

## **The Bauer Academy Equality & Diversity Policy**

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**Policy Aim: This Policy outlines the Bauer Academy's commitment to driving greater equality and diversity as part of the wider Bauer Media "Belonging at Bauer" initiative.**

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### **1. Introduction**

Our aim is to ensure that equality and diversity is at the heart of everything we do. We refer to our approach to Diversity and Inclusion as Belonging At Bauer, a programme of action designed to deliver greater inclusivity and diversity of our workforce in how we work, in how we enable our people to be their true selves at work and in our products.

Inclusion is at the core of our values. Diversity is everything we celebrate as a business, valuing the richness that authenticity and difference bring.

From a practical perspective, this means that we do everything we can to ensure equality of opportunity for everyone. We work hard to level the playing field for those from under-represented groups (including, but not limited to, those from a Minority Ethnic background, those who have a disability or mental health challenge and those from a lower socio-economic background), recognising that the support we provide people will allow them to shine in the same way as their colleagues who sit in the 'majority' demographic.

Our monitoring arrangements will ensure that the breakdown of our workforce and of our learners reflect the demographics and diversity of the communities we work with.

All applicants, whether applicants for employment or for places on learning programmes shall be assessed solely based on their suitability, capability and qualifications to undertake the job or learning programme.

All Academy staff must act in accordance with this policy treating all colleagues, learners, customers and other third parties with dignity and respect.

Breach of this Policy will be taken seriously and dealt with in accordance with Bauer Media's Disciplinary Policy. Serious breaches may constitute gross misconduct and result in summary dismissal. Anyone who believes that he or she may have been discriminated against and/or harassed/bullied is encouraged to raise the matter through the Equal Opportunities Complaints Procedure explained below.

No member of staff, who makes such allegations in good faith, should be victimised or treated less favourably as a result. However, anyone who makes a false allegation of discrimination in bad faith may be subject to action under Bauer Media's Disciplinary Policy.

## **2. Our commitment to Equal Opportunities:**

The Bauer Academy believes wholeheartedly in dignity at work and in the principle of Equal Opportunities in employment and intends this statement to be a formal declaration of its status as an Equal Opportunities employer and training provider.

Bauer Academy wants to ensure that no employee or learner receives less favourable treatment on the grounds of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation and gender reassignment (the "Protected Characteristics"). Bauer Academy will therefore seek to ensure that individuals are selected, promoted and treated based on their relevant aptitudes, skills and abilities.

Apart from recognising the natural justice of this policy, Bauer Academy believes that it is both in its own and the individual's best interests for the individual to achieve his/her full potential. This policy will be available to all learners via the handbook.

## **3. What is discrimination:**

*Discrimination* may be direct or indirect and may occur intentionally or unintentionally.

- 3.1** *Direct* discrimination occurs where someone is treated less favourably because of one or more of the Protected Characteristics. It may be direct discrimination where someone is perceived to have one of the Protected Characteristics but they in fact do not. It may also be direct discrimination where someone is discriminated against because of their association with another person who has one of the Protected Characteristics.
- 3.2** *Indirect* discrimination occurs where someone is disadvantaged by a provision, criterion or practice that applies to everyone, but that people with a Protected Characteristic find it more difficult to meet and it is unjustified.
- 3.3** *Disability* discrimination incorporates both direct and indirect discrimination as well as unjustified less favourable treatment because of the effects of a disability and a failure to make reasonable adjustments to assist disabled job applicants and employees in certain circumstances. We encourage all staff and learners to tell Bauer Academy about disabilities or additional needs so that we can support as appropriate. All learners will have access to our student liaison officer who can provide advice and signposting to the appropriate external services. This information is also provided as Information and Guidance to learners at the induction stage of new programmes.
- 3.4** *Victimisation* occurs where an individual is treated less favourably than colleagues as a result of carrying out what is described by legislation as a “protected act”, for instance because he/she has complained or given information about discrimination or harassment or supported someone else’s complaint or who might do.

#### **4. Recruitment and Selection:**

Bauer Academy aims to ensure that no applicant suffers discrimination because of a Protected Characteristic. Programme recruitment and employment decisions will be made on the basis of fair and objective criteria. Our selection procedures are reviewed from time to time to ensure that they are appropriate for achieving our objectives and for avoiding unlawful discrimination.

