

Equality, Diversity and Inclusion Policy



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Equality, Diversity and Inclusion Policy

1. CONTEXT

- 1.1 Arena Learning Limited is working towards the creation of a supportive and inclusive working and learning environment which is free from discrimination, where there is mutual respect and equality for all, and where differences are celebrated and respected. The organisation is proud of its diversity and values the way this enriches the life of our apprentices, students and the experiences of all.
- 1.2 The Equality, Diversity and Inclusion (EDI) policy is set within the context of Arena Learning Limited mission, values, behaviours and strategic priorities.

2. PURPOSE

- 2.1 The EDI Policy sets out the requirements and responsibilities of Arena Learning Limited for ensuring and advancing, equality for all members of Arena Learning Limited wider community in accordance with the Equality Act 2010 (Appendix 1 and 2).
- 2.2 The policy promotes positive attitudes to inclusivity and diversity to create an environment where all are able to participate and fulfil their potential. It seeks to ensure that no person is treated less favourably or unfavourably on the grounds of any of the protected characteristics (Appendix 1).
- 2.3 Each member of Arena Learning Limited community has a responsibility to uphold this policy, advance equality and eliminate discrimination, harassment and victimisation.

3. SCOPE

- 3.1 The policy covers all aspects of Arena Learning Limited academic and business functions and applies to all members of the Arena Learning Limited community, including apprentices, students, staff, governors, visitors, and parents / carers; and those contracted to work at or for Arena Learning Limited including partner employers.

4. KEY RESPONSIBILITIES

- 4.1 A number of groups and individuals have a key role in the development and implementation of this policy:
- 4.2 The **Governance Team (Arena Matters)**
The Governance team has accountability for approving the policy and for ensuring that it is aligned to Arena Learning Limiteds strategic objectives.
- 4.3 The **Managing Director** and senior managers are responsible for ensuring:
- Arena Learning Limited meets its legal obligations in relation to equality.
 - They champion the EDI policy and associated actions.
 - Equality Impact Assessments are undertaken where required.

- 4.4 All **managers** are responsible for ensuring:
- Their staff have a clear understanding of Arena Learning Limited approach to EDI, identifying staff development as necessary.
 - Bullying, harassment and discrimination are effectively tackled.
 - EDI is embedded in all activities.
 - They effectively lead by example in treating all staff, apprentices and students with dignity and respect and by being fair and reasonable in their attitudes and behaviours.
- 4.5 **Everyone** has a responsibility to give full and active support for the EDI policy by ensuring:
- The policy is understood and implemented.
 - Their behaviour always takes into account the uniqueness of others.
 - Everyone is treated with respect, courtesy and dignity.
 - Behaviour not in accordance with the EDI Policy is challenged and acted upon.

5. GENERAL PRINCIPLES

- 5.1 Arena Learning Limited is committed to providing outstanding teaching, support and services to all students and stakeholders. To achieve this aim, EDI must be embedded in Arena Learning Limiteds culture. EDI priorities are therefore aligned with, and underpin, Arena Learning Limiteds strategic and operational planning at all levels.
- 5.2 Arena Learning Limiteds commitment to advancing equality as an employer and education provider goes beyond legislative compliance to ensure that everyone is able to participate fully, irrespective of their background or personal characteristics.
- 5.3 Arena Learning Limited strongly believes that the diversity of its community is one of its greatest strengths and most valuable assets. Treating people fairly, with dignity and respect, with an equal right to participate in society, to develop and achieve their full potential, is right and makes good business sense.

- 5.4 Arena Learning Limited will comply with its legal responsibilities in carrying out both the general and specific public sector responsibilities (Appendix 3).
- 5.5 Arena Learning Limited will conduct comprehensive and effective monitoring of all aspects of staff, apprentices and student populations. Data is monitored to ensure services and activities are appropriate, sensitive and meet individual needs. Arena Learning Limited will take appropriate measures to protect personal and personal sensitive data, including limiting access and where possible anonymising data taking due regard of data protection principles.
- 5.6 Arena Learning Limited will make adjustments for apprentices, students and staff in accordance with identified needs wherever possible and reasonable.
- 5.7 Arena Learning Limited aims to provide a responsive curriculum which offers apprentices, students the knowledge, skills and understanding they need to live in a global society and work in a competitive global economy. Arena Learning Limited ensures that curriculum delivery is underpinned by access to support services, including learning support and where required literacy, numeracy and ICT.
- 5.8 Arena Learning Limited is committed to the development and delivery of a range of training opportunities for staff, apprentices and students, in addition to a range of resources to support understanding of individual responsibilities.
- 5.9 Arena Learning Limited may take lawful positive action to advance equality. This may be in the provision of facilities or services to meet the needs of people from particular under-represented groups or to target job training and/or educational opportunities at particular groups which are under-represented in a particular area of work or study. Arena Learning Limited will ensure that positive action strategies are intended to be temporary measures only and will not be used once the special needs have been met or if under-representation no longer exists.
- 5.10 Arena Learning Limited is committed to eliminating discrimination by challenging inequality, prejudice and discrimination whether direct, indirect, by association or by perception.

6. Communication and Engagement

Arena Learning Limited aims to ensure that this policy is fully effective and that all members of the Arena Learning Limited community are committed to it.

- 6.1 Arena Learning Limited will increase staff, apprentices and student awareness of EDI through a range of media, meetings, workshops, tutorials and activities. EDI will play a key feature in course reviews, self-assessment and departmental outcomes.
- 6.2 Procedures for reporting bullying, discrimination and unacceptable behaviour are captured within key policies.

