
	Procedure BM 10B	Page 1 of 10	Version 13	Last Updated: 26/04/2025
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Equality and Diversity Policy				

## 1. Policy Statement

1.1 TRN (Train) Ltd is committed to **equality** and **diversity** in employment, learning and in every aspect of its activities and aims to provide an environment where all individuals have the opportunity to achieve their full potential with a feeling of self-esteem.

1.2 Train Ltd believes that **equality** for all is a basic human right and actively opposes all forms of unlawful and unfair discrimination. We celebrate the diversity of society and are striving to promote and reflect that diversity within this organisation.

1.3 Train Ltd seeks to achieve a representative workforce and will always recruit, train, develop and promote solely on the basis of merit in accordance with the needs of the business.

1.4 No job applicant, employee or learner will be disadvantaged by any requirements or conditions that cannot be justified and which have an adverse effect on their age, sex, sexual orientation, marital status, colour, race, nationality, ethnic or national origins, religion or belief, disability, gender reassignment, pregnancy and maternity, marriage or civil partnership.

1.5 Train Ltd encourages and supports the development of an environment in which:

- peoples' ability to achieve their potential is not limited by **prejudice** or **discrimination**
- there is respect for and protection of each individual's rights
- there is respect for the dignity and worth of each individual
- each individual has an **equal opportunity** to participate

1.6 Train Ltd believes that it is in its best interests to fully utilise the talents and skills of its employees and embraces the uniqueness of everyone.

1.7 Train Ltd will provide services and opportunities equally and fairly to service users and staff irrespective of age, sex, sexual orientation, marital status, colour, race, nationality, ethnic or national origins, religion or belief, disability, gender reassignment, pregnancy and maternity.

1.8 In our commitment to promoting **equality of opportunity** we will not accept **prejudice, discrimination, harassment or victimisation**. An environment where **equality of opportunity** exists is more rewarding for employees and learners and will enhance performance and achievement.

1.9 Every employee is responsible for ensuring that the Equality and Diversity Policy is strictly adhered to. The directors and those employees involved in aspects of people management will have specific responsibilities in the implementation of the policy.

1.10 An ongoing programme of action will be implemented to continually improve equality and to ensure full compliance with all associated legislation.

1.11 The policy and its respective plans, procedures and practices will be subject to periodic and systematic review and at least once a year.

Signed

MANAGING DIRECTOR

Dated: 26 April 2024

## 2. Scope

2.1 The purpose of this policy is to establish clear guidance regarding equality and diversity and to provide guidance on actions to take in the event that discrimination in any form including bullying, harassment or victimisation takes place in the workplace environment.

2.2 This policy where required should be read in conjunction with the [glossary of terms and guidance notes BM-10C](#).

## 3. Principles

3.1 Train Ltd will comply with the Equality Act 2010 and believes that all forms of prejudice and discrimination are unacceptable. The Policy addresses issues specific to discrimination on the grounds of age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership.

3.2 Train Ltd will not tolerate any behaviour that would result in any individual:

- being treated unfairly based on one or more of the above personal characteristics (**direct discrimination**) or because it is believed that the individual has a protected characteristic (**discrimination by perception**);
- being disadvantaged or treated less favourably, in relation to one or more of the above personal characteristics, because of requirements that are not related to the job, course of learning or service provided (**indirect discrimination**);
- being treated less favourably because of the individual's association with another person who has a protected characteristic (discrimination **by association**)
- being humiliated, embarrassed, ridiculed or intimidated based on one or more of the above personal characteristics (**harassment**); or
- being treated less favourable because they have made, or intend to make, a complaint of direct discrimination, indirect discrimination, or harassment, or because they will be supporting another person's complaint of discrimination or harassment (**victimisation**).
- being treated in a way that intentionally hurts the person or group either physically or emotionally (**bullying**)

3.3 Train Ltd will not tolerate any behaviour from anyone that:

- causes or induces someone to discriminate against, harass, bully, or victimise another person, or to attempt to do so or
- helps someone else carry out an act which they know is unlawful under the Equality Act.

3.4 The aim is to create a positive setting where everyone has a shared commitment to respecting diversity, individuality, and uniqueness.

#### **4. Promotion of Equality and Diversity Policy**

4.1 Train Ltd will promote its equality and diversity policy through:

- recruitment & selection
- staff training
- Apprentice and learner selection and induction training, and reinforced throughout apprenticeship training and other training programmes
- analysis and evaluation of data for both employees and apprentices and learners by age, disability, gender, race, religion, sexual orientation and transgender where information is available
- supportive workplace practices
- through policy statements, displayed on notice boards
- taking positive action where appropriate.

