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# SINGLE EQUALITIES SCHEME

## **Introduction**

This Single Equality Scheme brings together The Policies / Procedures for Disability, Race and Gender Equality, thus meeting the organisations statutory duties in these areas. It also goes beyond these three schemes and begins to consider how the organisation develops its approach to equalities, diversity and community cohesion for all our learners, staff, employers, parents and the wider community. The organisation is committed to responding to all diversity related legislation and feels that a single equality scheme is the best mechanism for achieving this.

The scheme also highlights how the organisation has worked with and listened to staff, learners, volunteers, employers and parents to inform development of this policy and its related action plan and the need and commitment required to ensure the scheme is a success.

As well as delivering high quality services to its learners, the organisation is also committed to being a good employer and as such this scheme outlines how we meet our varied duties in term of recruitment and employment practices.

This policy is intended to cover all learners, staff and parents with particular reference to the 7 diversity strands:  
Age, Disability, Ethnicity, Faith or Belief, Gender, Sexual Orientation, Trans Gender.

## **Service Context**

Doncaster G.T.A. is a large provider of both work-based learning and adult education, providing learning programmes for young people and adults of all ages. Doncaster G.T.A. has a mission to “provide quality education and training linked to the needs of the retail motor and logistics industry”. The organisation is committed to providing equal opportunities to all its users, staff and partners, irrespective of their gender, race, political beliefs, age, disability, HIV status, religion, sexual orientation, culture or class.

We oppose prejudice, discrimination, harassment and unfairness of any kind. At Doncaster G.T.A., we treat people as individuals and do all that we can to support them in reaching their goals. We are committed to opposing discrimination in the delivery of the service and in recruitment and selection of staff.

We recognise that each person is different and we value these differences. We are working to make the organisation a diverse environment with people from all minority groups represented. Our policies aim to widen participation and will be reflected in the courses we run, our publicity and marketing, learner support and teaching and learning materials. Discriminatory behaviour or harassment by users or any staff will be tolerated.

Work-based learning has been delivered by Doncaster G.T.A. since 1972 and is managed from two key locations in South Yorkshire (Doncaster & Sheffield).

South Yorkshire is an area of social deprivation, with the economy dominated by low wages, high unemployment and inactivity rates. Those in employment are often in low value/low paid professions. There is high unemployment and education attainment is poor.

Levels of crime are high and the residents are amongst the lowest in the country, with life expectancy significantly and consistently below average.

Doncaster G.T.A. delivers a range of courses to adults and young people. We have worked with an increasing number and range of employers across different sectors, including manufacturing, engineering, construction, administration, motor vehicles, sign making and food production and delivered quality training in the workplace, which has equipped young people with the skills they need to do their job more effectively and provided the opportunity to further develop and progress. Doncaster G.T.A. runs apprenticeships, advanced apprenticeships and diplomas for young people across South Yorkshire. The organisation also runs a range of advanced level, logistics and administration courses.

The organisation has consulted its learners, staff and partners about the purpose, content and development of this policy.

## **National Context for Equalities and Diversity**

As well as delivering on its commitment to promote equality across all the seven strands of diversity – age, disability, faith and belief, gender, race, sexual orientation and gender identity, the organisation has a duty to comply with a large and complex suite of equality legislation. As such, the Single Equality Scheme has been devised to ensure that all our policies and practices meet with all the legislative requirements. (For list of policies see Appendix A.)

### **1.1 The Disability, Race and Gender Equality Duties**

Those duties impose broad obligations on public authorities, including education providers, to:

- eliminate discrimination and harassment;
- have due regards to the promotion of equality and opportunity between different groups of people;
- promote positive attitudes;
- encourage participation by minority and under-represented groups in public life and allow their voices to be heard in developing organisational policies and plans;
- take steps to take account of people's specific needs even when this requires treating some individuals more favourably than others;
- conduct impact assessments, and draw up relevant schemes.

The three duties are broadly similar in their approach and aims, however in order to ensure the Service is compliant with all, they are outlined in more detail below:

### **1.2 The Race and Equality Duty**

#### **What is Race?**

A race is a distinct group or population of people distinguished in some way from others most often in terms of physical characteristics but also language, history, ancestry and culture.

