

TITLE: DISABILITY, RACE, GENDER POLICY

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Introduction

HSB is committed to meeting the requirements of the Disability Discrimination Act 1995 and to the implementation of a policy to achieve equality of opportunity for its staff and learners.

This fundamental commitment is set out in the Equality & Diversity Policy, which affirms that discrimination is unacceptable within HSB in that it represents a waste of human resources and a denial of individual opportunity.

Disability discrimination: covers discrimination against people with disabilities who on account of injury, illness or inherited conditions may be disadvantaged in obtaining or keeping employment for which, they are otherwise suitable. Disability covers physical or mental impairment which has a substantial or adverse effect upon the person's ability to carry out normal day to day activities.

In relation to disability, discrimination occurs if, for a reason which relates to a disabled person's disability, that person is treated less favourably than others to whom the reason does not apply, and this treatment cannot be justified.

The following sections aim to give substance to that commitment.

Aims

HSB values the contribution of all individuals irrespective of disability and affirms that staff should be able to participate in the life and work of HSB. As such, HSB is committed to ensuring that appropriate and reasonable support is offered to members of staff and learners with disabilities.

There is a positive duty on Directors and Staff to take into account the needs of such staff with disabilities and to follow the advice laid out in this guide. This includes safety aspects in seeking to establish working conditions which encourage the full participation of people with disabilities and obtaining guidance in relation to reasonable and practicable adjustments to work or to the working environment to meet the ascertained needs of staff.

This guide outlines the support available to ensure that requirements are identified, and suitable and appropriate provision is made.

Definitions

The following definition of disability is drawn from the Disability Discrimination Act (DDA), 1995.

A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities.

Long term means that it must have lasted, or be expected to last, at least 12 months. Progressive conditions can qualify also where there are likely to be future substantial adverse effects.

For the purposes of this policy, however, disability is broadly defined. It includes not only those disabilities which may immediately be apparent, but also conditions such as dyslexia, diabetes, asthma, epilepsy, hearing or sight impairments and mental health difficulties. Members of staff are encouraged to seek advice, even if they do not meet the formal definition given in the legislation or the condition is not among those listed above. It is the intention of HSB to offer appropriate support based on individual requirements.

Record of Staff and Learner Disabilities

In order to assist in the development of appropriate policies and arrangements to support staff with disabilities, HSB seeks to maintain information on the nature of disabilities experienced by members of staff and learners. The basis of that record is self-assessment by each member of staff. All colleagues are encouraged to respond positively in providing such data whenever periodic requests are circulated to them.

It is in the interests of HSB and all its staff/learners that a comprehensive and up-to-date record is maintained in this area and the co-operation of all staff is sought in this regard.

Recruitment and Selection

HSB welcomes applications from those with disabilities. Applicants are encouraged to provide information on any practical requirements so that HSB can take them into account in its application and interview arrangements.

HSB will consider making supportive arrangements, appropriate to the requirements of an applicant, which may include:

- Provision of post details in an alternative format
- Ensuring ease of accessibility to the interview room and building
- Provision of a signer, interpreter or assistant at interview
- Provision of additional aids or equipment for use in assessments or the interview

At interview, consideration of candidates and the decision on the appointment to the post in question will be based upon the suitability of the applicant's qualifications, experience, and skills for the post.

Appointment

Individuals offered appointment and who may require adaptations will be asked about their needs and whether there is anything that their new colleagues will need to be made aware of at the time of taking up post. Where reasonably possible, adjustments and adaptations identified as needed will be made.

Initial discussions should take place with the Operations Director who will liaise with the new staff member. As necessary, expert advice may be sought to advise on adaptations required.

Retention

HSB will seek to enable staff who become disabled, or where an existing disability progresses or worsens, to remain in their existing jobs with suitable adjustments, before considering other alternatives.

As appropriate, advice will be sought from Disability Employment Advisors or other organisations and agencies who can offer specialist advice on adaptations, equipment or training.

