

# Equality and Diversity Policy

## Purpose

This policy sets out Norton Webb Limited's approach to equality and diversity. Norton Webb Limited is committed to equality of opportunity and to a proactive and inclusive approach to equality which supports and encourages all under-represented groups, promotes an inclusive culture and values diversity.

Norton Webb Limited values diversity and recognises that the organisation is greatly enhanced by the different range of backgrounds, experiences, views, beliefs and cultures represented within the Norton Webb community. This approach brings valuable insights to us and enhances our work.

Norton Webb Limited is an inclusive organisation, committed to providing equal opportunities throughout our workforce, customers and learners. This includes equality of pay, recruitment, training and development of all stakeholders, and to pro-actively tackling and eliminating discrimination.

## Equality and diversity at Norton Webb Limited

At Norton Webb Limited, we consider that equality means breaking down barriers, eliminating discrimination and ensuring equal opportunities and access for all.

We consider diversity to mean celebrating difference and valuing everyone. Each person is an individual with visible and non-visible differences by embracing this in all our activities, we acknowledge that variety and difference are intrinsic to the success and future development of our business.

Equality and diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued and harnessed.

## Scope

The rights and obligations set out in this policy apply equally to;

- actual and prospective learners ('learner' is used as a common term to also denote client and customer where appropriate)
- employees (all employees, whether part time or full time on a substantive or fixed-term contract, and also to associated persons such as volunteers, agency staff, contractors and others employed under a contract of service)
- employers (external partners who are in receipt of and/or providing work-based Norton Webb Limited services)

The words 'individual(s)' and 'everyone' are used in this policy to denote all those above.

Everyone is personally responsible for upholding this policy and we expect all individuals to behave with dignity, courtesy and respect and to act in a non-discriminatory manner at all times.

This policy applies to all conduct in the workplace and also to conduct outside of the workplace that is related to your work (e.g. at meetings, social events and social interactions with colleagues) or which may impact on Norton Webb Limited's reputation (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be linked to Norton Webb Limited).

As part of Norton Webb Limited's employee induction, employees are expected to read and familiarise themselves with this policy, ensure that this policy is properly observed and fully complied with and to complete the Employee Declaration.

## **Norton Webb Limited's commitment**

Every individual is entitled to an environment that promotes dignity, equality and respect for all.

Norton Webb Limited will not tolerate any acts of unlawful or unfair discrimination (including harassment) committed against an individual or visitor because of a protected characteristic:

- sex;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race (including ethnic origin, colour, nationality and national origin);
- disability;
- sexual orientation;
- religion and or belief; and
- age.

Discrimination on the basis of work pattern (part-time working, fixed term contract, flexible working) which is unjustifiable will also not be tolerated.

All individuals will be encouraged to develop their skills and fulfil their potential and to take advantage of training, development and progression.

Selection for employment, promotion, training, or any other benefit will be on the basis of aptitude and ability.

Subject to statutory provisions, no individual will be treated less favourably than another because of their belonging to a protected group, including equality of pay for all employees.

No form of intimidation, bullying or harassment will be tolerated. If an individual believes that they may have suffered discrimination because of any of the above protected characteristics, they should consider the appropriateness and feasibility of informal resolution. If this is not possible the individual may make a complaint which will be dealt with through the agreed procedures for complaints or grievances or the

procedures for dealing with bullying and harassment as appropriate. For types of discrimination see the Annex to this policy.

Allegations involving learners and employer will be dealt with using the agreed procedures for handling bullying and harassment as detailed in literature provided. Learners or employers found to have breached this policy may have any relationship with Norton Webb Limited terminated, including funded training.

An employee found to have breached this policy may be subject to disciplinary action under Norton Webb Limited's Discipline Policy. Employees may also be personally liable for any acts of discrimination prohibited by this policy that they commit, meaning that they can be sued by the victim.

Allegations involving learners and employer will be dealt with the agreed procedures for handling bullying and harassment as detailed in literature provided. Learners or employers found to have breached this policy may have any relationship with Norton Webb Limited terminated, including funded training.

## **Promoting good practice**

Norton Webb Limited will take active steps to promote good practice in particular it will;

- Subject its policies to continuous assessment in order to examine how they affect protected groups and to identify whether its policies help to achieve equality of opportunity or have an adverse impact.
- Ensure the elimination of unlawful discrimination, harassment and victimisation based on a protected characteristic, whether actual, perceptive or associative.
- Promote an inclusive culture, good practice in teaching, learning and assessment, and good management practice, through the development of best practice policies and training.

## **Legislative Framework**

This Policy is underpinned by legislation, this includes:

- Human Rights Act 1998
- The Civil Partnership Act 2004
- The Gender Recognition Act 2004
- The Equality Act 2006
- Equality Act 2010

The above list is not exhaustive and will be reviewed regularly.

Under the above Equality legislation it is unlawful to:

- discriminate directly against anyone and treat him/her less favourably than others because of a protected characteristic they have or are thought to have (perception discrimination), or because they associate with someone who has a protected characteristic (discrimination by association);

- discriminate indirectly against anyone by applying a criterion, provision or practice which particularly disadvantages people who share a protected characteristic;
- subject someone to harassment related to a relevant protected characteristic (pregnancy and maternity and marriage and civil partnership are excluded);
- victimise someone because s/he has made, or intends to make, a complaint or allegation or has given or intends to give evidence in relation to a complaint of discrimination;
- discriminate against someone in certain circumstances because of a protected characteristic after the working relationship has ended.

The protected characteristics are:

- age
- disability
- gender
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation

This policy has been in operation since August 2006 and was reviewed in September 2009, January 2011, August 2013, September 2015, December 2016, February 2018.

## **Equality and Diversity Declaration**

I have read and understood Norton Webb Limited’s Equality and Diversity Policy and agree to work to the expected standards. Regardless of my background and circumstances, I agree to treat all colleagues and visitors with respect and dignity while carrying out the duties and responsibilities of my role at Norton Webb Limited.

Signature .....

Print Name .....

Date

.....

## ANNEX - Types of Discrimination

There are various types of discrimination prohibited by this policy. The main types are:

### Direct Discrimination

Direct discrimination occurs where one person is treated less favourably than another because of a protected characteristic set out in this policy. By way of example, refusing to promote a pregnant employee on the basis that she is shortly due to go on maternity leave would be direct discrimination on the protected characteristic of the employee's sex. Other types of direct discrimination are:

- **Associative discrimination** - this is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For example, an employee is discriminated against because his/her son is disabled.
- **Perceptive discrimination** - this is direct discrimination against an individual because others think they possess a particular protected characteristic. For example, where co-workers believe the individual is gay. It applies even if the person does not actually possess that characteristic.

### Indirect discrimination

Indirect discrimination occurs when an unjustifiable requirement or condition is applied, which appears to be the same for all, but which has a disproportionate, adverse effect on one group of people. This is discrimination even though there was no intention to discriminate. For example, a requirement for UK based qualifications could disadvantage applicants who have obtained their qualifications outside of the UK; this could amount to indirect discrimination on the grounds of race.

### Victimisation

Victimisation is where an employee is treated less favourably than others because they have asserted legal rights against Monitor or assisted a colleague in doing so. For example, victimisation may occur where an employee has raised a genuine grievance against Monitor and is demoted as a result.

### Harassment

Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual." It is important to remember that it is not the intention of the harasser but how the recipient perceives their behaviour, which determines whether harassment has occurred. Please see Norton Webb Limited's Harassment Policy, for further details of how Norton Webb Limited will deal with bullying and harassment.

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