



Equality and Diversity Policy

Scope

Our vision is for OTT to be a successful, caring and welcoming place for everyone. We want to create a supportive and inclusive environment where our staff can reach their full potential and education is provided in partnership with our students, without prejudice or discrimination. We are committed to creating a culture of respect and understand and recognise the value of individual diversity. This policy helps us to achieve this vision and avoid discrimination in any form ensuring that we treat people fairly and equally.

Non-discrimination rights are protected by anti-discrimination legislation including the Equality Act 2010.

The aim of this policy is to remove any potential discrimination in the way that people with protected characteristics are cared for by OTT. This means that we will not treat you less favourably because of your age, a disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

We will monitor the effectiveness of this policy and its impact on other relevant policies and practice.

Definition

OTT is dedicated to improving the quality and practice of management and leadership in organisations, wherever it operates. We understand that organisations operate within their own cultures and legal systems. However, we seek to promote genuine equality of opportunity – not only equal opportunity for all learners and potential learners, but also effective equal opportunities practice by holders of our qualifications in their daily work.

We are committed to equal opportunities for all, regardless of gender, marital status, age, physical status or any disability, racial or ethnic origin, nationality, creed or religious belief, sexual orientation, age or employment status. We seek to ensure implementation of our qualifications and programmes are without disadvantage to any learner that has or any group of learners that may share any of these characteristics.

We have our own internal policy and do everything possible to ensure that no discrimination occurs during any of our procedures and processes, whether it is approval, re-approval, external assessment or external verification. We make all our staff and contractors aware of this policy and encourage them to undertake awareness training where appropriate.

Concerns and comments

If you believe you have been treated in any way contrary to this policy or you have any comments on how we can ensure that it works better, please contact Maxine Caswell at the practice. We will investigate your concerns and, where appropriate, take necessary action.

Further Information

The following guidance is a framework for the content of an Equality & Diversity policy. It is guidance and is not intended to be legally accurate nor does it constitute legal advice.

Distribution – describe the arrangements for disseminating the policy throughout the organisation, and to learners, clients and associates involved with OTT qualifications and programmes.

Promotion —cover the wording and placing of internal and external advertisements, including non-English versions where appropriate, and any arrangements to reach groups that are historically under-represented on management programmes.

Entrance requirements – include any previous experience required, any appropriate standards of literacy (written and oral) and numeracy, and the arrangements to support those who might have some difficulties with the programme of learning and assessment.

Enrolment and registration – include provision for collecting the equal opportunities information required for registering learners with OTT, and how learners notify or discuss any reasonable adjustments or special considerations to ensure access to fair assessment. For further guidance please see the Reasonable Adjustments & Special Considerations Policy.

Induction – cover equal opportunities issues in induction, support this with written information on your policies and back up with details of what happens if a complaint, enquiry or appeal arises. Induction should also include details of the centre's various support mechanisms – for example any crèche facilities, literacy/numeracy support, ESL provision, induction loops for the hearing impaired, and so on. We suggest that you get

written confirmation that learners have received the information and understand it. For

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further information on complaints, enquires and appeals please see the Complaints Policy and the Appeals & Enquiries Policy.

The programme – detail how the centre handles equal opportunities issues in its learning delivery, both face-to-face and in learning support material. The detail might include examples of how you avoid stereotyping, together with evidence of monitoring delivery and materials over a period of time. It might also include details on how you meet the needs of hearing and sight-impaired learners.

Assessment – confirm that assessment is entirely related to performance and in no way influenced by gender, age, race or disability. Make clear your commitment to fair assessment, detailing the adjustments and considerations that may be made for learners, without compromising the integrity of the assessment. For further information on reasonable adjustments please see the Reasonable Adjustments & Special Considerations Policy.

Centre facilities – include information on access to buildings, provision of lifts where appropriate, toilet facilities, canteen arrangements, learning and learning support facilities, parking, induction loops and so on.

Staff development – outline the awareness training available for staff where necessary, and the pattern of any updates at appropriate intervals.

Behaviour – describe how you expect people to behave e.g. treating people as you'd like to be treated – fairly, equally, with courtesy, respect, welcoming diversity and challenging inappropriate behaviour – being open and honest in dealing with other people and organisations, whilst protecting personal privacy and keeping commercial confidence.

Action plan – set out the actions being taken (and planned) to ensure equality of opportunity in all the aspects listed above. It should show clearly who is responsible for taking these actions and record positive actions.

