



“Respect Your Achievements Now”

EQUAL OPPORTUNITIES & EQUALITY & DIVERSITY POLICY

1. POLICY STATEMENT

R.Y.A.N. Education Academy - Vocational Centre is committed to equality of opportunity in employment and training. R.Y.A.N. Education Academy - Vocational Centre regards this policy as a commitment to ensure full use of the talents and resources of our entire employee and pupils, to make sure that no potential job applicant, employee or trainee receives less favourable treatment on the ground of marital status, disability, sexual orientation, gender, national origin, age social background, or involvement in trade union activity. This approach stipulates that conditions or requirement that cannot be shown to be justifiable must not be applied to post, and or any employment/training practices. We are committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination.

The aim of the R.Y.A.N Education Academy - Vocational Centre is for our employees to be truly representative of all sections of society and our client users, and for each employee to feel respected and able to give their best.

R.Y.A.N. Education Academy - Vocational Centre will actively seek to discourage discrimination or victimisation of any individual employee/pupil reporting an incident of discrimination.

Any one who feels that discrimination has taken place have the right to refer the matter through the appropriate appeals procedure e.g., Disciplinary & Grievance Procedure, Recruitment.

All employee/pupils also have the right to take a complaint to an Industrial Tribunal on the grounds of sex, race discrimination, or marital status.

R.Y.A.N. Education Academy - Vocational Centre will regularly review and evaluate its policies, procedures and practices, as well as monitor and evaluate the effectiveness of the Equal Opportunities & Equality & diversity Policy, and

ensure appropriate action is taken by the relevant personnel as a result of monitoring.

1.1 OUR COMMITMENT

To create 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.

To ensure that all staff understand 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, clients, service users, and the public.

Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, clients, service users, visitors, the public and any others in the course of the school's work activities.

Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.

2. THE POLICY PROTECTION

The purpose of the policy is to provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time

The policy covers all employees, potential employees and pupils on R.Y.A.N. Education Academy - Vocational Centre training programme, ensuring equality of opportunity in all employment and training practices with regards to recruitment and selection.

Any contract staff or trainers are expected to adhere with the terms of this policy. This requirement will form part of any contract documentation.

We endeavour not to 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
- sexual orientation

We endeavour to Challenge and avoid all forms of unlawful discrimination. This comprises in:

- pay and benefits
- terms and conditions of employment
- dealing with grievances and discipline
- dismissal
- redundancy
- leave for parents
- requests for flexible working
- selection for employment, promotion, training or other developmental opportunities

3. LEGAL FRAMEWORK

This policy has been formulated within the framework of current employment legislation and Code of Practice.

Employment Protection (Consolidation) Act 1978

Chronic Sick and Disabled Persons Act 1970

Disabled Person Employment Acts 1944 and 1958

Equal Pay Act 1970

Rehabilitation of Offenders Act (1974)

Sex Discrimination Acts 1975 and 1986

Race Relations Act 1976

Disability Discrimination 1995 and Special Educational Needs & Disabilities Act 2001.

Code of Practice by:

Commission for Racial Equality
Equal Opportunities Commission
Department of Employment (Disability)
Advisory Conciliation Arbitration Service (ACAS)

The Equality and Human Rights Commission provides guidance on positive action in its resources on the **Equality Act (2010)**.

Positive Action:

The positive action provisions of the **Equality Act (2010)** apply to the R.Y.A.N Education Academy - Vocational Centre both as an employer and as an education establishment. **S.158** of the Act says that where an employer or education provider reasonably thinks that people who share a protected characteristic:

1. Experience a disadvantage connected to that characteristic; or
2. Have needs that are different from the needs of persons who do not share that characteristic; or
3. Have disproportionately low participation in an activity compared to others who do not share that protected characteristic they may voluntarily take any action which is a proportionate means of meeting the aims stated in the Act. 'Proportionate' means that the action is an appropriate way of achieving the aim and reasonably necessary in the circumstances. It would not be proportionate to take positive action if the aim could be equally as well achieved in a less discriminatory way.

4. DEFINITIONS OF TERMS

Direct Discrimination

Where a person is treated less favourably than others on the grounds of gender, marital status, race, colour, disability, religion, ethnic nationality, national origin, social background, age, Trade Union membership or activity.

Indirect Discrimination

Where a condition practice or requirement although applied equally has the effect of excluding or treating less favourably an individual or group and cannot be shown to be justifiable e.g., marriage discrimination - This occurs

when a married person is treated less favourably because he/she is married, than a single person of the same sex is or would be treated in similar circumstances.

Victimisation

Occurs if an individual or group is given less favourable treatment than others because they have: -

- a) Exercised their rights with the R.Y.A.N. Education Academy - Vocational Centre's policies and/or employment legislation
- b) Made allegations or complaints
- c) Provided information relating to an allegation or complaint

Harassment

Behaviour intentionally or otherwise, directed at an individual (or group) that is found to be insulting or objectionable to the recipient(s) and that might threaten a pupil's placement, employee's job security or create an intimidating environment e.g., Sexual Harassment is sex discrimination. This means that a remedy for sexual harassment may be sought in an Industrial Tribunal.

5. RESPONSIBILITIES

It is crucial that all managers, trainers, staff and trade unions/partnership associations are fully committed to the principles and accept responsibilities for the practical application of the policy.

The **Head of Curriculum and Education** has overall responsibility for the implementation operation and review of the policy.

The **Human Resource Manager** is responsible for: -

The introduction, operation and monitoring of the policy, ensuring the provision of appropriate training and guidance notes.