## What is Race Equality Duty?

The duty was detailed in the Race Relations Amendment Act 2000 and includes both a general and specific duty.

**The General Duty** requires education providers in carrying out its functions to have due regards to the need to:

- Eliminate unlawful discrimination.
- Promote equality of opportunity.
- Promote good relations between different racial groups.

**The Specific Duties** state that our Service should develop a race equality scheme which highlights:

- Those of its functions and policies, or proposed policies, which it has assessed as relevant to its performance of the duty imposed by section 71(1) of the Race Relations Act and its arrangements for:
  - Assessing and consulting on the likely impact of its proposed policies on the promotion of the race equality.
  - Monitoring its policies for any adverse impact on the promotion of the race equality.
  - Training staff in connection with the duties.

## What are the key issues for our organisation?

Issue	How identified
Insufficient recruitment from BME communities to apprenticeships.	Comparing levels of learners to regional statistics and national statistics on relevant qualifications from sector skills council.
Finding support work placements for BME learners.	Longer than normal holding period for in centre apprentices.
The organisation needs to ensure that it attracts staff from diverse backgrounds.	Staff profile.

## What impact have we already had on race equality in our Service?

Good practice	Evidence
We gather feedback from all learners of BME backgrounds.	Feedback.
Promote diversity by producing regular newsletters which celebrate learners achievements, topical issues and in centre promotions/activities.	E&D portfolio. Photographs.
We promote diversity through displays in the Centres.	By promoting within tutorial system.
We ensure that images in publicity and on leaflets include BME learners and encourage those learners to promote the service via their own success stories.	Brochures and leaflets. Display records.
Anti-bullying policies are enforced and give clear systems.	Policy documents.

All young learners have a named tutor to support them.	Records.
A safeguarding procedure exists to ensure the safety of all learners.	Policy.
Staff have had E&D training, which is updated regularly.	Minutes. Training records.
We host the North of England Equality Forum.	We represent work based learning providers at LSIS development meetings we have support LSIS online resources.

### 1.3 The Disability Equality Duty

#### What is the Disability Equality Duty?

There are two duties which apply to services.

The **General Duty** requires the Service to:

- Promote equality of opportunity between disabled people and others.
- Eliminate discrimination that is unlawful under the Act.
- Eliminate harassment of disabled people that is related to their disabilities.
- Promote positive attitudes towards disabled people.
- Encourage participation by disabled people in public life; and
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled people more favourably than others.

The **Specific Duties** require the Service to:

- Publish a Disability Equality Scheme demonstrating how it intends to intends to fulfil its general and specific duties.
- Involve disabled people in the development of the scheme which outlines:
  - The way in which disabled people have been involved.
  - The Service's method for impact assessment.
  - Steps which the authority will take towards achieving the general duty.
  - The Service's arrangements for gathering information in relation to employment, education and service delivery.
  - Deliver the scheme within three years, unless it is unreasonable and impractical to do so.

#### What are the key issues for our Service?

Issue	How identified
The staff profile does not meet the background population. (23%.)	Staff profile and local data.
Lack of sufficient Additional learning support funding for learners with disability.	Financial records.
Learners often do not declare disability at enrolment.	Enrolment data. Tutor records.

## What impact have we already had on disability equality in our Service?

Good practice	Evidence
The organisation holds 'Positive About Disability' status.	Retained for last 3 years (2011)
Learners with declared disability are consulted on their needs/progress.	Progress checks. Learner feedback.
Anti-bullying policies are enforced and give clear systems.	Policy documents.
All young learners have a named tutor to support them.	Records.
An audited safeguarding procedure is in place to ensure the safety of all learners.	Policy.
Staff have had E&D training, which is updated regularly.	Minutes. Training records.

