
	<b>POLICY 1-01</b>	Version 4	Page 1 of 9	<b>Last updated:</b> 19.6.10
	<b>Authorised:</b> A Dickinson	Date: 19.6.10		Review date: Jan 11
<b>Equality and Diversity</b>				

Definitions and examples of all words highlighted in bold italics can be found in the Glossary in Appendix 1.

## 1. Policy Statement

- 1.1 NCT Ltd (NCT) is committed to **equality** and **diversity** in employment, learning and in every aspect of its activities and aims to provide an environment where all individuals have the opportunity to achieve their full potential with a feeling of self esteem.
- 1.2 NCT believes that **equality** for all is a basic human right and actively opposes all forms of unlawful and unfair discrimination. We celebrate the diversity of society and are striving to promote and reflect that diversity within this organisation.
- 1.3 NCT seeks to achieve a representative workforce and will always recruit, train, develop and promote solely on the basis of merit in accordance with the needs of the business.
- 1.4 No job applicant or employee will be disadvantaged by any requirements or conditions that cannot be justified and which have an adverse affect on their age, gender (including transgender), sexual orientation, marital status, colour, race, nationality, ethnic or national origins, religion or belief or disability.
- 1.5 NCT Ltd encourages and supports the development of an environment in which:
- peoples' ability to achieve their potential is not limited by **prejudice** or **discrimination**
  - there is respect for and protection of each individual's rights
  - there is respect for the dignity and worth of each individual
  - each individual has an **equal opportunity** to participate
- 1.6 NCT believes that it is in its best interests to fully utilise the talents and skills of its employees and embraces the uniqueness of everyone.
- 1.7 NCT will provide services and opportunities equally and fairly to learners irrespective of age, sex, sexual orientation, marital status, colour, race, nationality, ethnic or national origins, religion or belief or disability.
- 1.8 In our commitment to promoting **equality of opportunity** we will not accept **prejudice** or **discrimination**. An environment where **equality of opportunity** exists is more rewarding for employees and learners and will enhance performance and achievement.
- 1.9 Every employee is responsible for ensuring that the Equality and Diversity Policy is strictly adhered to. The directors and those employees involved in aspects of people management will have specific responsibilities in the implementation of the policy.
- 1.10 An ongoing programme of action will be implemented to continually improve equality and to ensure full compliance will all associated legislation.
- 1.11 The policy and its respective plans, procedures and practices will be subject to periodic and systematic review. This will be at least once a year.

Managing Director Signature:		Date: 10.6.10
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# Equality and Diversity Policy

## 1. Scope

1.1 The purpose of this policy is to establish clear guidance regarding equality and diversity. The guidance will be applicable to all employees and potential employees, learners and potential learners, contractors, associates, employers, partner organisations and visitors.

## 2. Forms of discrimination

2.1 NCT Ltd believes that all forms of prejudice and discrimination are unacceptable. In recognition of the fact that prejudice and discrimination can take a variety of forms, depending on the group against whom they are directed, the Equality and Diversity Policy addresses issues specific to discrimination on the grounds of:

1. Age
2. Disability
3. Gender ( including transgender)
4. Race
5. Religion
6. Sexual Orientation

The aim is to create a positive setting where everyone has a shared commitment to respecting diversity and difference.

### 2.2.1 Age

NCT Ltd recognises that people can develop throughout their lives and that an individual's life experiences can add value to their role as either an employee or a learner.

### 2.2.2 Disability

NCT Ltd will make reasonable adjustments to arrangements, facilities and support to ensure that each individual can actively participate in all aspects of their employment or learning.

### 2.2.3 Gender

NCT Ltd provides a supportive environment for men and women, actively encouraging the development of individuals in non-traditional employment. This includes transsexual people and those undergoing gender reassignment.

### 2.2.4 Race

NCT Ltd seeks to create a working and learning environment based on positive relationships between members of different racial groups.

### 2.2.5 Religion

NCT Ltd respects the rights of individuals to hold different religious beliefs.

### 2.2.6 Sexual Orientation

NCT Ltd believes that a person's sexuality does not have any bearing on their ability or suitability for employment or learning opportunities.

