



# Equality, Diversity, and Inclusion & Anti-Bullying and Harassment Policy and Procedures

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Person/s responsible: SLT, all management and staff

Signed

A handwritten signature in black ink, appearing to be "Lynne Whitehouse".

Policy owner Lynne Whitehouse

Revision 1.2

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## Equality and Diversity Policy

### Policy Statement

Netcom Training (“the Company”) is committed to providing equal opportunities for all and recognises its duty under the Equality Act 2010 and the protected characteristics it sets out. Our policy is to ensure that no person employed or associated with the Company receives less favourable treatment on the grounds of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The company understands its moral and legal obligations to protect any member of the workforce from being discriminated against because of a perception of having or being associated with someone who has a protected characteristic. It supports the ethos of a diverse and inclusive workforce and will aim to protect all of its employees from discrimination in the workplace and recognises the key principles of equality and diversity across wider society.

All employees and external persons that are contractually hired and/or may represent the company have a responsibility to adhere and comply in full to the terms and scope of the policy. The company will promote and encourage a positive culture where difference is recognised, and diversity celebrated. Learners registered on company courses/programmes will be made aware of the aims and content of the policy on induction and expected to act in accordance and behave in a responsible and respectful manner at all times.

Learners enrolled on apprenticeship programmes with the company and employed as apprentices by clients will be protected by this policy. The company will challenge any employers of apprentices whose policies or practices may appear to be discriminating against them, either directly or indirectly, and/or in any perceived instances of unfair/unequitable treatment.”

### Equal Opportunities Procedures

The Company is committed to safeguarding the welfare and protection of young people and vulnerable adults who have contact with our organisation. We believe that everyone who has a role in working with them has a moral responsibility to safeguard and promote an individual’s welfare and protection from abuse.

The Company is fully committed to complying with all requirements of the Disclosure and Barring Service. This includes criminal records' checks being carried out where that is applicable to the role and responsibilities of a particular position within the company.

## **Definitions**

### **Discrimination**

For the purposes of this policy, discrimination means treating people less favourably than others on the grounds of their age, sex, marital/civil partnership status, sexual orientation, gender reassignment, pregnancy and maternity, race, disability, religion, or religious beliefs, whether this be direct or indirect by applying a provision, criterion or practice which disadvantages such persons.

### **Age**

Discrimination based upon age includes direct or indirect forms against a person and may include stereotypical views as to whether a person may be considered "too young" or "too old" to perform certain job duties. It can occur in recruitment, selection, promotion, training, pay and benefits as examples. It can also occur in cases relating to dismissal, redundancy, and retirement. Exceptions allowed under the terms of the Equality Act 2010 may require the company to seek them for operational reasons where objectively justified, for example positive action measures or where a person is required to perform work duties within his/her role efficiently and safely. Any objectively justified action must be both proportionate and designed to achieve a legitimate aim.

### **Sexual Orientation**

For the purpose of this policy, sexual orientation for a person of the same sex, different sex or for persons of both sexes, or based on a person's marriage or civil partnership status. It does not include sexual practices or preferences. Discrimination can occur based on a perception of a person's sexual orientation, even if that perception is incorrect. It can also include discrimination against a person by reason of the sexual orientation of someone via association.

### **Gender Reassignment**

For the purposes of this policy, gender reassignment means a desire to be known or to become a person of a gender different to that to which they were born

### **Religion/Religious beliefs**

For the purpose of this policy, religion or religious beliefs is defined as any religion, religious or philosophical belief. It does not include philosophical or political beliefs unless similar to a religious conviction. Discrimination can occur based on a perception of a person's religion or beliefs even if that perception is incorrect. It can also include discrimination against a person by reason of the religion or religious beliefs of someone he/she associates with. People of no religion or who do not follow any particular religious group are also protected by law from discrimination.

## Harassment

For the purposes of this policy, harassment is defined as any hostile unwanted, unreasonable and/or offensive behaviour which adversely affects a person's dignity, self-confidence and well-being and creates a hostile environment and which leads to that person feeling intimidated, degraded, or humiliated.

## Racial harassment

For the purposes of this policy racial harassment is defined as any action, conduct, comment, gesture, or behaviour that is offensive, embarrassing, insulting or intimidating. It may include derogatory remarks, quips, jokes, innuendoes, taunts, or physical abuse which is racially derogatory and offensive and relates to a person's race or ethnic origins.

## Sexual harassment

For the purposes of this policy sexual harassment is defined as:

- a. Any action, conduct, comment, gesture, or physical contact of a sexual nature that is unwelcome and might reasonably be seen by an employee or prospective employee as placing an implicit or explicit condition on employment.
- b. Any persistent, unwelcome action, conduct, gesture, or physical contact of a sexual nature that is likely to cause offence, embarrassment, or humiliation to an employee. For the purposes of this policy, bullying is defined as repeated, intimidating, harmful treatment with the purpose of controlling and coercing individuals, particularly if in a vulnerable state.

## Victimisation

For the purposes of this policy, victimisation is defined as treating persons less favourably because of a protected characteristic or something they have said or done in connection with asserting their rights in line with any employment legislation or regulations. It also applies where individuals may receive unfair treatment if perceived to be associated with others experiencing victimisation.

