

EQUALITY AND DIVERSITY POLICY

FOR THE KNIGHTS GROUP

JANUARY 2017



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Date of review: January 2017

Date of next review: January 2018

Approved by: Board of Directors on 16/01/2017

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Policy Statement

Knights Group is committed to supporting, developing and promoting equality and diversity in all of its practices and activities and aims to establish an inclusive culture free from discrimination and based upon the values of dignity, courtesy and respect. The institution will support and develop the staff and student populations through providing all with access to facilities, personal and career development opportunities, employment and study on the basis of equality. Knights Group is committed to eliminating discrimination and advancing equality on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief (including lack of belief), sex and sexual orientation¹ and to fostering good relations between different groups.

This commitment supports the organisational principles of the Knights Group and upholds the ethos of establishing a culture based on dignity, courtesy and respect.

This policy builds upon the foundation of equality legislation and anti-discrimination guidance and strives, not only to comply with legal requirements, but to use these to ensure that Knights Group endeavours to exemplify best practice.

The Knights Group values diversity and recognises that the institution is greatly enhanced by the disparate range of backgrounds, experiences, views, beliefs and cultures represented within its staff and student populations. The institution aims to embrace diversity in all of its activities and proudly acknowledges that variety and difference are intrinsic to the wellbeing and future development of the Knights Group.

The Equality and Diversity policy underpins the Mission of Knights Group and is integral to the success of the institution as a world-class Knights Group and an employer of choice.

This is an over-arching policy designed to outline the fundamental principles of Knights Group's commitment to equality and diversity and will be supported by specific equality policies and action plans.

The policy applies to all staff employed on a full time or part-time basis, to all staff on permanent or temporary contracts, to agency staff, to honorary title/contract holders and visitors undertaking duties in the name of the Knights Group and to sub-contractors undertaking work on the Knights Group site and all visitors to the Knights Group.

Legislative Background

Under Equality legislation it is unlawful to:

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- discriminate directly against anyone and treat him/her less favourably than others on the grounds of the protected characteristics of: age (unless this can be justified as a proportionate means of achieving a legitimate aim), disability (including discrimination arising from a disability and failure to make reasonable adjustments), gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief (including lack of belief), sex and sexual orientation. This also includes discrimination based on perception of the person e.g. a belief that someone is gay or a belief that someone is disabled even if this is not actually true.
- discriminate against someone for reasons relating to their association with a person on the grounds of the protected characteristics of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation e.g. discriminating against an employee/student because they have a disabled dependant.
- discriminate indirectly against anyone by applying a criterion, provision or practice which disadvantages people with a protected characteristic (age, disability, gender reassignment, marriage and civil partnership, race, religion and belief (including lack of belief), sex and sexual orientation) unless the person applying the provision can justify it as a proportionate means of achieving a legitimate aim.
- subject someone to harassment for reasons relating to age, disability, gender reassignment, race, religion and belief (including lack of belief), sex and sexual orientation. This includes behaviour that an individual finds offensive on these grounds even if the behaviour is not directed at the individual.² It is unlawful to treat a person less favourably because they either submit to, or reject, sexual harassment or harassment related to their sex. An employer also has responsibilities relating to harassment of employees by third parties as outlined in the Dignity at Work and Study Policy.
- victimise someone because s/he has made, or intends to make, a complaint or allegation or has given or intends to give evidence in relation to a complaint of discrimination in line with the Equality Act.

Objectives:

The aim of this policy is to ensure that in carrying out its activities the Knights Group will have due regard to:

- eliminating unlawful discrimination, harassment and victimisation
- advancing equality of opportunity, across all the activities of the Knights Group between different groups
- fostering good relations between people of a diverse background.

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In the implementation of this policy the Knights Group will aim to:

- develop and promote a culture of equality and diversity throughout the institution;
- develop and promote a culture of dignity, courtesy and respect;
- support all staff, including provision of relevant support relating to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief (including lack of belief), sex and sexual orientation.
- work to prevent all forms of unlawful discrimination;
- deal with all forms of discrimination consistently and effectively;
- ensure that the Equality and Diversity policy influences and informs the culture of the Knights Group.

Definitions

Equal opportunities refers to the elimination of unlawful and unfair direct and indirect discrimination of particular groups and promoting equal access, treatment and outcomes that take into account specific needs of individuals.

