



Equality and Diversity Policy

| | |
|-----------|--|
| Status | Approved |
| Author | Jenn Culbert |
| Reference | |
| Version | 3 |
| Date | 20/09/2017 – V1 06/11/18 – V2 13/07/19 – V3 07/08/20 - V4 31/07/21 - Scheduled |
| Contacts | w: www.risual.com e: hr@risual.com t: 0845 680 0077 |



talent for technology

Policy Statement 3

Direct Discrimination 4

Indirect Discrimination..... 4

Victimisation 4

Recruitment, Advertising and Selection 5

Training and Promotion 6

Terms of Employment, Benefits, Facilities and Services..... 6

Equal Pay and Equality of Terms..... 6

Reporting Complaints 6

Monitoring Equal Opportunity..... 6

Provision of Education Services.....6

Policy Statement

risual is an equal opportunities employer and is fully committed to a policy of treating all of its employees, learners, customers and job applicants equally. risual will avoid unlawful discrimination in all aspects of employment including recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, other terms of employment, discipline, selection for redundancy and dismissal.

risual will take all reasonable steps to employ, train and promote employees on the basis of their experience, abilities and qualifications without regard to any protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation).

Employees have a duty to co-operate with risual to make sure that this policy is effective in ensuring equal opportunities and preventing discrimination. Action will be taken under risual's disciplinary procedure against any employee who is found to have committed an act of improper or unlawful discrimination. Serious breaches of this policy could be treated as gross misconduct and could render the employee liable to summary dismissal. Employees should bear in mind that they can be held personally liable for any act of unlawful discrimination.

You should draw the attention of your line manager to suspected discriminatory acts or practices. You must not victimise or retaliate against an employee who has made allegations or complaints of discrimination or who has provided information about such discrimination. Such behaviour may be treated as gross misconduct in accordance with risual's disciplinary procedure. You should support colleagues who suffer such treatment and are making a complaint.

risual has a separate Bullying and Harassment Policy and sets out how complaints of that type will be dealt with.

This policy describes risual's:

- Vision and commitment to Equality and Diversity
- Legal duties under the requirements of The Equality Act 2010 in employment, facilities, goods and services and admission and treatment of learners
- General and specific equality duties.

Direct Discrimination

Direct discrimination occurs when, because of one or more of the protected characteristics, a job applicant, learner or an employee is treated less favourably than other job applicants., learners or employees are treated or would be treated.

The treatment will still amount to direct discrimination even if it is based on the protected characteristic of a third party with whom the job applicant or employee is associated and not on the job applicant's or employee's own protected characteristic. In addition, it can include cases where it is perceived that a job applicant or an employee has a particular protected characteristic when in fact they do not.

Discrimination after employment is also unlawful if it arises out of and is closely connected to the employment relationship, for example refusing to give a reference or providing an unfavourable reference for a reason related to one or more of the protected characteristics. risual will take all reasonable steps to eliminate direct discrimination in all aspects of employment.

Indirect Discrimination

Indirect discrimination is treatment that may be equal in the sense that it applies to all job applicants, learners or employees but which is discriminatory in its effect on, for example, one particular sex or racial group.

Indirect discrimination occurs when a provision, criterion or practice (PCP) is applied which is discriminatory in relation to a protected characteristic of the job applicants or employees. A PCP is discriminatory in relation to a protected characteristic of the job applicant's or employees if:

- it is applied, or would be applied, to persons with whom the job applicant, learner or employee does not share the protected characteristic
- the PCP puts, or would put, persons with whom the job applicant, learner or employee shares the protected characteristic at a particular disadvantage when compared with persons with whom the job applicant or employee does not share it
- it puts, or would put, the job applicant, learner or employee at that disadvantage, and
- it cannot be shown by risual to be a proportionate means of achieving a legitimate aim.

risual will take all reasonable steps to eliminate indirect discrimination in all aspects of employment and customer interaction.

Victimisation

Victimisation occurs when an employee or learner is treated badly because they have raised or supported a grievance or complaint under the Equality Act. However, an employee is not protected if they have maliciously made or supported an untrue complaint.

Post-employment victimisation is also unlawful, for example refusing to give a reference or providing an unfavourable reference because the former employee has done one of the protected acts set out above.

risual will take all reasonable steps to eliminate victimisation in all aspects of employment and customer interaction.

Recruitment, Advertising and Selection

The recruitment process for both employees and learners will be conducted in such a way as to result in the selection of the most suitable person for the job in terms of relevant experience, abilities and qualifications. risual is committed to applying its Equality and Diversity policy statement at all stages of recruitment and selection.

Advertisements will aim to positively encourage applications from all suitably qualified and experienced people. When advertising job vacancies, in order to attract applications from all sections of the community, risual will, as far as reasonably practicable:

- Ensure advertisements are not confined to those areas or publications which would exclude or disproportionately reduce the numbers of applicants with a particular protected characteristic.
- Avoid setting any unnecessary provisions or criteria which would exclude a higher proportion of applicants with a particular protected characteristic.

Where vacancies may be filled by promotion or transfer, they will be published to all eligible employees in such a way that they do not restrict applications from employees with a particular protected characteristic.

However, where, having regard to the nature and context of the work, having a particular protected characteristic is an occupational requirement and that occupational requirement is a proportionate means of achieving a legitimate aim, risual will apply that requirement to the job role and this may therefore be specified in the advertisement.

