

EQUALITY and DIVERSITY POLICY

Rationale

- 1.1** Halifax Opportunities Trust (HOT) are an equal opportunities employer and seek to maximise the wellbeing of all staff, as well as our external relationships, and we will strive for a just and inclusive environment that promotes and sustains equality.
- 1.2** The terms equality, diversity and inclusion are:
- ‘Equality’ means ensuring everyone has the same opportunities to fulfil their potential free from discrimination.
- “Diversity” means the celebration of individual differences amongst the workforce.
- “Inclusion” means ensuring everyone feels comfortable to be themselves at work and feels worth of their contributions.
- 1.3** We will endeavour to make full use of the many talents of all members of staff and to create an employment culture which is healthy, productive and of good quality for everyone. We ...
- ▶ are committed to promoting equal opportunities in our organisation;
 - ▶ value diversity and will encourage fairness and justice;
 - ▶ want to provide equal chances for everyone to work, learn and live, free from discrimination and victimisation, even where there was no intention to discriminate;
 - ▶ will combat discrimination throughout our organisation and will strive to overcome discriminatory barriers;
 - ▶ provide training for staff to ensure an understanding of the importance of equality and diversity, with additional training for staff who recruit, select and train our staff.
- 1.4** As a consequence, you and any future job applicants will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (these are known as “Protected Characteristics”), or is disadvantaged by conditions or requirements which cannot be shown to be relevant to performance.
- 1.5** In addition, the products and services which HOT provides will be delivered in such a way that anyone in contact with our organisation is treated with respect and understanding.
- 1.6** The purpose of this policy is to set out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with us, including recruitment; pay and conditions; training; performance management and appraisals; promotion; conduct at work; disciplinary and grievance processes; and termination of employment.

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- 1.7** This policy covers all employees, officers, consultants, contractors, partner organisations, suppliers, agents, volunteers, students, casual workers and agency workers. It is also intended to cover our procurement practices to ensure that others commissioned to provide services for us have similar policies that deal with equal opportunities.
- 1.8** This policy does not form part of your contract of employment and may be amended at any time by HOT.
- 1.9** Failure to observe this policy (or any of the associated policies, procedures or guidance documents) may result in disciplinary action up to and including dismissal.

Roles and Responsibilities

- 2.1.** Our HR Team has overall responsibility for ensuring compliance with discrimination law. Day-to-day operational responsibility for this policy (including regular review of the policy) has been delegated to the SMT.
- 2.2.** All managers must set an appropriate standard of inclusive behaviour, led by example, ensure that those they manage adhere to this policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness, including recruitment and selection best practice. The SMT has overall responsibility for sourcing equal opportunities training.
- 2.3.** Specifically, managers have a responsibility for operating within the boundaries of this policy, ensuring that all staff understand the standards of behaviour expected of them and taking action when behaviour falls below its requirements.
- 2.4.** Every member of staff is responsible for the success of this policy and you should ensure that you take the time to read and understand it. Questions regarding the content or application of this policy should be directed to your line manager in the first instance.

Discrimination

- 3.1.** You must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts), and on work-related trips or events including social events.
- 3.2.** The following forms of discrimination are prohibited under this policy and are also unlawful:

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- (a) **Direct Discrimination** – treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because you think they might be gay.
- (b) **Indirect discrimination** – a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time could adversely affect parents or carers because they generally have greater commitments than people without children or caring responsibilities. Such a requirement would be discriminatory unless it can be justified.
- (c) **Harassment** – this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-Harassment and Anti-Bullying Policy.
- (d) **Victimisation** – retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
- (e) **Disability discrimination** – this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

3.3. If you feel that you are being unlawfully discriminated against, bring it to the attention of your line manager in the first instance. The matter will be fully investigated and appropriate action taken. Where the complaint is without foundation but is the result of poor communication, a meeting will be held to establish the root cause of the issue and determine future actions (which might include mediation) and timescales to resolve it.

3.4. If you believe that there is discriminatory behaviour occurring or that this policy is not being adhered to, you must bring this to the attention of management straight away using our Whistleblowing Policy and Procedure.

Recruitment and selection

4.1. Recruitment (whether by our own advertising, using recruitment agencies or unsolicited applications), promotion and any other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. This means that we shall draw up clear and justifiable job criteria in the job descriptions and person specifications which are demonstrably objective and job-related.

4.2. Shortlisting should be done by more than one person and with the involvement of HR, where possible. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.

