



EQUALITY AND DIVERSITY: SINGLE EQUALITY SCHEME

INTRODUCTION AND CONTEXT

Gecko Programmes is committed to providing equality for all of staff and customers alike and seeks to create a safe, supportive learning environment in which everyone is treated with dignity and respect. This is evidenced in Gecko Programmes' Mission Statement, Operational Plans and a wide range of policies and procedures.

Gecko firmly believes in equality of opportunity in employment and the learning environment. It is committed to developing policies, practices and procedures that promote equality of opportunity and anti-discriminatory practices. Gecko is committed to ensuring that job applicants, employees and learners receive equal treatment. No applicant, employee or learner will receive less favourable treatment on the grounds of their ethnicity, gender, disability, sexual orientation, age or religious beliefs and practices, nor will they be disadvantaged by conditions or requirements that cannot be shown to be justifiable. Selection criteria and procedures will be regularly reviewed to ensure that individuals are selected, promoted and treated on the basis of their relevant abilities and merits. Gecko will continually review its personnel policies and practices and take appropriate action to make the policy fully effective.

This Equality Scheme describes how Gecko Programmes fulfils its responsibility to:-

- Promote equality of opportunity.
- Avoid / prevent discrimination.
- Place the advancement of inclusion, equality and diversity at the centre of its work.
- Fulfil the requirements of its remit in a way which promotes equality.
- Ensure that Gecko Programmes operates best practice as an employer in pursuit of equality and diversity.

OBJECTIVES

- To deliver equality and diversity throughout organisational policies, procedures and practice and develop an ethos which respects and values all people and to include in learner inductions and training
- To challenge discrimination and lack of opportunity and encourage other organisations and individuals to do the same to actively promote equality of opportunity
- To create a culture that respects and values an individual's differences and recognises that difference/diversity is an asset to our organisation both to its work and the people it serves.
- To eliminate all forms of unfair discrimination, bullying, harassment or other oppressive behaviour. No form of intimidation, bullying or harassment will be tolerated
- Take positive action to provide encouragement and support to individuals and groups whose progress has been limited by stereotyping and cultural expectations and to prepare learners for life in a diverse society.

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- To ensure all employees, learners and collaborative partners are aware and encouraged to support the objectives of this policy and take part in equality induction and regular training.
- Promote good relations amongst people within the organisations community and the wider communities within which we work including those affected by educational, economic and social disadvantage.
- Ensure arrangements for learner equality and diversity are being followed when working with employers and their employees.
- Do our best, within available resources, to remove barriers which limit or discourage access to the Company's training provision and activities.
- Monitor success and progression for participants from all social and cultural economic backgrounds that results in a positive experience for all.
- Monitor the implementation, set targets for improvement and evaluate the impact of equality and diversity action.

THE STATUTORY FRAMEWORK

Gecko Programmes operates within a legislative framework. In the context of the Scheme, the legislation below has a particular bearing on the implementation of its responsibilities:-

- Race Relations (Amendment Act) 2000: Race Equality Duty
- Disability Discrimination Act 2005: Disability Equality Duty
- Equality Act 2006: Gender Equality Duty
- Apprenticeships, Skills, Children and Learning Act 2009
- Equality Act 2010: Public Sector Equality Duty.

The equality legislation above provides for a number of general duties which are to:-

- Eliminate unlawful discrimination and harassment
- Promote equality of opportunity
- Promote good relations between:
 - People of different ethnic groups
 - Men and women
 - People with and without a disability

The Equality Act 2010 identifies protected characteristics which protect individuals from discrimination due to their:-

- Ethnicity
- Disability
- Gender, including pregnancy and maternity
- Age
- Religion or Belief (including those who hold no faith)
- Sexual Orientation
- Gender reassignment
- Marriage and civil partnership

These protected groups are taken into account within the Single Equality Scheme.

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THE EQUALITY ACT 2010

The Equality Act 2010 harmonises and extends existing equality legislation and in addition introduces a new Public Sector Equality Duty which requires organisations like Gecko Programmes and to:-

- Set equality objectives with regard to the protected groups.
- Demonstrate how equality has been taken into account in priorities and policies.
- Demonstrate what difference / s these actions make.
- Use procurement to promote equality.
- Produce an annual plan outlining organisation aspirations.
- Demonstrate clear links between the remit, purpose and aim of the organisation in terms of equality, diversity and inclusion.
- Make inclusion, equality and diversity part of how the organisation thinks and behaves.

ACCOUNTBILITY AND COMPLIANCE

The accountability for meeting the statutory duties and for the delivery of the Scheme rests with the Director of Gecko Programmes.

