



# EQUALITY AND DIVERSITY

TRANSFORM TRAINING Ltd,

## POLICY STATEMENT

### 1. Policy Statement

The purpose of this policy is to state our commitment to combat direct and indirect discrimination within our own organisation and those that we work with and to detail actions and practices that we will use to ensure the effective implementation throughout the organisation.

Where discrimination exists within this or other organisations it directly opposes our ability to fulfil our primary objective of ensuring that all young people are able to realise their potential, regardless of their circumstances.

Transform Training Ltd recognises that everyone has a contribution to make to our society and a right to equal treatment. We commit to ensuring that no job applicant, staff member, volunteer, youth participant or organisation/individual, to which we provide services will be discriminated against on the grounds of:

- Race, colour, nationality, ethnic or national origin
- Gender, marital status or caring responsibility
- Sexuality
- Age
- Physical or mental disability or mental health
- Political belief or religion
- Employment status
- Unrelated criminal conviction

We are committed to taking positive action to challenge and combat discrimination within organisations/individuals that we encounter.

We do not believe that one form of discrimination can be graded as more or less damaging than another and we oppose any hierarchy of discrimination.

We will at all times be respectful of the individuals and communities that we work with or otherwise encounter in the line of our work.

Breaches of this policy will be regarded as misconduct and may lead to disciplinary action.

This policy is a live document and will be developed and amended by the Trustees as required in the light of changing circumstances and new understanding.

Signed by: Victoria Jones

Date: Dec 2021

Designation: Chair of Trustees

## **EQUALITY AND DIVERSITY POLICY AND PROCEEDURE**

This policy takes into account our responsibilities under the Equality Act 2010 and The Human Rights Act 1998.

### **1. Racial Equality**

Transform Training Ltd is committed to building an organisation that makes full use of the talents, skills, experience and different cultural perspectives available in a multi-ethnic society, and where people feel they are respected and valued, and can achieve their potential regardless of race, colour, nationality, national or ethnic origin.

Transform Training Ltd will follow the recommendations of the Commission for Racial Equality's (CRE) code of practice in employment to achieve racial equality in all its employment policies, procedures and practices.

We will ensure that:

- No one receives less favourable treatment, on grounds of race, colour, nationality or ethnic or national origins, or is disadvantaged by any conditions, requirements, provisions, criteria, procedures or practices that cannot be justified on non-racial grounds, or victimized for taking action against racial discrimination or harassment, or instructed to put under pressure to discriminate unlawfully.
- The organisation is free of conduct that violates the dignity of wages or unwaged workers or creates an intimidating, hostile, degrading, offensive or humiliating working environment.
- Opportunities for volunteering, employment, training and promotion are equally open to candidates from all racial groups; and
- Selection for voluntary roles, employment, promotion, transfer and training, and access to benefits, facilities and services, will be fair and equitable, and based solely on merit.

The policy applies to all aspects of employment, from recruitment and selection to termination or employment and former workers' rights.

We will take the following steps to put the policy into practice and make sure it is achieving its ends.

- a. The policy will be the priority in our business plan and forward strategy.
- b. The Chief Executive will be responsible for the day-to-day operation of the policy and will produce regular reports for Trustees.
- c. The policy will be communicated to all workers and job applicants, and will be placed on the organisations's website.
- d. Workers and their representatives and trade unions will be consulted about the policy, and about related action plans and strategies.
- e. All workers will be trained on the policy; on their rights and responsibilities under the policy, and in law; and on how the policy will affect the way they carry out their duties. Everyone will clearly understand what constitutes acceptable and unacceptable conduct in the organisation.
- f. Managers and workers in key decision-making areas will be trained on the potentially discriminatory effects of practices, conditions, and criteria on some racial groups, and the importance of being able to justify decisions.
- g. Complaints about racial discrimination or harassment in the course of employment will be regarded seriously, and may result in disciplinary sanctions, and even dismissal. The complaints procedure will be published on the intranet.

- h. Opportunities for employment, promotion, transfer and training will be advertised widely, internally and externally, and all applicants will be welcomed, irrespective of race, colour, nationality or ethnic or national origin.
- i. All workers will be encouraged to develop their skills and qualifications, and to take advantage of promotion and development opportunities in the organisation.
- j. Selection criteria will be exclusively related to the job or training opportunity.
- k. Information on the ethnic and racial backgrounds of workers and applicants for employment, promotion and training will be collected and analysed, to monitor the workforce, and each stage of the recruitment and selection process. The information will be held in strictest confidence and will only be used to promote racial equality and prevent unlawful racial discrimination.
- l. If the data shows that people from a particular racial group are under-represented in particular area of work, lawful position action training and encouragement will be considered for workers and others from that group, to improve their chances of applying successfully for vacancies in these areas.
- m. The following areas will also be monitored, by racial group: grievances, disciplinary action, performance assessment, and terminations of employment (for whatever reason).
- n. Requirements, conditions, provisions, criteria and practices will be reviewed regularly, in the light of the monitoring results, and revised, if they are found to, or might, discriminate unlawfully on racial grounds.
- o. All contracts for goods, facilities or services will include a clause prohibiting unlawful racial discrimination by contractors and their staff, and by any sub-contractors and their staff. The clause will also recommend the CRE code of practice in employment as basis good practice. Contractors, suppliers and agencies will be expected to have the following minimum standards of racial equality in employment.
  - i. an effective racial equality policy;
  - ii. the name of the person responsible for putting the policy into practice;
  - iii. a racial equality statement in their job advertisements;
  - iv. racial equality training for workers and managers;
  - v. a statement that unlawful racial discrimination and harassment are regarded seriously, and may result in disciplinary sanctions, and even dismissal; and
  - vi. a grievance procedure for complaints of racial discrimination and harassment at work.
- p. A racial equality strategy will be developed, with clear racial equality targets and timetables, to show the steps the organisations plans to take to achieve racial equality.
- q. The effectiveness of the policy and strategy will be monitored at regular intervals. A report on progress will be produced each year and published as part of the annual review.
- r. Customers and clients will be made aware of the policy, and of their right to fair and equal treatment, irrespective of race, colour, nationality or ethnic or national origin.