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- 4.3. We try to ensure that all vacancies are generally advertised to a diverse section of the labour market. Advertisements must avoid stereotyping or using wording that may discourage particular groups from applying.
- 4.4. Job applicants are not to be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
- 4.5. Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of HR. For example:
 - ▶ Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
 - ▶ Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
 - ▶ Positive action to recruit disabled persons.
 - ▶ Equal opportunities monitoring (which will not form part of the selection or decision-making process).

Where necessary, job offers can be made conditional on a satisfactory medical check.

- 4.6. We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from HR.

Training and promotion and conditions of service

- 5.1. Training needs will be identified through regular Supervisions, one-to-one meetings and the appraisal process. You will be given appropriate access to training to enable you to progress within the organisation and all promotion decisions will be made on the basis of merit.
- 5.2. Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all of you who should have access to them and that there are no unlawful obstacles to accessing them.

Termination of employment

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- 6.1. We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 6.2. We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

Disabilities

- 7.1. If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 7.2. If you experience difficulties at work because of your disability, you may wish to contact your line manager or HR to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager or HR may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.
- 7.3. We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

Part-time and fixed term work

- 8.1. Part-time and fixed-term staff must be treated in the same way as a comparable full-time or permanent member of staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

Equal Pay

- 9.1. We will ensure that all employees have the right to the same contractual pay and benefits for carrying out the same work, work rates as equivalent work or work of equal value

Breaches of this policy

- 10.1 We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal without notice.
- 10.2 If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure or through our Anti-Harassment and Anti-Bullying Policy as appropriate. Complaints will be treated in confidence and investigated as appropriate.

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10.3 There must be no victimisation or retaliation against staff who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.

Appendix 1

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Equality and Diversity Apprenticeship Programmes

This document should be read in conjunction with the Equality and Diversity Policy which clearly sets out the commitment by Halifax Opportunities Trust to maximise the wellbeing of all staff, as well as our external relationships, and we will strive for a just and inclusive environment that promotes and sustains equality.

In addition, the products and services which HOT provides including our training provision and apprenticeships will be delivered in such a way that anyone in contact with our organisation is treated with respect and understanding.

Halifax Opportunities Trust is committed to creating and sustaining a positive and supportive working environment for our staff and an excellent learning experience for our learners, where all staff are equally valued and respected and learners are encouraged to thrive vocationally. HOT believe this to be ethically right and socially responsible. HOT is committed to compliance with relevant equality legislation, the Equality Act 2010 and relevant good practice guidance. HOT will pursue and build on the statutory position to ensure effective policies and to develop a culture of promoting equality.

HOT is committed to ensuring that existing members of staff, job applicants, existing and potential learners are treated fairly in an environment which is free from any form of discrimination with regard to the protected characteristics as outlined in the Equality Act 2010, which are:

- ▶ Age
- ▶ Disability
- ▶ Gender Reassignment
- ▶ Marriage and Civil Partnership
- ▶ Pregnancy and Maternity
- ▶ Race
- ▶ Religion or Belief
- ▶ Sex
- ▶ Sexual Orientation

In line with our responsibilities as a member of the West Yorkshire Learning Provider Network, every effort is made to actively promote and embed equality and diversity in all programmes of training. Our qualifications and training are promoted widely to all relevant sectors using the communication channels which exist both locally and regionally including the Apprenticeship Directory, WYLP, and the local authority and sector organisations to ensure maximum opportunity for take-up. Consideration is given to the individual needs of the diverse groups who will access training.

Flexible delivery is essential within the childcare and playwork field and often travel, cover costs and personal childcare needs become barriers to accessing training. HOT will do everything possible to remove these barriers.

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The marketing of programmes must take into consideration the groups who will be reached by any particular method and recognition of individual skills and/or language needs even at this marketing stage must be addressed.

Confidence levels in some returners to study may be low and will need building sensitively.

Equality and Diversity is embedded in all programme delivery, with an induction session included in all course delivery alongside health and safety. Throughout the delivery of any programme attention is paid to individual learning styles, the timing of delivery, ease of access etc, working very closely with any partner organisations and employers with the knowledge of the working patterns of their sector. Given the high levels of ethnic minority groupings within some local areas, attention will be given to removing any barriers that may arise as a result of culture or language.

All work based learners on apprenticeship programmes will receive information on Equality and Diversity at their induction with detail of the implications of the Equality Act 2010 in their Learner Packs.

The display of posters in the training centre and training rooms acts as a visual reminder of our responsibilities towards challenging discrimination.

All employers involved in work based delivery will be made aware at sign up of their responsibilities under the Equality Act 2010

Equality and Diversity is addressed across the delivery of all programmes at Halifax Opportunities Trust in relation to the recruitment of staff, learners, employer engagement and qualification delivery.

Equality and Diversity training for all staff is recognised as an essential element of CPD.

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