Sympathetic consideration will be given to requests for reduced or part-time duties whether on a temporary or permanent basis.

Adjustments

A confidential discussion will be arranged in which the matter of appropriate adjustments to accommodate a disability can be discussed. Specialist or expert advice may be sought to assist in the process.

Many adjustments cost little or nothing to implement other than the adoption of a positive approach to providing assistance to resolve problems faced by a colleague. In other cases the cost of a reasonable adjustment will need to be identified as part of the assessment process. Examples of the kind of adjustments that may be considered include:

- Adjustments to premises
- Re-organisation of duties
- Alteration to work hours
- Transfer to a different place of work
- Time off for rehabilitation, assessment or treatment
- Acquiring or modifying equipment
- Modifying instructions or reference manuals
- Modifying procedures for testing or assessment
- Enhanced supervision

In the case of some disabilities, it may be possible to obtain from external sources funding to cover either in full or in part adaptations and the costs of providing a reader or interpreter to support the member of staff concerned.

HSB will consider the extent to which any step would help to improve the position and how practical it is to take any particular measure. While it may not be possible to do so in all circumstances, the intention is to provide appropriate assistance to staff and learners and to take a positive attitude to making adjustments.

Access and Egress

HSB gives due consideration to the problems of egress from buildings faced by disabled staff and learners during an emergency evacuation and usage of evacuation routes.

In order to cater for those with disabilities (such as sight, hearing or mobility impairment), Managers and Course Leaders are responsible for ensuring that there are adequate arrangements for the safe evacuation of such staff and for the preparation of Personal Emergency Egress Plans (PEEPs).

PEEP's represent an essential step in catering for the needs of staff and learners with disabilities in the event of emergencies. Details of such plans vary according to the building/section involved and the nature of individual disabilities. Preparation of PEEP's must involve the staff members concerned, and, where applicable assistance on the design and preparation of such plans may be obtained from the Operations Director.

As far as is reasonably practicable, HSB seeks to establish and maintain an environment for staff, learners and visitors that is safe and without risks to health. It also aims to provide and maintain plant, equipment and systems of work that are safe and without risks to health, and seeks to ensure safe means of access to and egress from all places within its control;

Managers and other staff with managerial responsibilities must take into account any temporary (e.g., a broken leg) or permanent disability when carrying out risk assessments so that the appropriate risk control measures can be put into place - for example, visual and other signals and for those with impaired hearing who cannot hear alarms.

Advice to Staff & Learners

Staff wishing on account of a disability to explore the possibility of obtaining adjustments or specialist equipment should discuss the matter with their manager who may refer the matter where necessary to the Operations Director. No action will take place without the express permission of the member of staff.

Advice to Departments

HSB is committed to providing appropriate support to members of staff and learners who have, or who develop disabilities. Advice should be sought from the Operations Director who will be able to advise on the steps which HSB can take to assess the position and to respond to identified need.

The Operations Director will organise such identified adaptations or adjustments.

TITLE: RACE EQUALITY POLICY**1. Policy Statement**

HSB seeks to achieve an environment in which all are treated equally and in which all types of discrimination are not tolerated. HSB is committed to promoting race equality and equality of opportunity for all and in valuing and celebrating the diversity of its staff and learners.

HSB will seek not only to eliminate discrimination, but also to create a working and learning environment based on positive relations between members of different racial groups. All current and potential employees, learners, trainees, contractors and visitors will be treated with respect and dignity within a culture where diversity is valued. To this end, HSB undertakes to provide training and support for staff, to consult with ethnic minority staff about their experience of the working environment.

The aim is to create a positive inclusive ethos where issues of racism, stereotyping, prejudice and discrimination can be discussed openly; where there is a shared commitment to challenging and preventing racism and discrimination; where respecting diversity and difference is encouraged; and where there are good relations between people of different groups.

HSB will work towards the elimination of racism whether overt or covert, and will seek to ensure that individuals have equal access to learning programmes and facilities.