## **2. Gender, Marital Status or Caring Responsibility**

Transform Training Ltd believes that a flexible approach to working arrangements brings benefits to our staff and our organisation.

We will not discriminate, treat differently or unfairly any volunteer, employee or contractor based on their gender, marital status or caring responsibility.

This incorporates our obligations under the Equal Pay Act 1970 and the Sex Discrimination Act 1975.

- a. We will at all times comply with the law requiring us to consider applications for flexible working from employees with young children. We will consider such requests carefully and objectively

and, unless it would clearly cause difficulties for our operational delivery or the employee, we will accommodate reasonable requests. This may mean offering flexible hours, or time off for family or religious needs.

- b. Eligible employees will be granted time off for parental or adoption leave, or to deal with an emergency involving their child, partner or anyone who relies on them for care.
- c. Maternity or Paternity Leave.
- d. We will ensure that we comply at all times with the requirements of the law related to maternity and paternity.
- e. This will include: paid time off for antenatal care and additional health and safety protection for expectant mothers and their unborn child during pregnancy, whilst a new mother, or as long as she is breastfeeding.
- f. New mothers will be able to return to their job after a period of maternity leave to be agreed with the organisation but no less than the minimum allowance under legislation.
- g. We will not dismiss or penalize pregnant employees for any pregnancy-related sickness absence, or for any reasons connected with pregnancy or maternity leave. This applies to all employees no matter how short a time they have been working for us and regardless of how few hours worked.
- h. Fathers who have been working for us for at least a year will be entitled to take two weeks paid paternity leave when their child is born.

### **3. Sexuality**

Transform Training Ltd will at all times comply with our obligations under the Employment Equality (Sexual Orientation) Regulation 2003.

The Employment Equality (Sexual Orientation) Regulation 2003 outlaws discrimination in employment and training on the grounds of sexual orientation. It covers people whether they are gay, lesbian, bisexual or heterosexual.

### **4. Age**

Transform Training Ltd will not discriminate against, treat unfairly or differently or harass any member of staff, volunteer, contractor, service provider or client or candidate for any post or service based on their age.

Where age restrictions on services or employment either as a member of staff or volunteer are a condition of funding agreements or service delivery agreements we will ensure that this is fully publicised and that people are made aware of the reasons for the restrictions.

### **5. Physical or Mental Disability or Mental Health**

Transform Training Ltd is committed to building an organisation that makes full use of the talents, skills and experience available in a diverse workforce where people feel they are respected and valued regardless of their physical or mental ability or mental health.

Transform Training Ltd will follow the recommendations of the Disability Rights Commission code of practice in employment and occupation to ensure equality in all its employment policies, procedures and practices.

We also recognise our duties in ensuring that our premises, services and training are accessible to disabled people and will work to ensure that we do not prevent people from realising their full potential due to physical or other barriers that we create.

#### a. Definition of Disabled

A person has a disability if they have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

In order to ensure that we are best meeting our organisational needs we will:

- Interview all disabled applicants who meet the minimum criteria for a job vacancy and consider them on their abilities
- Ensure there is a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what can be done to make sure they can develop and use their abilities.
- Make every effort when employees become disabled to make sure they stay in employment
- Take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work
- Each year, to review the commitments and what has been achieved, plan ways to improve on them and let employees know about progress and future plans.

## 6. Religion or Belief

Transform Training Ltd will at all times comply with our obligations under the Employment Equality (Religious or Belief) Regulation 2003.

The Employment Equality (Religious or Belief) Regulation 2003 outlaws discrimination in employment on the grounds of religion or philosophical belief.

Religion or belief is defined as being any religion, religious belief or similar philosophical belief. Although this does not include any philosophical or political belief unless it is similar to a religious belief we will take into account individual beliefs and views and attempt to accommodate all fairly under the spirit of this policy.

Employees will have the right to observe traditions, festivals, dress codes etc. related to their religious or philosophical beliefs in as far as it does not seriously impinge on their ability to fulfil the duties of their post. We will make every effort to ensure that organisationally we take account of beliefs and religious requirements in planning our activities and delivery.

## 7. Unrelated Criminal Conviction

Transform Training Ltd is committed to ensuring that any volunteer, member of staff, manager or trustee who is placed in a position of trust working with vulnerable people is not unsuitable for their duties due to previous criminal convictions relating to drugs, violence or abuse.

In order to fulfil this commitment we will use the Disclosure and Barring (DBS) service to help assess the suitability of all applicants for positions of trust.

In doing this we will only take into account information related to convictions that are judged by the local authority to disqualify candidates from working with vulnerable children or elderly.

As an organisation using the DBS service to help assess the suitability of applicants for positions of trust, Transform Training Ltd complies fully with the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

### **Storage and Access**

Disclosure information is never kept on an applicant's personal file and is always kept separately and securely, in lockable, non-portable storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### **Handling**

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that it is a **criminal offence** to pass information to anyone who is not entitled to receive it.

### **Usage**

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

### **Retention**

Once a recruitment (or other relevant) decision has been made, we do not keep information for any longer than is absolutely necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six-months, we will consult the CRB about this and will give full consideration to the Data Protection and Human Rights individual subject before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

### **Disposal**

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately suitably destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.