Diversity encompasses visible and non-visible individual differences that includes, but is not limited to, differences protected by anti-discrimination legislation. Appreciating diversity is about valuing differences and recognising that everyone through their unique mixture of skills and experience has their own valuable contribution to make.

It is the aim of Knights Group that individuals and groups within the institution are not only treated on the basis of equality, but that their diverse contributions to the academic, social and cultural life of the Knights Group are recognised and developed.

Roles and Responsibilities:

It is incumbent upon all members of the Knights Group community to behave with dignity, courtesy and respect and to act in a manner that does not unlawfully discriminate at all times.

Role of Staff

- to actively to encourage non-discriminatory practices and to report any incidences of behaviour that fail to comply with this policy;
- to support the aims of the Knights Group Equality and Diversity policy;
- to undertake appropriate equality and diversity training.

Role of Candidates

- actively to encourage non-discriminatory practices and to report any incidences of behaviour that fail to comply with this policy;
- to support the aims of the Knights Group Equality and Diversity policy;
- to be aware of equality and diversity issues.

Role of Human Resources

- to provide appropriate equality and diversity awareness and training for all staff;
- to ensure that recruitment advertising, selection and appointment procedures, performance management processes and disciplinary grievance processes are fair and transparent and are consistently applied;
- to monitor employment equality data and to publish the findings of monitoring activity, as appropriate.

Role of Administrative Directorate

- to ensure that all members of staff within receive the appropriate equality and diversity training;
- to investigate all matters of alleged discrimination, harassment and inappropriate behaviour promptly and thoroughly;
- to ensure that selection and appointment procedures, performance management processes, staff development opportunities and disciplinary and grievance processes are fairly and consistently applied to all staff;
- to treat all applications for flexible practices on a fair and equitable basis and to provide reasonable and objective reasons when such requests must be refused;
- to ensure that selection and admissions procedures, assessment processes, career development opportunities and disciplinary and complaints procedures are fairly and consistently..

Role of Equality and Diversity Committee

- to advise Group on legal compliance and best practice in all matters relating to equality and diversity;
- to devise and recommend policies, procedures and action plans to ensure that all legislative requirements are met and best practice adopted;
- to collect and review data relevant to diversity and equality matters relating to employees on a regular basis and recommend changes to policies and procedures as appropriate;
- to advise on the provision of appropriate training and awareness-raising in relation to all equal opportunities and diversity matters.

Role of Knights Group Board (or successor body)

- to encourage, foster and promote a culture of equality and diversity in the institution;
- to ensure consistency of this policy with other policies and initiatives, making recommendations and providing advice on implementation of the policy

Role of Managers/Course Leaders

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- to ensure that they work to promote equality and diversity as an integral part of the services they provide and the policies and procedures they both develop and apply.

Application of the Policy: Staff

Recruitment and Selection

- recruitment advertising will encourage applications from all sectors of the community reflecting the Knights Group's commitment to equality and diversity;
- recruitment advertising will appear in publications appropriate to the audience capable of producing the best candidates (subject to budget considerations);
- job descriptions, person specifications and recruitment advertisements will be written on the basis of the essential and justifiable requirements of the position;
- shortlisting, appointment and rejection decisions will be transparent and justifiable and will be supported by written comments.

Grading and Promotion

- all grading and promotions criteria and procedures will be free from prejudice and must be applied equitably and consistently.

Staff Development

- all staff will have equal access to induction, personal and career development opportunities and facilities.

Performance Management

- probation and appraisal procedures will be clear and transparent and will be applied fairly across all staff.

Discipline and Grievance

- disciplinary and grievance procedures will be applied fairly and transparently for all staff;
- allegations of discrimination, harassment or inappropriate behaviour will be dealt with under the appropriate disciplinary procedures for staff

Welsh Language Scheme

- the Knights Group operates a Welsh Language Scheme to support and promote the Welsh language.

Training

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Equality and diversity awareness raising and training will be mandatory for all staff. Information will be provided to all staff in order to raise awareness of equality and diversity and the contents of this policy.

Communication

This policy will normally be available on the Knights Group's website at www.knightsgroup.com. It will also be available in printed form on request and, if requested, will be made available in different formats (e.g. large print, audio). This policy is available in Welsh in accordance with the Knights Group's Welsh Language Scheme. Anyone requiring a copy of the policy in another language should contact the Equality Unit in Governance and Compliance to discuss their requirements.

