

Equality, Diversity and Inclusion Policy



SEMESTER
LEARNING & DEVELOPMENT

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Version History

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1. Scope

This policy applies to all employees, learners, apprentices, employers, stakeholders and contractors and is non-contractual and without prejudice to your statutory rights.

2. Policy Statement

Semester Learning and Development (referred to as 'the Company' or Semester) is committed to providing a working environment in which everyone feels valued, respected and able to contribute to the success of the business and that an individual's own diversity is viewed positively, recognising that everyone is different, valuing equally the unique contribution that each individual brings in terms of experience, knowledge and skills.

The Company is an equal opportunities employer, and no employee, learner, apprentice, employer, stakeholder or job applicant will receive less favourable treatment on the grounds of any of the protected characteristics. These are:

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

This policy will be applied in context of all of the Company's activities, including recruitment, selection, employment, pay and benefits, facilities, promotions and training.

The core of the Company's business is managing and delivering training programmes to a wide range of learners and employers. All Semester employees have a responsibility to ensure that the principles set out in the Equality, Diversity and Inclusion Policy are the basis upon which we work to ensure that all learners are sustained in working environments where they are valued, respected and able to contribute to the success of their respective businesses.

3. Principles

This policy is built on current guidance and codes of practice along with appropriate law, such as:

- [Race Relations Act 1976](#)
- [Equal Pay Act 1970](#)
- [Sex Discrimination Act 1975](#)
- [Gender Recognition Act 2004](#)
- [Equality Act 2010](#)
- [Equality Act 2010 \(guidance\)](#)
- [Employment Rights Act 1996](#)
- [The Employment Equality \(Sexual Orientation\) Regulations 2003](#)
- [The Employment Equality \(Religion or Belief\) Regulations 2003](#)
- [The Employment Equality \(Age\) Regulations 2006](#)
- [Disability Discrimination Act 1995](#)
- [Definition of Disability under the Equality Act 2010](#)
- [Rehabilitation of Offenders Act 1974](#)
- [Part-time Workers \(Prevention of Less Favourable Treatment\) Regulations 2000](#)
- [Fixed-term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#)
- [The Special Educational Needs and Disability Act 2001](#)
- [Human Rights Act 1998](#)
- [The Learning and Skills Act 2000](#)

4. Roles and Responsibilities

All individuals are responsible for ensuring we help and support each other and therefore comply with the guidelines laid out in this policy.

The Senior Management Team is responsible for updating this policy and for ensuring:

- the Company implements and follows its equality, diversity and inclusion policies and codes of practice and meets its legal responsibilities
- the promotion of equality, diversity and inclusion across all Semester's activities
- that all staff, learners, apprentices, employers, stakeholders and contractors know their responsibilities and receive relevant support, guidance and access to training
- all allegations are investigated in a timely manner and with consistency, and
- that all relevant procedures and actions are followed in the case of any unfair discrimination, victimisation, harassment or bullying

Line Managers are responsible for ensuring their teams:

- are aware of the Company's Equality, Diversity and Inclusion policy
- comply with the Company's Equality, Diversity and Inclusion policy
- take appropriate action when discrimination, victimisation, harassment or bully occurs
- liaise at all times with Human Resources (HR) when an incident occurs

All employees and contractors are responsible for ensuring:

- the policy effectively promotes equality, diversity and inclusion and prevents discrimination
- incidents of unfair discrimination, harassment or bullying are challenged and reported appropriately
- an up-to-date knowledge of equality law
- participation in relevant equality, diversity and inclusion training
- they treat colleagues, learners, apprentices and employers with dignity and respect
- their own behaviour does not affect or negatively influence others

Learners and Apprentices are responsible for ensuring they:

- respect others at all times, including their use of language and actions
- participate in equality, diversity and inclusion training
- report instances of discrimination, harassment or bullying to the appropriate person
- adhere to the Company's equality, diversity and inclusion policy at all times

5. Definitions

5a. Equality

Equality is ensuring individuals, or groups of individuals, are treated fairly and equally and are not treated less favourably because of their [protected characteristics](#).

Equality also means ensuring equality of opportunity by ensuring those who may be disadvantaged can get the support and tools they need to access the same fair opportunities as their peers.

5b. Diversity

Diversity is recognising, respecting and celebrating each other's differences. A diverse environment is one with a wide range of backgrounds and mindsets, which allows for an empowered culture of creativity and innovation.

5c. Inclusion

Inclusion is creating an environment where everyone feels welcome and valued. An inclusive environment can only be created once we are aware of our unconscious biases and have learned how to manage them.

5d. Direct Discrimination

Direct discrimination is where an individual or a group of individuals is treated less favourably than others because of a [protected characteristic](#) they have or are thought to have.

5e. Perceptive Discrimination

Perceptive discrimination is direct discrimination against an individual because others think they possess a particular [protected characteristic](#). This is the case even when the individual does not actually possess that characteristic.

5f. Indirect Discrimination

Indirect discrimination is where a condition, which cannot be justified, is applied equally to all groups but has a disproportionately adverse effect on one particular group.

5g. Harassment

Harassment can be defined as unwanted conduct related to a relevant [protected characteristic](#) which has the purpose (or effect) of violating an individual's dignity, or creating an intimidating, degrading, humiliating, offensive or hostile environment for that individual.

