

EQUALITY AND DIVERSITY POLICY

1. GENERAL

- 1.1 Hands on Skills Training embraces diversity and will seek to promote the benefits of diversity in all of our business activities. We will seek to develop a business culture that reflects that belief. We will seek to widen the media in which we recruit to ensure as diverse an employee and candidate base as possible. We will strive to make sure that our clients meet their own diversity targets.
- 1.2 Hands on Skills Training is committed to diversity and will promote diversity for all employees, workers and applicants and shall adhere to such a policy at all times. We will review on an on-going basis all aspects of recruitment/training to avoid unlawful or undesirable discrimination. Hands on Skills Training will treat everyone equally irrespective of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or membership or non-membership of a Trade Union or spent convictions, and places an obligation upon all staff to respect and act in accordance with the policy. Hands on Skills Training is committed to providing training for its entire staff in equal opportunities practice.
- 1.3 Hands on Skills Training shall not discriminate unlawfully when deciding which candidate/temporary worker is submitted for a vacancy or assignment, or in any terms of employment or terms of engagement for temporary workers. Hands on Skills Training will ensure that each candidate is assessed only in accordance with the candidate's merits, qualifications and abilities to perform the relevant duties required by the particular vacancy.
- 1.4 Hands on Skills Training will not accept instructions from clients that indicate an intention to discriminate unlawfully.

2. DISCRIMINATION

Unlawful discrimination occurs in the following circumstances:

2.1. Direct discrimination

Direct discrimination occurs where one individual treats or would treat another individual less favourably on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, pregnancy and maternity/paternity status, breastfeeding mothers status, age, disability, colour, nationality, ethnic or national origin, race, religion or belief, political beliefs ("the protected categories").

It is unlawful for a recruitment/training consultancy to discriminate against a person on the grounds that they are members of a protected category. -

- in the terms on which the recruitment/training consultancy offers to provide any of its services;
- by refusing or deliberately omitting to provide any of its services;
- in the way it provides any of its services.

Direct discrimination would also occur if a recruitment/training consultancy accepted and acted upon a job registration from an employer which states that certain persons are unacceptable because they are members of a protected category, unless one of the exceptions applies, for instance, the job demands a genuine occupational requirement or, in the case of age, the discrimination can be lawfully justified.

Direct discrimination can also occur when a person is treated less favourably because of a protected characteristic even though that person does not have a characteristic. For example, it includes a person being treated less favourably because they are linked or associated with someone who has a protected characteristic or is wrongly thought to have a particular protected characteristic.

2.2. Indirect Discrimination

Indirect discrimination occurs where an agency or employer applies a provision, criterion or practice generally, but which is such that a proportion of persons in a protected category who can comply with it are considerably smaller than the proportion of persons who are not in that protected category.

Indirect discrimination would also occur if a recruitment/training consultant accepted and acted upon an indirectly discriminatory instruction from an employer.

If the vacancy requires characteristics which amount to a genuine occupational requirement or the instruction is lawfully discriminatory due to a statutory exception or objective justification, HOST will not deal further with the vacancy unless the client provides written confirmation of such genuine occupational requirement, exception or justification.

2.3 DISABLED PERSONS

2.3.1 Direct Discrimination

Direct discrimination against a person occurs where, if for a reason which relates to the disabled person's disability, an individual:

- treats him less favourably than he treats, or would treat others to whom that reason does not or would not apply, and,
- the employer cannot show that the treatment in question is justified.

Or

- If on the ground of a disabled person's disability, he treats the disabled person less favourably than he treats or would treat a person not having that particular disability, whose relevant circumstances, including his abilities, are the same as, or not materially different from, those of the disabled person. This type of direct discrimination can never be justified.

2.3.2 Duty to make reasonable adjustments and to provide auxiliary aids and services

This is a similar protection to indirect discrimination in the other protected categories.

Where a provision, criterion or practice applied by or on behalf of an employer, or any physical feature of the employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled, it will be the duty of an employer to take such steps as are reasonable, in all the circumstances of the case, to remove the provision, criterion, practice or physical feature.

Agencies must take reasonable steps to provide auxiliary aids or services if this would make it easier for the disabled person to use their services. For instance, an appropriate auxiliary aid or service can include the provision of information on audiotape or provision of a sign language interpreter.

Hands on Skills Training will not discriminate against a disabled person on the grounds of disability -

- in the arrangements i.e. application form, interview or arrangements for selection for determining to whom a job should be offered; or
- in the terms on which employment or engagement of temporary workers is offered; or
- by refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability; or
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or
- by subjecting him or her to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wage, or harassment).

Hands on Skills Training will accordingly make career opportunities available to all people with disabilities and every practical effort and positive action will be made to provide for the needs of staff, candidates and clients.

Wherever possible Hands on Skills Training will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers. However, this may not always be feasible, due to circumstances creating such difficulties as to render such adjustments as being beyond what is reasonable in all the circumstances.