### 1.4 The Gender Equality Duty

#### What is the Gender Equality Duty?

The duty to promote Gender Equality was issued under the Equality Act 2006 which amended the Sex Discrimination Act of 1975. In a similar vein to Race and Disability legislation, it contains both a general and specific duty:

**The General Duty** on all public bodies is when carrying out their functions, to have due regard to the need to:

- Eliminate unlawful discrimination between women and men.
- To promote equality of opportunity between women and men.

**The Specific Duties** are as follows:

- To prepare and publish a gender equality scheme, showing how it will meet its general and specific duties and setting out its gender equality objectives.
- In formulating its overall objectives, to consider the need to include objectives to address the causes of any greater pay gap.
- To gather and use information on how the Services' policies affect equality in the workplace and in the delivery of services.
- To consult stakeholders and take account of relevant information in order to determine its gender equality objectives.
- To assess the impact of its current and proposed policies and practices on gender equality.
- To implement the actions set out in its scheme within three years, unless it is unreasonable or impractical to do so.

Gender is not always fixed and the Gender Equality Duty urges public service providers to have due regard to the needs of transgender residents.

## What are the key issues for our organisation?

Issue	How identified
Insufficient male/female enrolment in some Areas of Learning.	Induction data.
The staff profile does not meet the background population.	Staff profile and local data.
Although improved, there is still an imbalance in learners enrolling on courses according to gender stereotype.	Ofsted 2011

## What impact have we already had on gender equality in our Service?

Good practice	Evidence
Anti-bullying policies are enforced and give clear systems.	Policy documents.
All young learners have a named tutor supported them.	Records.
A safeguarding procedure is in place to ensure the safety of all learners.	Policy.
Staff have had E&D training, which is updated regularly.	Minutes. Training records.

### 2.1 Age, Faith & Belief and Sexual Orientation

The three existing public sector equality duties have required public authorities to tackle discrimination and promote equality for race, disability and gender. A new Equality Duty on public bodies will bring together the three existing duties and extend to gender reassignment, age, sexual orientation and religion or belief.

What this means in practice is that the duty will require public bodies to consider how their policies, programmes and services affect different disadvantaged groups in the Service and the wider community.

The organisation is committed to improving its services and the quality of life for all learners, staff, parents and carers regardless of their race, gender or disability but also their age, faith and sexual orientation.

The scheme is therefore intended to introduce actions which wherever possible cut across all six diversity strands.

Further information on age, faith and sexual orientation is given below.

### 2.2 Age

The Employment Equality (Age) Regulations 2006 came into force on 1<sup>st</sup> October 2006. They apply to employment and vocational training, and prohibit unjustified direct and indirect age discrimination, as well as harassment and victimisation on grounds of age. The regulations (which do not affect the age at which people can claim their state pension):

- Ban age discrimination in terms of recruitment, promotion and training.
- Ban unjustified retirement ages of below 65.
- Remove the current age limit for unfair dismissal and redundancy rights.

They also introduced:

- A right for employees to request working beyond retirement age and a duty on employers to consider that request.
- A new requirement for employer to give at least six months notice to employees about their intended retirement date so that individuals can plan better for retirement, and be confident that “retirement” is not being used as cover for unfair dismissal.

### 2.3 Faith & Belief

As a result of the Employers Equality (Religion or belief) Regulations (2003), it is unlawful to discriminate against someone on grounds of their religion or belief in the provision of goods, facilities and services. For Services this means admissions, benefits and services for learners, staff, parents and carers and treatment of these groups.

Appropriate actions for faith and belief will be developed through the implementation of this scheme.

### 2.4 Sexual Orientation

Gay men, lesbians and bisexuals are protected at work by the Employment Equality (Sexual Orientation) Regulations of 2003, which is a similar way as faith regulations, prevent discrimination and harassment at work as a result of sexual orientation. The Service will implement these regulations and work to ensure no discrimination takes place amongst its workforce.

The Service is committed to creating a community where everyone has equal access to its services and feel accepted and valued. As such renewed efforts will be made to consult and involve gay, lesbian and bisexual people in the development of service services.

### 3.1 Discrimination and Harassment

The service is committed to developing an environment which values learning and all students equally, in which opportunities for success are offered to all and in which all students are treated with dignity and respect. Discrimination and/or harassment on any grounds will not be tolerated and all students, staff and parents and carers are made aware of this.