The selection process will be carried out consistently for all jobs at all levels. All applications will be processed in the same way. The staff responsible for short-listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application. Person specifications and job descriptions will be limited to those requirements that are necessary for the effective performance of the job. Wherever possible, all applicants will be interviewed by at least two interviewers and all questions asked of the applicants will relate to the requirements of the job. The selection of new staff and learners will be based on the job requirements and the individual's suitability and ability to do, or to train for, the job in question.

With disabled job applicants, risual will have regard to its duty to make reasonable adjustments to; work provisions criteria and practices, or to physical features of work premises, or to provide auxiliary aids or services in order to ensure that the disabled person is not placed at a substantial disadvantage in comparison with persons who are not disabled.

If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel), this will be discussed objectively, without detailed questions based on assumptions about any of the protected characteristics.

Training and Promotion

risual will train all line managers in risual's policy on equality and diversity and in helping them identify and deal effectively with discriminatory acts or practices. Line managers will be responsible for ensuring they actively promote equality of opportunity within the departments for which they are responsible.

risual will also provide training to all employees to help them understand their rights and responsibilities in relation to equal opportunities and what they can do to create a work environment that is free from discrimination.

Where a promotional system is in operation, it will not be discriminatory and it will be checked from time to time to assess how it is working in practice. When a group of workers who predominantly have a particular protected characteristic appear to be excluded from access to promotion, transfer and training and to other benefits, the promotional system will be reviewed to ensure there is no unlawful discrimination.

Terms of Employment, Benefits, Facilities and Services

All terms of employment, benefits, facilities and services will be reviewed from time to time, in order to ensure that there is no unlawful direct or indirect discrimination because of one or more of the protected characteristics.

Equal Pay and Equality of Terms

risual is committed to equal pay and equality of terms in employment. It believes its male and female employees should receive equal pay where they are carrying out like work, work rated as equivalent or work of equal value. In order to achieve this, risual will endeavour to maintain a pay system that is transparent, free from bias and based on objective criteria.

Reporting Complaints

All allegations of discrimination will be dealt with seriously, confidentially and as quickly as practicable. risual will not ignore or treat lightly grievances or complaints of unlawful discrimination from employees. If you wish to make a complaint of discrimination, you should do so promptly and use risual's grievance procedure. If your complaint relates to bullying, harassment or intimidation, you should refer to the Bullying and Harassment Policy.

Monitoring Equal Opportunity

risual will regularly monitor the effects of selection decisions, personnel and pay practices, and procedures in order to assess whether equal opportunity is being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices. Required changes will be implemented as soon as possible. risual will also make reasonable adjustments to its standard working practices to overcome substantial disadvantages caused by disability.

Provision of Education Services

The Equality Act 2010 makes it unlawful for staff to discriminate directly or indirectly, or harass customers or clients because of the protected characteristics of age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation in the provision of goods and services.

Reasonable adjustments will be provided for staff, learners and customers who may be experiencing barriers due to disability, including alternative formats for other relevant 'protected characteristics'.

The recruitment, retention and achievement of learners will be monitored by 'protected characteristics' by risual and partners where possible to determine trends and enable us to provide focused support where it may be needed to ensure success. Decisions on which protected characteristics will be monitored will be determined by consultation, reasonableness, meaningfulness and resources available. By these means patterns of inequality will be challenged.

risual supports non-discriminatory access. Every effort will be made to ensure equality of opportunity for all learners providing suitable support in order for all learners to access all services and facilities..

All activity will consider Equality and Diversity issues and will be reflected in quality processes.

All forms of oppressive behaviour/bullying/harassment will be directly and appropriately challenged by staff across risual, partners and subcontractors.

Learner induction, tutorial programmes and curriculum will continue to use all opportunities to embed the principles that underpin Equality and Diversity.

All teaching and training resources and curriculum will ensure that they reflect and promote Equality and Diversity where appropriate.

risual will take systematic steps to ensure that learners have access to all opportunities irrespective of protected characteristic.

risuals admissions processes and initial assessment prior to courses beginning will be used to personalise support for learners, including those with additional support needs.

Every opportunity will be given throughout each academic year for learners to disclose any disabilities or learning difficulties or other needs relating to 'protected characteristics' that they may have. risual will, through a culture of inclusivity, ensure an environment in which people feel able and confident to disclose and to see disclosure as the right course of action. risual will seek to provide reasonable adjustments in response to disclosure.

All providers of work based learning under contract to risual will be made aware of risual's Equality and Diversity and related policies and will be expected to comply with them. Equality and Diversity issues will be raised in visits to employers. Learners will be empowered and supported to challenge practices and behaviours in the workplace which they feel contravene risual's policy in relation to Equality and Diversity.

In valuing and taking the prior attainment and experience of learners into account the risual will promote activity and experience undertaken within ethnic, religious or other cultural communities. risual will support the development of community cohesion and community development through partnership with other organisations including statutory and community/voluntary organisations. Opportunities to celebrate diversity and to share experiences and knowledge will be offered via curriculum.

Information, advice and guidance will be delivered in ways accessible to different groups with protected characteristics and in ways that challenge stereotypes and equip learners to defend their rights to fair treatment.

risual support services will meet the needs of learners from diverse backgrounds and communities.

In conjunction with this policy, Equality and Diversity Training will be updated and delivered to all staff and other relevant stakeholders to raise knowledge of equality legislation, develop Equality and Diversity competencies and tackle discriminatory practice and behaviours. All risual, subcontractor and partner staff will be required to undergo refresher training annually as a minimum.

The relevant disciplinary procedure will be followed where concerns are raised in relation to any breach of this Policy.