Job applicants, Apprentices’ and learners should not be asked about health or disability before a job or programme offer is made, except in the very limited circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job or programme (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. Where necessary, offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.

Bauer Academy and Bauer Media are required by law to ensure that all staff are entitled to work in the UK. Making assumptions about immigration status based on an individual’s appearance or apparent nationality should be avoided. All prospective staff, regardless of nationality, must produce original documents (such as a passport) before work starts, to satisfy current immigration legislation. The list of acceptable documents is available from HR or the UK Border Agency.

#### **5. Staff Training and Promotion:**

All staff will be given appropriate access to training to enable them to develop their skills and knowledge and have the opportunity to progress within the organisation. All promotion decisions will be taken on the basis of merit.

All staff will be provided training on Equal Opportunities, this Policy and how it should be implemented.

## **6. Equal Opportunities Complaints Procedure:**

### **6.1 Informal stage**

- a. It is entirely in order for a recipient of discriminatory behaviour/conduct to try to resolve the problem if they so prefer, for example, by explaining to the individual concerned that the behaviour/harassment/bullying is not welcome, that it offends or makes the recipient uncomfortable and that it interferes with their work.
- b. Anyone who has been subjected to discriminatory behaviour/harassment/bullying may seek confidential assistance from their line manager, or if this is not appropriate in the circumstances, another appropriate manager or learner at the same level
- c. An informal approach to such manager will be treated as completely confidential and will not result in any report to anyone.
- d. If you prefer, where you find it too difficult or embarrassing to take up the matter yourself, the manager or HR will participate in an informal meeting between you and the individual concerned or will, at your request, approach the individual on your behalf.
- e. The informal stage will not result in any formal internal investigation or disciplinary action but is intended to enable you to resolve the matter yourself without it going any further in the Company.
- f. If you are ever approached informally by a member of staff about your behaviour, you should always respect that person's concerns and respond constructively to try and resolve the matter. Different individuals have different perceptions about what is or isn't offensive. Therefore, you should not dismiss their concerns as an overreaction or act in any way to deliberately exacerbate the matter. The person who has approached you may be satisfied with an explanation and a genuine apology as a means of resolving the situation amicably.

### **6.2 Formal stage**

- a. Where informal resolution is not appropriate, is not requested or where the outcome has been unsatisfactory, you may bring a formal complaint in accordance with Stage Two and Stage Three of the Bauer Media Grievance Procedure
- b. All complaints will be thoroughly and expeditiously investigated. The investigation will be conducted in an independent and objective manner by someone unconnected with the allegations and at least of equal grade/status with the alleged offender. Where possible, investigations will be completed within two weeks of the complaint being made.

- c. Investigations will be carried out with sensitivity and with due respect for the rights of both the complainant and the alleged offender.
- d. The importance of confidentiality will be stressed to all those interviewed and everyone will be strictly required not to discuss the complaint with colleagues or friends. Any breach of confidentiality may give rise to disciplinary action.
- e. The complainant and alleged offender will be kept informed of the general progress of the investigation and will be informed whether the complaint has been upheld and is to result in taking the alleged offender through the Disciplinary Policy. In all cases Bauer Academy will also consider how to best manage any ongoing working relationships involved.

At any stage of the procedure, the complainant or alleged offender may be accompanied by a work colleague or fellow learner, or trade union official.

Information about a complaint by or about an employee or learner may be placed on the employee's personnel file or learning records, along with a record of the outcome and of any notes or other documents compiled during the process.

## **7. What is harassment?**

Harassment often takes the form of unwanted attention of various natures, but harassment for whatever reason, including on the grounds of the Protected Characteristics as previously defined will be viewed as serious misconduct or gross misconduct, depending on the severity of the behaviour involved.

Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to a Protected Characteristic. Harassment is unacceptable even if it does not fall within any of these categories.

Examples of harassment are:

- unwanted physical conduct or "horseplay", including touching, pinching, pushing, grabbing, brushing past someone, invading their personal space, and more serious forms of physical or sexual assault;
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless) or suggestions that sexual favours may further an employee's career or that refusal may hinder it;

- sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
- offensive or intimidating comments or gestures, or insensitive jokes or pranks;
- mocking, mimicking or belittling a person's disability;
- racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical; and/or - remarks about a particular ethnic or religious group or gender.

This list is by way of example only and is non-exhaustive.