- The monitoring of general procedures and composition of the workforce.

Managers, Teachers and Mentors are responsible for:

- Ensuring that the policy is implemented throughout their areas of responsibility.
- Ensure that all employees and pupils under their control are aware of their responsibility under the policy.
- Collecting and submitting information on job applicants, employees, and pupils for monitoring purposes.
- Ensuring that records of employment and training decisions are maintained.
- Ensure that any interview conducted has least two members present.
- Promoting equality of opportunity to their staff/pupils and pupils, encouraging all employees and pupils to work together to eliminate discrimination.
- Ensure that employees, pupils and pupils under their control do not suffer discrimination, harassment or victimisation.

Employees/Pupils are responsible for:

- Co-operating with measures introduced to ensure equality of opportunity.
- Ensuring that they do not discriminate or induce others to practice unlawful Harassment or Victimisation to individuals.

Trade Union/Staff Associations are expected to:

- Co-operate with the prevention of discrimination in the workforce.
- Co-operation with Head of Curriculum and Education in supporting equal opportunity initiatives.

6. IMPLEMENTATION

R.Y.A.N. Education Academy - Vocational Centre shall take such action as necessary to:

- Ensure that comprehensive training and implementation programme on Equal Opportunities is instituted which call all staff/pupils.
- Implement the Equal Opportunities Policy at all levels and locations within R.Y.A.N. Education Academy - Vocational Centre.
- Inform staff of the policy and their responsibilities as employees, in their induction period and also in management training programmes.
- Inform pupils of the policy and their responsibilities as learners, in their induction period and also in training programmes.

The policy will apply to all aspects of employment - recruitment, selection, promotion, transfer, training, benefits, facilities and other terms and condition of employment.

7. RECRUITMENT AND SELECTION

R.Y.A.N. Education Academy - Vocational Centre Recruitment process must result in the selection of the most suitable person for the job in respect of only those qualifications, skill, and experience relevant to that job. It is against R.Y.A.N. Education Academy - Vocational Centre's policy and in most cases against the law to discriminate either directly or indirectly on the grounds of marital status, disability, sexual orientation, gender, national origin, age, social background, or involvement in trade union activity at any stage of the recruitment process.

All recruitment and selection processes will be fair and non-discriminatory. Full details on how to ensure this are available in R.Y.A.N. Education Academy - Vocational Centre Recruitment Process, in line with Birmingham City Council.

8. PROMOTION

All efforts will be taken to ensure equal access to opportunities of promotion.

9. TRAINING & DEVELOPMENT

R.Y.A.N. Education Academy - Vocational Centre views the education, training and professional development of its staff as an investment in the effectiveness of the organisation, whilst to employees it creates new opportunities and prospects where training needs are identified. Training opportunities will be made available to all employees. It is against R.Y.A.N. Education Academy - Vocational Centre's policy to discriminate directly or indirectly in the selection of candidates for training courses, or other forms of training and development.

10. CONDITIONS OF SERVICE, BENEFITS AND FACILITIES

The implementation of conditions of service and resulting working arrangements, benefits and facilities will be applied, consistently and fairly, having regard to the particular staff group, where appropriate.

11. PERSONNEL POLICIES AND PROCEDURES

All other agreed personnel policies and procedures will be implemented and applied fairly, consistently and equally for all employees.

12. ACTION TAKEN IF DISCRIMINATION IS IDENTIFIED

R.Y.A.N. Education Academy - Vocational Centre will seriously consider and fully investigate all reported cases of discrimination, harassment or victimisation. These will be treated as a disciplinary matter and where evidence suggests misconduct had occurred, disciplinary action will be taken. In the event of a case this will be referred to the Personnel Department.

13. MONITORING

Monitoring is an appropriate and essential process of an equal opportunities policy. Therefore R.Y.A.N. Education Academy - Vocational Centre will maintain information on ethnic origin, marital status, sex, age and disability on all employees, pupils and job applicants in order to monitor the progress of its equal opportunities policy.

Monitoring will comprise: -

- Recording attendance at training courses by ethnic origin, sex, marital status and disability.

- Comparing the success rate of applicants through the recruitment and selection process according to qualifications, ethnic origin, sex, marital status, age and disability.

The result of monitoring will be reviewed by the Head Teacher / Head of Education to assess the effectiveness of the implementation of the equal opportunities policy. If necessary, adjustment will be made to the policy to ensure that equal opportunities are afforded to all applicants, employees and pupils of the R.Y.A.N. Education Academy - Vocational Centre.

14. EQUALITY AND DIVERSITY

Under the **Equality Act 2010**, it is unlawful for the **R.Y.A.N. Education Academy - Vocational Centre** to discriminate against anyone based on **race, sex, pregnancy and maternity, marriage or civil partnership status, gender reassignment, disability, religion or belief, age, or sexual orientation**. Employees may also bring claims for discrimination based on a combination of two of these protected characteristics.

Additionally, if a member of staff discriminates against a colleague or a customer, the academy could be held **vicariously liable** for their actions. This means the academy may be legally responsible for paying compensation or damages to the victim of discrimination.

To mitigate or eliminate liability, the **R.Y.A.N. Education Academy - Vocational Centre** must take all **reasonable steps** to prevent discrimination. A key measure is implementing a **comprehensive equal opportunities policy** and ensuring that all staff members are fully aware of its existence and their responsibilities under it. By fostering an inclusive and respectful workplace, the academy can minimize the risk of discrimination and promote fairness for all.