Continuous Improvement

OTT monitors Equality & Diversity policies (or equivalent) across our centres and providers. Equality & Diversity is also reviewed by the Educational Board to ensure our qualifications and programmes are accessible to all.

OTT aim to improve our business processes and our response to customers in the light of learning from the feedback we receive.

This policy shall be the subject of an annual review cycle or as necessary.

December 2024

Review date: December 2025

Appendix

OTT Equality and Diversity Policy

Principle statement

This is the policy of OTT in respect of discrimination on grounds of: age, sex, race, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief and sexual orientation. This organisation is committed to working towards equality of opportunity for all.

We are committed to ensuring that our services are open to all individuals and groups equally. Any exclusion will be purely on the grounds of genuine vocational qualifications.

We believe in human rights for all of those connected with the organisation. No action will be taken against them by any person connected to OTT, which could lead to a loss of self respect. We will endeavour to create a positive environment in which people feel safe and everyone is treated with dignity and respect. We will not tolerate harassment or bullying or any behaviour, which is intended to upset or hurt others. Learners are able to ask for help and support when needed and make mistakes without being ridiculed and penalised unnecessarily. However we believe in order and social discipline both within our organisation and those of our subcontractors. We reserve the right to request a standard of behaviour and to dress appropriately with circumstances and safety at work.

We will endeavour to widen participation by implementing strategies, which will effect change and bring about improvements.

The Policy

OTT recognises that discrimination on the grounds of: age, sex, race, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief and sexual orientation is harmful and in many cases illegal. Through

this policy, through training and by example, we wish to demonstrate that we will not tolerate discrimination by anyone connected with the organisation. This applies to OTT staff, subcontractors and their staff, learners, candidates applying for courses or job vacancies and all others in our varied client groups.

We are committed to ensuring that all learners have fair and equal access to learning, assessment and support.

- We will not carry out any forms of unlawful discrimination (direct or indirect) or unethical discrimination.
- We will challenge discrimination whenever it occurs.
- We will carry out positive action to redress any traditional shortfalls or imbalances in the use of our services.
- We will undertake regular staff training to ensure that staff keep in touch with legislation and changes to it, recognising how changes could impact on the organisation and its subcontractors.
- We will actively foster an ethos of equal opportunity and tolerance within the organisation and in all our contacts with learners, employers and their staff.

We will actively monitor equal opportunities throughout all areas of our training provision and rigorously investigate all complaints in accordance with the 'Grievance and Disciplinary Procedure'.

The legislation

We will fully comply with the letter and intentions of all laws and directives. We are committed to the fulfilment of all agreements; regulations and Acts, which have implications for our role in work based vocational training. Amongst these are:

- The Equality Act 2010
- Humans Rights Act 1998
- National Minimum Wage Act 1998
- Health and Safety at Work Act 1974

- Management of Health and Safety at Work Regulations 1999
- Rehabilitation of Offenders Act 1974

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- Sex Discrimination Act 1975
- Race Relations (Amendment) Act 2000
- European Equal Treatment Directives 1976
- Disability Discrimination Act 1995
- Employment Rights Act 1996
- Protection From Harassment Act 1997
- Treaty of Amsterdam 1997/Article 13
- Working Time Regulations 1998
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Part Time Workers Regulations 2000

The responsibility for compliance and for the positive attitude required to ensure success is laid upon all individuals within the organisation. All external persons connected with OTT are encouraged to hold the same responsibility and commitment.

Definitions

Discrimination is any form of unfavourable treatment.

Policy is the same as a Code of Conduct and it is how OTT expects everyone associated with it to behave.

Sex Discrimination is any form of treatment which is unfavourable and which is related to gender or marital status. Discrimination according to sex is illegal under the Sex Discrimination Act 1995. The Act applies to both men and women.

Direct sex discrimination is when a person is treated less favourably on the grounds of his or her sex or would be treated in similar circumstances. This can occur when a person is refused a position or promotion because of his or her sex or because of a factor which is sex linked, such as an ability to bear children. For

example, it is illegal to refuse to employ a woman because she is of child bearing age and “judged” likely to have children. A candidate should be treated on merit, irrespective of sex.

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Indirect sex discrimination is a requirement or condition, which cannot be justified on job related criteria on grounds other than sex, which is applied to men and women, but has the effect, in practice of disadvantaging a considerably higher proportion of one sex than the other. For example, requiring employees to be of a minimum height, which cannot be justified in terms of the task, they have to perform.

Direct marriage discrimination can occur when a married person is treated less favourably in employment, because he/she is married, than a single person of the same sex is or would be treated in similar circumstances.