<b>Good practice</b>	<b>Evidence</b>
Anti-bullying policies are enforced and give clear systems.	Policy documents.
On induction learners are told how to make complaints and given the tools to do so.	Complaints procedure.
Staff induction emphasises the importance of the policy and enforcing it.	Staff induction.
All young learners have a named tutor to support them.	Records.
Learners voice informs this policy.	Records and minutes.

## **4.1 How Have We Developed the Single Equality Scheme?**

This scheme has been developed collaboratively and is the result of working with learners, staff and Service partners.

Learners have been consulted through the Learner Questionnaire which take place every term. (See Appendix F).

All staff have received a copy of the draft scheme and been given the opportunity to feed back to the lead Equality and Diversity group.

Parents and carers have been informed that the single equality scheme is available to them on the website and that any feedback is welcomed, as have partners.

## **5.1 Equality Impact Assessments?**

Equality Impact Assessments are a crucial mechanism for ensuring the embedding of equality and diversity. Impact assessments will be carried out covering all 7 equality and diversity strands (race, religion, disability, age, gender, sexual orientation and gender identity) and will identify both good practice as well as areas where our performance in ensuring diversity could be improved. In line with statutory requirements our equality impact assessment process will be applied to new policies as well as existing policies and functions on an agreed 3 year programme.

## **6.1 Roles and Responsibilities for Implementing the Single Equality Scheme**

### **The Equality and Diversity leads will:**

- Ensure that staff, learners, parents and partners are informed about the Single Equality Scheme.
- Ensure that the scheme is implemented effectively and is embedded into the culture of the Service, across planning and practice.
- Ensure that the action plans arising from this policy are part of the Service Improvement Plan.
- Review the scheme every 3 years.
- Manage any day to day issues arising from the policy whether for learners or for the Service as an employee.
- Ensure staff have access to training which helps to implement the scheme.
- Liaise with external agencies regarding the policy so that the organisations actions are in line with the best advice available.
- Monitor the scheme and report to the directors at least annually, on the effectiveness of the policy.
- Ensure that the SLT are kept up to date with any development affecting the policy/action plan arising from the policy.
- Provide the appropriate support and monitoring for the learners to whom the scheme has direct relevance, with assistance from relevant agencies.

**Parents/Carers will:**

- Have access to the scheme.
- Be encouraged to support the scheme and its principles.
- Have the right to be informed of any incident related to this scheme which could directly affect their child.

**Service Staff will:**

- Accept that this is a whole Service issue and support the Single Equality Scheme.
- Engender and embody the principles of the scheme.
- Be aware of the Single Equality Scheme and how it relates to them.
- Make known any queries or training requirements.

**Learners will:**

- Be involved in and made aware of the scheme.
- Be expected to act in accordance with the principles of the scheme.

**Appendix A****KEY LEGISLATION**

<b>Area</b>	<b>Legislation</b>
Gender (sex)	<p><b>Sex Discrimination Act 1975, as amended</b>  <b><u>Equality Act 2006</u></b>            A duty on public authorities to promote equality of opportunity between men and women (the 'gender duty'). It also makes discrimination on the grounds of religion or belief in the provision of goods, facilities, services, premises, education and the exercise of public functions unlawful, and provides powers to outlaw discrimination on the grounds of sexual orientation in the provision of goods, facilities and services, including adoption.</p>
Gender (reassignment)	<p><b><u>Sex Discrimination (Gender Reassignment) Regulations 1999</u></b>            Protects transsexual people against discrimination in employment and vocational training. This protection begins from the time when a transsexual person makes it known that he or she intends to undergo gender reassignment, and continues indefinitely when the gender reassignment is complete. In addition, Equality Act 2006 also applies in relation to people who intend to undergo, are undergoing or have undergone gender reassignment.</p>
Race	<p><b>Race Relations Act 1976, as amended</b>  <b><u>Race Relations (Amendment) Act 2000</u></b>            Introduced to prevent discrimination on the grounds of race, colour, nationality, ethnic and national origin in the fields of employment, the provision of goods and services, education and public functions. The 2000 amendment to the act introduced onto public authorities the gender duties to promote racial equality and eliminate unlawful discrimination.</p>