The Director of the company will oversee Equality and Diversity throughout the company; this is Patrick Cross, who is the Equality and Diversity Champion. He will be responsible for championing and monitoring equality, diversity and inclusion across Gecko Programmes.

THE SCHEME

In drawing up the scheme Gecko Programmes has taken account of other public bodies, learners and Gecko Programmes employees. The Scheme has been shaped and is underpinned by some established principles.

PRINCIPLES UNDERPINNING THE SCHEME

The principles derived from the views gathered at this stage are that:-

- The scheme will reflect Gecko Programmes mission, vision and values.
- The operation of the scheme will be open and transparent.
- The scheme will support Gecko Programmes commitment to equality and diversity.
- Gecko Programmes will use all the resources and tools available to deliver its objectives.
- Gecko Programmes will operate lawfully and within its remit.

Mission, Vision and Values

Gecko Programmes has an established mission statement which sets out the values, beliefs and goals of the company.

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The scheme summarises Gecko Programmes commitment to inclusion, equality and diversity. This will be integral to Gecko Programmes and mission, vision and values. The scheme is also part of the Gecko Programmes commitment to be a good employer and to champion the best learning opportunities for all learners.

Learner Involvement

To date learner involvement has included Training Session Evaluations and a number of Focus Groups. These views have been taken into consideration when outlining this proposed scheme.

Employee Involvement

This is affected through staff briefings, team meetings and ad hoc meetings in response to identified issues.

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Notes for Guidance

1. Who is included in the policy?

All employees and learners are included in this policy whether full-time or part-time and whether in permanent or temporary employment with Gecko.

In particular, all staff involved with the recruitment, selection, development and training of staff (including selection for training) has a responsibility to ensure they act in a fair and lawful manner and that no unlawful act of unfair discrimination occurs.

2. Who is responsible for determining and implementing equal opportunities policies?

Responsibility for the determination and implementation of equal opportunities policy rests with the Gecko Director.

All staff throughout Gecko are responsible, without exception, for the observance of the requirements of the company's equal opportunities policy.

3. How will the policy be monitored?

The Managing Director of Gecko is responsible for monitoring the equal opportunities policy.

Monitoring, recommended by the Equality and Human Rights Commission based on setting up and maintaining records of the ethnic origin, sex and disabled status of employees. This information is then audited and reviewed in order to establish trends in selection decisions for recruitment and promotion.

Monitoring will also help in assessing the effectiveness of the company's policies aimed at eliminating unfair discrimination from employment procedures, and attracting and promoting employees from as wide a cross section of the community as possible.

An equal opportunities report will be prepared annually for the Managing Director. Its main features are:

- Current staff composition by gender, race and disability;
- Composition of applicants for jobs by gender, race and disability.

4. What legislation do you need to be aware of?

The employment legislation that is concerned with equality of opportunity for job applicants and for current employees is as follows:

1. Sex Discrimination Act 1975 (SDA)

This Act makes it unlawful to discriminate directly or indirectly on the grounds of sex or marital status in full or part-time employment, training, promotion and other related areas such as:-

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- Discriminating in employment advertising;
- Applying pressure to discriminate or to aid discrimination by another person.

2. Race Relations Act 1976 (RRA)

This Act makes it unlawful to discriminate directly or indirectly on the grounds of colour, race, national or ethnic origin or nationality in full or part-time employment, training, promotion and other related areas such as:-

- Discriminating in employment advertising;
- Applying pressure to discriminate or to aid discrimination by another person.

3. Disability Discrimination Act 1995 (DDA)

This Act came into effect on 2 December 1996 and introduced measures designed to end discrimination which many disabled people face. The Act applies to all UK employers with 20 or more employees and replaces the previous 1944 and 1958 Disabled Persons (Employment) Acts.

It is unlawful to treat a person who is disabled (or has been disabled) less favourably because of their disability, without a justifiable reason. This applies to all areas of recruitment and employment.

Employers also now have a duty to make 'reasonable adjustments' in order to reduce or remove any substantial disadvantage caused to a disabled person by physical features or employment arrangements.

5. What are the definitions of unlawful discrimination?

Both direct and indirect discrimination are unlawful.

Direct discrimination means discriminating against:

- A man or woman if, on the grounds of that person's sex, another person treats him or her less favourably than he/she would treat a person of the opposite sex in the same or similar circumstances. For example, a woman is not offered a promotion because, although she has all the appropriate qualifications and abilities, etc, the section in which she would work is staffed by men.
- A married person of either sex if, on the grounds of his or her marital status, another person treats him or her less favourably than he/she would have treated an unmarried person of the same sex.
- A person, if on racial grounds, another person treats him or her less favourably than he/she treats or would treat other person. For example, a person with an Asian name is not short listed for a job despite having the relevant qualifications and experience for the job.
- A disabled person, if on the grounds of disability, another person treats him or her less favourably than she/he treats or would treat another person. For example, a

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disabled person is not offered a job despite being the best candidate at interview, and no consideration is given to what 'reasonable adjustments' may be possible to facilitate the employment of that person.

