

Equality, Diversity, Inclusion and Safeguarding Policy

Introduction

The Food Business is committed to advancing Equality, Diversity, Inclusion and Safeguarding (EDIS) by:

- eliminating discrimination, harassment, victimisation and fostering good relations
- ensuring EDIS is holistically embedded into the culture of the business
- ensuring strategic planning, direction and policy formulation is informed by EDIS via Equality Analysis (EA)
- advancing social cohesion and building community links as part of our corporate social responsibility policy
- respecting the dignity of all people who visit, learn and work at the business
- ensuring conditions encourage learners to participate, progress and achieve in their learning
- ensuring conditions encourage staff to participate, progress and achieve in their career
- actively challenging and resolving unacceptable actions and behaviours such as harassment or bullying
- advancing a culture of non-discrimination and respect in order to promote equality and to enable fair treatment of visitors, learners and employees
- ensuring that young people and vulnerable adults are adequately safeguarded as visitors or employees in the business

Scope

This policy sets out the requirements and responsibilities of the business for ensuring and advancing equity and fairness. The policy also establishes clear guidance; principles; structures and monitoring arrangements with regard to EDIS. The content and guidance should be applied to visitors; contractors; learners; employees; and other third parties. The business is proud of its diversity and values, and the way in which this enriches the life of the business.

Legislative Requirements

This policy statement affirms commitment to the Equality Act 2010 which has strengthened and harmonised current and previous equality legislation. This policy is implemented in the context of the following legislation:

The Equality Act (2010) brings together nine separate pieces of legislation into one single Act simplifying the law and strengthening it in important ways to help tackle discrimination and inequality. The Equality Act 2006 remains in force (as amended by the Act) so far as it relates to the constitution and operation of the Equality and Human Rights Commission. The nine separate pieces of legislation are: Equal Pay Act 1970; Sex Discrimination Act 1975; Race Relations Act 1976; Disability Discrimination Act 1995; Employment Equality (Religion or Belief) Regulations 2003; Employment Equality (Sexual Orientation) Regulations 2003; Employment Equality (Age) Regulations 2006; Equality Act 2006, Part 2; Equality Act (Sexual Orientation) Regulations 2007.

The commitment to EDIS is endorsed and led by Senior Management. The business is committed to equality of opportunity and will not tolerate unfair discrimination, harassment or victimisation relating to any of the 9 protected characteristics in the Equality Act 2010:

- Age
- Disability
- Gender

- Gender Reassignment
- Marriage & Civil Partnership in employment practices
- Pregnancy & Maternity
- Race – (this includes ethnic or national origins, colour and nationality)
- Religion or Belief
- Sexual Orientation

The business respects the dignity and diversity of all our learners and employees, regardless of personal characteristics and differences. It is our aim to give everyone the greatest opportunity, even if this means that we employ positive action, to develop and fulfil individuals' potential. We value the contribution each person can make to the business. We believe that treating people fairly is right and makes good business sense.

This means that the business will:

- Not tolerate any form of victimisation, discrimination or harassment on any grounds
- Provide appropriate, sensitive and accessible services to everyone
- Work to eradicate prejudice, discrimination, harassment and negative stereotyping
- Ensure that everybody who is in learning or works at the business is respected and valued
- Make reasonable adjustments for disabled learners, contractors and employees to ensure fair and equal access to services and opportunities
- Promote and support as appropriate the use of a range of flexible working patterns to enable those working for us to balance home and work responsibilities
- Support people in a phased return to work after extended periods of absence
- Treat people fairly, irrespective of their working arrangements and develop employees and learners so that they are able to reach their full potential

Our aim is to create an environment where people give of their best, allowing them to develop and grow and achieve their full potential. We aim to achieve this commitment by treating all persons equitably, and by removing barriers to advancing a culture of fairness. This policy details our position with regard to all aspects of equality and diversity.

