




Equality and Diversity Policy

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Policy Approval

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| Approval Required: | Please Check | | Annual Review Required: | Please Check | |
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| Approval Panel: | Shane Carter | | | | |
| Approved By: | Name | | Signature | | Date |
| | Shane Carter | |  | | 01/09/2025 |
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| Policy Writer/s: | Shane Carter | | | | |

Policy Statement

Shape Academy aims to provide high-quality learning in relation to promoting protected characteristics. We value and celebrate the diversity in our society and are striving to promote and reflect that diversity within Shape Academy, and we work to demonstrate Fundamental British Values; democracy, the rule of law, individual liberty, and mutual respect and tolerance for those with different faiths and beliefs.

The Equality and Diversity Policy and Procedures set out our aims and how we will meet the legal requirements identified in the Equality Act 2010.

Introduction

This policy describes the minimum standards and guidance relating to developing a cooperative and non-discriminatory environment which is both supportive and challenging and dealing with instances of harassment, bullying and discrimination. At Shape Academy we believe that all staff, apprentices and learners/apprentices must be equally respected and treated as individuals, taking positive account of age, gender, religion or belief, ethnic origin, cultural origin, sexual preferences, disability, pregnancy or maternity and marital status. We will constantly implement to apply this principle to all our policies, procedures, delivery and interactions across the projects.

We aim to promote equality of opportunity and diversity for learners, apprentices and staff, so that the ethos and culture prevent any form of direct or indirect discriminatory behaviour. Leaders, staff and learners will not tolerate prejudiced behaviour. We believe that equality for all is a basic human right and actively oppose all forms of unlawful and unfair discrimination.

Staff will be quick to challenge stereotypes and the use of derogatory language in sessions and throughout the apprenticeship journey. Resources and teaching strategies will always reflect and value the diversity of learners' experiences and provide learners with a comprehensive understanding of people and communities beyond their immediate experience.

The organisation's open culture will actively promote all aspects of learners' welfare. Learners/apprentices will be safe and feel safe always. They will understand how to keep themselves and others safe in different situations and settings. They will trust leaders to take rapid and appropriate action to resolve any concerns they have.

Scope

All employees, learners', apprentices, candidates, associates and other stakeholders.

Protected Characteristics

The following characteristics are protected under the 2010 Equality Act:

1. Age.
2. Disability.
3. Gender reassignment.
4. Marriage and Civil Partnership.
5. Pregnancy and Maternity.
6. Race.
7. Religion or Belief.
8. Sex.
9. Sexual orientation.

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No discrimination will be accepted with regards to the gender of the individual. All learners/apprentices will be encouraged to participate in all activities regardless of gender or age. All staff and learners/apprentices will have the same opportunities and be treated in the same manner regardless of their gender or age. No discrimination will be made with regards to individual sexual preferences and marital status.

No individual will be refused a place on the grounds of religion, ethnic origin, or culture. Information will be available to all whenever possible, this will be in the first language if English is not understood, or an interpreter will be used to ensure information is exchanged accurately in a timely manner. All learners and staff will be expected to respect individual religion, ethnicity, and cultural differences. The curriculum encourages both staff and learners to treat everyone with equal concern and respect and to value each other. Questions about racial and cultural differences will be answered in a clear, factual way that is understood in an appropriate manner. Positive support for a learner's home language and cultures will be given as this provides a framework for learning English.

Shape Academy is committed to the integration of learners/apprentices and staff with a disability or additional needs. Extra help or special arrangements may be required including 'reasonable adjustment'. The organisation will not discriminate directly or indirectly against a disabled learner or staff member. It is recommended that all disabilities or special needs are made known, so any necessary reasonable adjustments can be made as soon as possible to promote engagement in work and learning.

Offensive Behaviour

Shape Academy will not allow harassment or bullying to learners, apprentices or staff. This can include unwelcome comments or behaviour, repetitive criticism, intimidation, insulting, aggressive, undermining self-confidence or the misuse of power. Any action which makes the recipient feels upset, humiliated, threatened or vulnerable. If the offensive behaviour is made by learners, an on-the-spot explanation of why it is not accepted will be made and the behaviour policy followed. Any breach of this policy by an adult or young person visiting the centre may result in disciplinary action.

