



Equality, Diversity and Inclusion Policy

Version 7

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This policy will be reviewed on an annual basis. Keir reserves the right to amend this policy, following consultation, where appropriate.

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| Date created: | March 2022 |
| Date of last review: | March 2022 |
| Date of next review: | March 2023 |



Summary

This policy statement outlines the philosophy of equality for all. This policy is available on request and is also available on our website. A copy can be requested from student services within Keir It is also available on our website.

Who is the policy for?

All staff, learners and stakeholders.

Our staff and learners complete a robust initial assessment which includes reading and a check of understanding of each policy and later, if changes are implemented to ensure compliance and promote best practice.

Staff, learners and other stakeholders are made aware of our policy during induction and during review. Our policy is reviewed annually or sooner if legislation/ best practice changes. Our promotion to learners, staff and employers ensures an awareness of the law, as well as our own internal expectations which are identified firstly during all recruitment. Our commitment to staff development ensures equality and diversity is embedded within each learning journey and demonstrates our core values, including both learner and employer.

Keir Training and Recruitment Ltd., (Keir) will ensure that all employers with whom we work are aware of our commitment to Equality and Diversity and the expectation that they will reflect this ethos when working in partnership regarding all education provision. A copy of our policy and our commitment is identified at the start of each learning journey and reviewed throughout including stakeholders' surveys/ questionnaires.

Policy statement

This document describes the minimum standards and guidance relating to developing a cooperative and non-discriminatory environment which is both supportive and challenging and dealing with instances of harassment, bullying and discrimination.

At Keir we believe that all staff and learners must be equally respected and treated as individuals, taking positive account of age, gender, religion or belief, ethnic origin, cultural origin, sexual preferences, disability, pregnancy or maternity and marital status. We will constantly implement to apply this principle to all our policies, procedures, delivery and interactions across the projects.

All employees and learners will receive Equality and Diversity Training as mandatory and implementation will be reviewed through our IQA Policy.

The Ofsted Education Inspection Framework (EIF) <https://www.gov.uk/government/publications/education-inspection-framework> sets out clear messages for both schools and providers/ colleges within the FE sector and "our ethos reflects our key message below:



Leaders promote equality of opportunity and diversity exceptionally well, for learners and staff, so that the ethos and culture prevent any form of direct or indirect discriminatory behaviour. Leaders, staff and learners do not tolerate prejudiced behaviour.”

We fully uphold and implement the objectives defined by Ofsted below:

Ofsted Objectives:

Objective 1: Ofsted will give due regard to equality, diversity and inclusion during inspection and in its research and evaluation work

In making judgements, inspectors will consider whether those we inspect comply with their relevant duties set out in the Equality Act 2010 and, where applicable, the extent to which they promote British values and promote equality and diversity.

Protected characteristics

It is against the law to discriminate against someone because of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

These are called protected characteristics.

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

Age, Gender, Sexual Orientation, Transgender, Marital Status

No discrimination will be accepted with regards to the gender of the individual. All learners will be encouraged to participate in all activities regardless of gender or age. All staff and learners will have the same opportunities and be treated in the same manner regardless of their gender or age. No discrimination will be made with regards to individual sexual preferences and marital status.

Religion, Ethnic origin, Cultural origin

No individual will be refused a place on the grounds of religion, ethnic origin or culture. Information will be available to all whenever possible, this will be in the first language if English is not understood, or an interpreter will be used to ensure information is exchanged accurately



in a timely manner. All learners and staff will be expected to respect individual religion, ethnicity and cultural differences.

The curriculum encourages both staff and learners to treat everyone with equal concern and respect and to value each other. Questions about racial and cultural differences will be answered in a clear, factual way that is understood in an appropriate manner. Positive support for a learner's home language and cultures will be given as this provides a framework for learning English.

We also have use of quiet rooms for the use of faith-related activity and learners are asked if they have this requirement during initial assessment.

Disability

Keir is committed to the integration of learners and staff with a disability or additional needs. Extra help or special arrangements may be required including 'reasonable adjustment'.

The organisation will not discriminate directly or indirectly against a disabled learner or staff member. It is recommended that all disabilities or special needs are made known so any necessary reasonable adjustments can be made as soon as possible to promote engagement in work and learning.

