





# Choices Academy

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# Choices Academy

## **Purpose**

Choices Academy Equality and Diversity Policy and Procedures classify how we can ensure that we give a quality service that advocates equality and diversity and is responsive to meet the needs of our community, students/learners, people we support, customers and staff.

The policy aims to ensure that in carrying out its activities Choices Academy will have due regard to:

- promoting equality of opportunity across all service activities
- nurturing good relations between people of diverse backgrounds
- eliminating unlawful discrimination and victimisation.

The quality of the service is assured through compliance with Government legislation and a process of continuous quality improvement.



# Choices Academy

## 1. Introduction

### 1.1 What is equality?

Equality is ensuring individuals or groups of individuals are treated fairly and equally and no less favourably, in relation to their needs, including areas of race, gender, gender reassignment, marriage and civil partnerships, pregnancy and maternity, disability, religion or belief, sexual orientation and age.

### 1.2 What is diversity?

Diversity aims to recognise, respect and value people's differences to contribute and realise their full potential by promoting an inclusive culture for all staff, students/learners, supported people and customers.

Celebrating diversity will help to raise awareness and ensure equality and protection for all as outlined in the single Equality Act 2010.

### 1.3 How can we promote equality and diversity

Choices can promote the above by:

- treating all staff, students/learners, supported people and customers fairly
- creating and living an inclusive culture for all staff and customers
- celebrating and raising awareness of cultural and religious differences
- ensuring equal access to opportunities to enable customers to fully participate in courses and programmes, to have full access to services and to have access to impartial Information Advice and Guidance.
- enabling all staff, students/learners, supported people and customers to develop to their full potential
- equipping staff, students/learners, supported people and customers with the skills to challenge inequality and discrimination in their work, learning, support or training environment
- effectively using data to evaluate our policies, procedures, practices and resources in order to identify strengths and areas for improvement and to therefore make certain that we do not discriminate against any individuals or groups
- ensuring that policies, procedures and processes are impact assessed
- acting upon any findings that may have adverse impact on customers, students/learners, supported people and staff.



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## 2. Scope

This policy applies to all staff, sub-contractors, advisors, students/learners, people we support, parents/carers, customers and other service users.

The rights and obligations set out in this policy apply equally to all persons. Everyone has personal responsibility for the application of this policy to the best of their ability.

Failure to comply with this policy could result in internal and/or external action being taken.

## 3. Responsibilities

The principles of this policy apply equally to our community, students/learners, people we support, customers and staff.

This policy explains your rights and responsibilities, whether as a:

- student or customer of our services, visitor to our offices, premises and sites
- supported Person
- employees
- sessional or self-employed staff working for the Academy
- volunteer or contractor or sub-contractor.

Promoting equality and tackling discrimination is everyone's responsibility. Choices Academy has in place a structure to ensure that:

- managers have a responsibility to reinforce the policy and to ensure that it is understood and implemented by all staff
- all staff have a responsibility to work towards equality and inclusion by not discriminating against anybody and by actively promoting equality and diversity
- suppliers and contractors have a responsibility to ensure they are aware of our statutory duties in equality and ensure their employment practices are non-discriminatory.

## 4. How will we deliver our commitment?

Choices Academy prides itself on:

- compliance with legislation
- policies and procedures
- engaging with our community and encouraging participation
- effectively handling complaints and responding pro-actively to any issues
- monitoring equality and during observations (including but not limited to those) of Teaching, Learning and Assessment
- monitoring diversity data and other information to review success for key priority groups, identifying gaps in outcomes and acting accordingly to continuously improve
- completing equality impact assessments



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- equal pay
- training for staff in equality and diversity.

## **4.1 Choices monitor equality and diversity activity using:**

- compliments, complaints and comments monitoring
- staff, student and customer feedback
- observations, for example, of Teaching, Learning and Assessment
- a recruitment and selection process for staff and students including Safer Recruitment practices
- monitoring and reporting on attendance, retention and outcomes for learners.

## **5. Data**

We collect and analyse a wide range of data to assess the impact of its actions, identify diversity gaps and to demonstrate improvement.

Periodic surveys of students/learners, people we support, customers and staff are undertaken.

National, regional and local data will be used to inform actions and establish benchmarks.

Equality impact assessments provide a thorough, detailed and systematic analysis of the effects of an existing or proposed policy or practice on people who share an aspect of their identity in relation to age, disability, gender, gender identity, race, religion and belief, and sexual orientation.