Definitions

1. Direct discrimination - means treating people less favourably because of their race, disability, race, gender, the colour of their skin, ethnic and national origin, nationality, sexual orientation, religion or age.
2. Indirect discrimination - occurs when an unjustifiable requirement or condition, whether intentional or not affects adults or children from certain groups.

Harassment

1. Unwanted conduct, whether verbal or not, which is of a sexual or racial nature or which refers to or is based upon a person's disability, or other conduct based on someone's race and/or gender and/or disability which affects the dignity of men or women at work; or
2. Bullying of colleagues, especially junior colleagues, by intimidating behaviour; or
3. Unfavourable conduct at work, whether verbal or non-verbal, towards someone based on his/her disability which could affect his/her dignity at work.

Harassment or any form of discrimination will not be tolerated under any circumstances. A member of staff who harasses or discriminates against another employee or client or customer of Shape Academy will be subject to the Shape Academy disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

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Harassment generally may include any unwanted verbal or physical abuse and/or advances and/or behaviour which an employee may find offensive, and which causes them to feel threatened, humiliated, patronised, distressed, or harassed. It will not necessarily be a defence that such incidents consist of words or behaviour which might be claimed to be “commonplace”, or which were intended as a joke or were not intended to be offensive.

Harassment may be deliberate or unconscious, open, or covert, direct or indirect, an isolated incident or a series of repeated actions. It may also include, in certain circumstances, off duty conduct.

It is the duty and responsibility of Cinders Training and every employee to stop all types of harassment and discrimination in the workplace. It is only through the efforts of individual employees that harassment and discrimination can be eradicated. We must all recognise that every employee in Shape Academy has the right not to be subjected to any form of harassment or discrimination.

Racial Harassment: Racial harassment is racial discrimination and is contrary to the Company’s equal opportunities policy. It is also unlawful. This type of harassment will not be tolerated under any circumstances and the Company will take prompt action upon becoming aware that such incidents have taken place.

Examples of racial harassment may include:

1. abusive language and racist jokes.
2. racial name calling.
3. the display or circulation of racially offensive written or visual material including graffiti.
4. physical threats, assault and insulting behaviour or gestures.
5. open hostility towards workers of a racial group, including organised hostility in the workplace.
6. unfair allocation of work and responsibilities.
7. exclusion from normal workplace conversation or social events, i.e. being “frozen out” The above examples are not exhaustive, and each incident of harassment or discrimination will be viewed on its individual facts.

Sexual Harassment: Sexual harassment is similarly sex discrimination, unlawful and contrary to Shape Academy policy. It is defined as unwanted behaviour of a sexual nature by one employee towards another.

Examples of sexual harassment may include:

1. insensitive jokes and/or pranks.
2. lewd comments about appearance.
3. unnecessary bodily or physical contact.
4. displays of sexually offensive material, for example, pin-ups and calendars.
5. requests for sexual favours.
6. speculation about an employee’s private life and/or sexual activities.
7. threatened or actual sexual violence.
8. the threat of dismissal, loss of promotion etc. for refusal of sexual favours.
9. exclusion from normal workplace conversation and social events.

Whilst the above list gives examples of sexual harassment, harassment takes many forms from relatively mild sexual banter to actual physical violence. The above examples are not intended to be exhaustive. Harassment of an individual in this manner based on their sexual orientation (i.e. because they are homosexual, transsexual or undergoing “sex change treatment”) will also be regarded by Cinders Training as sexual harassment and will not be tolerated.

Harassment on grounds of disability Harassment of an individual who has a disability or who has had a disability in the past is unlawful. It is also contrary to Shape Academy policy, which seeks to ensure that people with disabilities receive treatment that is fair, equitable and consistent with their skills and abilities. In accordance with statutory requirements, Shape Academy recognises that a person with a disability is someone who has or has had a physical or mental impairment that has a substantial and long-term adverse

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effect on his/her normal day-to-day activities. Therefore, depending on individual circumstances a person who has been seriously injured, has or had a progressive illness, significant learning difficulties or poor hearing, vision or mobility may be a person with a disability.