How the business will ensure that equality, diversity and inclusion is at the heart of all activity:

- By requiring management to lead by example in treating all employees and learners with respect and being fair and reasonable
- By expecting all employees and learners to behave in a way that others will see is respectful and fair to them
- By continuing to review systems by which any behaviour that is intimidating, discriminatory or otherwise contrary to the EDIS policy, can be dealt with rapidly and effectively, in an environment which positively supports those who challenge such behaviours

1. Definitions

EDIS means more than disregarding differences. It means ensuring that different people receive provision and employment opportunities in a fair non discriminatory way. This means recognising, accommodating and valuing diversity across the business. EDIS

describes an approach that embraces difference, treats each individual fairly, with dignity and respect, free from discrimination, harassment, victimisation and bullying.

- **Equality** is a revised term for 'equal opportunities'. It is based on the legal obligation to comply with anti-discrimination legislation. Equality protects people from being discriminated against and gives people fair access to opportunities - i.e. that all learners have the same right of access to services and resources to meet their specific needs. Consequently to ensure equality of opportunity, some individuals and / or groups may be treated differently in order to meet their different needs.
- **Diversity** describes the range of visible and non-visible differences that exist between people. Managing diversity harnesses and celebrates these differences to create a productive environment in which everybody feels valued, where talents are fully utilised and in which organisational objectives and targets are met.
- **Inclusion** the overarching strand encompassing equality, diversity and human rights that focuses positively on individuals and/or groups who may feel or are, excluded from services for whatever reason.
- **Direct discrimination** - treating a person less favourably than another in comparable circumstances because of a protected characteristic. In the case of pregnancy & maternity direct discrimination, this can occur if a person has the protected characteristic without needing to compare treatment to someone else.
- **Associative discrimination** 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. It also covers discrimination against someone because, for example, their partner is from another country). This does not apply to marriage and civil partnerships and pregnancy and maternity leave.
- **Discrimination by perception** is direct discrimination against someone because others think they have a protected characteristic (even if they don't).
- **Indirect discrimination** - putting in place a policy or practice that has a differential (positive or negative) impact on someone with a protected characteristic than someone without one, when this cannot be objectively and legitimately justified.
- **Discrimination arising from disability** - 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. This duty is anticipatory and must be reviewed on a regular basis to ensure adjustments made are appropriate. Failing to do so is direct disability discrimination.
- **Harassment** - 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 or in a way that is sexual in nature. 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** - treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting someone who is doing so.

2. Responsibilities

Everyone in the business has a responsibility to give full and active support for the EDIS policy by ensuring:

- the policy is known, understood and implemented
- their behaviour at all times takes into account the sensibilities of others
- everyone is treated with respect and dignity
- behaviour not in accordance with the EDI policy is challenged and acted upon

Within this general responsibility, there are some specific responsibilities:

- The CEO; Senior Management Team and all other managers for the effective implementation, embedding and championing of EDI policies, actions and strategies.
- The Human Resources Director/Manager for the co-ordination of policy development; implementation; monitoring and review of progress in reference to the EDIS Action Plan

The business designates the CEO as having overall responsibility for EDIS.

3. Key Principles and Commitments

The business strongly believes that the equality and diversity of the local communities is one of our greatest strengths and our most valuable asset. The business is fully committed to EDIS and believes that all individuals have an equal right to develop and achieve their full potential.

In accordance with the Equality Act 2010, the business supports the development of a society in which:

- People’s ability to achieve their potential is not limited by prejudice or discrimination
- There is respect for and protection of each individual’s human rights
- There is respect for the dignity and worth of each individual
- Each individual has an equal opportunity to participate in society
- There is mutual respect between groups based on understanding and valuing of diversity and on shared respect for equality and human rights

The business believes that all forms of prejudice and discrimination are unacceptable. It recognises its obligations and responsibilities as an employer and as a provider of learning and qualifications. The business will seek to reflect its commitment to EDIS in

its dealings with members of the public, other agencies and suppliers of services and supplies.