5h. Victimization

Victimization is when someone treats an individual badly or subjects them to a detriment because they have complained about discrimination or helped someone who has been a victim of discrimination.

6. The Benefits

Equality of opportunity and ensuring a diverse workforce is important not just because of the legal implications but because it is of enormous benefit to us as a Company and society as talent and potential are distributed across the population.

The benefits include:

- ensuring our workforce really does represent the community we serve
- being able to attract and keep the very best staff
- giving our company the edge over other employers in an increasingly diverse and competitive labour market
- improving morale and productivity
- avoiding losing good staff, learners, apprentices, employers and contractors
- avoiding under-using and under-valuing able staff, learners, apprentices, employers and contractors
- managing all individuals better
- helping to develop good practice

7. Policies

All employees, learners, apprentices, employers and contractors are instructed that:

- There should be no discrimination on account of disability, race, colour, religion, nationality, ethnic origin, sex, marital status, sexual orientation, national origin or age or any other previously mentioned grounds
- The Company will appoint, train, develop and promote employees on the basis of merit and ability
- All employees have personal responsibility for the practical application of the Equality and Diversity Policy
- The Company's Grievance Procedure is available to any individual who believes that they may have been unfairly discriminated against
- Disciplinary action will be taken against any individual who is found to have committed an act of discrimination
- In the case of any doubt or concern about the application of the policy, in any particular instance:
 - the employee should consult Human Resources (HR)
 - the learner/apprentice should consult a member of staff
 - the employer should consult their training coordinator or field team member
 - the contractor should consult Human Resources (HR)

7a. Recruitment and Selection

Semester has implemented staff and apprenticeship recruitment and selection procedures which are fair and equitable to provide equality of opportunity for all. Semester recognises the benefits of recruiting from a wide pool of candidates, and recruitment campaigns will be designed to reach all sectors and encourage applications from suitable applicants where possible.

Semester will ensure that:

- all recruitment literature will not show preference to one group of applicants unless there is a requirement for a genuine occupational qualification
- all applicants are given equal consideration
- job specifications will not have bias to either gender or race
- interviews will be conducted fairly. All questions will be strictly relevant to the job/apprenticeship and assumptions will not be made about the individuals' personal life

7b. Workplace Harassment

Workplace harassment is regarded as any conduct related to sex, race, colour, disability, sexual orientation, age or any other personal characteristic, which is unwanted by the recipient. It refers to behaviour that is unsolicited, unwanted and fails to respect the individual. It may be persistent or an isolated incident and may be directed towards one or more individuals.

Whatever its origin, harassment is inappropriate behaviour, which can result in the individual feeling threatened, humiliated, patronised or disadvantaged. Harassment may be intentional or non-intentional by the perpetrator, but harassment is determined by the perceptions and feelings of the individual the behaviour is directed at.

If an employee, learner, apprentice, employer or contractor believes that they have been subject to harassment they should refer to Semester's 'Bullying & Harassment Policy' and 'Grievance Policy' to raise the issue.

7c. Pay and Benefits

Semester will operate job evaluations and use salary banding structures to support its 'Equality, Diversity and Inclusion Policy'.

Line Managers and Human Resources are responsible for seeing that these tools are used appropriately, so that the real demands of the job and the actual value of the contribution of the employee are rewarded fairly.

7d. Promotion

All employees will be selected for roles and/or promoted on the basis of their experience and their ability to successfully perform the role.

7e. Assessment

All learners and apprentices will be assessed in accordance with assessment strategies and fair assessment practices. This includes:

- only measuring the learner's/apprentice's ability against the assessment criteria
- ensuring no learner/apprentice is disadvantaged
- giving all learners/apprentices the same opportunity to achieve the right grade

Where assessments are developed internally, we will ensure the design, marking criteria and quality assurance activities meet the requirements of this policy.

8. Training and Development

It is the policy of Semester not to discriminate in the provision of training courses. Appropriate training will be given to enable all employees, learners and apprentices to perform their jobs effectively and to the required standards.

Semester will ensure that:

- employees involved in recruitment and selection staff and apprentices will receive training in respect of the Company's *'Equality, Diversity and Inclusion Policy'*
- all employees, learners and apprentices are made aware of the Company's *'Equality, Diversity and Inclusion Policy'* during their induction
- all employees will have the opportunity for career development
- appropriate training will be given to all employees to enable them to perform their jobs to the required standards

9. Disciplinary and Grievance

In the event of disciplinary and grievance procedures being invoked, fair and equitable treatment will be applied for all employees, learners, apprentices and contractors.

10.Redundancy

No employee will be treated more or less favourably in a redundancy situation, regardless of whether it is compulsory or voluntary.

11. Complaints Procedure

Please refer to the Company's 'Grievance Policy' and 'Harassment and Bullying Policy'.

12. Policy Review

This policy will be reviewed on a regular basis. It will be a point of discussion at management reviews and any issues will be debated. If feedback from any courses proves that there are any practices occurring that are against the requirements of this policy, an action plan will be put into place.

Corrective and preventive actions will be immediately put in place to ensure that these practices do not re-occur and any changes to the policy are to be properly documented and distributed to all relevant staff.