

Snap Operations Manual – 1. Organisation & Management

1-13-1 Snap Equality & Diversity Policy

Prepared by: Angela Novell, CEO MKSNAP	Issue Number: 3	Date of Issue: March 2019 (reviewed April 2022)
Approved by: Board of Trustees (date)	Signed:	Date:

MK SNAP Equality & Diversity POLICY

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Introduction

MK SNAP is committed to valuing equality, diversity and inclusion for all our staff, learners and other stakeholders. We seek to encourage a workplace and a level of service provision where we strive for a zero tolerance approach to all forms of unlawful discrimination and to ensure a safe and inclusive environment for all staff, learners and other stakeholders connected with MK SNAP.

One of our 6 core organisational values at MK SNAP is 'Inclusion'

Legal Framework

In putting together this Equality & Diversity Policy we are responding to our duties as defined by the Equality Act 2010 (which replaced all previous policies and legislation relating to Race Equality, Gender Equality and Disability Equality) and subsequent updates to legislation. The Equality Act extends the prohibition for direct or indirect discrimination against any individual with one or more of the nine 'protected characteristics' defined in the Equality Act. These are:

1. Age
2. Disability
3. Gender Reassignment
4. Marriage & Civil Partnership
5. Pregnancy & Maternity
6. Race
7. Religion or Belief (including lack of belief)
8. Sex
9. Sexual Orientation

This policy has been devised to enable MK SNAP to meet its general duty in:

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- Eliminating unlawful discrimination, harassment, victimisation and other prohibited conduct
- Advancing equality of opportunity between people who have a protected characteristic and those who do not. Fostering and encouraging good relations between people who have a protected characteristic and those who do not

We will do this by:

- Providing a safe and secure environment in which all of our learners can flourish and in which all contributions are valued
- Including and valuing the contribution of all families to our understanding of equality & diversity
- Providing positive non-stereotyping information about gender roles, diverse ethnic and cultural groups and people with disabilities
- Reviewing our knowledge and understanding of issues of anti-discriminatory practice, promoting equality and valuing diversity
- Making inclusion a value that is embedded into everything we do at MK SNAP

Aim

Equality & Diversity is about making a difference to the lives of the people we serve, treating all people with dignity and respect and recognising the value of each individual. We are committed to ensuring that our service meets the varied and individual needs of all our learners, that our employment practices are fair and promote equality and that we respect the wide variety of lifestyles and cultures within our community. We aim to prepare our learners for life within a diverse society and increasing global connections and controversial issues.

Guiding Principles

Principle 1: All Learners are of equal value

All learners and potential learners are of equal value and benefit from our policies, practices and programmes, whatever their ability, ethnicity or national identity, religious background gender or cultural identity.

Principle 2: Relevant differences are recognised

Treating people equally can mean treating them differently. Policies, practices and programmes do not discriminate unlawfully, but may be differentiated to take account of differences of life experience, outlook and background and in the kinds of barriers and disadvantage which people may face; for example, in relation to:

- Disability – so that reasonable adjustments are made
- Ethnicity – so that difference cultural backgrounds and experiences of prejudice are recognised

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- Gender Identity – so that the different needs and experiences of girls and boys, women and men and those who identify as gender diverse are recognised
- Religion, belief or faith background – So that people are free to practice their beliefs free of unlawful discrimination
- Sexual identity – so that people can feel free to be open about who they are without fear of victimisation or persecution

Principle 3: We foster positive attitudes, relationships and a shared sense of belonging

Policies and programmes promote:

- Positive attitudes towards disabled people, good relations between disabled and non-disabled people and an absence of harassment of disabled people
- Positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture religious affiliation, national origin or national status and an absence of prejudice based bullying and incidents
- Mutual respect and good relations between boys and girls, women and men and those who identify as gender diverse,
- Inclusion for all people regardless of their sexual orientation.

