

### CADUK EQUAL OPPORTUNITY AND DIVERSITY POLICY

#### REFERENCE

- A. Awarding Body Guidance

#### **CADUK Policy Statement**

1. CADUK is committed to equal opportunities in its employment and development of staff, as well as in its services to clients including employers and learners. This statement aims to ensure that no applicant for employment or learning shall receive less favourable treatment than any other on the grounds of sex, race, colour, nationality, ethnic origin, religion, age, marital status, sexuality, political belief, disability or irrelevant offending background. Furthermore, no job applicant, employee, learner or client will be disadvantaged by conditions or requirements which cannot be shown to be justified. This statement will be communicated to all staff, and will be referred to in all relevant documents such as advertisements and marketing literature. In addition CADUK will ensure that all applicants for all posts and qualifications are made aware of this statement.
2. Equality is the framework that enables opportunity, access, participation and contribution that is fair and inclusive.
3. Diversity is the acknowledgement and respect of differences within and between groups of people.

#### **Access to Fair Assessment Statement**

4. We aim is to minimise the threat of training and assessment by providing the learner with a variety of support mechanisms to ensure that they all have the best opportunity to demonstrate competence. This will include a comprehensive initial assessment programme and E-assessment Routes and where possible, the utilisation of assessors from within the learners own workplace. The more we minimise the threat of assessment the more safe the learner will feel on programme
5. In addition the centre will monitor and review systems on a regular basis to gain statistical information on achievement and certification rates. This information will be analysed by factors such as ethnic origin, disability, gender, employer, occupation, literacy and numeracy standards.

#### **Particular Assessment Requirements and SC RA**

6. Specific arrangements will be made for learners who have been identified as having particular assessment requirements and SC and RA's. In general, variation in assessment arrangements may be needed for.
  - a. Physical disability
  - b. Visual impairment
  - c. Hearing impairment

- d. Specific learning difficulty
- e. Temporary disability or indisposition

If CADUK requires advice on how to provide access to assessment on any of the above, we will liaise with the relevant Awarding Body to agree any specific arrangements to meet individual Learner needs. Guidance will then be forwarded to Assessors and Internal Verifiers so they can provide fair access to assessment.

## The Law

7. It is unlawful to discriminate in employment against a person on the grounds of sex, sexual orientation, age, race, religious belief or disability. Employment issues particularly affected by the legislation relation to discrimination are recruitment, promotion, transfer, pay and access to other benefits. It also has implications for the way you deal with your colleagues.

## Discrimination

8. Discrimination can be both direct and indirect.

**Direct discrimination** occurs if a person treats, or proposes to treat, someone with an attribute less favourably than the person treats or would treat someone without that attribute, or with a different attribute, in the same or similar circumstances.

In determining whether a person directly discriminates it is irrelevant—

- (a) whether or not that person is aware of the discrimination or considers the treatment less favourable;
- (b) whether or not the attribute is the only or dominant reason for the treatment, as long as it is a substantial reason.

Direct discrimination operates from the principle that all people in the same situations should be treated the same. The concept of **indirect discrimination** is that people who are not alike should not be treated the same. Indirect discrimination attempts to address structural discrimination by acknowledging that treating people as if they were the same when they actually differ in significant ways is just as discriminatory as penalising them directly for their difference.

## Harassment

9. Harassment is a form of unfair discrimination. Harassment at work is defined as unacceptable and unwarranted physical, verbal or non-verbal behaviour that affects people's dignity. It may be experienced by anyone on a wide variety of grounds including race sex, politics and religious beliefs and disability. CADUK will not tolerate harassment of any kind from any member of Staff or Learner and may in some circumstance lead to disciplinary action. Harassment may also constitute unlawful discrimination under the Sex Discrimination Act (1975) and the Race Relations Act (1976) Under the Public Order Act (1986) (as amended by the Criminal Justice and Public Order Act (1994) a person will be guilty of a criminal offence if he or she intentionally causes a person harassment, alarm or distress by using abusive or insulting words or behaviour, or by displaying written signs or pictures, which are threatening or abusive.

## **Victimisation**

10. It is unlawful to victimise anyone who has sought to exercise, or has assisted others to exercise his or her rights under legislation concerned with preventing sex and racial discrimination. CADUK will not tolerate the victimisation of any member of staff or candidate who has brought a complaint, or assisted a colleague to bring a complaint.

## **Action against Discrimination, Harassment or Victimisation**

11. If you feel you are being harassed unfairly discriminated against or victimised by any member of Staff regardless of his or her status you should complain formally or informally to your manager or a senior manager. Learner's should complain formally using the Learners Complaints and Appeals Procedure Form which is issued at induction.

## **Disabilities**

12. As far as is practicable CADUK wants to offer access to assessment to people with disabilities. Many people with disabilities have the skills and personal qualities to compete on equal terms with other Staff. CADUK will make sure that there are no barriers preventing them from reaching their true potential.

## **Training for the Disabled**

13. It is the Policy of the Centre that no person with a disability should be denied access to learning and development opportunities.

## **Safeguarding Vulnerable Adults**

14. Education providers of post-16 learning and skills have responsibilities to ensure the safety of children, young people and those adults deemed 'vulnerable'. A vulnerable adult is defined as a person 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation' (Department of Health, 2000).

15. While it is important to recognise that certain groups of people are legally identified as vulnerable, we recognise that all learners are vulnerable especially in the early stages of a learning process. We fully appreciate that the learners *safety needs*, such as the desire for protection, physical and psychological security, which must be satisfied. In essence we want to develop fully inclusive and integrated 'safer' practices that apply to all staff and learners. We want to promote and be able to demonstrate that we create a 'safer' learning environment that promotes well-being and security, essential for all learners and all staff.

16. If a member of staff feels that a vulnerable adult is in need of safeguarding or the learner approaches a member of staff with a safeguarding issue, the QDO's Safeguarding Procedure should be followed.

## **Main Legislation**

17. Our aim is to build on main legislation and pursue an effective policy of promoting equality of opportunity and Diversity throughout all its business processes. Current legislation is set out in the following Act's, Regulations and Guidance.

The Equal Pay Act (1970)  
The Sex Discrimination Act (1975)  
The Race Relations Act (1976)  
The Disability Discrimination Act (1995)  
The Employment Relations Act (1999)  
The Human Rights Act (1998)  
The Employment Equality (Sexual Orientation) Regulations 2003

The Employment Equality (Religion or Belief) Regulations 2003  
The Employment Equality (Age) Regulations 2006  
The Public Order Act (1986)  
The Criminal Justice and Public Order Act (1994)  
Safeguarding of the Vulnerable Adult guidance 2006

### **QUALITY RECORD**

18. Equal Opportunity and Diversity Monitoring Process