The business will seek to challenge inequality, prejudice and discrimination whether direct, indirect, associative or by perception.

The business embraces diversity in all its aspects, and aims to employ a diverse workforce.

The business will treat all members of its community with respect and dignity, and seek to provide a culture and environment free from discrimination, harassment and victimisation. It will not tolerate any form of prejudice or discriminatory behaviour against members of its community, from either inside or from out.

In seeking to achieve a balanced workforce at all levels, the business will ensure that no employee, job applicant or candidate for promotion will be disadvantaged, or treated less favourably because of conditions or requirements that are not related to the job. Reasonable adjustments will be made to arrangements and premises to ensure equal access for disabled persons.

In order to ensure that all persons are treated with equality and fairness at all stages of employment and enrolment and that their treatment is based solely on open, fair and objective criteria, the business will ensure that equality issues are embedded into all its policies and procedures.

The business is committed to the social model of disability in that we will recognise and remove the barriers that prevent or make it difficult for disabled people to use our services or to be employed by us. These barriers include those not just in the physical environment but the attitudes and behaviour of employees, learners, our policies, systems and processes that govern how we carry out our functions.

4. Monitoring and Evaluation

The business will monitor aspects of staffing and is committed to the collection of statistics, analysis of data and presentation of data. This will include composition of the existing workforce and the recruitment process, looking at the workforce with reference to age, ethnicity, disability and gender, sexuality and belief in particular.

The business will also categorise employees according to grade; contract type, i.e. whether full-time or part-time, permanent or temporary; age; length of time in post; place of work, salary etc. Records will also be kept of training, appraisals, promotions and contracts/conditions.

After the employment relationship has ended, the business may retain statistics; data about the composition of the workforce, including appraisal and promotion records on an anonymous basis for the purpose of carrying out equal opportunities monitoring, and may also look at reasons for resignation and resignation rates.

5. Positive Action

The business undertakes to follow positive action measures allowed by law to rectify disadvantages in employment and training revealed by monitoring.

Positive action, allows the business to:

- provide facilities or services (in the form of training, education, or welfare etc) to meet the special needs of people from particular under-represented groups
- target job training and/or educational opportunities at particular groups that are under-represented in a particular area of work/study and encourage applications from such groups.

Positive action strategies are intended to be temporary measures only. They are under regular review, and they cannot be used once the special needs have been met, or if under-representation no longer exists.

6. Review and Action Planning

The Centre Co-ordinator will monitor and evaluate achievement in respect of equality and diversity by taking the following actions:

- gathering statistical data in relation to employees and learners, analysing the statistics, identify any issues arising and working with individuals and/or groups to make proposals for specific actions to address inequalities identified
- obtaining feedback from employees and learners through questioning, meetings, analysis of complaints and correspondence
- preparing and delivering an agreed action plan
- ensuring marketing, recruitment, selection and enrolment procedures and training conform to EDIS commitments and requirements
- ensuring learning and assessment takes account of equality issues in terms of access, content and delivery
- reporting regularly on EDIS to management

This policy will be reviewed on a regular basis in accordance with legislative developments and the need for good practice.

7. Equality, Diversity, Inclusion and Safeguarding Training

The business will provide, and assess the impact, of a range of EDIS training packages for our learners and employees, and mandatory training for staff at induction, and as part of on-going training. All managers will receive training on advancing and managing EDIS. Bullying and harassment training will also be delivered on a on-going programme. We will continue to raise awareness of equality issues through training plans for equality, and through individual development through e.g. the training and assessor observation process and appraisal.

8. Procurement and Partnerships

The business acknowledges that our 'General' Duty to promote for example: disability, race and gender equality extends into those situations where any of our training or services are contracted, or sub-contracted, to other companies, organisations, groups or individuals, as well as direct works such as building works and repairs.