## Gender Stereotyping

The company will make every effort to challenge generalised views or pre-conceived beliefs about attributes or characteristics or roles that may be considered to relate to a specific sex or gender.

## Monitoring

All employees, job applicants and learners will be asked to complete a form providing information regarding their age, gender, race, ethnic origin, sexual orientation, religion, and whether they consider having any mental or physical impairments. This form will be used solely for the purpose of monitoring the effectiveness of the company's equality and diversity policy and to ensure that the company meets its obligation as an employer and service provider in promoting equality of opportunity and fair and equitable treatment.

## **Procedure for Discriminatory Conduct**

Any learner or member of staff may use the company's grievance procedure to complain about discriminatory conduct. The complaint will be thoroughly investigated and considered based on the facts of the investigation. No individual will be penalised for raising such a grievance unless it is untrue and made in bad faith. If the matter relates to harassment or bullying of any kind the anti-harassment and bullying procedures set out below should be followed.

Any learner or employee who discriminates against any other learner or employee on the grounds of age, sex, marital status, sexual orientation, gender reassignment, race, ethnic origin, disability, religion, or religious beliefs, will be subject to the company's disciplinary procedure as set out in the grievance and disciplinary policy. In serious cases where such behaviour has been deemed to constitute gross misconduct it results in summary dismissal in the absence of mitigating circumstances. This statement should be read in conjunction with the anti-harassment and bullying procedure set out below at clause 7.

## **Positive Action on Equality of Opportunity**

Netcom Training will regularly monitor the composition of the workforce, of job applicants and learner enrolments. Should inequalities become apparent, positive action may be taken to redress the balance including such measures as:

- Advertising learning opportunities or jobs to broadly appeal to a wider demographic group
- Encouraging under-represented groups to apply for suitable posts or learning opportunities
- Considering whether any reasonable adjustment can be made to work premises or the working arrangements to accommodate a disabled employee, job applicant or learner.

## **Anti-Harassment & Bullying Procedure**

As well as its commitment to equality of opportunity, Netcom Training is dedicated to providing a work and learning environment for employees and learners which is free from harassment or bullying on the grounds of age, gender, marital status, sexual orientation, gender reassignment, pregnancy/maternity, race/ethnic origin, disability, religion, or religious beliefs. This may include embarrassment, discrimination, intimidation, or threats.

Reasonable measures will be taken to minimise the risk of an employee or learner being subject to harassment or bullying. In recognition of these principles Netcom Training will also not condone any conduct which may be construed as sexual harassment.

Any complaints of harassment or bullying should be made in line with the company grievance policy. The matter will be dealt with in a discreet and confidential manner and appropriate action will be taken. It is the duty of all staff and management to ensure that the anti-harassment & bullying policy is implemented. Harassment or bullying will be taken to have occurred if an individual knows or ought to have

reasonably known that his/her behaviour was unwelcome or likely to be offensive to the recipient. The company code of conduct policy for employees has further guidance and learners will be made aware of their responsibilities on induction and within the contents of the learner handbook.

Harassment and bullying are disciplinary offences that may amount to gross misconduct and dealt with under the company's disciplinary policy and in the most serious cases lead to dismissal. Individuals should be aware that in some circumstances they may be held personally liable for acts that are unlawful. Less serious infringements may lead to an apology from the perpetrator, letter of reprimand, suspension, or other appropriate level of action.

In dealing with reports of harassment or bullying the following principles will apply:

- a. All reports will be taken seriously, treated in confidence, and investigated by trained staff who are independent of the situation.
- b. All complaints will be progressed and dealt with according to Netcom Training grievance and disciplinary procedure.
- c. Where Netcom Training has reason to believe that there is a risk to the personal safety of the complainant or of another person or that a criminal offence has been committed, Netcom Training may take legal advice and/or inform the police before proceeding with any internal action.
- d. The victimisation or harassment of a complainant or the respondent or any witnesses will be regarded as a disciplinary offence.

## **Co-operation of Staff and Clients/Learners**

There is an expectation on all company employees to commit to a duty to co-operate and comply with any measures set out to improve or sustain the concept of equality of opportunity and report any incidents that might be construed to amount to bullying and harassment. Learners and employers of apprentices registered on courses or programmes with Netcom Training and any other parties working in partnership with the company will also be expected to share the principles set out in this policy and accompanying procedures. All company employees will be required to complete Equality and Diversity training upon commencement of employment, to be refreshed annually and contribute to the development and promotion of any identified good practice. New employees will be required to complete an online training module as part of an induction to raise general awareness.

## **Staff and Clients/Learners – updates**

All staff and clients/learners will receive initial training and information at induction and updates if required on all appropriate aspects of equality of opportunity legislation and generally agreed codes of practice and employment rights and responsibilities. There is an obligation for all, including employers of apprentices enrolled on courses and programmes with Netcom Training to act in accordance with the ethos set out in this policy at all times.

## **Monitoring/review**

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The policy will be reviewed on an annual basis and updated as necessary in order to reflect the changing needs and/or operating procedures of the business and to comply with legislation. Statistical data will be analysed and used to inform future objectives around the recruitment of staff and the engagement, participation, and achievement of learners. Specific action plans to address any areas requiring improvement will be implemented and assessed for effectiveness.