



## **Single Equality Scheme**

**February 2019**

This policy will be up dated as our business changes in line with new legislation. It will be reviewed and updated as necessary, a minimum of once a year.

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## **1.0 Single Equality Scheme**

### **1.1 Introduction**

Juniper's Single Equality Scheme describes how the company will fulfil its statutory duties to promote equality of opportunity for all its staff and stakeholders.

We will comply with the law in promoting equality and reaching groups of people with low skills improving access to learning and students experience in training. We will seek to increase participation amongst students by offering inclusion for students from the widest possible pool, ensuring that all students succeed and can progress in ways that match their abilities and aspirations.

We have developed our procedures and practices which do not discriminate on the ground of gender (including sex, marriage, civil partnership, gender re-assignment, pregnancy and maternity), sexual orientation, race (including ethnic origin, colour, nationality and national origin), disability, religion or belief and age. We encourage diversity and our aim is to have representation of all sections of society working within Juniper.

### **1.2 Purpose of the Policy**

The purpose of this policy is to provide equality and fairness for our staff, students, subcontractors and stakeholders. To create an environment in which individual differences and contributions of our staff are recognised and valued without intimidation.

Breaches of our equality and diversity scheme will be regarded as misconduct and could lead to disciplinary proceedings.

This document will detail how Juniper will approach the nine protected characteristics and a brief overview of the relevant Acts can be found in Annex 3 of this policy. Further activities regarding any areas for development are detailed in each centres own quality improvement plan and in Juniper's overall Quality Improvement Plan.

### **1.3 Monitoring and Review of the Scheme**

The Single Equality Scheme has the commitment from the Senior Management Team and overall day-to-day responsibility of the scheme lies with the Managing Director.

Juniper aims to promote a culture of respect and dignity of all employees and students through effective implementation of policies and procedures.

They will take into account the Scheme in the development of the Strategic Plan and use management data to monitor progress against targets.

The Regional Heads of Performance will take responsibility for setting and agreeing actions to achieve targets with Performance Managers.

The Head of Quality will review policies on a twelve month cycle to ensure that the Scheme is updated appropriately in line with current legislation and practices.

#### **1.4 Juniper's Aim**

Juniper is wholly committed to achieving equality for all students and staff, always ensuring diversity is valued. As an educational provider Juniper has produced a Single Equality Scheme which aims to avoid discrimination in accordance with the nine protected characteristics:

- Race
- Sex
- Disability
- Sexual orientation
- Gender reassignment
- Age
- Religion or Belief
- Marriage and civil partnership
- Pregnancy and maternity

We will provide an engaging, creative and challenging programme, which will reflect diversity and embed equality for all. By recruiting staff from the widest pool possible we aspire to generate insight into different cultures and communities, providing an inclusive environment for all staff, students and stakeholders.

Equality and diversity is an integral part of our business strategy. We will ensure that the working environment of our staff, students, subcontractors and stakeholders is free from discrimination, harassment and bullying and seek to promote positive practices.

#### **1.5 Responsibilities**

##### Chairman

Has overall and final responsibility for discriminatory acts within Juniper, our subcontractors and stakeholders.

##### Managing Director

Has day-to-day responsibility for discriminatory acts within Juniper, our subcontractors and stakeholders, along with overall responsibility for managing recruitment processes and staff training.

##### Head of Quality/Management Board

Review the scheme annually.

##### Quality Team

Centre inspections are conducted by the Head of Quality and Quality Manager. The inspections validate centres individual self-assessment reports and Quality Improvement Plans against the CIF criteria of which E&D forms part of the process.

### Human Resources Team

Will monitor personnel procedures, to include recruitment and selection, promotion, training, discipline and grievance.

## **1.6 Teaching and Learning**

Juniper promotes social inclusion in all its training programmes. A generic company induction programme ensures students have an understanding of their rights and responsibilities.

All students receive impartial advice and guidance which is unbiased and non-discriminatory. Individual student's needs are diagnosed through a holistic initial assessment process and access to specialist support is available, if required.

Juniper's procedures and practices do not discriminate on the ground of gender (including sex, marriage, civil partnership, gender re-assignment, pregnancy and maternity), race (including ethnic origin, colour, nationality and national origin), disability, sexual orientation, religion or belief and age.