Please note that this policy applies equally to time spent on Company business away from the office at which you usually work as it does to time spent at that office and also applies to any time spent representing the Company during or outside working hours or attending Company sponsored functions and/or social events. This policy also applies to behaviour and relationships associated with Company business which affects an employee's ability to carry out their job.

## **8. What is bullying?**

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example: shouting at, being sarcastic towards, ridiculing or demeaning others; physical or psychological threats; overbearing and intimidating levels of supervision; inappropriate and/or derogatory remarks about someone's performance; abuse of authority or power by those in positions of seniority; and/or deliberately excluding someone from meetings or communications without good reason. This list is by way of example only and is non-exhaustive.

Legitimate, reasonable and constructive criticism of a staff member's performance or behaviour, or reasonable instructions given to staff members in the course of their employment, will not amount to bullying on their own.

### **8.1 Harassment and Bullying Complaints Procedure:**

If you have a complaint you should follow the Equal Opportunities Complaints Procedure as set out in section 6.

## **9. Managerial Responsibility**

The responsibility for ensuring effective implementation and operation of these arrangements rests with the Bauer Academy Director. Managers shall ensure that they and their staff and learners operate within the policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. Each manager will ensure that:

- all staff and learners are aware of the policy, arrangements and reasons for the policy
- grievances concerning discrimination are dealt with properly, fairly and as quickly possible
- proper records are maintained

Records will be maintained relating to recruitment, selection, training & development and employment practices of the organisations that we work with (e.g. employers who are referred applicants by the recruitment team, employers with staff on learning programmes, organisations that conduct recruitment and marketing activities on our behalf, external consultants engaged by the company to deliver training and/or assessment activities).

The Quality Manager will be responsible for monitoring operation of the policy in respect of employees, job applicants and learners, including periodic centre audit.

### **10. Academy Staff Responsibility:**

Whilst the responsibility for ensuring that there is no unlawful discrimination rests with management, the attitudes of staff and learners are critical to the successful operation of fair employment practices. In particular, all staff and learners should:

- comply with the policy and arrangements
- not discriminate in their day to day activities or induce others to do so
- not victimise, harass or intimidate other staff, learners or groups on the grounds specified in this policy statement
- Inform their manager, or work-placed supervisor, if they become aware of any discriminatory practice.

### **11. Training and Development:**

Regular staff briefing sessions will be held on equal opportunities issues. Changes to policies or procedures, and details of new legislation, will be included in staff newsletters, minutes of meetings etc. Equality and diversity training is included in employee and learner induction programmes.

Training will be provided for managers on this policy and the arrangements for its implementation, monitoring and review. Members of staff and managers who have an involvement in the recruitment and selection process (for staff and/or learners) will receive specialist training.

New learners will be issued with a copy of their employers own equal opportunities policy. In the case of an employer not having their own policy, the Bauer Academy policy will apply, and employers will be asked to sign up to this. All learners complete the equal opportunities flexible learning module on Apprentix during the induction stage of their training. Learners' ongoing understanding of equal opportunity issues will be assessed during the formal progress review that is carried out with them every twelve weeks.

## **12. Monitoring Arrangements**

Bauer Academy deems it appropriate to state its intention not to discriminate and assumes that this will be translated into practice consistently across the organisation. Accordingly, a monitoring system is maintained by Bauer Media to measure the effectiveness of the policy and arrangements.

The system involves the routine collection and analysis of information on employees by gender, marital status, age, ethnic origin, qualifications, job role and length of service in current job role. Information regarding the number of staff who are registered as disabled will be maintained.

The Bauer Media Diversity and Inclusion forum meets 6 times per year. The group will be represented by a cross section of staff and managers from across the organisation including staff from Bauer Academy. The group will be required to review equality and diversity data relating to the following:

- the recruitment and selection of staff and learners
- training and development opportunities offered to staff
- staff retention rates

There will also be regular assessments to measure the extent to which the recruitment to first appointment, internal promotion and access to training/development opportunities impact on equal opportunities for all groups.

The Bauer Academy working group Project Power reviews the following data on a monthly basis:

- Learner diversity statistics
- Learner recruitment and selection processes
- Learner retention

Statistics and recommendations are then shared with the Bauer Academy Senior Management Team and the Bauer Academy Governance Board.

The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose.

## **13. Review Arrangements**

The policy and arrangements will be reviewed annually by the Internal Quality Manager and the Bauer Academy Director.