4.2 To ensure we get commitment to the policy, all staff, apprentices and learners have a responsibility to provide full and active support for the policy by ensuring that the policy is known, understood and applied at all times. Individual responsibilities are detailed in section 11 of this policy document.

4.3 Senior managers and leaders will at regular intervals throughout the academic year select policies to discuss in team meetings/standardisations and quality forums to confer on how the policy is applied throughout the business.

#### **5. Recruitment and Selection**

5.1 Before recruiting additional employees, every effort will be made to ensure that existing employees who might wish to be considered for such positions are considered. Whenever possible, full details of vacancies will be posted internally though in certain circumstances it must be accepted that this will not always be possible.

5.2 Where necessary, assistance must be provided to those who might otherwise not be able to be considered for appointment (e.g. those who have a disability in some way). Where a suitable applicant has a disability, the organisation will review possible alterations to the premises, procedures, etc., to attempt to find ways in which reasonable alterations could be made to enable an appointment to be made. Only if such alterations are impossible, uneconomic or impractical will such an applicant be rejected. Full explanation of the steps taken will be set out in the letter of rejection.

5.3 Job descriptions will be revised to ensure that they are in line with this policy. Job requirements will be reflected accurately in any personnel specifications and will be provided to applicants.

5.4 We will adopt a consistent, non-discriminatory approach to the advertising of vacancies and will encourage applications from all areas of the community by advertising as widely as possible, including minority press and media where possible. We will include an equal opportunities statement on our job application form and job advertisements.

5.5 All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job. Interviews are guaranteed to all applicants with a disability who meet the minimum job criteria.

5.6 All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.

5.7 Short listing and interviewing will be carried out by at least two senior staff where possible.

5.8 Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.

5.9 We will not disqualify any applicant because he/she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.

5.10 Selection decisions will not be influenced by any perceived prejudices of other staff.

5.11 Interview records and interview decisions records will be retained for 12 months.

5.12 Where a recruitment or partner agency is used, they will be provided with a copy of this policy, advertisement, job descriptions and person specification and application and other associated forms.

## **6. Induction**

6.1. Train Ltd recognises the need for all employees to:

- be aware of the behaviours that express **discrimination**;
- know that **discrimination** is not restricted to particular groups in society;
- be aware of the ways in which assumptions and **oppression** can be built into society and organisations;
- be aware of **stereotyping** or **prejudice** in the content and delivery of their work;
- be prepared to challenge discriminatory behaviour or attitudes.
- use language that is inclusive and demonstrate sensitivity to the risk of patronising, offending or excluding colleagues, apprentices, learners, employers or others through inappropriate language used.

6.2 All induction programmes will include an introduction to **equality** and **diversity** including training in relation to this policy to ensure commitment in implementation of the policy intent. In addition, classroom based and distance learning courses will be made available to all employees to support the development of this knowledge.

## **7. Training**

7.1 Line managers responsible for recruitment and selection, staff supervision and appraisal will receive appropriate training.

7.2 All employees will be given the same chances for training and specific training will be provided for underrepresented groups where appropriate.

7.3 Train Ltd will train its employees in implementing the policy. All staff will receive training in the application of this policy and associated policies and procedures to ensure delivery of apprenticeship programmes incorporate equality of opportunity and inclusive practice.

7.3 Where appropriate specific training will be made available for underrepresented groups.

## **8. Career Development & Promotion**

8.1 Promotion and advancement will be made on merit and the basis of the skills, experience and aptitude required for the vacancy. All decisions relating to this will be made within the overall framework and principles of this policy.

## **9. Retention**

9.1 Every effort will be made to accommodate employees who become disabled or whose disability becomes worse. Alternative ways of working and reasonable adjustments will be considered where reasonably practicable.

9.2 Train Ltd will work in partnership with organisations such as Remploy and Access to Work to facilitate staff retention.

## **10. Supportive Workplace Practices**

10.1 Train Ltd believes that its commitment to equality and diversity should be visible in every aspect of its work. All relevant policies, procedures and practices will be written in such a way to promote fairness and equality for all.

**10.1.1 Pregnancy** – Train Ltd recognises that women may need changes to their work conditions and will consider reasonable requests for such changes.

**10.1.2 Antenatal and Postnatal Care** – Reasonable time off with pay will be given to both full and part time women employees who are pregnant to attend antenatal classes and medicals.

**10.1.3 Maternity and Paternity Leave and Pay** – Train Ltd's maternity and paternity leave and pay are set out in the employee's conditions of service.

**10.1.4 Flexible hours and job sharing** – Consideration will be given to flexible working hours and arrangements for employees to facilitate for the caring of children and other dependants, and those who have a disability that causes severe fatigue. Requests for job sharing or part-time working to meet employees' needs of shorter hours will also be considered.