Principle 4: Staff recruitment, retention and development

Steps are taken to positively promote equality especially where there is evidence of inequality and to ensure that policies and procedures benefit all employees and potential employees in recruitment, professional development and promotion as described in our staff handbook

Principle 5: Reducing and removing inequalities and barriers that already exist

In addition to avoiding or minimising possible negative impacts of policies and programmes we take opportunities to maximise positive impacts by addressing, reducing and removing inequalities and barrier(s) that already exist between:

- Disabled and non-disabled people
- People of different ethnic cultural and religious backgrounds
- Girls and boys, women and men, and people who are gender diverse
- People with various sexual orientations

We recognise that the actions resulting from this policy statement are what make a difference. We will regularly review our equality objectives and report on our progress towards achieving them to the MK SNAP Board of Trustees.

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We have a dedicated trustee with responsibility for Equality & Diversity; who can be contacted at lisa.spearman@mksnap.org

MK SNAP will take all reasonable steps to ensure access to facilities, employment and its services is maintained, and where appropriate will provide for reasonable adjustments.

Any employee, learner, or volunteer who believes that he or she has been unfairly treated in any way or has been subject to any form of discrimination, harassment or victimisation should raise the matter through the MK SNAP Customer Care & Complaints Policy which can be found at www.mksnap.org

MK SNAP will investigate and take disciplinary action against any individual found to be in breach of this policy or relevant equal opportunities legislation. Such action will be taken in accordance with the MK SNAP Dismissal, Disciplinary and Capability Procedure.

Responsibilities

MK SNAP Board of Trustees is responsible for:

1. Being accountable for ensuring MK Snap has an appropriate Equality & Diversity policy in place, that meets current legislative requirements, and is fit for purpose

MK SNAP Chief Executive is responsible for:

1. Ensuring that equality & diversity is successfully promoted, implemented and managed across the organisation
2. Ensuring that appropriate HR and Learner Management processes fully reflect good practice, and comply with current legislation
3. Reporting to the board of trustees issues relating to the implementation and performance of the equality & diversity policy

MK SNAP Head of Learner Services

1. Ensuring that all related policies and procedures are effectively carried out in accordance with the equality & diversity policy
2. Ensuring that MK SNAP Staff and volunteers are informed of this policy and receive appropriate equality & diversity training
3. Monitoring the performance of the equality & diversity policy
4. Collecting and analysing appropriate data to monitor the equality & diversity policy
5. Investigating, and responding appropriately, to any reports of violations of this policy made by Staff, Learners or others using the premises within the timeframes laid out in the respective complaints and grievance policies.

All Employees are responsible for:

1. Promoting equality and diversity within the workplace
2. Challenging traditional stereotypes that are in conflict with MK SNAP values

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3. Challenging inappropriate behaviour from learners, fellow staff members and others connected with the work of MK SNAP
4. Reporting to management any violations of this policy
5. Attending annual training on Equality & Diversity.

SNAP Learners are responsible for:

1. Treating fellow Learners and Snap Staff and Volunteers with respect, and not discriminating, bullying or harassing others due to one or more of their protected characteristics.
2. Reporting breach of centre user rules as described in the learner handbook to a member of SNAP staff.

Policy Promotion

All new staff and volunteers will be given a copy of the equality & diversity policy at Induction, or directed to its location within the MK SNAP Operations Manual. The agreed policy statement will be made available to view on the MK SNAP website www.mksnap.org

Policy Implementation

All staff and volunteers will be briefed on the policy of MK SNAP and the contents of this policy document. Staff will receive equality & diversity training, which will be updated as required.

MK SNAP will ensure that the processes for the recruitment of staff, volunteers and learners are carried out in accordance with good practice in with equality & diversity in the MK SNAP Safer Recruitment Policy.

As a centre for those with physical and learning disabilities, MK SNAP is fully accessible and equipped with facilities for those with mobility problems, or those who have a hearing impairment. MK SNAP will provide any other reasonable adjustments to ensure there is fair access to employment or the services it provides.

The behaviour of staff, volunteers and learners will be monitored, and where appropriate challenged by Snap managers. We will use training and awareness as the first steps to tackle incidents of discrimination, bullying and harassment. Where this proves to be ineffective, or the incident is of a serious nature, our formal disciplinary arrangements will be used to manage the matter.

Monitoring & Review

MK SNAP will collect and analyse data on the characteristics of its learners, staff and volunteers annually, which will be used to inform recruitment arrangements. Such data collection and analysis will be in line with the provisions of the UK's Data Protection Act 2018 and any subsequent updates to that Act.