2. Context

Both institutional and individual racism “can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages ethnic minority people.” (Macpherson Report 1999)

HSB strives to ensure race equality for all its users and its commitment to equality and diversity and our policies outline our responsibilities to this.

This policy has been written to ensure members of staff, learners, contractors, visitors and customers are aware of the duties placed upon HSB by race relation legislation. It is a comprehensive policy to explain the background, law, and our intentions together with our commitment to race equality.

3. The Procedure**3.1 STATUTORY DUTIES**

The Race Relations Act 1976 and the Race Relations (Amendment) Act 2000 place a specific duty on HSB to prepare and maintain a written statement of its race equality policy for promoting race equality. Under the Act HSB will:

- Eliminate unlawful discrimination
- Promote equality of opportunity; and
- Promote good relations between people of different racial groups.

HSB also has specific duties to:

- Prepare a written policy statement promoting race equality
- Put in place arrangements for implementing the policy,
- Publicise its policy and the results of the monitoring of its effectiveness.
- Assess the impact of its policies on learners and staff on different racial groups.
- Monitor the admission and progress of its learners and the recruitment and career progress of its staff.

3.2 APPLYING OUR DUTIES IN PROMOTING RACE EQUALITY

To promote race equality, SETA will undertake a programme of action that will seek to ensure that:

- The Board of Directors, staff and learners are aware of the HSB's Race Equality Policy and the action needed for its implementation. This will include: the operation of fair policies, procedures and practices; and training to enable all staff and learners to tackle racial discrimination and harassment.
- Staff, learners, visitors and contractors are aware of the value placed upon equal opportunity and that action will be taken in the event of any breach of the policy.
- The Board of Directors and staff have access to comprehensive information, which assists them to plan, implement and monitor actions to carry out their responsibilities under the policy.
- Where appropriate, publicity materials present positive messages about minority racial groups.

3.3 MONITORING OUR PROGRESS

HSB will review, on an annual basis, the progress that has been made in improving race equality, and will then set out its plans for the coming year. These plans will include targets to reduce any identified disadvantage experienced by ethnic minority employees and learners.

HSB will publish the results of this any review of the Race Equality Policy and its action plan for the coming year to all staff and learners.

The aim of this Race Equality Policy is to ensure that the HSB tackles race discrimination, and promotes equality of opportunity and good race relations across all areas of its work. The policy will therefore cover the following activities:

3.3.1 For learners - Ethnic profiles of learners with respect to:

- Achievement rates
- Complaints by learners, their sponsors and any other users of our services
- Disciplinary proceedings
- Learner surveys

3.3.2 For staff - Ethnic profiles of employees with respect to:

- Success rates
- Training and staff development
- Promotion application and success rates
- Disciplinary/capability proceedings
- Grievances

3.4 POSITIVE ACTION

In certain circumstances the Act allows Positive Action as a way of overcoming inequality. Positive Action allows HSB to:

- Provide facilities and services, in training education and welfare to meet the special needs of people from particular racial groups.
- Target education and training at particular racial groups that are under-represented in a particular area of work or study e.g health and safety.
- Encourage applications from particular racial groups that are under-represented in particular work areas or curriculum areas.

Positive action strategies are intended to be temporary measures only HSB will ensure that when using positive action as a strategy it falls within the law.

3.5 BREACHES OF THE POLICY AND COMPLAINTS

- Acts of racial discrimination, harassment, abuse or victimisation will be treated as a serious disciplinary offence.
- Disciplinary action could include dismissal in the case of staff and expulsion in the case of learners.

- Staff and learners who feel they are being discriminated against on racial grounds should seek resolution through the Harassment Complaints procedure.
- Staff or learners who feel that they have experienced racial discrimination from members of the public will receive support from the HSB and HSB will take appropriate action against the individual.