Disability	<p><u>Disability Discrimination Act 1995</u>, as amended  <u>Special Education Needs and Disability Act 2001</u>  <u>Disability Discrimination Act 2005</u></p> <p>Gives disabled people rights in a wide range of key areas such as employment, education, access to goods, facilities and services and buying or renting land and property.</p> <p>They require public bodies to promote equality of opportunity for disabled people, and organisations to take reasonable steps to tackle policies, practices and physical features that act as a barrier to disabled people who want to access their services.</p>
Sexual orientation	<p><u>Employment Equality (Sexual Orientation) Regulations 2003</u>, as amended</p> <p>Outlaw discrimination in employment and vocational training on the grounds of religion, belief or sexual orientation. It prevents both direct and indirect discrimination as well as harassment and victimisation on these grounds.</p>
Religion or belief	<p><u>Employment Equality (Religion or Belief) Regulations 2003</u>, as amended  <u>Equality Act 2006</u></p> <p>Outlaws discrimination in employment and vocational training on the grounds of religion, belief or sexual orientation. It prevents both direct and indirect discrimination as well as harassment and victimisation on these grounds.</p>
Age	<p><u>Employment Equality (Age) regulations 2006</u></p> <p>The Regulations apply to employment and vocational training. They prohibit unjustified direct and indirect age discrimination, and all harassment and victimisation on ground of age, of people of any age, young or old.</p>
Community Cohesion	<p><u>Duty to promote Community Cohesion (Services)</u></p> <p>The Education and Inspections Act (EIA) 2006 requires the government bodies of maintained Services to promote community cohesion.</p> <p>All Services, whatever the mix of learners they serve, are responsible for equipping those learners to live and thrive alongside people from many different backgrounds.</p> <p>In addition Services need to provide opportunities for interaction between learners from different backgrounds and consider how aspects of their work support integration and community harmony.</p>

## Appendix B

### Disability Equality Statement

Doncaster G.T.A. promises to provide an environment that is 'fair to all', wherever positive steps can be taken to allow disabled persons to achieve their aspirations every effort will be made.

In order to achieve this we will:

- Promote equality of opportunity between disabled people and other people.
- Eliminate disability-related harassment.
- Eliminate unlawful discrimination.
- Promote positive attitudes towards disabled people.
- Take steps to take account of disabled people's disabilities, even where that involves a more favourable treatment.

#### What do the general duties mean?

##### **Promote equality of opportunity between disabled people and other people.**

Doncaster G.T.A. must, in the actions and the decisions it makes, actively ensure that deaf and disabled people are not discriminated against and have the same opportunities and choices as other people to take part in the things that most people take part in the things that most people take for granted as equal members of society. For example, joining training courses and apprenticeships and having opportunities to study and progress in their education, with support as required.

##### **Eliminate disability related harassment.**

Disabled people should not be subject to stereotyping, be abused or assaulted because of their disability, or attention drawn to their differences.

##### **Eliminate unlawful discrimination.**

Under the DDA, discrimination occurs where a disabled person is treated less favourably than someone else and the treatment is for a reason relating to the person's disability and this cannot be justified. Discrimination also occurs where there is a failure to make a reasonable adjustment for a disabled person and this cannot be justified.

##### **Promote positive attitudes.**

Some people express pity, fear or lack of respect for disabled people rather than a positive attitude. As well as being hurtful this also leads to discrimination. Doncaster G.T.A. will therefore promote positive attitudes to disabled people through its own actions and by using its influence over others.

## **Encourage the participation of disabled people in public life.**

Simple, the aim of the Act is for more disabled people to take an active part in public life, in whatever way they want to. For example by becoming involved in the life of the organisation, either as a student, learner representative or a member of the learner voice team and influencing the actions the organisation takes.