Indirect marriage discrimination occurs when a requirement or condition in employment, which cannot be justified on job related criteria on grounds other than marital status, is applied equally to married and single persons (of either sex) but has the effect in practice of disadvantaging a considerably higher proportion of married than of single people (of same sex).

Victimisation is when a person is treated less favourably than others are or would be treated, because they have brought or threaten to bring proceedings, or give evidence or information against another person with reference to the Sex Discrimination Acts, Race Relations Act, or The Equal Pay Act. These provisions do not apply if the original discrimination allegation was false or was not made in good faith.

Harassment is a form of discrimination where a person is made to feel uncomfortable because of their sex, race, sexual orientation, disability, religion, pregnancy, marriage or civil partnership. It may involve action, behaviour, comments or physical contact, which is found objectionable, offensive or intimidating by the recipient. The recipient may feel threatened, humiliated or patronised by the perpetrator. It is not always a conscious or intentional act but it is the recipient's feelings in response, which are important.

Sexual Harassment is a form of sex discrimination. We define harassment as unwanted conduct of a sexual nature or other conduct based on sex which affects the dignity of anyone connected to OTT. This can include unwelcome physical, verbal or non-verbal conduct. Both men and women may be subjected to harassment.

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Racial Harassment is a form of race discrimination and might involve racist jokes and banter or insults, taunts and jibes.

Religious discrimination is treated less favourably because of his or her religious beliefs; for example promoting a less able person using the excuse that a Jewish person would not work on Saturdays.

The right to equal pay provides equality in the terms of an employee's contract where s/he is employed to perform work, which is rated equivalent to that performed by a member of the opposite sex or work of equal value to that of a member of the opposite sex.

Disability discrimination is where a person is treated less favourably because of disability. Occasionally a disability can limit a person's capability for some forms of employment. Discrimination occurs when the treatment of the individual is unfavourable taking into account the disability; for example, making it a condition of employment that the employee can only drive an unmodified car when the job can be done adequately without driving.

Will not tolerate - means that OTT will take disciplinary action in accordance with the organisation's Grievance and Disciplinary procedure against anyone who breaches this policy.

In order to protect staff and learners there will be procedures to ensure that each person has redress against harassment or bullying at work or during off the job training. There will be procedures for redress of complaint and for the re-evaluation of decisions taken by the assessors in accordance with the Code of Practice following complaints from learners. A complaints book will be kept, regularly reviewed and the

causes of complaints analysed to prevent re-occurrences. Learners will have right of access to their files and all other personal data. Health and Safety at work will be paramount.

Procedures

- Advice and guidance for redress against harassment and bullying. ●
Advice and guidance on making complaints and redressing grievances.

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- The right to have a friend, supporter or mentor present during interviews.
- The award assessment appeals procedure.
- Access to personal data and files.
- Monitoring of Health and Safety.
- Advice and guidance on referrals of staff or learners to external agencies for further help and advice.
- Procedures for staff recruitment, selection, training or dismissal. ●
Procedures for learner recruitment including the avoidance of stereotyping. ●
Staff and learners dress code.

What should you do if you feel that you are the subject of discrimination or harassment?

Discrimination

I. Raise the issue with your work based supervisor/mentor, tutor or mentor in the first instance. If the matter is not resolved informally then you should submit a written complaint to Liz Hopkins, the Course Director.

Harassment

1. Let the perpetrator know how you feel about his/her behaviour. You should do this either verbally or if you do not wish a confrontation, in writing.
2. Ask him/her to stop the behaviour.
3. Keep a record of the incidents, which should include dates, and names of any

possible witnesses.

4. Report the incident/s as soon as possible to one of the above mentioned persons. If the incident involves one of them you should report the incident to Donna Campbell.

What we will do about the discrimination or harassment

1. We will take any allegations seriously. We will listen to your complaint sympathetically and record it thoroughly.
2. We will adopt this policy, modify it in the light of changes in the law and monitor our performance against it.
3. If you make a complaint or allegation of harassment, we will initiate our grievance procedure. The incident will be investigated thoroughly. You will be informed of the outcome and at every stage prior to a judgement being made. Your complaint will be treated as confidential if you request it to be so, but if you wish us to investigate or take action we will have to involve the alleged perpetrator in the investigation of your complaint. He/she has a right to give their version of events. We will deal with your complaint as soon as possible and in any event within **twenty working days**.

If you make an allegation of **discrimination** the procedure will be as above.