7. Impact measures

- 7.1 This policy will be fully implemented when:
- Teaching, learning and assessment has equality, diversity and inclusion embedded throughout (evidenced in Ofsted and apprentice/student and observer feedback).
 - All members of Arena Learning Limited actively and effectively promote equality, diversity and inclusion as a result of effective training and development.
 - Data is monitored and leads to relevant actions with participation and achievement gaps narrowing.
 - Colleague engagement surveys and apprentice/student views indicate a positive EDI culture.
 - Arena Learning Limited is recognised externally for its commitment to EDI.

8. Breaches of policy and complaints

- 8.1 Arena Learning Limited takes non-adherence to this policy very seriously and reports of non-compliance will be investigated. Arena Learning Limited strongly encourages informal and local resolution of issues or complaints however, in some circumstances, Arena Learning Limited reserves the right to use relevant disciplinary procedures.
- 8.2 No member of Arena Learning Limited will be victimised as a result of giving information about any act by a person who contravenes this policy.
- 8.3 Persons making allegations, which are proved to be false, will be dealt with in accordance with the Arena Learning Limited disciplinary procedures, as will any person who bullies or harasses another person who they believe has made an accusation against them.

9. Appendix 1

Equality Act 2010 – Protected Characteristics

The Equality Act 2010 applies to Arena Learning Limited as both an employer and education provider. The Act identifies nine 'protected characteristics'

Age

The Act protects people of all ages (under-18s are only protected against age discrimination in relation to work, not in the 'provision of goods and services') however, different treatment because of age is not unlawful discrimination if an organisation can justify it as a "proportionate means of achieving a legitimate aim".

Disability

Under the Act a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities. HIV, cancer and MS are included from the point of diagnosis.

Sex

Both men and women are protected under the Act.

Gender Reassignment

The Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts, or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected, so a woman who decides to live as a man but does not undergo any medical procedures would be covered.

Marriage & Civil Partnership

The Act protects employees who are married or in a civil partnership. Single people are not protected.

Pregnancy & Maternity

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and up to 26 weeks after she has given birth.

Race

For the purposes of the Act, race includes colour, ethnic origin, national origin and nationality (including citizenship).

Religion or Belief

In the Act, religion includes any religion and it includes a lack of religion. A religion must have a clear structure and belief system. Belief means any religious or philosophical belief (e.g. humanism) or a lack of such belief. To be protected a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

Sexual Orientation

The Act protects bisexual, heterosexual / straight, gay and lesbian people.

10. Appendix 2

Equality Act 2010 – Unlawful Behaviours

In the Equality Act, people are protected from a range of unlawful behaviours.

Direct discrimination occurs when a person treats another less favourably than they treat or would treat others in comparable circumstances because of a protected characteristic.

Discrimination by association is direct discrimination against someone because they are associated with another person with a protected characteristic. (This includes carers of disabled people and elderly relatives who can claim they were treated unfairly because of duties that they had to carry out at home relating to their care work). Discrimination by association does not apply to marriage and civil partnerships and pregnancy and maternity.

Discrimination by perception is direct discrimination against someone because others think they have a protected characteristic. It applies even if the person does not actually possess that characteristic.

Discrimination by perception does not apply to marriage and civil partnerships and pregnancy and maternity leave.

Indirect discrimination is putting in place a policy or practice that has a differential (positive or negative) impact on someone with a protected characteristic than someone without that characteristic, when this cannot be objectively and legitimately justified. Pregnancy and maternity is not protected by indirect discrimination.

Discrimination arising from disability is treating a disabled person unfavourably because of something connected with their disability when this cannot be objectively justified. For example, prohibiting an employee from taking time off or breaks for medical treatment.

Failing to make reasonable adjustments - Employers and service providers have a duty to make reasonable adjustments for disabled employees and service users to enable fair access. Adjustments apply where a disabled person is placed at a substantial disadvantage in comparison to non-disabled people. This duty is anticipatory and must be reviewed on a regular basis to ensure adjustments made are appropriate. Failing to do so may be direct disability discrimination.

Harassment is unwanted conduct which has the purpose or effect of violating someone's dignity, or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic. The Act also offers protection to people who do not have a "protected characteristic" but find behaviour offensive, even if not directed at them.

Victimisation is treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting someone who is doing so.

Exceptions

There are exceptional circumstances which legitimise some forms of discriminatory practices. The Equality Act 2010 gives a definition which describes legitimate justification; this being '*a proportionate means of achieving a legitimate aim*'.

To be legitimate, the aim of the provision, decision or practice must be legal and non-discriminatory and represent a real objective consideration. In the context of Arena Learning Limited, examples of legitimate aims might include:

- Ensuring that education, benefits, facilities and services are targeted at those who most need them.
- Preventing fraud or other forms of abuse or inappropriate use of services provided.
- Maintaining academic and/or business standards.
- Ensuring the health and safety, welfare and dignity of stakeholders.

Although reasonable business needs and economic efficiency may be legitimate aims, an education provider simply aiming to reduce costs cannot expect to satisfy the test. For example, the education provider cannot simply argue that to discriminate is cheaper than not to discriminate.

Even if the aim is legitimate the means of achieving it must be proportionate. Proportionate means 'appropriate and necessary', but 'necessary' does not mean that the provision or practice is the only possible way of achieving the legitimate aim