## **Take steps to take account of a disabled person's disability, even where that involves treating disabled people more favourably.**

In order to achieve all or any of the individual parts of the Disability Equality Duty, the Act provides that we can treat disabled people more favourably than other people, because the Act recognises that it is often no use treating disabled and other people exactly the same.

This means that we can provide additional or alternative services to enable a disabled person to access mainstream activities, including employment placements.

### **Doncaster G.T.A. Objectives for Learners**

- Everyone will feel valued and treated with respect.
- Learners will feel that all parts of the community get on together.
- People's differences will be understood and respected and diversity will be seen as a strength.
- Everyone will have similar opportunities in work, education and training, and the opportunity to achieve their potential.
- Everyone will equally be able to access and use services and information in ways appropriate to their needs and satisfaction levels will be similar.
- We will understand the make-up, needs and satisfaction levels of deaf and disabled people in our Service.
- Steps will be taken into account for deaf or disabled person's disabilities, including more favourable treatment where appropriate.
- Deaf and disabled people will feel that they are being listened to, that their views are understood and that they are able to influence decision-making.
- Deaf and disabled people will have equality of opportunity to participate in decision-making for the Service and be encouraged and supported to participate as fully in Service life as they choose to.
- The make-up of the Service's workforce at all levels will represent the community we serve, in terms of the number of disabled people.
- No one will fear for their safety because of their disability.
- All disability-motivated hate crime incidents will be reported and dealt with effectively.
- All disability-motivated hate crime incidents will be reported and dealt with effectively.
- Deaf and disabled people will feel that they are able to report hate crimes against themselves and have them acted upon appropriately and effectively.

**There will be zero tolerance of disability related discrimination and harassment of any kind.**

## Appendix C

### Gender Equality Statement

The Gender Equality statement has been created in response to the Equality Act 2006. With effect from April 2007, the Act introduces a Gender Equality Duty, which requires public organisations to work towards eliminating sexual discrimination and promoting gender equality.

The Gender Equality Duty has two parts to it, the general duty and the specific duty. The general duty places a legal duty on the organisation.

- Eliminate unlawful discrimination and harassment.
- To promote equality of opportunity between men and women.

We are also required to have due regard to the need to eliminate unlawful discrimination and harassment in both employment and education and training to those who intend to undergo, are undergoing or have undergone gender re-assignment.

The organisation has a specific duty to:

- Produce a Gender Equality Scheme showing how it will meet its gender and specific duties and setting equality objectives.
- Consider the need to include objectives to address the causes of any gender pay gap in formulating its overall gender equality objectives.
- Gather and use information on how our policies and practices affect gender equality in the work place and for learners.
- Consult stakeholders (employees, learners, partners, trade unions) and take account of relevant information in order to determine gender quality objectives
- Assess the impact of our current and proposed policies and practices on gender equality.
- Implement the actions set out in the scheme within three years, unless it is unreasonable or impractical to do so.

“Doncaster G.T.A. is committed to treating people fairly, with dignity and with respect irrespective of their gender, ethnicity, disability, religious identity and age. We recognise that people’s life chances are affected by their gender and that people do not fit neatly into one box e.g. the experience of a disabled woman is different from the experience of a woman who has no disability. People have multiple identities and therefore can be subjected to multiple discrimination.”

#### Doncaster G.T.A. Objectives for Learners.

- Take a pro-active role in breaking down barriers which prevent men/women from entering non-traditional occupations and courses.
- Creating a learner voice team which is representative of the communities that we serve.
- Creating a flexible programme of courses to ensure access to the communities we serve.

- Encourage learners to report bullying or harassment e.g. Gay, Lesbian, Bisexual and Transgender learners, to their tutors or area managers to ensure that issues can be discussed and resolved.
- Monitor enrolment, retention, achievement and success rates by gender.
- Develop open and honest dialogue with our learners. Involve the learner panel in reviewing the scheme and in discussing gender issues for the Service.

## Appendix D

### Race Equality Statement

“Doncaster G.T.A. is committed to treating people fairly, with dignity and with respect regardless of the colour of their skin, race, nationality, ethnicity, culture or religious identity should experience high quality service and customer care from the Doncaster G.T.A. and its entire staff.”