Harassment on grounds of disability may include the following:

1. abusive or insensitive language.
2. inappropriate jokes or pranks.
3. non-verbal offensive gestures (e.g. staring at an affliction).
4. inappropriate assumptions about the capabilities of a disabled person.
5. unfair allocation of work and responsibilities.
6. exclusion from normal workplace conversation or social events.
7. physical mistreatment (e.g. jostling or assault). The above examples are not exhaustive, and each incident of harassment or discrimination will be viewed on its individual facts. As part of Shape Academy Equality and Diversity policy, we will make every effort, if a disabled person joins Shape Academy or if an existing employee becomes disabled, to make such adjustments as are required by law, whether in their existing job or in a suitable available alternative. Shape Academy will seek to ensure that the needs of people with disabilities are considered generally in both the context of Shape Academy working practices and in the nature of its premises and continuing services.

Victimisation

Victimisation occurs when a member of staff treats another member of staff less favourably because that other person has:

1. brought proceedings alleging that he or she has been discriminated against contrary to this Policy; or
2. indicated that they intend to make such a claim or claims; or
3. assisted a colleague to make a claim.

Victimisation will not be tolerated under any circumstances and any member of staff who victimises another employee will be subject to Shape Academy disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct resulting in summary dismissal.

Complaints & Disciplinary Action

Where an employee believes that he/she is being harassed, victimised or discriminated against contrary to the law or to the Equality and Diversity policy, he/she can invoke the complaints procedure, whether formal or informal, against the harasser or discriminator. Every complaint will be investigated and dealt with sympathetically without bias and as quickly as is practicable. Every effort will be made to ensure that individuals who make a complaint in good faith will not suffer any further detriment or be victimised because of making such a complaint. Any complaint of victimisation will be dealt with seriously, promptly and confidentially. Victimisation will result in disciplinary action, which may include summary dismissal.

Information Procedure

1. Prior to adopting the formal procedure set out below, an informal approach may be taken.
2. If an individual feels that he/she is or has been subjected to harassment and/or discrimination or victimisation and considers that the informal procedure is appropriate he/she should, if possible, advise the harasser that the behaviour is unwelcome, must be stopped and is interpreted as harassment and/or discrimination and/or victimisation as defined by the Shape Academy policy statement. If preferred, this may be in writing.

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3. If the behaviour does not cease or the employee finds approaching the harasser difficult, further informal assistance is available. Employees, who wish to discuss such a complaint in confidence, should contact the managing director.

Formal Procedure

Where the informal method fails, or serious harassment or discrimination occurs or if the individual prefers, employees are advised to bring a formal complaint against the alleged harasser or discriminator and to seek assistance as above in doing so. The complaint should be made in writing and, where possible, state the following:

1. the name of the alleged harasser/discriminator.
2. the nature of the harassment/discrimination/victimisation.
3. the date and time when the harassment/discrimination or victimisation occurred.
4. the names of any witnesses to the harassment/discrimination or victimisation; and details of any action, which may already have been taken by the complainant to stop the harassment/discrimination or victimisation. The complaint should be sent or given to the where a complaint of harassment, discrimination or victimisation is received; consideration will be given to whether it would be helpful and/or practicable to separate the alleged harasser/discriminator from the complainant. This may involve the temporary transfer of the alleged harasser/discriminator or the complainant to another department or suspension with pay until the complaint has been resolved.

The Director will carry out a thorough investigation as quickly as possible, maintaining as much confidentiality as possible always. The complainant should be aware, however, that if the complaint is to be properly investigated, other employees may have to be asked for witness statements. All employees involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence. Copies of any witness statements taken will be made available to the alleged harasser and the complainant.

Witnesses will be encouraged to appear at any hearing if requested by either party. It is acknowledged that some witnesses may be reluctant to do so. In these circumstances, The Director will, if necessary, adjourn the hearing and ask supplementary questions of witnesses in private. The complainant may if he/she wishes, be supported throughout the procedure and hearing by a colleague of his/her choice.

The employee accused of harassment or discrimination will have the right to be accompanied at the hearing in accordance with the policy if the offence is proved the severity of the penalty imposed on the harasser will be consistent with those detailed in the disciplinary procedure.

Serious harassment or acts of discrimination or victimisation may result in summary dismissal. Where a lesser penalty is appropriate, for example, a written warning, this may be coupled with action to ensure that the complainant is able to continue working without embarrassment or anxiety. After discussion with the complainant, the Director may transfer the harasser to a different work area or arrange for an amendment of working practices to minimise contact between the two employees. If the complainant wishes, his/her own transfer will be arranged, subject to practical limitations.