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SNAP managers will check that all staff, volunteers and learners comply with the spirit of this policy, and take appropriate corrective actions when a breach occurs

This policy will be reviewed on an annual basis, and will be updated based on the outcomes from monitoring, and any further changes to legislation.

Position	Name	Signature	Date
Author			
CEO			
Board of Trustees			

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ANNEX 1 - DEFINITIONS AND RELATED EQUALITY LEGISLATION

Direct Discrimination – This occurs where someone is treated less favourably on the grounds of age, disability, race, religion or belief, sex or sexual orientation, than another person would be treated in the same or similar circumstances.

Associative Discrimination – This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive Discrimination – This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination – This occurs when a condition is applied to everyone, but in practice puts people from a particular group at a particular disadvantage when compared with others, and cannot be legally justified within the circumstances

Harassment – Harassment is unwanted conduct that has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Third Party Harassment – the equality act makes you potentially liable for harassment of employees by people (third parties) who are not employees of your company, such as customers and clients. Liability applies when harassment has occurred on at least two previous occasions, the employer is aware that it has happened, and has not taken reasonable steps to prevent it from happening again

Victimisation – This occurs where a person is treated less favourably than another because they have made a complaint, brought proceedings, or given evidence about someone who has been accused of discriminating against them

Equality Act 2010 – The new act harmonises and replaces previous legislation and ensures consistency in what is needed to make the workplace a fair environment, and to comply with the law. The equality act covers the same groups that were protected by existing equality legislation - age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity. These are now called 'Protected Characteristics'. The Act also extends some protections to characteristics that are not previously covered, and also strengthens particular aspects of equality law. As a result of the Equality Act 2010, the following legislation that has been merged is as follows:

- Race Relations Act 1976
- Sex Discrimination Act 1975 and 1986 (as amended)
- Disability Discrimination Act (DDA) 1995
- Equal Pay Act 1970
- The Employment Equality (Religion or Belief, Sexual Orientation, and Age) Regulations 2003
- Equality Act 2006
- Employment Equality (Age) Regulations 2006

Race Relations Amendment Act 2000 – Places a general duty on public authorities, including Higher Education Institutions (HEIs) to promote equality of opportunity and good relations between persons of different racial groups. Specific duties for HEIs include

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requirements to publish a written statement of their racial equality policy, to gather and report on staff and student race monitoring data and to assess policies for their impact on people from different racial groups

Gender Recognition Act 2004 – Allows transsexual people to gain legal recognition in their acquired gender.

Special Education Needs and Disability Act (SENDA) 2001 – Amended the DDA to require education providers to ensure that they do not discriminate against disabled people. This includes requirements to provide auxiliary aids through reasonable adjustments (for example, providing specialist software for a student with learning difficulties), and to make reasonable adjustments to the physical features of premises where these put disabled people at a substantial disadvantage.

Disability Discrimination Act 2005 – Places a general duty to on public authorities, including Higher Education Institutions (HEIs) to promote equality of opportunity for disabled people. Specific duties for HEIs include requirements to produce, publish and implement a Disability Equality Scheme, to gather and report on staff and student disability monitoring data and to assess policies for their impact on disabled people.

Employment Rights Act 1996 – Provides rights to employees not to be dismissed on the following grounds;

- The employee left, or proposed to leave his or her place of work in circumstances where they believed themselves or others to be in imminent danger
- The employee took steps to protect themselves and/or others against what they believed to be an imminent danger
- The employee complained against health & safety issues

Employment Act 2002 – Introduced new provisions concerning ‘family-friendly’ working, the resolution of individual disputes at the workplace, equal treatment for fixed term employees and other matters.

The Children Act 2004 – Provides a legislative platform for improving the life chances of all children. The overall purpose is to encourage integrated planning, commissioning and delivery of children’s services as well as improve multi-disciplinary working, remove duplication, increase accountability and improve the co-ordination of individual and joint inspections in local authorities. Conceived in the lead up to the Children Act, Every Child Matters defines five outcomes as: be Healthy, Stay Safe, Enjoy and Achieve, Make a positive Contribution, and Achieve Economic Wellbeing.

Rehabilitation of Offenders Act 1974 – enables some criminal convictions to become spent, or ignored after a rehabilitation period.