1. **Anyone** breaching this policy will be liable to disciplinary action. Persistent or blatant discrimination or harassment could lead to dismissal or termination of contractual arrangements in the case of a subcontractor.
2. In the event of an allegation of discrimination by a prospective learner/employee, the incident will be investigated thoroughly and the complainant will be informed of the outcome. The event will be dealt with as soon as possible and in any event within **twenty working days**.

Victimisation

No person, staff or learner will be victimised as a result of them giving information about any act by a person which contravenes this policy. Persons making

allegations, which are proved to be false, will be dealt with in accordance with the organisation's disciplinary procedures. Any staff member who bullies or harasses another member of staff or a learner, who they believe has made an allegation against them, whether it be proved or not, will be subject to disciplinary action.

Harassment and bullying

Harassment is an unacceptable form of behaviour. All staff and learners can consider themselves fully protected by our anti-harassment and bullying policy. The policy applies to staff, learners, subcontractors and their staff even when they are off

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duty. Any occurrences of harassment **must be reported** to Isobel Fennell (Human Resources) without fear of repercussion, even if there is a separate policy in place at the learner's workplace or placement, which requires the incident to be reported to a manager or supervisor at work. Learners who may be in receipt of government funding are protected by OTT at all times. Any incidents will be investigated in accordance with the 'Grievance and Disciplinary Procedure' which is contained within the Learner Charter.

False Accusations

OTT will consider it an offence against the equal opportunities policy if any person makes a false accusation against another learner, employer or staff member. False accusations can be deemed as legally defamatory. All those involved in the investigation of any such complaint are obliged to maintain strict confidentiality.

Right to Advice and Counselling

OTT will ensure that all persons have a right to advice and protection. The Course Director giving confidential advice to any learner or staff member will achieve this. Where appropriate, referral will be arranged with an external specialist source. Time off from training or work will be given to attend external appointments until such matters are resolved.

Positive Action

Positive action will be taken to address any shortfalls.

Staff will make every effort to inform learners or potential learners of opportunities to break stereotypical roles. Vocational training suppliers are permitted by law to be proactive in introducing men and women into areas of work not considered normal activity for a particular sex. Everyone will attempt to address the shortfall of male learners in all of the awards and qualifications provided by and in conjunction with OTT.

Marketing and Recruitment

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All marketing materials produced or used will state the open access policy of the organisation. All recruitment either directly or by sub-contractors will conform to this principle.

- Person specifications for posts will not include unnecessary characteristics. ● Only qualifications, requirements or age limits, which are justifiable in term of the job, will be stated.
- Job/course vacancies will encourage applicants from both sexes. ● Records of interviews will be kept showing why applicants were or were not appointed.
- All members of staff who are involved in recruitment or selection will be adequately trained. Where appropriate positive action will be taken to redress any imbalances or stereotyping and representation of minority groups on the courses. There will be no direct or implied barriers for any learner/employee or potential learner/employee.

Interviews and initial assessments

All interviews and initial assessment procedures will reflect the open access policy. Staff or learners are told at the beginning of any interview that the OTT Equal Opportunities Policy covers it. They are informed that they are free to comment if they are unhappy with the way the interview is being conducted without prejudicing themselves.

No one will be required to put anything down in their application or initial interview form which they feel might lead to an infringement of their human rights.

Initial assessments of literacy and numeracy or other determinants of current ability will be carried out so that the results of the tests are kept confidential. These results will always be given to the learner concerned on a one to one basis in confidence. No unnecessary testing will take place. Staff or learners who can show for educational reasons of previous experience or qualification that they already possess a skill or ability should not be tested for it initially. Should this ability or skill prove to be in need of refreshment at a later date then such a test could take place with the agreement of the staff member or learner.

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Furthermore we confirm that if extra support needs are identified we will if unable to help them specifically, refer them to other external agencies or organisations so that a continuous pathway of help and advice is formed.

Accreditation of recognised prior learning and time off work for learning

Learner's previous experience and qualifications must be formally taken into account for the purposes of accreditation of recognised prior learning for vocational qualifications. Staff will be entitled to training to meet the needs of their job and continual personal development (CPD). Learners and staff are entitled to time off to study.

Assessment

The organisation seeks to ensure that no candidate receives less favourable treatment than any other. The quality of the assessors and assessment process is critical in assuring the success of the learner and the maintenance of standards, which meet the needs, and requirements of OTT, the Awarding Bodies and Regulatory Authorities. Assessment procedures should ensure that the assessment process whilst ensuring national standards are maintained disadvantages no learner. Assessors will be expected to assess to the occupational standards not varying or adding to them and use assessment methods appropriate to the competencies and

abilities of the learner.