The business will continue to impact assess our procurement, tendering and contract management processes as an early measure to ensure that meeting the equality duty is built into the procurement process. This will ensure that services are provided in ways which promote EDIS, eliminate discrimination and harassment, and promote positive inclusive attitudes. We will monitor any outsourced service providers to ensure they are fully aware of this policy and comply with our organisational requirements when acting on our behalf.

In addition to the above, the business recognises that if there is partnership working with other organisations, our responsibility to promote EDI in our work continues to apply.

The business will ensure that all our partners support us in meeting the 'General' and, where relevant, the 'Specific' elements of the equality duty, as appropriate to the precise form of partnership. We will also ensure that our partners receive a copy of this EDIS policy and that EDIS is considered at an early stage in our entering into partnership agreements.

9. Breaches of Policy and Complaints

Proven acts of discrimination, harassment, abuse or victimisation will be treated as a serious disciplinary offence. Employees and learners who feel they are being discriminated against should seek resolution through the complaints procedure if unable to resolve through informal means. Disciplinary action could include dismissal in the case of employees and learners.

Employees or learners who feel that they have experienced discrimination from third party members will receive support from the business and we will take appropriate action where discrimination has been found.

Prospective employees and learners who are dissatisfied with any aspect of the recruitment and selection procedure should write giving details to the Human Resources Manager. All complaints will be investigated and the complainant informed of any action taken.

No employee or learner shall be victimized as a result of giving information about any act by a person who contravenes this Policy. Persons making allegations, which are proved to be false, will be dealt with in accordance with grievance, harassment and disciplinary procedures, as will any person who bullies or harasses another person who they believe has made an accusation against them, whether it be proved or not. All employees and learners will be able to report matters detailed in the Public Interest Disclosure Act 1998 without fear.

Employees and learners who wish to make a formal complaint can find details in the complaints policy.

Safeguarding Young People and Vulnerable Adults

The business is committed to creating a culture of vigilance and open communication in order to do everything possible to minimise the risk of harm to young people and vulnerable adults and to create an environment in which they can thrive. The aim of this policy is to provide information and guidance to employees and learners about

safeguarding matters, including types of abuse and indicators of abuse and to describe the process that will be followed in relation to any issue, concern in relation to safeguarding or suspected abuse.

The Centre Co-ordinator has overall responsibility for ensuring that training and support is provided for staff on reporting any suspicion, allegation or incident of abuse as set out below.

The following procedures will be followed by all employees in reporting such matters.

Designated person for the purposes of Safeguarding

The 'Designated Person' for safeguarding is Centre Co-ordinator, xxxxxxxxxxxxxx.

Reporting an issue or concern in relation to safeguarding

All matters relating to a safeguarding issue or concern must be reported to the Designated Person.

Reporting a concern in relation to Young People/Vulnerable Adults

Any suspicion, allegation or incident of abuse in relation to learners who are Young People/Vulnerable Adults must be reported to the Designated Person as soon as possible and in any event within two hours of becoming apparent.

The learner **must** be advised by the employee/learner reporting the suspicion, allegation or incident of abuse that the business has a legal duty to inform an authorised agency.

All discussions with the employee/learner must be documented. If an employee finds him or herself in a position of hearing an allegation s/he should follow the guidelines set out in this policy.

It is recommended that the employee is advised of the support services available within the business/community. They are not obliged to avail themselves of these services if they do not wish to do so.

What the business will do when it receives a report of a suspicion, allegation of incident of abuse in relation to a Young Person/Vulnerable Adult

Concerns that any young person/vulnerable adult is being abused, or at risk of being abused, requires referral. Management have a responsibility to refer to the Local Authority Young Persons/Adult Social Care Services.

Do not be afraid to contact the designated officer if a young person/vulnerable adult can not look after themselves, they may not be able to raise the alarm, so it is important that you do.