## **2.0 Meeting the Needs of Students and Staff**

### **2.1 Equality Act 2010**

The Equality Act 2010 protects people from discrimination in the workplace. The act replaced previous anti-discrimination laws with a single act and sets out ways in which it's unlawful to treat someone. Juniper's equality and diversity performance is reviewed by the Regional Heads of Performance, Performance Managers and all staff throughout the company on an ongoing basis.

Juniper will seek to review all publicity materials to ensure that there are no negative images and references to any of the nine protected characteristics. Barriers will be removed that might prevent applications from potential employees and students based on any of the nine protected characteristics.

Entry to programmes will be based on eligibility criteria of which academic ability may be one; certain abilities are necessary for the level of programmes offered at Juniper. This will be taken into account when discussing suitability with applicants. Likewise, Juniper will consider the ability of staff applicants and their ability to fulfil the job role. Person Specifications will quantify the ability of staff and exclude applicants who have not gained the relevant experience.

### **2.2 Race Equality**

Juniper welcomes staff, students and stakeholders from all ethnic backgrounds irrespective of race which includes; colour, nationality and ethnic or national origin. We recognise the diversity of the community we serve and aim to treat everyone as an individual. Diversity amongst Juniper users is seen as a positive experience and we encourage contribution from all groups.

Juniper promotes opportunity for staff, students and stakeholders regardless of race or ethnic origin. Juniper will eliminate unlawful racial discrimination, promote equal opportunities and promote good relations between people from different 'racial groups'.

### **2.3 Gender Equality**

Juniper is committed to working to eliminate gender inequality and harassment and promote equality of opportunity for all regardless of gender.

Juniper will eliminate any unlawful discrimination and harassment on the grounds of gender. Equality of opportunity between men and women will be actively promoted amongst staff and students. Information will be collected from employees, service users and others on the effect of the Single Equality Scheme and the extent to which it promotes equality between male and female groups.

Juniper seeks to treat its staff equally regardless of gender. It will respond to issues relating to job evaluation, maternity and paternity, pay or promotion equality and will investigate its practices should they be the subject of enquiry.

Juniper will also seek to adopt systems that allow for career development of staff. We adopt a performance management scheme that bases judgement of financial worth on the work carried out as against the gender of the person carrying out the function.

### **2.4 Disability Equality**

Juniper welcomes disabled students and aims to provide to the best of our ability support which allows them to achieve their potential. We place great emphasis on education and training and support the view of inclusion and supporting ways of incorporating staff and students into its community by facilitating access. All reasonable anticipatory measures are made to ensure staff and students with disabilities are not treated less favourably as a result of impairment.

Juniper will promote equality of opportunity between disabled staff and students. All unlawful discrimination will be eliminated and positive attitudes towards disabled staff and students will be promoted.

Particular support is offered by Juniper to students to enable access to:

- Dedicated pastoral support
- Connexions and JCP Personal Advisors
- Links with local support agencies
- Specialist advice and guidance during the application and interview
- One to one support
- Arrangement for examination special considerations

Juniper will provide support for students with dyslexia, dyscalculia, dyspraxia, autism spectrum disorder and ADHD. Juniper can provide advisors able to refer/signpost students for advice/support with sensory impairment, physical disabilities, special learning difficulties, medical conditions and mental health conditions

The maths and English Policy forms part of Juniper's commitment to an inclusive learning culture. It outlines students' entitlement, support and services as part of a 'whole organisational approach' to raise aspirations and help students to realise their potential and obtain sustained further education, apprenticeship and employment with training opportunities. It forms part of Juniper's overall Strategic Plan.

## **2.5 Sexual Orientation Equality**

Juniper welcomes applications from staff and students irrespective of sexual orientation (heterosexual, homosexual, lesbian or bi-sexual). Everyone is regarded as an individual and Juniper recognises the contribution an individual makes.

## **2.6 Gender Reassignment Equality**

Juniper welcomes applications from staff and students who have had proposed, started or completed re-assignment of gender (through surgery and recognised in law as a new gender not registered at birth) or gender reference (individuals choosing to live under a gender different than biologically recognised).

