

<b>Responsibility:</b>	Human Resources	<b>Date doc. created:</b>	V2 February 2022
<b>Print name sign off:</b>	Simon Little, Managing Director	<b>Last review date of doc:</b>	February 2022
<b>Signature:</b>		<b>Next review date:</b>	February 2023

# Equality and Diversity Policy

## Scope and Purpose of this Policy

Best Practice Network is committed to promoting and achieving equality of opportunity for all Staff/ Associates/ Learners/ Apprentices/ Employers, trainees, apprentices, employers, visitors and job applicants. This policy reflects Best Practice Network's current practices and applies to every individual working for and involved in training and apprenticeships with Best Practice Network irrespective of their status, level or grade. It therefore includes, the Managing Director, Directors, members of the Senior Leadership Team, employees, consultants, contractors, trainees, apprentices, employers, home-workers, part-time or fixed-term employees, who are advised to familiarise themselves with its content.

This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all members of Staff/ Associates/ Learners/ Apprentices/ Employers at Best Practice Network who are required to familiarise themselves and comply, with its contents. Best Practice Network reserves the right to amend this policy at any time.

## Aim of this Policy

Best Practice Network aims to create a working environment in which all individuals can make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

Best Practice Network does not discriminate against Staff/ Associates/ Learners/ Apprentices/ Employers based on their sex, sexual orientation, marital or civil partner, pregnancy or maternity, gender reassignment, race (which covers colour, nationality, ethnic or national origin), religion or belief, disability or age (the protected characteristics).

We will meet our statutory obligations under relevant legislation including the Equality Act 2010, which prohibits discrimination, harassment and victimisation in employment. This policy conforms to the Equality Act 2010 and is monitored to ensure compliance with the requirements of the relevant legislation in force from time to time. The principles of non-discrimination and equality of opportunity also apply to the way in which Staff/ Associates treat Learners/ Apprentices/ Employers, visitors, suppliers and former Staff/ Associates/ Learners/ Apprentices/ Employers members.

## Commitment to and promotion of the Policy

We ensure that all staff, including freelance, contracted staff and/or associates are aware of the requirements within this policy and their commitment to it. Commitment statements are included as part of contracts of employment or freelance work for Best Practice Network.

We update our staff and associates as to equality and diversity best practice through training and briefings. All candidates, trainees or apprentices enrolled on BPN programmes are provided with links to this policy in their relevant programme handbooks. This policy forms part of the induction process and is discussed in meetings.

## Scope and Purpose of this Policy

All Staff/ Associates/ Learners/ Apprentices/ Employers are required to support this policy to ensure that discrimination does not occur in the workplace. All Staff/ Associates/ Learners/ Apprentices/ Employers have a duty to act in accordance with this policy and always treat colleagues with dignity, and not discriminate against or harass other colleagues, regardless of their status.

All Staff/ Associates/ Learners/ Apprentices/ Employers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to this policy and promote Best Practice Network's aims and objectives with regard to equal opportunities and diversity. Staff will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice with annual updates delivered through online training for all staff.

Any questions about the content or application of this policy should be referred to Joanna Hawkins, Head of Development ([joannahawkins@bestpracticenet.co.uk](mailto:joannahawkins@bestpracticenet.co.uk)) in the first instance.

This policy applies to all aspects of Best Practice Network's relationship with Staff/ Associates/ Learners/ Apprentices/ Employers and to relations between Staff/ Associates/ Learners/ Apprentices/ Employers members at all levels. This includes:

- Job advertisements
- Recruitment and selection
- Training and development
- Opportunities for promotion
- Conditions of service
- Pay and benefits
- Conduct at work
- Capability, disciplinary and grievance procedures
- Termination of employment

Best Practice Network will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

## Forms of Discrimination

Discrimination by or against a member of Staff/ Associates/ Learners/ Apprentices/ Employers is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their sex or race because they would not “fit in” would be direct discrimination.

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them

Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else’s complaint.

## Recruitment and Selection

Best Practice Network aims to ensure that no job/ programme/ apprenticeship applicant suffers discrimination because of any of the protected characteristics as mentioned above. Best Practice Network’s recruitment procedures are reviewed regularly to ensure that individuals are treated based on their relevant merits and abilities and that unconscious bias is minimised through training. Selection criteria are regularly reviewed to ensure that they are relevant to the job/ programme/ apprenticeship and are not disproportionate.

Advertisements will avoid using wording that may discourage particular groups from applying. A short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies/ courses.

Applicants will not be asked about health or disability before an offer is made. There are limited exceptions which Best Practice Network may use, for example:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment
- Positive action to recruit disabled persons
- Equal opportunities monitoring (which will not form part of the decision-making process).

Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without first considering whether such matters are relevant and may lawfully be taken into account.

Best Practice Network is required by law to ensure that all members of Staff/ Associates/ Apprentices are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective members of Staff/ Associates/ Apprentices, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to

satisfy current immigration legislation. A list of acceptable documents is available from the People Team ([bpn\\_hr@bestpracticenetwork.co.uk](mailto:bpn_hr@bestpracticenetwork.co.uk)).

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in Best Practice Network, Best Practice Network will monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. Analysing this data helps us to take appropriate steps to avoid discrimination and improve equality and diversity.