3. AGE DISCRIMINATION

Hands on Skills Training will not discriminate directly or indirectly, harass or victimise any person on the grounds of their age. We will encourage clients not to include any age criteria in job specifications and every attempt will be made to persuade clients to recruit on the basis of competence and skills and not age.

Hands on Skills Training is committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of age.

No age requirements will be stated in any job advertisements on behalf of the company.

Hands on Skills Training will request age as part of its recruitment/training process but such information will not be used as selection, training or promotion criteria or in any detrimental way and is only for compilation of personal data, which the company holds on all employees and workers and as part of its equal opportunities monitoring process.

4. PART-TIME WORKERS

This Diversity Policy also covers the treatment of those employees and workers who work on a part-time basis Hands on Skills Training recognises that it is an essential part of this policy that part time employees are treated on the same terms, with no detriment, As full time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to pension scheme, if available. Hands on Skills Training also recognises that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

5. HARASSMENT POLICY

5.1 Hands on Skills Training is committed to providing a work environment free from unlawful harassment on grounds of sex, sexual orientation, gender reassignment, marital or civil partnership status, age, disability, colour, race, nationality, ethnic or national origin, religion or belief, political beliefs or any other basis protected by legislation is unlawful and will not be tolerated by Hands on Skills Training.

5.2 This policy prohibits unlawful harassment by any employee or worker of Hands on Skills Training.

5.3 Examples of prohibited harassment are: -

- Verbal or written conduct containing derogatory jokes or comments,
- Slurs or unwanted sexual advances
- Visual conduct such as derogatory or sexually orientated posters,
- Photographs, cartoons, drawings or gestures which some may find offensive,
- Physical conduct such as assault, unwanted touching, or any interference because of sex, race or any other protected category basis,
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours,
- Retaliation for having reported or threatened to report harassment.

5.4 If you believe that you have been unlawfully harassed, you should make an immediate report to your Divisional Manager followed by a written complaint as soon as possible after the incident. Your complaint should include:

- Details of the incident
- Name(s) of the individual(s) involved
- Name(s) of any witness(es)

5.5 Hands on Skills Training will undertake a thorough investigation of the allegations. If it is concluded that unlawful harassment has occurred, remedial action will be taken.

5.6 Any employee(s) who Hands on Skills Training finds to be responsible for unlawful harassment will be subject to the disciplinary procedure and any sanction may include termination. A person who discriminates or harasses may be personally liable for payment of compensation to the person offended, in addition to any compensation payable by Hands on Skills Training. There is no statutory cap on the amount of compensation which may be awarded in discrimination cases. Under the Criminal Justice Act 1994, harassment became a criminal offence, punishable by a fine of up to £5,000 and/or a prison term of up to 6 months. Under the Protection from Harassment Act 1997, the penalties for aggravated harassment are an unlimited fine and/or 5 years imprisonment.

6. GENDER REASSIGNMENT POLICY

6.1 Hands on Skills Training recognises that any employee or worker may wish to change their gender during the course of their employment with the Company.

6.2 Hands on Skills Training will support any employee or worker through the reassignment provided that full medical counselling has been undertaken and Hands on Skills Training has access to any relevant medical reports.

6.3 Hands on Skills Training will make every effort to try to protect an employee or worker who has undergone, is undergoing or intends to undergo gender re-assignment, from discrimination or harassment within the workplace.

6.4 All employees and workers will be expected to comply with Hands on Skills Trainings policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary sanction.

6.5 Where an employee is engaged in work where the gender change imposes genuine problems, Hands on Skills Training will make every effort to reassign the employee or worker to an alternative role in the Company, if so desired by the employee.

6.6 Any employee or worker suffering discrimination on the grounds of gender reassignment should make recourse to the Company's grievance procedure.

7. EQUAL OPPORTUNITIES FOR LEARNERS

Hands on Skills Training is committed to providing opportunity for all Learners irrespective of age, sex, race, sexual orientation, marital status, religion, colour, belief, physical ability, nationality, prior convictions or political beliefs.

The policy provides a strategy for monitoring and reviewing to ensure that all Learners have:

- Equal access to assessment and learning.
- A safe learning environment, free from discrimination.
- Their individual requirements catered for in order to achieve their qualifications.
- Access to a clear system for Learner appeals.

It is recognised that all qualifications may not be suitable for all Learners. Where this is the case, Hands on Skills Training commits to:

- Explore with Learners and applicants any potential issues that may prevent them from achieving some or all of their chosen qualification.
- Refer to the Awarding Body guidelines in respect to specific programmes and qualifications when giving advice to Learners and applicants.
- Advise the Learner or applicant, where appropriate, of alternative programmes or qualifications that they could be enrolled on, or advise if the Learner or applicant is only likely to achieve unit certification rather than the full qualification.

8. COMPLAINTS AND MONITORING PROCEDURES

Hands on Skills Training has in place procedures for monitoring compliance with this policy and for dealing with complaints of discrimination. These are available from the Managing Director or Department Managers and will be made available immediately upon request.