Monitoring

Statistics will be gathered to monitor equality across all aspects of Knights Group processes and will be used to inform future practice.

Confidentiality

Any information disclosed to the institution in relation equality and diversity issues will be kept strictly confidential in accordance with legislative requirements.

Breach of Policy

Contravention of the Equality and Diversity policy will be treated as a disciplinary matter and offenders will be dealt with under the Knights Group's staff disciplinary policies or the Student Disciplinary Code as appropriate.

1. Race Equality Introduction

This guidance document is intended to help all members of Knights Group Limited deal with any incident of racial harassment, and to develop a working environment in which racial harassment is known to be unacceptable and where individuals are confident enough to bring complaints without fear of ridicule or reprisal.

Any incident of racial harassment, discrimination or bullying will be regarded very seriously and may lead to disciplinary action up to and including dismissal.

2. Racial Discrimination and Harassment

2.1 What is racial discrimination?

The Race Relations Act is concerned with people's actions and the effects of their actions, not their opinions or beliefs. Racial discrimination is not the same as racial prejudice. It is not necessary to prove that the other person intended to discriminate against you: you only have to show that you received less favourable treatment as a result of what they did.

Under the Race Relations Act, it is unlawful for a person to discriminate on racial grounds against another. The Act defines racial grounds as including race, colour, nationality or ethnic or national origins.

There are four main types of racial discrimination: direct, indirect, victimisation and harassment. The following text describes each in turn.

2.2 Direct racial discrimination

This occurs when you are able to show that you have been treated less favourably on racial grounds than others in similar circumstances. To prove this, it will help if you can give an example of someone from a different racial group who, in similar circumstances, has been, or would have been, treated more favourably than you. Racist abuse and harassment are forms of direct discrimination.

2.3 Indirect racial discrimination

Indirect racial discrimination may fall into one of two categories depending on the racial grounds of discrimination. The first is on grounds of colour or nationality, under the original definition in the Race Relations Act. The second is on grounds of race, ethnic or national origin. This was introduced by the race Relations Act (Amendment) Regulations 2003 to comply with the EC Race Directive.

2.3.1 On grounds of colour or nationality

This occurs when an apparently non-discriminatory requirement or condition which applies equally to everyone:

- can only be met by a considerably smaller proportion of people from a particular racial group; and which is to the detriment of a person from that group because he or she cannot meet it; and the requirement or condition cannot be justified on non-racial grounds.

For example, a rule that employees or pupils must not wear headgear could exclude Sikh men and boys who wear a turban, or Jewish men or boys who wear a yarmulke, in accordance with practice within their racial group.

2.3.2 On grounds of race, ethnic or national origin

This occurs when a provision, criterion or practice which, on the face of it, has nothing to do with race and is applied equally to everyone:

- puts or would put people of the same race or ethnic or national origins at a particular disadvantage when compared with others; and puts a person of that race or ethnic or national origin at that disadvantage; and cannot be shown to be a proportionate means of achieving a legitimate aim. The definition of indirect discrimination on the grounds of race, ethnic or national origin is in general terms broader than on the grounds of colour or nationality and as a result it may be easier to establish racial discrimination than previously on that ground.

3. Victimisation

This has a special legal meaning under the Race Relations Act. It occurs if you are treated less favourably than others in the same circumstances because you have complained about racial discrimination, or supported someone else who has. A complaint of racial discrimination means that someone has:

- brought proceedings under the Race Relations Act against the discriminator or anyone else; or
- given evidence or information in connection with proceedings brought by another person under the Race Relations Act; or
- done anything under the Race Relations Act or with reference to it; or
- alleged that a person has acted in a way which would breach the Race Relations Act. The complaint does not need to expressly claim discrimination when making the complaint.

4. Harassment

The definition of harassment introduced by the Race Relations Act 1976 (Amendment) Regulations 2003 applies when the discrimination is on grounds of race or ethnic or national origins, but not colour or nationality. Harassment on grounds of colour or nationality amounts to less favourable treatment and may be unlawful direct discrimination.