## **2.7 Age Equality**

Juniper will not discriminate against any individual on the basis of age. Criteria relating to suitability will be based on appropriate skills to undertake particular employment. Juniper will negotiate with staff an appropriate time for retirement; everyone is regarded as an individual and recognised for the contribution they bring to the diversity of the company. Age will not be a determining factor in our selection process or in any other employment practice.

## **2.8 Religion or Belief Equality**

Juniper welcomes staff and student applicants regardless of religion or belief. Everyone is regarded as an individual and Juniper recognises the contribution they make to the diversity of the company. It will not knowingly give preferential treatment to any particular faith group, and will endeavour to provide reasonable support to staff and students in carrying out their religious practices such as providing a quiet room for prayer and recognise main religious festivals that directly affect the individual.

Juniper aims to create an environment where all beliefs are recognised and awareness promoted. By creating an inclusive culture with positive perceptions encouraged the diversity and breadth of the community will be celebrated.

## **2.9 Pregnancy and Maternity Equality**

Juniper will not discriminate against an employee, student or individual on the basis of pregnancy and maternity. Pregnancy or maternity will not be a determining factor in our selection process or in any other employment practice. Juniper will not knowingly discriminate or treat someone unfavourably because of her pregnancy or maternity.

## **2.10 Marriage and Civil Partnership Equality**

Juniper welcomes applications from staff and students irrespective of marital status and civil partnership. Everyone is regarded as an individual and Juniper recognises the contribution an individual makes.

## **2.0 Employment Practices**

### **3.1 Recruitment and Selection**

When recruiting and selecting staff Juniper ensures that job vacancies are advertised to reach all sectors of the community. Job descriptions and person specifications give a realistic picture of the job which is precise and in a non-discriminating language.

Recruitment publicity avoids stereotyping and reasonable adjustment will be made to comply with the Equality Act 2010. Eligibility of candidates will be validated in accordance with the Asylum and Immigration Act 1996 and the Immigration Act 2014.

Recruitment monitoring information will be removed from the application form and not included when short listing potential staff.

Staff will be selected on the merits of their application form, qualifications, skills and experience. Interviews will be conducted by more than one person, which will be unbiased and non-discriminating regardless of gender (including sex, marriage, civil partnership, gender re-assignment, pregnancy and maternity), race (including ethnic origin, colour, nationality and national origin), disability, sexual orientation, religion or belief and age. All recruitment and selection practise adhere to the organisations policy for Safeguarding (see Safeguarding Policy for further guidance).

Unsuccessful candidates will be informed and be provided with feedback on their application form and performance at interview if they ask for it.

### **3.2 Training and Development**

All new staff whether full or part time will receive a structured induction that includes company rules and procedures, roles and responsibilities, this induction will also include training sessions on Safeguarding, Equality and Diversity and Health & Safety delivered by an appropriately trained member of staff. Staff are required to undertake online modules and assessments through Foundation Online Learning (part of the Education and Training Foundation) in Prevent and Safeguarding & Safer Recruitment. The annual cycle of staff performance reviews identifies the need for staff training and or support.

All staff and sub contractors will have access to scheduled internal training. Regular individual centre team meetings maintain currency on issues; this includes Equality and Diversity.

External training will be made available to staff if deemed necessary to maintain skills and knowledge in order to conduct their job role.

### **3.3 Equality Training**

Training commences during induction where staff are directed to the Single Equality Scheme. This is monitored through the Initial Induction Plan, issued to all new staff commencing with Juniper. As part of their induction, staff are required to undertake the Foundation Online Learning assessment in Advancing Equality & Diversity.

### **3.4 Promotion within Juniper**

Selection for promotion will be advertised following the same procedure as for recruitment. Full and part time staff will have equal access to promotion opportunities.

### **3.5 Discipline and Grievance**

Staff breaching the Single Equality Scheme will be dealt with through Juniper's disciplinary and grievance procedures

### **3.6 Equal Pay**

In accordance with Juniper's terms and conditions of employment, full and part time employees are entitled to equal and fair pay for work which is of equal value, skill and effort.

### **3.7 Part Time and Flexible Working Arrangements**

Juniper will endeavour to be flexible wherever possible. In line with legislation, certain staff have the right to request flexible working which will be considered in line with business requirements; additionally, we consider requests for flexible working for all staff. Part time and flexible working will be available for both men and women who will have the same rights as full time staff.