Reference:

<https://www.disabilityrightsuk.org/equality-act-and-disabled-people>

Code of Conduct

Keir will not allow harassment or bullying to learners or staff. This can include unwelcome comments or behaviour, repetitive criticism, intimidation, insulting, aggressive, undermining self-confidence or the misuse of power. Any action which makes the recipient feels upset, humiliated, threatened or vulnerable.

If the offensive behaviour is made by learners, an on the spot explanation of why it is not accepted will be made and the behaviour policy followed.

Any breach of this policy by an adult or learner may result in disciplinary action.

Please see our Behaviour for Learning, Bullying and Harassment and Complaints Policies for further information.

Definitions

Direct discrimination - means treating people less favourably because of their race, disability, race, gender, the colour of their skin, ethnic and national origin, nationality, sexual orientation, religion or age.

Indirect discrimination - occurs when an unjustifiable requirement or condition, whether intentional or not affects adults or children from certain groups.



Policy requirements

All staff will follow this policy statement at all times. Managers and other staff will ensure that this statement is followed through supervision and quality assurance processes.

STAFF RESPONSIBILITIES

All Keir staff have a responsibility to be aware of and implement the policy on Equality and Diversity by:

- Promoting a “challenge inequality and celebrate diversity” ethos
- Undertaking staff development appropriate to their role
- Promptly reporting any discriminatory issues, unfair treatment, poor practice or misconduct to the Equality and Diversity Champion
- Promoting equality and diversity in induction, teaching and at progress reviews

MANAGEMENT RESPONSIBILITIES

Management and Governance has a responsibility to:

- Ensure that all staff, learners, employers, subcontractors and other stakeholders are aware of this policy and actively promote its implementation. All will be signposted to our website and also our commitment will be demonstrated throughout our assessment, planning and review of learnership learning and implementation. This includes new staff, employer and learner induction activity, frequent reviews, equality, diversity and inclusion (as well as other themes) are actively embedded within each learning journey and that stakeholder reviews ensure compliance as well as feedback to promote a culture of support and continuous improvement.
- Promote learning to ensure participation is representative of the local, regional and national demographical data
- Ensure the learning environment is non-discriminatory and challenge negative behaviours towards race, religion, gender, disability or culture
- Embrace a whole approach to challenging inequality and celebrate diversity
- Ensure all staff are aware of the policy and ensure they receive appropriate and annual training and support to undertake their roles effectively
- If Keir is working with a partner and any equality and diversity issue arises, the Equality and Diversity Champion will work with the partners’ appointed person. This includes Complaints covered within our Complaints Policy.
- Ensure learning resources and marketing literature will promote fair and equal access to teaching, learning and assessment. Particular care will be taken to avoid the use of statements and stereotypes that might reasonably be expected to give offence on the grounds of Age, Gender, Sexual Orientation, Disability, Race, and Religion & Belief
- Collect data to analyse participation and achievement of under-represented groups by subject and programme area
- Agree EDIMs (equality and diversity impact measures) to promote participation and achievement of under-represented groups
- Process all data in accordance with the requirements of the Data Protection Act (May 2018)
- Learner registration forms ask to detail any additional support requirements that need to be in place. It is the responsibility of the Community Training Manager to ensure



that reasonable adjustments are in place to accommodate those with additional support requirements

Equality of Opportunity for all

We are fully committed to providing a good and harmonious working environment that offers equal treatment and equal opportunities for all its learners and staff where everyone is treated with respect and dignity. Keir recognises that the provision of equal opportunities in the workplace is not only good management practice; it also makes sound business sense. Our policy and processes will help all learners and employees develop their full potential so that the talents and resources will be fully utilised to maximize the efficiency of the organisation. Breaches of all policies including Equality and Diversity policy will result in the Company's disciplinary procedure being invoked against the individuals responsible or involved.

Recruitment of employees and learners (see Safer Recruitment Policy for further details)

No vacancy will be advertised or publicised (internally or externally) in a way which discourages applications from any sector of the population. All applications will be considered on merit. Each individual will be assessed against a set of objectives, non-discriminatory criteria that will be directly related to the demands of the particular vacancy. All advertisements, application forms and other recruitment material will clearly state that we are an equal opportunities employer and will avoid statements or questions which tend to discourage applications for employment from any sector of the population.

All interviews will be conducted in accordance with the terms and spirit of this policy. The questions asked of candidates will be closely related to the selection criteria and will be asked in order to elicit information which will give a fair assessment of that particular applicant's ability to perform the tasks required by the vacancy. Specific questions will not be asked of candidates which make assumptions about a candidate's commitment or ability based on any of the grounds identified in the statement of this policy.

