



# London Design & Engineering UTC

## Staff Equality & Diversity Policy

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## Version Control Table

Version	Date	Amended by	Rationale
1.0	11/10/2018		Version approved by Directors
1.1	24/11/2020	Geoffrey Fowler	Policy reviewed and updated. The updated sections are highlighted in yellow and this includes new sections 5, 6 and 12.
2.0	10/12/2020		Version approved by Directors

**Guidance on version Control:**

*The above is an example of how to complete the Version control table.*

*Versions are 0.1, 0.2 etc until such point as the document is approved. Then it becomes version 1.0.*

*Subsequent edited versions become 1.1, 1.2, or if it's a major update, 2.0. Do not worry about the numbers going up and up its about getting the policy right – it's all fine.*

# STAFF EQUALITY & DIVERSITY POLICY

## Policy Coverage

THE POLICY APPLIES OR COVERS THE FOLLOWING GROUPS			
Type of Learner	Tick (✓)	Type of Stakeholder	Tick (✓)
Key Stage 3 (KS3) Carousel		Teaching Staff	✓
Key Stage 4 (KS4) GCSE		Education Support Staff	✓
Key Stage 5 (KS5) Level 2		Administrative Support Staff	✓
Key Stage 5 (KS5) Level 3		Directors	✓
Key Stage 5 (KS5) A Levels		Employers	
Apprentices		Visitors / Contractors	

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## 1. Policy Statement

The Board of Directors of the London Design and Engineering (LDE) UTC is committed to promoting equality of opportunity for all staff and job applicants. The LDE UTC aims to create a supportive and inclusive working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

The LDE UTC does not discriminate on the basis of age; race; sex; disability; sexual orientation; gender reassignment; marriage and civil partnership; pregnancy and maternity; religion, faith or belief. (Equality Act 2010 protected characteristics). The principles of non-discrimination and equality of opportunity also apply to the way in which staff and Directors treat visitors, volunteers, contractors and former staff members.

The LDE UTC will meet its statutory obligations under relevant legislation including the Equality Act 2010, which prohibits discrimination, harassment and victimisation in employment. This policy conforms to the Equality Act 2010 and is monitored to ensure compliance with the requirements of the relevant legislation in force from time to time. The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, visitors, suppliers and former staff members.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It may be amended at any time.

## 2. Scope and Purpose of the Policy

This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

The LDE UTC will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

This policy covers all individuals working at all levels and grades, including senior managers, employees, trainees, part-time and fixed-term employees, volunteers, casual workers, agency staff and governors (collectively referred to as **staff** in this policy).

This policy applies to all aspects of the LDE UTC's relationship with Staff and to relations between Staff members at all levels. This includes:

- job advertisements;
- recruitment and selection;
- training and development;
- opportunities for promotion;
- conditions of service;
- pay and benefits;

- conduct at work;
- capability, disciplinary and grievance procedures; and
- termination of employment.

The LDE UTC will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

### 3. Roles and Responsibilities

The LDE UTC Board of Directors has ultimate responsibility for the effective implementation and operation of this policy and for ensuring compliance with discrimination law. The Board is responsible for monitoring the implementation of this policy [and reporting on the progress made in achieving targets set by the Board. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Principal.

All senior managers must set an appropriate standard of behaviour; lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equality and diversity. Managers will be given appropriate training on equalities awareness and open and fair recruitment and selection best practice. All members of staff are personally responsible for ensuring that they adhere to the policy and promote our aims and objectives with regard to equalities.

In certain circumstances the Board of Directors could be held to be vicariously liable for actions of their staff. Staff should be aware that they may be personally liable if they are found to have discriminated against another person whilst in the UTC or on UTC-related business.

If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Principal to request further information.

### 4. Forms of Discrimination

Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not “fit in” would be direct discrimination.

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-harassment and Bullying Policy.

Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

## 5. Recruitment and Selection

The LDE UTC aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. The LDE UTC's recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate.

Job advertisements will avoid using wording that may discourage particular groups from applying. A short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies.

The LDE UTC will take steps to ensure that its vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in the LDE UTC.

Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which the LDE UTC may use, for example:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
- Positive action to recruit disabled persons;
- Equal opportunities monitoring (which will not form part of the decision-making process).

Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without first considering whether such matters are relevant and may lawfully be taken into account.

The LDE UTC is required by law to ensure that all members of Staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective members of Staff, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. A list of acceptable documents is available from the HR Manager.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the LDE UTC, the LDE UTC will monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information will be removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us to take appropriate steps to avoid discrimination and improve equality and diversity.

## 6. Recruitment of Ex-Offenders

The LDE UTC is an organisation that uses the Disclosure and Barring Service (DBS) to assess candidates' suitability for positions of trust working in an environment with children and young people. The LDE UTC fully complies with the DBS Code of Practice and undertakes to treat all candidates fairly.

The LDE UTC undertakes not to discriminate unlawfully against any candidate who is required to provide information (a check) through this process. Having a criminal record will not necessarily prevent a candidate from working with the LDE UTC. Whether or not it does will depend on the nature of the position and the circumstances and background of the offences.

The LDE UTC's policy on the recruitment of ex-offenders will be made available to all candidates at the outset of the recruitment process. The LDE UTC will ensure that it makes any candidate who is subject to a check aware of the DBS Code of Practice and will provide a copy of the Code on request.

As a check is part of the LDE UTC's recruitment process, the LDE UTC encourages all candidates called to interview to provide details of any criminal record (except cautions, convictions, reprimands or warnings which are "protected" (as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013) at an early stage of the application process. The LDE UTC requests that this information is sent under separate, confidential, cover to a designated person within the LDE UTC, who may vary depending on the nature of the post being recruited. The LDE UTC guarantees that only those who need to see this information as part of the recruitment process will see it.

The LDE UTC will ensure that it discusses with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job may result in an offer of employment being withdrawn.

## 7. Staff Training and Promotion and Conditions of Service

Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit. Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff that should have access to them and that there are no unlawful obstacles to accessing them.

## 8. Discipline and Termination of Employment

The LDE UTC will ensure that absences, capability and disciplinary procedures and penalties are applied fairly and without discrimination, and are carried out fairly and uniformly for all staff, whether they result in disciplinary warnings, dismissal or other disciplinary action.

The LDE UTC will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

## 9. Disability Discrimination

If a staff member is disabled, or becomes disabled, **in the course of their employment with the LDE UTC**, the LDE UTC will encourage them to tell the Principal or manager about their condition so that support can be provided as appropriate. If staff experience difficulties at work because of their disability, they should speak to their line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Line managers may wish to consult with staff and their medical adviser about possible adjustments. The LDE UTC will consider the matter carefully and try to accommodate needs within reason. If the LDE UTC considers a particular adjustment would not be reasonable it will explain its reasons and try to find an alternative solution where possible.

The LDE UTC will monitor the physical features of its premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, the LDE UTC will take steps to improve access for disabled staff and service users.

## 10. Fixed-Term Employees, Casual and Agency Workers

The LDE UTC will monitor the use of fixed-term employees, casual and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. The LDE UTC will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

## 11. Part-Time Work

The LDE UTC will monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. The LDE UTC will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

## 12. Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics

**The LDE UTC will treat all complaints of discrimination, harassment or victimisation related or connected to any of the protected characteristics made by its staff, students or third parties seriously and will take action where appropriate.**

**If a member of staff believes that they may have been unlawfully discriminated against, harassed or victimised within the meaning of this policy, they are encouraged to discuss the matter in the first instance with their Line Manager/Head of Department. In most cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.**

**If a member of staff wishes to make a formal complaint, they should** raise the matter through the UTC's Grievance Procedure. If a member of staff believes that they may have been



subject to harassment or bullying they are encouraged to raise the matter through the UTC's Harassment and Bullying Policy.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. **If the LDE UTC conclude that the allegations are false or have been made maliciously or in bad faith, it will deal with the matter in accordance with its disciplinary procedure.**

Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The LDE UTC takes a strict approach to serious breaches of this policy.

### **13. Monitoring and Review of the Policy**

This policy is reviewed every two years by the LDE UTC Board.

The LDE UTC Board will continue to review the effectiveness of this policy to ensure it is achieving its objectives.

Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Principal.