### **3.8 Student Recruitment**

Juniper will endeavour to recruit students of all genders, from all ethnic groups and students with disabilities without prejudice. When recruiting and selecting students Juniper ensures that training programmes are advertised to reach all sectors of the community. Marketing materials give a realistic picture of the training programmes in a non-discriminating language.

Recruitment publicity avoids stereotyping and reasonable adjustments will be made to comply with the Equality Act 2010. Eligibility of candidates will be validated in accordance with the Asylum and Immigration Act 1996 and the Immigration Act 2014.

All staff involved in the recruitment process work to the matrix Standards and have received training in information, advice and guidance practice

## [Annex 1:](#)

### **Glossary of Terms**

#### **Disability**

A disabled person is described in the Equality Act 2010 as one who has a physical or mental impairment that has a 'substantial' and 'long term' adverse effect on his or her ability to do normal daily activities.

#### **Diversity**

Diversity is about recognising, valuing and taking account of people's different backgrounds, knowledge, skills, and experiences, encouraging and using those differences to create a productive and effective workforce.

#### **Ethnicity**

A strict definition of ethnic group is a group regarded as a distinct community by virtue of certain essential characteristics, e.g. a shared history which distinguishes it from other groups and a cultural tradition of its own. It has come to have a broader meaning and the expression 'ethnic monitoring' is used in reference to groups defined by colour, race or national origin as well.

#### **Gender**

The word 'gender' is often used in place of the word 'sex' in equality issues.

#### **Gender reassignment**

Gender re-assignment is a process undertaken under medical supervision for the purposes of reassigning a person's sex by changing physical or other characteristics of sex. The Sex Discrimination Act was extended in 1999 to make it unlawful to discriminate in employment on the grounds of an employee intending to, undergo or having undergone gender re-assignment.

#### **Liability**

Employers have a legal liability for any act of discrimination (including harassment) carried out by their employees unless the employer can show that they have taken all reasonably practicable steps to prevent it.

#### **Office for Standards in Education**

Ofsted will inspect training providers as part of the Common Inspection Framework and the role of management. They will report on the effectiveness and arrangements of equality and diversity under the leadership and management section.

#### **Safeguarding**

The law requires organisations serving students under 18 years and vulnerable adults to keep them safe from danger, harm or abuse. These responsibilities, commonly known as 'safeguarding', are extended to further education and skills providers in respect of vulnerable adults that are training with us. Therefore all safeguarding requirements are intended to cover all students in learning with Juniper. Please refer to Juniper's Safeguarding Policy for further guidance

## Annex 2: Types of Discrimination

### **Direct discrimination**

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic that they have or are thought to have.

### **Discrimination by association**

An individual is treated less favourably because they associate with another person who possesses a protected characteristic.

### **Perception discrimination**

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

### **Indirect discrimination**

Occurs where the effect of certain requirements, conditions or practices imposed by an employer has an adverse impact on people who share the same characteristic. Indirect discrimination generally occurs when a rule or condition, which is applied equally to everyone, can be met by a considerably smaller proportion of people from a particular group, the rule is to their disadvantage, and it cannot be justified.

### **Harassment**

Behaviour which is unwelcome or unacceptable and which results in the creation of a stressful or intimidating environment for the victim amounts to harassment. It can consist of verbal abuse, racist jokes, insensitive comments, leering, physical contact, unwanted sexual advances, ridicule or isolation.

### **Victimisation**

If a person has made or is making an accusation of discrimination in good faith, it is unlawful to discriminate against them for having done so, or because they intend to do so or it is suspected that they intend to do so.

### Annex 3: Overview of Acts

#### **The Equality Act 2010**

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The act replaced previous anti-discrimination laws with a single Act, making the law easier to understand. The act identifies nine characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation which are protected and outlaws discrimination against these characteristics. Prior to the Act there were several pieces of legislation to cover discrimination, including:

- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995 & 2005
- Equal Pay Act 1976

#### **Ethnicity and Race**

The **Race Relations Act 1976** was superseded by the **Equality Act 2010**.