The result of the hearing will be confirmed in writing to both employees. If the complainant is not satisfied with the way his/her complaint has been handled, he/she may appeal to the nominated person. The appeal should be made in writing within 5 working days of the first hearing. The decision of this second hearing will be sent in writing to both parties and will be final. An employee who receives a warning or is dismissed for harassment or discrimination may appeal against the penalty in accordance with the appeals procedure in the Company's disciplinary procedure.

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Policy Requirements

All staff will follow this policy statement always. Managers and other staff will ensure that this statement is followed through supervision and quality assurance processes.

Staff Responsibilities

All Shape Academy staff and associates have a responsibility to:

1. Be aware of and implement the policy on Equality and Diversity.
2. Promote a “challenge inequality and celebrate diversity” ethos.
3. Undertake staff development appropriate to their role.
4. Promptly report any discriminatory issues, unfair treatment, poor practice or misconduct to the Equality and Diversity Champion.
5. Promote equality and diversity in induction, teaching and at learner progress reviews.

Management Responsibilities

Shape Academy managers and directors have a responsibility to:

1. Ensure that all staff, learners, sub-contractors and employers are aware of this policy and actively promote its implementation.
2. Promote learning to ensure participation is representative of the local, regional and national demographical data.
3. Ensure our learning environments are non-discriminatory and challenge negative behaviours towards race, religion, gender, disability or culture.
4. Embrace a whole approach to challenging inequality and celebrate diversity.
5. Ensure all staff are aware of the policy and ensure they receive appropriate and annual training and support to undertake their roles effectively.
6. If Shape Academy is working with a partner and any equality and diversity issues the Shape Academy Equality and Diversity Champion will work with the partners' appointed person.
7. Ensure learning resources and marketing literature will promote fair and equal access to teaching, learning and assessment. Care will be taken to avoid the use of statements and stereotypes that might reasonably be expected to give offence on the grounds of Age, Gender, Sexual Orientation, Disability, Race, and Religion & Belief.
8. Collect data to analyse participation and achievement of under-represented groups by subject and programme area
9. Process all data in accordance with the requirements of the Data Protection Act 1998.
10. Learner registration forms ask to detail any additional support requirements that need to be in place. It is the responsibility of the Director to ensure that reasonable adjustments are in place to accommodate those with additional support requirements in time for the start of the training course.

Equal Opportunities

Shape Academy is fully committed to providing a good and harmonious working environment that offers equal treatment and equal opportunities for all its employees and where every employee is treated with respect and dignity.

Shape Academy recognises that the provision of equal opportunities in the workplace is not only good management practice; it also makes sound business sense.

Shape Academy policy will help all employees develop their full potential so that the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

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Breaches of Shape Academy Equality and Diversity and Inclusion policy will result in Cinders Training disciplinary procedure being invoked against the individuals responsible or involved.

Implementation

Shape Academy will ensure that:

1. All employees follow the Equality, Diversity and Inclusion Policy and Process to ensure inclusion and success for all staff and employees.
2. Meetings are held which introduce staff to the concept, policy and procedures e.g. Shape Academy Management and Leadership Team, Directorate Monthly Management and Curriculum Team meetings where the concept, specific instructions and any special responsibilities are discussed.
3. Senior Leadership Team and all staff working with or on behalf of Shape Academy, whether employed directly or indirectly and external contractors, will receive a level of training appropriate to their role and level which will familiarise them with equality and diversity issues, clarify roles and responsibilities and Shape Academy policies and procedures, with refresher training at least every 2 years.
4. Employers are fully aware of their duties in terms of equality and diversity and all learners are given guidance prior to their employment on equality and diversity and the support available from the Shape Academy.

There are procedures in place to identify and support all Shape Academy users. All teaching, learning and assessment observations, quality assurance processes and learner journey quality audits include the opportunity to report on equality and diversity and will be included in the lesson observation and quality briefings/training.

Shape Academy materials are monitored and evaluated on a regular basis to ensure that they promote equality and diversity and do not disadvantage particular groups of learners.

There are clear and designated procedures for all learners, including remote learners and staff to report breaches of the Equality and Diversity Policy and to report any concerns in relation to Radicalisation and Extremism.

All information relating to Equality and Diversity will be processed in accordance with the Data Protection Act 1998 and GDPR guidelines as set out in the Shape Academy Data Protection Policy.