2.2 NCT Ltd will not tolerate any behaviour that would result in any individual:

- being treated unfairly based on one or more of the above personal characteristics (**direct discrimination**);
- being disadvantaged or treated less favourably, in relation to one or more of the above personal characteristics, because of requirements that are not related to the job or course of learning (**indirect discrimination**);
- being humiliated, embarrassed, ridiculed or intimidated based on one or more of the above personal characteristics (**harassment**)\*; or

- being treated less favourable because they have made, or intend to make, a complaint of direct discrimination, indirect discrimination or harassment, or because they will be supporting another person's complain(t) of discrimination or harassment (**victimisation**).

\*Please refer to the Dignity and Safeguarding Policy 1-08 for more detailed guidelines about **harassment** and **bullying**.

### 3. Promotion of Equality and Diversity

3.1 NCT Ltd will promote equality and diversity through:

- recruitment & selection
- employee and learner inductions,
- staff training,
- providing distance learning opportunities in Equality & Diversity as part of learning programmes
- analysis and evaluation of data for both employees and learners by age, disability, gender, race, religion, sexual orientation and
- supportive workplace practices.
- sub-contracting arrangements

### 4. Recruitment and Selection

4.1 Before recruiting additional employees, every effort will be made to ensure that existing employees who might wish to be considered for such positions are considered. Whenever possible, full details of vacancies will be posted internally though in certain circumstances it must be accepted that this will not always be possible.

4.2 Where necessary, assistance must be provided to those who might otherwise not be able to be considered for appointment (e.g. those who have a disability in some way). Where a suitable applicant has a disability, the organisation will review possible alterations to the premises, procedures, etc., to attempt to find ways in which reasonable alterations could be made to enable an appointment to be made. Only if such alterations are impossible, uneconomic or impractical will such an applicant be rejected. Full explanation of the steps taken will be set out in the letter of rejection.

4.3 Job descriptions will be revised to ensure that they are in line with this policy. Job requirements will be reflected accurately in any personnel specifications and will be provided to applicants.

4.4 We will adopt a consistent, non discriminatory approach to the advertising of vacancies and will encourage applications from all areas of the community by advertising as widely as possible, including minority press and media where possible. We will include an equal opportunities statement on our job application form and job advertisements.

4.5 All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job. Interviews are guaranteed to all applicants with a disability who meet the minimum job criteria.

4.6 All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.

4.7 Short listing and interviewing will be carried out by at least two senior staff where possible.

4.8 Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.

4.9 We will not disqualify any applicant because he/she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.

4.10 Selection decisions will not be influenced by any perceived prejudices of other staff.

4.11 Interview records and interview decisions records will be retained for 12 months.

4.12 Where a recruitment or partner agency is used, they will be provided with a copy of this policy, advertisement, job descriptions and person specification and application and other associated forms.

## 5. Induction

5.1. NCT Ltd recognises the need for all employees and learners to:

- be aware of the behaviours that express **discrimination**;
- know that **discrimination** is not restricted to particular groups in society;
- be aware of the ways in which assumptions and **oppression** can be built into society and organisations;
- be aware of **stereotyping** or **prejudice** in the content and delivery of their work;
- be prepared to challenge discriminatory behaviour or attitudes.

5.2 All induction programmes will include an introduction to **equality** and **diversity**. In addition, classroom based and distance learning courses will be made available to all employees and learners to support the development of this knowledge. Additionally staff training will be made available in Disability Awareness.

## 6. Training

6.1 All managers and trainers delivering Equality & Diversity training will attain the NCFE L3 Managing Diversity certificate.

6.2 Line managers responsible for recruitment and selection, staff supervision and appraisal will receive appropriate training.

6.3 All employees will be given the same chances for training and specific training will be provided for underrepresented groups where appropriate.

6.4 All staff will receive training in the application of this policy and associated policies and procedures.

6.5 Where appropriate specific training will be made available for underrepresented groups.

## 7. Career Development & Promotion

7.1 Promotion and advancement will be made on merit and the basis of the skills, experience and aptitude required for the vacancy. All decisions relating to this will be made within the overall framework and principles of this policy.

## 8. Retention

8.1 Every effort will be made to accommodate employees who become disabled or whose disability becomes worse. Alternative ways of working and reasonable adjustments will be considered where reasonably practicable.

8.2 NCT will work in partnership with organisations such as Remploy and Access to Work to facilitate staff retention.

## 9. Supportive Workplace Practices

9.1 NCT Ltd believes that its commitment to equality and diversity should be visible in every aspect of its work. All relevant policies, procedures and practices will be written in such a way to promote fairness and equality for all.