The **Human Rights Act 1998** provides for the prohibition of discrimination in employment under the European Convention on Human Rights which underpins the Data Protection Act and guarantees freedom of expression.

#### **Gender**

The **Sex Discrimination Act 1975** was superseded by the **Equality Act 2010**.

#### **Disability**

The **Disability Discrimination Act** was superseded by the **Equality Act 2010**.

The **Disability Discrimination Act 1995** was superseded by the Equality Act 2010.

The **Special Educational Needs and Disability Code of Practice: 0 to 25 years**.

The code of practice requires post-16 institutions to:

- Co-operate with the local authority on arrangements for children and young people with SEN.
- The duty to admit a young person if the institution is named in an Education Health and Care (EHC) plan.
- The duty to have regard to this Code of Practice
- The duty to use their best endeavours to secure the special educational provision that the young person needs.

**Human Rights Act 1998** covers your rights under European Convention on Human Rights. If you experience discrimination on the grounds of disability, you may have a case under both the Human Rights Act and the Equality Act.

**Learning and Skills Act 2000** – gives the Funding Bodies the power to attach conditions to payments it makes to training providers. Training providers must demonstrate due regard and promote equality and diversity between the following groups:

- Persons of different racial groups
- Male and female
- Persons who are disabled and persons who are not.

Providers are required to publish a statement on their arrangements and effectiveness of promoting equality and diversity.

### **Sexual Orientation**

The **Employment Equality (Sexual Orientation) Regulations 2003** was superseded by the **Equality Act 2010**.

The **Employment Equality (Sexual Orientation) Regulations 2003** outlaws discrimination on grounds of sexual orientation in employment and vocational training. It covers all aspects of employment relationship, recruitment, pay, working conditions, training, promotion, dismissal and references. It covers orientations towards people of the same sex, people of the opposite people sex, or people of both sexes. This means that it protects lesbians, gay men, bisexuals and heterosexuals in employment and training.

The **Civil Partnerships Act 2004** gives same sex couples the ability to register their relationships legally in the same way as a marriage.

The **Marriage (Same Sex Couples) Act 2013**, the main purpose is to enable same sex couples to marry.

### **Gender Reassignment**

Transsexual people are protected under the **Equality Act 2010**.

The **Gender Recognition Act 2004** enables transsexual people to apply for gender recognition. The Act requires the applicant to be at least 18 years old; have, or have had gender dysphoria; have lived in the acquired gender for at least two years before making the application and intend to continue to live in the acquired gender for the rest of their life. Evidence is presented to a Gender Recognition Panel, which considers each individual case and where appropriate issues a Gender Recognition Certificate.

Once a gender recognition certificate is issued to an applicant, the person's gender becomes for all purposes the acquired gender and they are protected under that gender by law. For example, an applicant who was born a male, would in law, become a female. She would therefore be protected as a female under the Sex Discrimination Act 1975; and would be considered to be female for the purposes of the Matrimonial Causes Act 1973, and so able to contract a valid marriage with a man.

### **Age**

The **Employment Equality (Age) Regulations 2006** was superseded by the **Equality Act 2010**.

The **Employment Equality (Age) Regulations 2006** it is unlawful to discriminate on the grounds of age on in the fields of employment and vocational training. It is

unlawful to discriminate, either directly or indirectly, without justification, at any stage in the employment process, including recruitment, terms and conditions of employment, promotion, transfer, training and dismissal. The regulation also prohibits harassment and victimisation and applies to people of every age - young and old.

### **Cultural and Religious Belief**

The **Employment Equality (Religion or Belief) Regulations 2003** was superseded by the **Equality Act 2010**.

### **Annex 4:**

#### **Website links for further information**

|   |  |
|---|--|
| <a href="http://www.education.gov.uk">www.education.gov.uk</a>  | Department for Education                   |
| <a href="http://www.equalityhumanrights.com">www.equalityhumanrights.com</a>  | Equality and Human Rights Commission       |
| <a href="http://www.ofsted.gov.uk">www.ofsted.gov.uk</a>  | Ofsted (Office for Standards in Education) |
| <a href="https://www.gov.uk/guidance/equality-act-2010-guidance">https://www.gov.uk/guidance/equality-act-2010-guidance</a> | Equality Act 2010 guidance                 |