No one sector of the population will be disadvantaged or discriminated against in relation to the terms of employment offered or applied to them. Keir will, where appropriate, make reasonable adjustments to its arrangements for interviews and conditions of employment for disabled applicants where necessary to ensure that existing arrangements or conditions of employment do not place such applicants at a significant disadvantage to other applicants.

1. Promotion

Internal vacancies will, if possible, be filled by promotion. Keir will, however, consider enlarging the pool of applicants for promotion where this proves necessary to ensure that, in accordance with its policy, the pool of applicants is capable of fairly representing all sectors of the population. Applicants for promotion will be considered only on the basis of their skill, aptitude, experience and suitability for the vacancy.

2. Training for staff and learners

Employees involved in recruitment and the management or supervision of others will receive training to help them understand and comply with the law and the policy. No employee will



be denied access to training on discriminatory grounds. Specific and/or additional training will be made available for disabled employees as is reasonably necessary.

Harassment on grounds of disability

Harassment of an individual who has a disability or who has had a disability in the past is unlawful. It is also contrary to the Company's policy, which seeks to ensure that people with disabilities receive treatment that is fair, equitable and consistent with their skills and abilities.

In accordance with statutory requirements, the Company recognizes that a person with a disability is someone who has or has had a physical or mental impairment that has a substantial and long-term adverse effect on his/her normal day-to-day activities. Therefore, depending on individual circumstances a person who has been seriously injured, has or had a progressive illness, significant learning difficulties or poor hearing, vision or mobility may be a person with a disability.

Harassment on grounds of disability may include the following:

- abusive or insensitive language
- inappropriate jokes or pranks
- non-verbal offensive gestures (e.g., staring at a particular affliction)
- inappropriate assumptions about the capabilities of a disabled person
- unfair allocation of work and responsibilities
- exclusion from normal workplace conversation or social events
- physical mistreatment (e.g., jostling or assault)

The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts.

As part of Keir's Equality and Diversity policy, we will make every effort, if a disabled person joins the Company or if an existing employee becomes disabled, to make such adjustments as are required by law, whether in their existing job or in a suitable available alternative.

The Company will seek to ensure that the needs of people with disabilities are considered generally in both the context of the Company's working practices and in the nature of its premises and continuing services.

Special Consideration / Reasonable Adjustment

Keir aims to facilitate open access to all qualifications for learners who are eligible for reasonable adjustment and/or special consideration in assessments, without compromising the assessment of the skills, knowledge, understanding or competence being measured. This will be achieved through:

Reasonable Adjustment – This is agreed at the pre-assessment planning stage and any action that helps to reduce the effect of a disability or difficulty, which places the Learner at a substantial disadvantage in the assessment situation. Reasonable adjustments must not, however, affect the reliability or validity of assessment outcomes nor must they give the learner an assessment advantage over other learners undertaking the same or similar assessments.



Special Consideration – This is a post-assessment allowance to reflect temporary illness, injury or indisposition that occurred at the time of assessment. Any special consideration granted cannot remove the difficulty the Learner faced at the time of assessment and can only be a relatively small adjustment to ensure that the integrity of the assessment is not compromised. Special consideration cannot apply to “license to practice” units within a qualification, or to “license to practice” qualifications.

A reasonable adjustment helps to reduce the effect of a disability or difficulty that places the learner at a substantial disadvantage in the assessment situation.

Reasonable adjustments must not affect the validity or reliability of assessment outcomes, but may involve:

- ✓ Changing usual assessment arrangements
- ✓ Adapting assessment materials
- ✓ Providing assistance during assessment
- ✓ Re-organising the assessment physical environment
- ✓ Changing or adapting the assessment method
- ✓ Using assistive technology

Keir understands that reasonable adjustments must be approved (internally or externally) and set in place prior to assessment commencing. It is an arrangement to give a learner access to a qualification.

The work produced following a reasonable adjustment must be assessed in the same way as the work from other learners.

Below are examples of reasonable adjustment. It is important to note that not all adjustments described below will be reasonable, permissible or practical in particular situations. The learner may not need, nor be allowed the same adjustment for all assessments.

