant legislation is completed with in all areas of its work (see appendix I).
- 3.3. To ensure this policy is operated effectively (and for no other purpose) the company maintains records of employees', applicants and clients' racial origins, gender and disability. Ongoing monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote equal opportunity.



- 3.4. The Learning Curve commits to ongoing training and induction of both staff and trustees in the implications of equality and diversity
- 3.5. It is the policy of The Learning Curve to ensure that no job applicant, employee or client of the Learning Curve receives less favourable treatment on the grounds of gender, race, marital status, disability, age, part-time or fixed term contract status, sexual orientation or religion, or is disadvantaged by conditions or requirements that cannot be shown to be justifiable. The organisation is committed not only to its legal obligations but also to the positive promotion of equality of opportunity in all aspects.
- 3.6. The organisation recognises that adhering to the Equality & Diversity Policy, combined with relevant employment policies and practices, maximises the effective use of individuals in both the organisation's and employees' best interests. The Learning Curve recognises the great benefits in having a diverse workforce with different backgrounds, solely employed on ability.
- 3.7. The application of recruitment, training, and promotion policies applies to all individuals and will be on the basis of job requirements and the individual's ability and merits.
- 3.8. The Learning Curve aims to ensure that high quality, accessible services and support is available to all groups and individuals. Services offered by The Learning Curve will be available to all. They will be widely advertised and will be free from unfair discrimination. We will strive to identify and remove all barriers to participation in any of our activities.
- 3.9. All employees of the organisation will be made aware of the provisions of this policy and both a staff and board champion will be identified

4. Accessible information

- 4.1 The Learning Curve will ensure that all written information will be produced in a sans serif font size no smaller than 12 point and that it can also be reproduced in a variety of formats within a reasonable timeframe. Plain English will also be used whenever possible. Staff using their own handwriting will be encouraged to check its readability to ensure everyone can read it.
- 4.2 The design of any information will be checked for its readability, particularly the colours used to ensure that those with colour blindness are not disadvantaged. Heading and page numbers will be kept in the same places whenever possible and any images used will be relevant, of good quality and contrast.



5. Recruitment and promotion of staff and Volunteers

- 5.1. Advertisements for posts will give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post. Information about vacant posts will be provided in such a manner that does not restrict its audience in terms of gender, race, marital status, disability, age, part-time or fixed term contract status, sexual orientation or religion.
- 5.2. Recruitment literature will not imply a preference for one group of applicants unless there is a genuine occupational qualification which limits the post to this particular group, in which case this must be clearly stated.
- 5.3. All vacancies will be circulated internally.
- 5.4. All descriptions and specifications for posts will include only requirements that are necessary and justifiable for the effective performance of the job.
- 5.5. All selection will be thorough, conducted against defined criteria and will deal only with the applicant's suitability for the job. Where it is necessary to ask questions relating to personal circumstances, these will be related purely to job requirements and asked of all candidates.
- 5.6. All Applicants will be sent an Equality & Diversity monitoring form to allow monitoring to ensure discrimination is not taking place.

6. Employment of staff

- 6.1. The Learning Curve will not discriminate on the basis of gender, race, marital status, disability, age, part-time or fixed term contract status, sexual orientation or religion in the allocation of duties between employees employed at any level with comparable job descriptions.
- 6.2. The Learning Curve will put in place any reasonable measures and/or adjustments within the workplace for those employees who become disabled during employment or for disabled appointees.
- 6.3. All employees will be considered solely on their merits for career development and promotion with equal opportunities for all.

7. Training of staff

- 7.1. Employees will be provided with appropriate training regardless of gender, race, marital status, disability, age, part-time or fixed term contract status, sexual orientation or religion.
- 7.2. All employees will be encouraged to discuss their career prospects and training needs with their Line Manager or the Director of HR.



8. Harassment and Bullying

- 8.1. The Learning Curve provides environments free from unlawful harassment (see staff handbook re work environment).
- 8.2. Harassment because of race, colour, creed, gender, sexual orientation, marital status, national origin or ancestry, physical or mental disability, age or religion or any other basis protected by legislation is unlawful and will not be tolerated by The Learning Curve.
- 8.3. This policy prohibits unlawful harassment by any employee or worker of The Learning Curve. The Learning Curve will also not tolerate unlawful harassment from any client. Appropriate action will be taken if any harassment should occur.
- 8.4. Examples of prohibited harassment are:-
 - 8.4.1. Verbal or written conduct containing derogatory jokes or comments,
 - 8.4.2. Slurs or unwanted sexual advances
 - 8.4.3. Visual conduct such as derogatory or sexually orientated posters,
 - 8.4.4. Photographs, cartoons, drawings or gestures,
 - 8.4.5. Physical conduct such as assault, unwanted touching, or any interference because of gender, race or any other protected basis,
 - 8.4.6. Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours
 - 8.4.7. Retaliation for having reported or threatened to report harassment