**10.1.5** Train Ltd will work in partnership with Remploy and other organisations such as Access to Work with the permission of the individual to identify any reasonable adjustments that can be made.

The above considerations in 10.1.1 to 10.1.4 will however, have due regard to Train Ltd's operational requirements.

## **11. Positive action**

11.1 Train Ltd will use positive action measures to alleviate disadvantage experienced by people sharing a protected characteristic, reduce their under-representation in relation to particular activities or meet their particular needs.

11.2 Where applicable, Train Ltd will advertise that it welcomes applications from all groups and particularly target groups that it believes are under-represented.

## **12. Responsibilities**

### **12.1 Managing Director is responsible for:**

- ensuring that Train Ltd complies with the general and specific duties of the Equality Act 2010 through:
  - elimination of unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010
  - advancement of equality of opportunity between people who share a protected characteristic and people who do not share it; and
  - fostering good relations between people who share a 'protected characteristic' and people who do not share
- ensuring all staff with line management responsibilities do not discriminate unfairly in the employment, management and development of staff or the support of apprentices, learners and employers.

#### **12.1.1 Managers are responsible for:**

- promoting a culture within Train Ltd that promotes 'positive' behaviours by staff, apprentices, learners and employers, ensuring that behaviour is appropriate and takes account of the feelings of others
- investigating any staff, apprentice, learner or employer concerns
- recording performance in relation to equality within supervision, 1:1 and appraisal.

Managers are responsible for ensuring all staff within their line of responsibility receive appropriate induction and training in this policy and that the policy is implemented and understood. Manager will take any necessary disciplinary action where the policy is contravened.

It is the responsibility of the Quality Manager to oversee the application of the Equality and Diversity policy and procedure and to review its content on an annual basis as part of the company's self-assessment process. Senior management and quality forum meetings are to be used as a vehicle to review any in-year policy updates that may be required.

#### **12.2.1 Trainers, Assessors and Staff:**

All staff must consider the policy when recruiting, delivering apprenticeship training and working with employers and apprentices. This will include:

- promoting a culture within Train Ltd that promotes 'positive' behaviours by staff, apprentices, learners and employers ensuring that behaviour is appropriate and takes account of the feelings of others
- ensuring delivery of apprenticeships and other training programmes embeds equality and diversity within its content and within the spirit of this policy intent
- ensuring all apprentice and learner selection, induction programmes, delivery of apprenticeship and training programmes and tutorials/support, reflect Train Ltd's commitment to equality and diversity
- ensuring equality and diversity is covered during selection, induction and delivery of apprenticeship/other training programmes and is a mandatory subject in periodic reviews
- co-operate and comply with the measures set out in this policy;
- report any changes in their own health to their line manager or to the managing director.
- attend Equality and Diversity training as required;
- challenge or report any discriminatory behaviour, including harassment or bullying, whether intentional or unintentional whenever it occurs;
- treat others with dignity and respect at all times
- act in accordance with policies designed to combat discrimination and prejudice

#### **12. 2.2 they must not:**

- encourage or allow others by omission to carry out any discriminatory act;
- induce or attempt to induce others to practice discrimination or participate in any behaviour that could be classed as harassment or bullying.

12.3 Contractors, Associates, Employers, Partner Organisations, Visitors, Suppliers and other Professionals are responsible for:

- co-operating and complying with the measures set out in this policy;
- reporting any discriminatory action, including bullying and harassment involving Train Ltd personnel or people who use its services or other professionals;
- behaving with respect toward all members of Train Ltd, apprentices and learners.

### **13 Apprentices, learners and employers – recruiting, delivering apprenticeship training and working with employers and apprentices**

13.1 All apprentices and learners will be treated fairly during the selection and recruitment process and when delivering training to apprentices or learners. This means that all applicants will have equal opportunities to apply to become an apprentice or learner at Train Ltd and progress through their apprenticeship training and/or learner journey free of any discriminatory practice. Any applicants who feel they may not have been treated fair under the terms of this policy should raise the matter through the complaints procedure.

13.2 Apprentices and learners currently enrolled onto an apprenticeship or other training programme, who feel they have received unfair treatment under the terms of this policy should raise the matter through the Complaints Procedure. If, for any reason, this route is not appropriate, the matter may be referred directly to the Quality Manager.

13.3 Employers of apprentices who feel they have received unfair treatment under the terms of this policy should raise the matter through the Complaints Procedure. If, for any reason, this route is not appropriate, the matter may be referred directly to the Quality Manager.

### **14 Complaints**

14.1 All complaints will be taken seriously and all complainants can expect to be treated courteously and politely. There are two stages in Train Ltd complaints procedure as summarised below.