Managing the Policy

The CEO will ensure that safeguarding young people or vulnerable adults is particularly considered by:

- Monitoring the Safeguarding Policy
- Keeping Safeguarding policies under regular review (every 3 years minimum)
- Regular communication with the designated person for safeguarding

Data Protection

The business needs to keep certain information about employees, learners and other users to allow it to monitor performance, achievements, and health and safety, for example. It is also necessary to process information so that employees can be recruited and paid and qualifications provided. To comply with the law, information must be used fairly, stored safely and not disclosed to any other person unlawfully. To do this, the business must comply with the Data Protection Principles which are set out in the Data Protection Act 1998 (the 1998 Act). In summary these state that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
- Be adequate, relevant and not excessive for those purposes.
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for that purpose.
- Be processed in accordance with the data subject's rights.
- Be kept safe from unauthorised access, accidental loss or destruction.
- Not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

The business and all employees or others who process or use any personal information must ensure that they follow these principles at all times. In order to ensure that this happens, the business has a Data Protection Policy.

Types of abuse

1. Physical Abuse

Physical abuse is the deliberate physical injury to a young person/vulnerable adult, or the wilful or neglectful failure to prevent physical injury or suffering. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, confinement to a room or inappropriately giving drugs to control behaviour.

2. Psychological/Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a young person/vulnerable adult such as to cause severe and persistent adverse effects on his or her emotional development. It may involve conveying to him or her that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve causing them frequently to feel frightened or in danger, or the exploitation or corruption of them. Some level of emotional abuse is involved in all types of ill treatment of a young person/vulnerable Adult, though it may occur alone. Domestic violence, adult mental health problems and parental substance misuse may expose them to emotional abuse.

3. Sexual Abuse

Sexual abuse involves forcing or enticing a young person/vulnerable adult to take part in sexual activities, whether or not he or she is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving them in looking at or the production of pornographic material or watching sexual activities, or encouraging them to behave in sexually inappropriate ways.

4. Neglect

Neglect is the persistent failure to meet a young person's/vulnerable adult's physical, emotional and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate foods, shelter and clothing, failing to protect a young person/vulnerable adult from physical harm or danger, failing to ensure access to appropriate medical care or treatment, lack of stimulation or lack of supervision. It may also include non-organic failure to thrive (faltering growth).

5. Institutional

Repeated poor care of a young person/vulnerable adult through neglect or poor professional practice

6. Financial or Material

Fraud, theft or use of a young person's/vulnerable adult's property without their permission or understanding.

Indicators of abuse

The following is a list of some indicators of abuse, but it is not exhaustive:

PHYSICAL INDICATORS	BEHAVIOURAL INDICATORS
<ul style="list-style-type: none"> • Unexplained bruising in soft tissue areas • Repeated injuries • Black eyes • Injuries to the mouth • Torn or blood-stained clothing • Burns or scalds 	<ul style="list-style-type: none"> • Unexplained changes in behaviour - becoming withdrawn or aggressive • Difficulty in making friends • Distrustful of adults or excessive attachment to adults • Sudden drop in performance • Changes in attendance pattern

<ul style="list-style-type: none"> • Bites • Fractures • Marks from implements • Inconsistent stories/excuses relating to injuries 	<ul style="list-style-type: none"> • Inappropriate sexual awareness, behaviour or language • Reluctance to remove clothing
--	--

Guidelines for employees in relation to a disclosure of abuse

Always

- Record what has been said ASAP and verbatim
- Avoid "leading questions"
- Remain sensitive and calm
- Reassure the person that they
 - are safe
 - were right to tell
 - are not to blame
 - are being taken seriously
- Let them talk - don't interview!
- Listen & hear, give the person time to say what they want.
- Ensure a positive experience
- Explain that you must tell the designated person in teh College
- Tell them what will happen next
- Involve appropriate individuals immediately
- Stay calm.
- Reassure them that they have done the right thing in telling and that it will be dealt with appropriately.

Never

- Question unless for clarification
- Promise confidentiality
- Make promises you cannot keep
- Rush into actions that may be inappropriate
- Make/pass a judgment on alleged abuser
- Take sole responsibility, consult the designated officer so you can begin to protect the child and gain support for yourself.