9.1.1 **Pregnancy** - NCT recognises that women may need changes to their work conditions and will consider reasonable requests for such changes.

9.1.2 **Antenatal and Postnatal Care** – Reasonable time off with pay will be given to both full and part time women employees who are pregnant to attend antenatal classes and medicals.

9.1.3 **Maternity Leave & Pay** – NCT's maternity leave and pay are set out in the employee's conditions of service

9.1.4 **Flexible hours and job sharing** – Consideration will be given to flexible working hours and arrangements for employees to facilitate for the caring of children and other dependants. Requests for job sharing or part-time working to meet employees' needs of shorter hours will also be considered.

The above considerations in 9.1.1 to 9.1.4 will however, have due regard to NCT Ltd's operational requirements.

9.2 A list of the current policies and procedures that support equality and diversity can be found in Appendix 2.

## 10. Every Learner Matters

10.1 In line with the green paper 'Every Child Matters' NCT Ltd has implemented the five key outcomes for children and young people's well-being into its practices, at the same time expanding them to cover all learners. The outcomes are:

1. Being Healthy
2. Staying Safe
3. Enjoying and Achieving
4. Making a Positive Contribution
5. Achieving Economic Wellbeing

10.2 NCT Ltd believes that a strong commitment to equality and diversity supports and enhances the five key outcomes of 'Every Child Matters'. Refer to the Learner Handbook or the Employer Commitment brochure for more information about the company's work in relation to the five outcomes.

## 11. Responsibilities

11.1 Managers are responsible for ensuring all staff within their line of responsibility receive an appropriate induction and training in this policy and that the policy is implemented and understood and will take any necessary disciplinary action where the policy is contravened.

11.2.1 All staff in their role with NCT Ltd have a duty to:

- co-operate and comply with the measures set out in this policy;
- report any discriminatory action, including bullying and harassment;

11.2.2 they must not:

- encourage or allow others by omission to carry out any discriminatory act;
- induce or attempt to induce others to practice discrimination.

11.3 All staff are responsible for ensuring that they:

- attend Equality and Diversity training as required;
- challenge or report inappropriate behaviour, including harassment or bullying, whether intentional or unintentional whenever it occurs;
- act in accordance with policies designed to combat discrimination and prejudice (See Appendix 2).

11.4 Contractors, Associates, Employers, Partner Organisations and Visitors, Suppliers, Employers and Partner Organisations are responsible for:

- co-operating and complying with the measures set out in this policy;
- reporting any discriminatory action, including bullying and harassment involving NCT personnel or learners;
- behaving with respect toward all members of NCT Ltd

11.5 Learners are responsible for ensuring that they:

- behave with respect toward all members of NCT Ltd, including other learners;
- adhere to the expectations set out in this policy
- do not encourage prejudice or discrimination;
- report to your tutor/assessor or another member of NCT Ltd any incidents of harassment, bullying, prejudice or discrimination witnessed during your learning.

## 12. Taking Action

12.1 If you experience or observe any form of harassment, bullying, prejudice or discrimination or any breach of the Equality and Diversity Policy you should take the following action:

12.1.1 **Informal Action** where you raise the issue informally and privately with the person(s) responsible for the unacceptable behaviour. This will make sure that person is aware of the effect of their actions as well as making it clear that their actions are not acceptable. If you feel uncomfortable or reluctant to approach the individual yourself you could ask a trusted colleague or manager to support you.

12.1.2 **Formal Action** should be used where informal action has not been effective, or if the informal approach is not an option. The issue should be raised with your manager or your tutor/assessor; employees can use stage 1 of the formal grievance procedure to help you do this. If the person you're complaining about is your manager or your tutor/assessor, you will need to raise it with their line manager; employees can use stage 2 of the formal grievance procedure. Alternatively, if the circumstances are very difficult you may choose to use the Whistle-blowing Policy.

12.2 Whenever a complaint of **discrimination** is received the company will:

- take the complaint seriously;
- carry out an immediate investigation into the complaint;
- take steps to make the investigation fair, objective and independent by allocating the investigation to a person who is not involved in the complaint.

12.3 Where an investigation identifies that there has been a case of discrimination the investigation will cease and a disciplinary investigation under the Disciplinary Procedure will take over and will be dealt with at the appropriate stage of the procedure.