3.6 PUBLICISING OUR POLICY

3.6.1 To learners, prospective learners and other members of the public

- HSB's commitment to race equality will be highlighted on the website and intranet.
- A summary of the results of monitoring information may be included in the annual reports and annual financial statements where this does not contravene confidentiality.
- A summary of the policy will be available to the Learner on request
- Summaries of the policy will be displayed in appropriate areas around HSB.
- Course leaders will reinforce this information during inductions, teaching

3.6.2 To staff

- A summary of this policy will be included in the staff handbook and the intranet/ website.
- The staff induction will include an overview of the SETA's commitment to race equality. It will also outline procedures with regard to reporting cases of discrimination and the actions taken against perpetrators.

3.7 REVIEW AND CONSULTATION

The Operations Director will review this policy on an annual basis.

3.8 IMPLEMENTATION

HSB will seek to ensure that all policies and procedures are non-discriminatory and anti-oppressive and that monitoring and positive action processes are regularly reviewed.

4. Roles and Responsibilities

4.1 The Board of Directors are responsible for:

- Having ultimate responsibility to ensure that HSB complies with Race Relation legislation and the Codes of Practice supporting it.
- Ensuring that the Race Equality Policy is followed, this will be achieved through the consideration of an annual report.
- Ensuring that the HSB's strategic plans includes a commitment to race equality.
- Ensuring that equalities training is part of the HSB's strategic plan.
- Receiving and responding to monitoring information on black and minority ethnic learners and staff.

4.2 The Operations Director is responsible for:

- Overseeing the continuing application and development of the Race Equality Policy.
- Preparing, monitoring and reviewing the Race Equality Action Plans.
- Reporting annually to the Board of Directors on race equality issues.
- Advising on the formulation of policies, procedures and resources.
- Giving a consistent high-profile lead on race equality issues and promoting race equality both internally and externally.
- Working with staff to ensure that the Race Equality Policy is implemented effectively.
- Ensuring that appropriate action is taken against individuals at HSB's premises and working on behalf of HSB who do not act in accordance with the policy.
- They take the lead in creating a positive, inclusive ethos that challenges racist or inappropriate language and behaviour.
- They are aware of the statutory duties in relation to race relation legislation.
- All aspects of HSB's policy, procedures and activities are sensitive to race and ethnicity.
- Ethnic monitoring data is collected and analysed.
- Targets on recruitment retention and achievement of learners are set based on the analysis of ethnic monitoring data.
- Teaching observation reports include criteria on race and ethnicity issues.
- The procedures for recruitment and promotion of staff model best practice in equality.
- HSB's publicity materials present appropriate and positive messages about minority ethnic groups.
- Learner induction programmes and tutorials reflect HSB's commitment to promote equality.
- Appropriate training and development is provided for both staff and learners to support the appreciation and understanding of diversity.

4.3 All staff are responsible for ensuring that:

- They are aware of HSB's statutory duties in relation to race legislation.
- Schemes of work, lesson content and teaching resources demonstrate sensitivity to issues of cultural diversity.
- They challenge witting and unwitting racism and inappropriate language and behaviour by staff, learners, placement providers other members of staff and users of our services.

4.4 All learners are responsible for ensuring that:

- They create and maintain an environment where harassment and discrimination are considered unacceptable.
- They support and comply with the aims of the Race Equality Policy and procedures.
- They understand that the consequence of contravening race equality legislation and the HSB's Policy.

4.5 Partners, Contractors and Service Providers

- All partners, contractors and service providers will be responsible for adhering to any race equality guidelines in agreements or contracts.
- HSB is committed to ensuring that those organisations with which it works and employs will demonstrate their commitment to race equality and have policies and procedures in place to achieve this.

5. Location and Access to the Document

This document will be held on the HSB's intranet and on the HSB's website. The document will be made available on request to external parties as required and may be converted to other formats if appropriate (Braille, Large Print, Other Languages etc)

TITLE: GENDER EQUALITY POLICY**1. Introduction**

The aim of this policy is to promote equality of opportunity for all men, women and transgendered people and to eliminate sex discrimination and harassment for all learners, staff and visitors to SETA.