All learners will receive support and guidance to enable them to fully understand the nature of the award they are following. Additional support will be given with any language or literacy needs, which could disadvantage them in completing the award.

Learners will be entitled to:

- Access to regular, structured clinical and theoretical training, personal tuition within the workplace and at OTT.
- Access to regular assessment to include planning, setting of challenging targets for completion, qualification and progression, action planning extra support needs, appropriate and constructive feedback together with a variety of teaching assessment methods.

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- Written and effective procedures for dealing with learner complaints or appeals with regard to assessment. All learners should have a written copy of the Appeals Policy and have it fully explained to them at induction.
- Assessments which are fair, accurate and consistent.

Assessors shall:

- Work to support OTT and their employers Equal Opportunities Policies.
- Have achieved the appropriate recognised qualifications for their role, which is outlined by OTT and the awarding/governing bodies.
- Be subject to regular monitoring to ensure continuing adherence to national standards.
- Be able to show qualifications or relevant experience which demonstrates a level of occupational experience acceptable to the awarding body.
- Possess a sufficient knowledge base to be able to make a judgement on the knowledge and understanding contained within the award/qualification being assessed.
- Keeping themselves updated through continuing professional development (CPD) and with current practice.
- Maintain suitable records of assessment for **ALL** of their learners.
- Have

sufficient time available to fulfil the role of assessor effectively and fairly.

Confidentiality will be maintained between the organisation and its learners and all other members of its varied client groups. All records and completed assessment material will be kept confidential and stored securely.

Any reported incidence of discrimination or problems in relation to access or the fairness of assessment should be reported immediately to the Course Director. Any reports of discrimination will be viewed as serious and dealt with in accordance with the organisations 'Grievance and Disciplinary Procedure'.

Monitoring and Evaluation

To ensure that the Equal Opportunities Policy is operating effectively we shall maintain records of applicants' racial origins, gender and disability. The organisation expects all training participants to follow and promote anti-discrimination to the Course Director. The organisation will reinforce Equal Opportunities at induction

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ensuring that all new learners, organisational staff, employers and their staff, fully understand the Equal Opportunities Policy and agree to support and promote it. This process will be monitored regularly.

The effectiveness of this Equal Opportunities Policy will be evaluated on a regular basis. This evaluation will include marketing and recruitment strategies and practices, matching of learners to training programmes and work based training locations and internal recruitment of staff. The procedure will use systematic recording of statistical data and analysis against organisation and sector norms.

Learner Entitlement

All learners both actual and potential are entitled to equality of opportunity. Every learner, member of OTT and all subcontractors will be issued with a copy of this policy, which will be explained as part of the induction procedure. In subscribing to the Learner Charter, the learner will also be obligated to comply with the relevant Equal Opportunities Policy will invoke the organisation's 'Grievance and Discipline Procedure', which is distributed to all learners at induction.

All staff involved in the investigation of complaints under the Equal Opportunities

Policy will be appropriately trained and experienced. Initial contact with such a complaint will normally be via the Course Director. Written records of any investigation under the Equal Opportunities Policy will be kept and made available to all parties to the complaint.

In the case of a proven breach of the policy, the organisation will invoke its own disciplinary policy. In the case of a member of staff or a sub-contractor, either suspend or discontinue contractual arrangements until it is satisfied that there will not be a repetition of such incident. If such suspension takes place, the contracting funding body will be informed of the action taken and the details of the case. Learners guilty of violations will be treated under normal disciplinary procedure.

Management Responsibility and Vicarious Liability

The course Director and all other supervisors will accept full responsibility for the discharge of the various laws and Acts of Parliament. They fully understand the implications for them of vicarious responsibility.

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Staff and Learner Co-operation

Everyone involved in OTT will have a duty to co-operate and comply with any measures set out to improve or sustain the concept of equal opportunities. All bullying or harassment will be reported. Individuals will not encourage or allow others by omission to carry out any discriminatory act.

Staff and Learners Right to Information

All staff and learners will receive initial, regular and updating briefings on all appropriate aspects for equal opportunities, rights and responsibilities. All of those involved with OTT in whatever capacity will have an obligation to act in accordance with the ethos laid out in this policy at all times, including time out of work.

Queries and Concerns

All queries and concerns about Equal Opportunities issues will be referred toCourse Director/OTT. These obligations are extended to all subcontractors for the organisation in whatever capacity they are

involved. The Course Director, Will be responsible for implementation of this Equal Opportunities Policy.

December 2020

Review date: December 2021