## 13. Monitoring, Analysis and Evaluation of Data

13.1 This policy will be monitored on at least an annual basis by the directors and management team.

13.2 We will maintain and review the employment records of all employees in order to monitor the progress of this policy

13.3 NCT Ltd is committed to the collection of statistics and analysis of data to allow ongoing monitoring of employees and learners.

13.4 Employee and learner profiles will be developed in relation to age, disability, gender, race, religion and sexual orientation. Trends will be identified and explored to guarantee the removal of any barriers caused by the company's policies or practices.

13.5 Recruitment monitoring will involve:

- a) The collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applicants; and
- b) The examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants; and
- c) Recording recruitment, training and promotional records of all employees, the decisions reached and the reasons for those decisions.

13.6 Complaints will be analysed relation to age, disability, gender, race, religion and sexual orientation. Trends will be identified and explored to guarantee the removal of any barriers caused by the company's policies or practices.

13.7 The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary to adjusting this policy to afford greater equality of opportunities to all applicants, staff and learners.

This policy has been produced in full consultation with NCT Ltd staff team.

A Dickinson 19.6.10

## Appendix 1 – Glossary

The following words have been listed in the order in which they appear in the policy.

Bullying	Offensive, intimidating, malicious or insulting behaviour; an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Refer to the Dignity and Safeguarding Policy for examples of the behaviours that would be classed as bullying.
Diversity	<b>Diverse</b> means different and varied; diversity means that everybody is different and that these differences should be embraced and celebrated.
Discrimination	<b>Discrimination</b> is the unfair or unequal treatment of an individual or group
Direct Discrimination	When you are treated less favourably than someone else in the same situation based on a personal characteristic, for example because of your age, sex/gender, race, disability, religion, sexual orientation. Example - A woman being denied a promotion because she is pregnant
Equality	<b>Equal</b> means to have the same value; equality means that everyone is valued equally as individuals and should be treated fairly and with an equal level of respect.
Equal Opportunity / Equality of Opportunity	<b>Equal opportunities</b> means that every person should be given the same chance to improve their life through access to education, training, work, healthcare, housing and many other things that are often taken for granted.
Harassment	Unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. Refer to the Dignity and Safeguarding Policy BM35 for examples of the behaviours that would be classed as harassment.
Indirect Discrimination	Where there are rules or conditions that apply to everyone, but affect one group of people more than others without good reason. Example - A company rule that says all women must wear knee length skirts could exclude women whose religion requires them to wear full length clothing.
Oppression	The misuse of power over people.
Prejudice	<b>Prejudice</b> means to be biased, to have a preconceived opinion.
Stereotyping	To make everything or everyone the same. When we stereotype people, we make them all the same based on one characteristic or assumption about the group.
Victimisation	Where a person is treated less favourable because they have made, or intend to make, a complaint of discrimination. Example A young apprentice has been bullied by her colleagues. She complains to her manager about the bullying, but the manager tells her colleagues and they all start to ignore her. She then loses her apprenticeship with the company because she is seen as a trouble maker

## Appendix 2 – Current Policies, Procedures and Information that Support Equality and Diversity

No.	Policy/Procedure/Information
	Employee Handbook
	Employer Commitment Handbook
	Learner Handbook
1-05	Absence Management Policy
1-29	Annual Leave Procedure
1-30	Capability Procedure
1-03	Staff code of conduct
1-06	Company values
1-18	Confidentiality Procedure
1-07	CPD Policy
1-13	CSR and sustainability Policy
1-15	Data Protection Policy
1-08	Dignity and Safeguarding Policy
1-36	Disciplinary Procedure
5-05	Equality & Diversity Distance Learning Procedure
1-37	Equal Pay Policy
1-31	Ex Offenders Policy
1-32	Flexible Working Policy
1-34	Grievance Procedure
1-33	and Grievance Hearing Procedures
5-07	Learner Initial Assessment and Induction Procedure
1-24	Maternity Policy
1-28	Paternity Policy
1-02	Recruitment Procedure
1-21	Sickness, Absence and Time Keeping Policy
1-10	Staff Appraisal Procedure
1-11	Staff Supervision Policy
1-16	Student Data Protection Statement
3-14a	Stress Management Policy
3-14b	Guidance on Stress Management
1-12	Substance Abuse Policy
1-27	Time off for Dependants Policy
5-13	SFA Management Policy
1-14	Whistle-blowing Procedures