To this end our objectives will be that we will:-

- seek not only to eliminate sex discrimination, but also to create a working and learning environment based on good relations between women and men;
- promote awareness of gender equality throughout SETA and the community in which we operate
- remove perceived gender barriers of access to all curriculum areas
- create a culture that is supportive of gender reassignment and seek to eliminate harassment and promote equality of opportunity for staff and learners who intend to undergo, are undergoing or have undergone gender reassignment;
- continue to address significant gender imbalances in staff recruitment

SETA is committed to providing an inclusive, welcoming and positive environment for all, which strives to eliminate discrimination whether witting or unwitting.

A Race Equality Policy has been approved in accordance with the Race Relations (Amendment) Act and a Disability Equality Scheme has been published in accordance with the Disability Discrimination Act. SETA will give due regard in time to the potential benefits of devising an integrated single equality scheme.

The equality policies identify the means of redress for anyone who believes that SETA, either collectively or through individual action, has not adhered to any aspect of the Policy.

2. Gender equality vision, values and principals

SETA's mission statement is '**we aim to ensure equality of opportunity of everyone involved at SETA**'. The statement is underpinned by SETA's the following objectives which specifically apply to the vision for gender equality are:

- 2.1** To provide a safe, supportive and stimulating environment for all learners
 - Provide high quality personalised support for the learner's journey from entry to exit
 - Create a learning environment that is sensitive to the needs of all learners
- 2.2** To strengthen the voice of learners to make their experience rewarding and successful
- 2.3** To develop and sustain a highly qualified, motivated and professional workforce to meet the needs of the individual and SETA.
- 2.4** Develop the organisational structure, culture and resources to meet the needs of the learners and external stakeholders
- 2.5** To develop and maintain effective external partnerships for economic prosperity

3. Legislation

The Gender Equality Duty (GED)

The Equality Act 2006 places an important statutory duty – the “Gender Equality Duty” on all employers in Great Britain. In summary, the duty requires all employers to pay “due regard” in all their functions to the need to:

- eliminate unlawful discrimination and harassment on the grounds of sex and
- promote equality of opportunity between women and men
- “Due regard” comprises two linked elements: proportionality and relevance.

The weight which employers give to gender equality should therefore be proportionate to its relevance to a particular function. The greater the relevance of a function to gender equality, the greater the regard which should be paid to it.

The Gender Equality Duty aims to make gender equality central to the way that employers work, in order to create:

- better-informed decision-making and policy development
- a clearer understanding of the needs of service users
- better quality services which meet varied needs
- more effective targeting of policy and resources
- better results and greater confidence in public services
- a more effective use of talent in the workforce

The development and implementation of gender equality objectives is at the heart of the Gender Equality Duty.

The Gender Equality Duty embodies previous sex discrimination legislation such as the:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Employment Equality (Sexual Orientation) Regulation 2003
- Gender Reassignment Act 2003
- Gender Recognition Act 2004

4. Monitoring Data and Procedures

SETA is currently able to monitor a number of key processes and milestones by gender however we are only able to monitor the recruitment of transgendered staff. It is recognised that the organisation will need to consider whether further monitoring of transgendered staff can be introduced in the future.

What we currently monitor:

For Learners

- Enrolment
- Retention rates
- Achievement Rates
- Success Rates
- Gender of those accessing support, advice and guidance
- Satisfaction surveys

For Staff

- Job application rates
- Selection success rates
- Staffing profile
- Staff development
- Disciplinary, Grievance and Capability proceedings and outcomes
- Staff retention
- Exit interviews

SETA's Senior Management Team is responsible for monitoring the progress of any action plans concerning Gender Equality.

The Senior Management Team is chaired by the Chief Executive and also comprises representatives from Human Resources and Training Advisors and Instructors.

Equality and diversity targets are input into SETA's Quality Improvement Plan.

The Senior Management Team produces an annual report for the Board of Directors which outlines the achievement of objectives in the action plan.

5. Location and Access to the Document

This document will be held on the SETA's intranet and on the SETA's website. The document will be main available on request to external parties as required and may be converted to other formats if appropriate (Braille, Large Print, Other Languages etc)