#### **Stage one – informal stage**

- 14.2 Should staff receive an informal complaint, these should be dealt with immediately by the same staff member to ensure a timely resolution. There is no need to refer the complaint to the Quality Manager, unless the nature of the complaint requires you to do so, which may include a safeguarding incident or alert, health and safety concern or an issue which may impact on the reputation of the company.
- 14.3 Staff responding to informal complaints should do so in writing outlining the agreed resolution and should retain a copy of the response which should be stored securely for three years from the date of resolution.

#### **Stage two – formal stage**

- 14.4 A complaint that cannot be dealt with or rectified informally should be referred to the Quality Manager who will log the complaint as a formal complaint.
- 14.5 The Quality Manager will acknowledge receipt of the complaint in writing to the complainant within two working days from the date of receipt.
- 14.6 The Quality Manager or an investigating officer will be appointed to fully investigate the complaint.
- 14.7 The investigating officer or Quality Manager if the complaint is being investigated by themselves will aim to conclude their investigation within ten working days of

acknowledgement of the original date of the complaint. A written response will be sent to the complainant either by letter or email and the complaint will be closed.

## **15 Monitoring, Analysis and Evaluation of Data**

15.1 This policy will be monitored on at least an annual basis by the Managing Director and senior management team.

15.2 We will maintain and review the employment records of all employees in order to monitor the progress of this policy.

15.3 Train Ltd is committed to the collection of statistics and analysis of data to allow ongoing monitoring of employees, apprentices and learners.

15.4 Employee profiles will be developed in relation to age, disability, gender, race, religion, sexual orientation, transgender, pregnancy and maternity, marriage and civil partnership Trends will be identified and explored to guarantee the removal of any barriers caused by the company's policies or practices.

15.5 Recruitment monitoring will involve:

- a) The collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applicants; and
- b) The examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants; and
- c) Recording recruitment, training and promotional records of all employees, the decisions reached and the reasons for those decisions.

15.6 Complaints will be analysed in relation to age, disability, gender, race, religion or belief, sexual orientation, transgender, pregnancy and maternity, marriage and civil partnership. Trends will be identified and explored to guarantee the removal of any barriers caused by the company's policies or practices.

15.7 The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary to adjusting this policy to afford greater equality of opportunities to all applicants, staff, apprentices, learners and employers.



## 16 Record keeping and responding to bullying and harassment

16.1 If you experience or observe any form of harassment or bullying you should:

### Keep a record of:

1. date(s), time(s) and place(s) of incident(s)
2. name of any witnesses
3. what actually happened
4. how it made you feel
5. any action taken e.g. reported to a colleague
6. original copies of correspondence or written materials connected with the incident(s).



**STEP 1 Act promptly and take informal action;** don't wait until working conditions reach an intolerable level or your personal well-being is being affected.

- talk or write to the person who you feel is harassing or bullying you;
- inform him/her that his/her behaviour is unacceptable;
- ask him/her to stop the unacceptable behaviour

If you do not wish to confront the person alone, you may wish to ask a trusted work colleague or to:

- accompany you when you speak to the person involved, or
- accompany you and speak to the person on your behalf, or
- go in your place and speak to the person on your behalf, preserving anonymity if you wish and if it is possible.



### **STEP 2: Seek a confidential meeting with your manager or designated supervisor**

That person will suggest options of how you might proceed and will arrange, if appropriate, an informal meeting between you and the alleged harasser. The alleged harasser will be informed of the nature of the complaint and will be given the opportunity to respond.

Both you and the alleged harasser may wish to be accompanied at such a meeting by a trusted colleague and this wish will be respected.

As a general guideline, employees of Train Ltd will respect confidentiality as long as it is consistent with safeguarding individual welfare. However, where confidentiality has to be broken the individual will be involved in the process.

16.2 If your concern continues or the harassment is of a more serious nature, you should follow the reporting procedures as in section 16.

## 17 Reporting Procedure

17.1 If you experience or witness any form of bullying, harassment, victimisation, prejudice or discrimination or any breach of the Equality and Diversity Policy you should take the following action:

**STEP 1 Take formal action:**

Report the matter orally or in writing to your line manager or supervisor and appropriate action will be taken.



**STEP 2: Instigate whistle blowing procedure**

If the matter has not been resolved by the above means or is more serious, you should make a formal complaint under the whistle-blowing procedure BM-05 either orally or in writing to the Managing Director.

17.2 Whenever a complaint of **discrimination** is received the company will:

- take the complaint seriously;
- carry out an immediate investigation into the complaint;
- take steps to make the investigation fair, objective and independent by allocating the investigation to a person who is not involved in the complaint.

17.3 Where an investigation identifies that there has been a case of discrimination the investigation will cease and a disciplinary investigation under the Disciplinary Procedure will take over and will be dealt with at the appropriate stage of the procedure.