Communication Flow

1. The Equality and Diversity Policy and Procedures are approved by Shape Academy SMT Team.
2. The Equality and Diversity Policy and Procedures are communicated to all staff through staff induction, staff intranet, email and training.
3. Shape Academy team meetings are held regularly, and Equality and Diversity is a set agenda item.
4. Regular updates are provided via the employee intranet.
5. Staff and learners' views are regularly sought regarding Equality and Diversity at Shape Academy.
6. Shape Academy marketing materials and job adverts have a clear statement reflecting the importance the Shape Academy places on Equality and Diversity.
7. Equality and Diversity literature for staff and learners promotes Equality and Diversity across Shape Academy.
8. Employer handbooks are provided for employers, which include the Equality and Diversity Policy and Procedures.
9. Portfolio of programmes that enable us to meet a wide range of learner need, goals and aspirations.
10. Shape Academy will develop links and partnerships with external community organisations to support the development of equality and diversity in our locality.

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Recruitment

No vacancy will be advertised or publicised (internally or externally) in a way which discourages applications from any sector of the population.

All applications will be considered on merit. Everyone will be assessed against a set of objectives, non-discriminatory criteria that will be directly related to the demands of the vacancy.

All advertisements, application forms and other recruitment material will clearly state that we are an equal opportunities employer and will avoid statements or questions which tend to discourage applications for employment from any sector of the population.

All interviews will be conducted in accordance with the terms and spirit of this policy. The questions asked of candidates will be closely related to the selection criteria and will be asked to elicit information which will give a fair assessment of that applicant's ability to perform the tasks required by the vacancy. Specific questions will not be asked of candidates which make assumptions about a candidate's commitment or ability based on any of the grounds identified in the statement of this policy.

No one sector of the population will be disadvantaged or discriminated against in relation to the terms of employment offered or applied to them.

Shape Academy will, where appropriate, make reasonable adjustments to its arrangements for interviews and conditions of employment for disabled applicants where necessary to ensure that existing arrangements or conditions of employment do not place such applicants at a significant disadvantage to other applicants.

Promotion

This policy will be promoted using various mediums, all learners/apprentices/staff will be introduced to this policy at induction. Employers will be asked to accept our policy if their own is not deemed sufficient at initial assessment.

Commitment to the policy will be required from staff before completion of probation/induction, this will be repeated where necessary including review or changes in policy or legislation.

Training

Staff/Learners/Apprentices and where relevant Employers will be trained in the requirements of this policy. Training must be completed before achievement of a probationary period for staff and an introduction/induction period for learners/apprentices. Understanding of this policy will be confirmed periodically during learner progress reviews and staff annual appraisals.

No employee will be denied access to training on discriminatory grounds.

Specific and/or additional training will be made available for disabled employees as is reasonably necessary.

Monitoring

Shape Academy will regularly monitor the effectiveness of its processes and procedures to ensure that they are achieving our stated aims.

Shape Academy has appointed an Equality & Diversity Champion who is responsible for the monitoring of equal opportunities throughout the company.

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Shape Academy will monitor the effectiveness of the Equality and Diversity Policy through the Personal Development, Welfare and Behaviour Action Group.

Shape Academy will seek to ensure that Skill Build Plus policies and procedures, via Equality Impact Assessments are assessed on a regular basis to ensure they do not have a negative impact on any particular groups of people.

The following information is reviewed to monitor the effectiveness of the policy across Shape Academy:

1. Enrolment trends and statistics
2. Employee data
3. Learner surveys feedback
4. Self-assessment reports
5. Equality and Diversity Impact Measures (EDIMs)
6. Equality impact assessments
7. Teaching, Learning and Assessment observations
8. Internal verification feedback and standards verification reports
9. Complaints, compliments and any subsequent actions
10. Progression
11. Outcomes for learners focused upon closing achievement gaps

Discipline

Any acts of discrimination or acts which contravene this policy will result in the disciplinary procedure being invoked against the individuals responsible or involved. In severe cases, summary dismissal may be justified. All members of staff are encouraged to use the procedure outlined in this Policy if they are harassed, discriminated or victimised. Shape Academy takes all allegations seriously. However, if an allegation is made Shape Academy (after investigation) believes has been made dishonestly or maliciously, Shape Academy may invoke the disciplinary procedure against the complainant. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

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