9. Reporting Complaints - staff

- 9.1. Staff that believe they have been unlawfully harassed or discriminated against, should make an immediate report to their line manager or if this is not appropriate to the Director of Finance and HR or CEO followed by a written complaint as soon as possible after the incident, using the grievance procedure.
- 9.2. Details of the complaint should include:
 - 9.2.1. Details of the incident
 - 9.2.2. The name or names of the individual or individuals involved
 - 9.2.3. The name or names of any witness or witnesses



- 9.3. The Learning Curve will undertake a thorough investigation of the allegations. If it is concluded that harassment has occurred The Learning Curves disciplinary procedures will be enforced or other remedial action taken as necessary.
- 9.4. If a staff member does not feel they need to make a complaint but can see a way of improving equality and diversity for either staff or provision they are encouraged to use the staff suggestion scheme.

10.Reporting Complaints – clients and job applicants

Clients and job applicants that believe they have been unlawfully discriminated against should request a 'Tell us what you think' leaflet and make a complaint using Learning Curve's Complaints Procedure.

11.Monitoring and use of data

- 11.1. It is the responsibility of the Director of HR to ensure that all aspects of this policy are kept under review and are operated throughout the organisation.
- 11.2. Where it appears that applicants/employees/clients are not being offered equal opportunities, circumstances will be investigated to identify any policies or criteria which exclude or discourage and, if so, whether these are justifiable.
- 11.3. Learning Curve will maintain records of employees', applicants and clients' racial origins, gender and disability. This is for regular monitoring purposes only to eliminate unlawful direct and indirect discrimination and promote equal opportunity. These records will be treated confidentially in line with the Data Protection Act. The Learning Curve will never disclose any details without the prior knowledge or approval of the employee, applicant or client unless required by law.

12.Grievances and Victimisation

- 12.1. The Learning Curve emphasises that discrimination is unacceptable conduct which may lead to disciplinary action under the organisation's Disciplinary Procedure.
- 12.2. Any complaints of discrimination will be pursued through the organisation's Grievance Procedure.

13.Policy statement on Equality & Diversity

- 13.1. The Learning Curve is thoroughly committed to equality & diversity and hopes its employees, applicants and clients will join them to:
 - 13.1.1. Value the unique experiences of all individuals and groups.



13.1.2. Respect people's right to hold their own values and beliefs and to be free from prejudice, abuse and discrimination.

13.1.3. Recognise the right of all people to be included in educational provision made by the service.

13.2. The Learning Curve aim to take positive action to:

13.2.1. Create an expectation for all involved to behave positively and fairly.

13.2.2. Promote dialogue and clear communication.

13.2.3. Eliminate abuse, harassment and discrimination.

13.2.4. Offer all individuals opportunities to learn and change.

13.2.5. Provide an ethos and an environment that aims to overcome cultural, financial and physical barriers to people's learning.

13.2.6. Ensure that groups that have been discriminated against or are disadvantaged have priority in the allocation of resources for education and training.

13.2.7. Exemplify good equality and diversity practice as a service and as individuals

13.2.8. Promote equality and diversity across all its areas of work including through partners.

13.2.9. Strive to improve organisational performance in all areas of equality and diversity in particular by focusing on narrowing the achievement gap amongst disadvantaged groups.



APPENDIX 1 – Equality & Diversity Legislation

Human Rights Act 1948 and 1998

Health & Safety at Work Act 1974

Rehabilitation of Offenders Act 1974

Sex Discrimination Act 1975 and 2003 and 2005 Regulations

Gender recognition Act 2004

Race Relations Act 1976

Race Relations (Amendment) Act 2000 and 2003 Regulations

European Equal Treatment Directive 1976

Disability Discrimination Act 1995 and 2003 and 2005 Regulations

Special Education Needs and Disability Act (SENDA) 2001

Employment Rights Act 1996

Protection from Harassment Act 1997

Public Interest Disclosures Act 1998

Data Protection Act 1998

Working Time Regulations 1998

Parr Time Workers Regulations 2000

Common Accord for Awarding Bodies

The Equality Act 2006