Equality Impact Assessments involve a diverse range of people to look for opportunities for positive impact that may have been missed or better exploited, as well as detecting actual or potential negative impact for specific groups of people such as disabled people.

By carrying out equality impact assessments, we are able to:

- effect positive changes for people who share an aspect of their identity in relation to age, disability, gender, gender identity, race, religion or belief and sexual orientation - people who work, learn or use the services of the Academy
- achieve real and practical improvements by taking appropriate action
- pre-empt potential inequalities
- ensure that equality and diversity is a central and integral part of all policy and practices across the Academy

## **6. Legislative Frameworks**

### **6.1 Human Rights Act 1998**

The Human Rights Act 1998 underpins all aspects of equality. Everyone has the responsibility under this act to respect the rights of others, including not exercising your own rights in a way which is likely to stop other people from exercising theirs.



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## 6.2 The Equality Act 2010

The Equality Act brings together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Act simplifies, strengthens and harmonises the current legislation to provide Britain with a new discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The nine main pieces of legislation that have merged are:

- The Equal Pay Act 1970
- The Sex Discrimination Act 1975/86
- The Race Relations Act 1976
- The Disability Discrimination Act 1995
- The Employment Equality (Religion or Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Age) Regulations 2006
- The Equality Act 2006, Part 2
- The Equality Act (Sexual Orientation) Regulations 2007.

The Equality Act 2010 protects staff, students/learners and customers from discrimination and harassment based on 'protected characteristics.

The protected characteristics are:

- a) Age
- b) Disability
- c) Gender reassignment
- d) Marriage and civil partnership
- e) Pregnancy and maternity
- f) Race
- g) Religion or belief
- h) Sex
- i) Sexual orientation

### **a) Age**

A person belonging to a particular age (for example 32-year-olds) or range of ages (for example 18- to 30-year-olds). Age discrimination occurs when a person is treated differently because of their age. The Equality Act has some exceptions.

### **b) Disability**

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



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## **c) Gender Reassignment**

As part of our duty under the Equality Act 2010, we must also have due regard to the need to eliminate unlawful discrimination and harassment for people who intend to undergo, or are undergoing, or have undergone gender reassignment.

## **d) Marriage and civil partnership**

Marriage is a union between a man and a woman or between a same-sex couple.

Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

## **e) Pregnancy and Maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

## **f) Race**

Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

## **g) Religion or Belief**

Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

## **h) Sex**

This is when you are treated differently because of your sex in one of the situations that are covered by the Equality Act. The treatment could be a one-off action or as a result of a rule or policy based on sex. It doesn't have to be intentional to be unlawful. In the Equality Act sex can mean either male or female, or a group of people like men or boys, or women or girls.

**i) Sexual Orientation** This is to protect employees and customers from discrimination on the grounds of sexual orientation. The regulations make it illegal to discriminate against, victimise or harass anyone on the grounds of their sexual orientation. Within the regulations, sexual orientation is defined as orientation towards:

- persons of the same gender
- persons of a different gender
- persons of the same gender, and of a different gender.

## **6.3 The Equality law protects against:**

### **Direct Discrimination**

Someone is treated less favourably than another person because of a protected characteristic.





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## **Discrimination by Association**

Direct discrimination against someone because they associate with another person who possesses a protected characteristic.

## **Discrimination by Perception**

Direct discrimination against someone because others think they possess a particular protected characteristic.

## **Indirect Discrimination**

Can occur when you have a rule or policy that applies to everyone but disadvantages a particular protected characteristic.

## **Harassment**

Can now complain of behaviour they find offensive even if it is not directed at them.

## **Harassment by a Third Party**

Employers are potentially liable for harassment of their staff by people they don't know.

## **Victimisation**

Someone is treated badly because they have made/supported a complaint or grievance under the Act.

Further sources of help and information can be found at:

[Home Page](#) | [Equality and Human Rights Commission \(equalityhumanrights.com\)](http://equalityhumanrights.com)

## **6.4 Other Relevant Legislation and Frameworks**

- Special Educational Needs and Disability Rights in Education Act 2001
- Equal Pay Act 1970 and Amendment 1983
- The Trade Union and Labour Relations Act 1992
- The Carers Equal Opportunities Act 2004
- The Care Act 2014
- The Work and Families Act 2006