Indirect discrimination occurs where a particular requirement or condition is applied equally to all groups of people, but is such that a considerably smaller proportion of a particular group can comply with it.

It cannot be shown to be **justified** and is a **detriment** to the person, who cannot comply with it, e.g.:

- A particular qualification is sought without it being a necessity for the job undertaken and thereby excluding certain groups from applying.
- The requirement for full-time working where a considerably smaller group of women as compared to men can comply with such a requirement.

Common preconceptions to avoid

It is essential that managers guard against discrimination on the basis of possible pre-conception that individuals, because of their sex, marital status, race or disability, possess characteristics that would make them unsuitable for employment, promotion or training, e.g. certain groups of people are **assumed** to:-

- Have a lack of commitment to work;
- Have outside interests that would interfere with work;
- Possess poor physical/mental ability;
- Produce an anticipated unfavourable reaction among other staff;
- Be unsuitable for the job because of a feeling that certain types of work are only suitable for a man/woman, married/single, white/black person, disabled/non-disabled person;
- Possess limited career intentions;
- Be unwilling to undertake training;
- Have limitations imposed by traditional female or racist interests and experiences.

6. Are there any other areas of discrimination?

1. Sexual and racial harassment

It is unlawful for an employee to discriminate against another employee by subjecting him or her to a '**detriment**' that means putting someone under a disadvantage in the nature and quality of his/her employment.

While sexual harassment is not outlawed by the Sex Discrimination Act (this is left to common law), it is possible to bring a case of unlawful discrimination on the grounds of sexual harassment.

Racial harassment, e.g. racial abuse, can constitute a detriment under the Race Relations Act; in particular the harmful effect of what is said is taken into

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consideration by industrial tribunals.

Sexual and racial discrimination are forms of discrimination that cannot be condoned under any circumstances and will not be tolerated by Gecko.

Sexual and racial harassment will be regarded as a disciplinary offence and employees who believe they have been subjected to such treatment should report the matter in the first instance to their line manager, or if this is inappropriate, to another senior member of management.

2. *Victimisation*

It is unlawful to victimise individuals, and Gecko will not tolerate this form of discrimination under any circumstances.

A person is victimised if he or she is given less favourable treatment from others, because it is suspected or known that he or she has brought proceedings under the SDA, RRA or DDA Acts, or has given evidence or information relating to such proceedings, or alleged that discrimination has occurred.

Victimisation will be regarded as a disciplinary offence and employees who believe they have been subjected to such treatment should report the matter, in the first instance, to their line manager, or if this is inappropriate, to another senior member of management.

3. *Bullying*

Bullying is a form of harassment which will not be tolerated by Gecko. It is viewed as a gross misconduct offence within the disciplinary procedures.

4. *Age discrimination*

Gecko's policy is to recruit on the ground of suitability and ability to do the job, having regard to educational, professional/ trade qualifications, previous experience and particular aptitude and skills necessary to undertake the requirements of the job. It therefore follows, that *age should not be a prime consideration* when making appointments.

5. *Sexual orientation*

It is Gecko's policy to ensure that no applicant or employee will receive less favourable treatment on grounds of sexual orientation. Unfair and inaccurate stereotyping of gays and lesbians must be avoided. Applicants should be selected on the basis of their ability to do the job and all employees afforded the same terms, conditions and equality of opportunity.

6. *Religious beliefs and practices*

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Gecko's policy is to ensure that no applicant or employee receives less favourable treatment on the grounds of his or her religious beliefs and practices.

Managers need to be aware that discrimination based on religious beliefs and practices (whether intentional or unintentional) can amount to unlawful indirect discrimination on the grounds of race.

A number of issues surrounding religious beliefs and practices may impact on Gecko's policies and procedures. These include clothing and appearance, holiday and religious festivals and prayer during working hours.

7. Who should you contact if you feel you have been unfairly discriminated against?

Employees who feel they have been subjected to unfair treatment, harassment, bullying or discrimination contrary to Gecko's equal opportunities policy may raise the matter with their line manager in the first instance, or if this is inappropriate, with another senior member of management. Official complaints will be dealt with through the relevant policy or Gecko's grievance or disciplinary procedures.

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