A person harasses another on grounds of race or ethnic or national origins when he or she engages in unwanted conduct that has the purpose or effect of:

- violating that other person's dignity; or
- creating an intimidating or hostile, degrading, humiliating or offensive environment for them.

Harassment is unlawful not only in the context of employment, but also within:

- Partnerships
- Trade unions
- Qualifying bodies
- Vocational training
- Employment agencies

It is also an unlawful form of discrimination in education, planning, within public authorities, in the provision of goods, facilities, services and premises, and in relation to the training and employment of barristers and advocates.

5. Institutional Discrimination

Knights Group Limited is committed to addressing the crucial issue of institutional discrimination first identified in relation to race issues in the McPherson Report.

Institutional discrimination is defined as the collective failure of an organisation to provide an appropriate and professional service to people because of who they are. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping. Institutional discrimination can arise from actions not taken as well as actions taken, and can be unintentional as well as intentional. Knights Group Limited will ensure that it will examine and consult on all its policies and procedures, to ensure that they do not have the unintentional effect of disadvantaging any section of its community.

6 Racial Equality Good Practice

6.1 Inclusive Language

We can all recognise the power of language, in both verbal and written communication. We all have an individual responsibility to use language that respects and includes all communities. If we fail to exercise this responsibility, language could discriminate and exclude people, and may, regardless of intent, cause offence. Language which causes offence, is not only unacceptable in itself, but may also be contrary to the companies policies. For example, the Harassment, Discrimination and Bullying Policy lists unacceptable actions and behaviours which could be deemed to amount to harassment, bullying or discrimination, including:

- Derogatory name-calling, verbal abuse, threats
- Insults and racist jokes
- Racist graffiti
- Lewd comments about dress or appearance

The policy goes on to state that where harassment, bullying or discrimination has been found to have taken place, disciplinary action will be taken as appropriate, including dismissal. Furthermore, various pieces of legislation could make the use of discriminatory language unlawful. However, this is not just an issue of adhering to rules and regulations. It is about our individual responsibility to use inclusive language to communicate accurately and effectively, and to ensure that we do not exclude groups of individuals, or cause offence. In conclusion, we should all be aware of the impact that our language has on others, and we should always use acceptable and appropriate language.

6.2 Cultural Diversity

Avoid terms such as 'coloured', 'half-caste' and 'non-white', as they define race from a white perspective. The Commission for Racial Equality now uses the terms 'Black', 'Asian' and 'mixed race'. However, people often choose to self-identify, and where it is relevant to refer to a person's cultural background, use the term preferred by the individual eg. Asian, Irish, Afro-Caribbean, etc. Do not assume that a person's appearance defines their nationality or cultural background. Terms such as black-market, black sheep, black spot, black list and black mark, may imply negative references to some racial groups.

7. Counselling support

Whether you choose to deal with the matter informally or formally you may need help and support in resolving the situation and coping with any stress that the situation has caused. Knights Group Limited has a confidential Counselling Service for staff. These can be accessed by self referral or via line manager. All staff employed by the Counselling Service are fully qualified and adhere to rules of professional conduct. It is important to remember that if you have self-referred and your appointment is during working hours then you must seek permission from your line manager to leave the workplace.

You may feel nervous about accessing Counselling Service because they you are afraid that this will be recorded on your personal/HR file. It should be noted that Counselling Services maintain a policy of complete confidentiality.

8. Criminal offences

Many forms of harassment, discrimination or bullying can amount to criminal behaviour. For example, any kind of unwanted physical contact, or the apprehension of it, could constitute an assault or indecent assault, or persistent and unwanted contact by someone could be deemed to be 'stalking'. You are urged to consider reporting such behaviour to the police without delay, so that a criminal investigation can be carried out and the due judicial processes followed. Knights Group Limited may also take separate action in cases of gross misconduct, although it reserves the right to suspend internal disciplinary action pending the outcome of any criminal charges.

9 Malicious or vexatious complaints

Making false or unsubstantiated allegations with malicious intent, could if proven, lead to disciplinary being taken, up to and including dismissal.

10 Knights Groups list of associated documents

- Race Equality Policy
- Equal Opportunities Statement
- Appeals Procedure
- Quality Assurance Policy

Sources of Further Guidance:

Equality Act 2010

Human Rights Act 1998

Equality & Human Rights Commission:

<http://www.equalityhumanrights.com/>