Reasonable Adjustments permitted by the Keir may fall into the following categories:

- Changes to assessment conditions
- The use of mechanical and electronic aids
- Modification to the presentation of assessment material
- Alternative ways of presenting responses
- use of access facilitators

Examples of Reasonable Adjustments as defined by the above categories are listed below:

- Allowing extra time – e.g. assignment extensions
- Using a different assessment location
- Use of coloured overlays, low vision aids, CCTV
- Use of assistive software
- Assessment material in large format or Braille
- Readers / Scribes
- Practical Assistants, Transcribers, Promoters
- Assessment material on coloured paper or in audio format



- Language-modified assessment material
- British sign language (BSL)
- Use of ICT / Responses using electronic devices Please note that a reasonable adjustment must never affect the validity or reliability of assessment, influence the outcome of assessment or give the earner(s) in question an unfair assessment advantage.

Applying Reasonable Adjustment

Reasonable adjustments are approved before an assessment and are intended to allow attainment to be demonstrated. A learner does not have to be disabled (as defined by the Equality Act 2010) to qualify for reasonable adjustment; nor will every Learner who is disabled be entitled to reasonable adjustment. Allowing reasonable adjustment is dependent upon how it will facilitate access for the learner. A reasonable adjustment is intended to allow access to assessment but can only be granted where the adjustment does not:

- Affect the validity or reliability of the assessment
- Give the learners(s) in question an unfair advantage over other Learners taking the same of similar assessment
- Influence the final outcome of the assessment decision

Keir applies reasonable adjustment in a transparent and unbiased manner. All reasonable adjustments made must be recorded using a reasonable adjustment form. Once completed, these would be held by Keir in the learner's file and shall be available at all times for scrutiny by the awarding body, if so requested.

All reasonable adjustments implemented by Keir are subject to meeting the requirements of the appropriate assessment strategy and assessment criteria for each qualification and awarding body. It is the responsibility of the Community Training Manager to ensure that any access arrangement implemented by Keir on behalf of the learner, is based on firm evidence of a barrier to assessment. If further clarification is required in relation to the application of reasonable adjustment, Keir would contact the applicant by e-mail.

For all qualifications that are internally assessed, Keir will apply to the awarding body to request to implement a reasonable adjustment, but it must:

- Only make reasonable adjustments that are in line with this policy
- Record all reasonable adjustments made on the appropriate forms
- Keep all forms on the appropriate Learner's record
- Make forms available to the awarding body as required

Assessing Achievement

Keir would ensure that for all internal assessments, achievement is given only for the skills demonstrated by the learner and that reasonable adjustments do not compromise the outcomes of assessment.

SEN

Keir note that a Statement of Special Educational Needs (SEN) does not automatically qualify the earner for reasonable adjustment to assessment, as the SEN statement may not contain



a recent assessment of the needs; and the reasonable adjustment may compromise assessment.

Please see our Assessment Policy for further details.

Inappropriate use of Reasonable Adjustment

Keir understands that if they misuse the reasonable adjustment policy, then the awarding body will take appropriate action. Such action will range from advice and action for the centre through to the implementation of steps to manage assessment malpractice; this could ultimately lead to the recall of certificates, removal of qualification approval or removal of centre approval.

Victimisation

Victimisation occurs when a member of staff treats another member of staff less favourably because that other person has:

- brought proceedings alleging that he or she has been discriminated against contrary to this policy
- indicated that they intend to make such a claim or claims
- assisted a colleague to make a claim

Victimisation will not be tolerated under any circumstances and any member of staff who victimises another employee will be subject to Keir's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct resulting in summary dismissal.

Complaints and disciplinary action

Where an employee or learner believes that he/she is being harassed, victimised or discriminated against contrary to the law or to the Equality and Diversity policy, he/she can invoke the complaints procedure, whether formal or informal, against the harasser or discriminator.

Every complaint will be investigated and dealt with sympathetically without bias and as quickly as is practicable.

Every effort will be made to ensure that individuals who make a complaint in good faith will not suffer any further detriment or be victimised because of making such a complaint. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action, which may include summary dismissal.

Any acts of discrimination or acts which contravene this policy will result in the disciplinary procedure being invoked against the individuals responsible or involved. In severe cases, summary dismissal may be justified.

All members of staff are encouraged to use the procedure outlined in this Policy if they are harassed, discriminated or victimised. We take all allegations seriously. However, if an allegation is made which the Company (after investigation) believes has been made



dishonestly or maliciously, the Company may invoke the disciplinary procedure against the complainant. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

Please see Complaints and Whistleblowing Policies for further information.