## Recruitment of ex-offenders

Best Practice Network is an organisation that uses the Disclosure and Barring Service (DBS) to assess candidates' suitability for positions of trust working in an environment with children or vulnerable adults. Best Practice Network fully complies with the DBS Code of Practice and undertakes to treat all candidates fairly.

Best Practice Network endeavours not to discriminate unlawfully against any candidate who is required to provide information (a check) through this process. Having a criminal record will not necessarily prevent a candidate from working with Best Practice Network. Whether or not it does will depend on the nature of the position and the circumstances and background of the offence(s).

Best Practice Network's policy on the recruitment of ex-offenders will be made available to all candidates at the outset of the recruitment process. Best Practice Network will ensure that it makes any candidate who is subject to a check aware of the DBS Code of Practice and will provide a copy of the Code on request.

As a DBS check is part of Best Practice Network's recruitment process, Best Practice Network encourages all candidates called to interview to provide details of any criminal record (except cautions and convictions which are "protected" (as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and 2020) at an early stage of the application process. Best Practice Network requests that this information is sent under separate, confidential, cover to a designated person within Best Practice Network, who may vary depending on the nature of the post being recruited. Best Practice Network guarantees that only those who need to see this information as part of the recruitment process will see it.

Best Practice Network will ensure that it discusses with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job may result in an offer of employment being withdrawn.

## Training, promotions and conditions of service

Staff training needs will be identified through informal and formal appraisals.

All Staff will be given appropriate access to training to enable them to progress within Best Practice Network and all promotion decisions will be on the basis of merit.

The composition and movement of Staff at different levels will be reviewed from time to time to ensure equality of opportunity at all levels within Best Practice Network.

Where appropriate Best Practice Network will take steps to identify and remove unnecessary or

unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.

Best Practice Network's conditions of service, benefits and facilities will be reviewed from time to time to ensure that they are available to all Staff who should have access to them and that there are no unlawful obstacles to accessing them.

## **Termination of employment**

Best Practice Network will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

Best Practice Network will also ensure that absence, capability and disciplinary procedures and penalties are applied without discrimination and are carried out fairly and uniformly for all Staff, whether they result in formal warnings, dismissal or other action.

## **Disability Discrimination**

If a member of Staff/ Associates/ Learners/ Apprentices/ Employers is disabled, or becomes disabled, in the course of their engagement with Best Practice Network, they are encouraged to tell us about their condition. This is to enable Best Practice Network to support the member of Staff/ Associates/ Learners/ Apprentices/ Employers appropriately.

If a member of Staff/ Associates/ Learners/ Apprentices/ Employers experiences difficulties because of their disability, they may wish to contact their Line Manager/Programme Director to discuss any reasonable adjustments which they consider to be reasonable and necessary or which would assist in their performance. Careful consideration will be given to any such proposals and they will be accommodated where reasonable, practicable and proportionate in all the circumstances of the case.

Nevertheless, there may be circumstances where it would not be reasonable for Best Practice Network to accommodate a particular adjustment and in such circumstances, it will ensure that it provides the member of Staff/ Associates/ Learners/ Apprentices/ Employers with its reasons and will try to find an alternative solution where possible.

Best Practice Network will monitor the physical features of its premises to consider whether they place disabled Staff/ Associates/ Learners/ Apprentices/ Employers at a substantial disadvantage compared to others. Where reasonably practicable and proportionate Best Practice Network will take steps to improve access for disabled Staff/ Associates/ Learners/ Apprentices/ Employers.

## **Fixed-Term Employees and Agency/Temporary Workers**

Best Practice Network will monitor its use of fixed-term employees and agency workers, and their conditions of service to ensure they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. Best Practice Network will also, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

## **Part-Time Workers**

Best Practice Network will monitor the conditions of service of part-time employees and their progression

to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. Best Practice Network will also ensure that requests to alter working hours are dealt with appropriately under its Flexible Working Policy.

## **Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics**

Best Practice Network will treat all complaints of discrimination, harassment or victimisation related or connected to any of the protected characteristics made by its Staff/ Associates/ Learners/ Apprentices/ Employers, students or third parties seriously and will take action where appropriate.

Any member of Staff/ Associates/ Learners/ Apprentices/ Employers who considers that they may have been unlawfully discriminated against, victimised or harassed within the meaning of this policy should discuss the matter in the first instance with their Line Manager/Programme Director or, if they do not consider this to be appropriate, with the People Team ([bpn\\_hr@bestpracticenet.co.uk](mailto:bpn_hr@bestpracticenet.co.uk)). In some cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.

If a member of Staff/ Associates/ Learners/ Apprentices/ Employers wishes to make a formal complaint they should raise the matter through Best Practice Network's Grievance Policy and Procedure.

Allegations regarding potential breaches of this policy will be treated in confidence and will be investigated in accordance with the relevant procedure and the member of Staff/ Associate/ Learner/ Apprentice/ Employer will be given the opportunity to respond to the allegation and provide an explanation for their actions.

Staff/ Associates/ Learners/ Apprentices/ Employers who make such allegations in good faith will not be victimised or treated less favourably as a result. If Best Practice Network concludes that the allegations are false or have been made maliciously or in bad faith, it will deal with the matter in accordance with its disciplinary procedure. Any member of Staff/ Associates/ Learners/ Apprentices/ Employers who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. Best Practice Network takes a strict approach to serious breaches of this policy.