Doncaster G.T.A. values the diversity of the student community and recognise the strengths that this diversity brings. We want to make sure that no one group is treated more favourable than another because of the colour of their skin. Ethnic minority groups will have access to, usage of and satisfaction with our organisation as will all learners. The organisation will monitor the make up of the learner profile against the regional statistics and national statistics for the qualifications.

There will be zero tolerance of discrimination or harassment of any kind. No group of people will fear for their safety because of the colour of their skin, nationality, ethnicity, culture or religious identity.

All racially motivated incidents will be reported. Incidents will be dealt with effectively.

#### The Service aims for all its learners to:

- Feel part of the learning community.
- Understand each others differences and respect them.
- Have similar opportunities in education, training and work placement and have the opportunity to reach their full potential.
- Be part of an organisation that is culturally sensitive and will meet the needs of individuals.
- Be able to access information and use the organisation and information in ways appropriate to their needs and satisfaction levels will be similar for all learners.
- Participate in decision making for the organisation.
- Be represented on the learner panel.

## Appendix E

### Bullying and Harassment Procedure

“Doncaster G.T.A. is committed to treating people fairly, with dignity and with respect regardless of the colour of their skin, race, nationality, ethnicity, culture or religious identity should experience high quality service and customer care from the Doncaster G.T.A. and its entire staff.”

The Doncaster G.T.A. policy applies as much to our learners and trainees as it does to the workforce and bullying and harassment will not be tolerated in any part of the organisation.

This procedure is implemented alongside our policies on equality and diversity. Actions taken in relation to an allegation of bullying or harassment are not influenced by the background of any person involved and each situation is dealt with individually.

The organisation has a duty of care to the general health and well-being of our learners. We aim to follow the principles set out in the Government’s Every Child Matters agenda, applies to the post-16 sector in ensuring that our students are safe, healthy and able to achieve.

#### **What are harassment and bullying?**

There are varied definitions of harassment and bullying. For the purpose of these procedures:

“Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate, or injure the recipient.” (Acas)

There is no single legal definition of bullying but it can include:

- Offensive or insulting behaviour by another person which makes an individual feel threatened or taken advantage of.
- Humiliation of another person.
- Making another person feel frightened or demoralised.

These could be in the form of verbal abuse, physical violence or violent gestures or public humiliation of a person.

Harassment in general terms is:

“Unwanted conduct affecting the dignity of men and women in the workplace or place of education. It may be related to age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual and may be persistent or an isolated incident. The key is that the actions or commitments are viewed as a demeaning or unacceptable to the recipients.” (Acas)

Harassment is **explicitly** prohibited in employment and in vocational training.

It can include:

- Violating the dignity of an individual.
- Creating an intimidating, hostile, degrading, humiliating or offensive atmosphere for an individual or group of individuals.

Sexual harassment is defined as any form of unwanted verbal, non-verbal or physical conduct of a sexual nature. It can also occur where an individual rejects such unwanted conduct and as a result is treated unfairly.

Harassment and bullying do not depend on the intention of the offender, but rather the impact of that behaviour on others. What one person may be able to accept may cause distress to another. What are important are the perceptions and feelings of the persons involved.

### **Forms of harassment and bullying.**

These can range from extremes, including physical violence, to less obvious forms like ignoring a person. Whatever the form, it results in unwanted behaviour which is unwelcome and unpleasant.

The form includes:

- Embarrassing or offensive jokes.
- Unwelcome physical contact or sexual advances.
- The expression of racist, homophobic, etc. views.
- Lewd comments and innuendo.
- The sending of offensive e-mails or text messages.
- Gossip, slander, sectarian songs.
- Posters, graffiti or obscene gestures.
- Displays of pornographic material or inappropriate use of the internet.
- Isolation, non-co-operation or exclusion from activities.
- Pressure to participate in political/religious views.
- Intrusion by pestering, spying or stalking.

The above is a guide and is not exclusive.

### **The impact of bullying and harassment.**

There are potential legal implications for bullying and harassment not being addressed; however, there is also a very negative impact on the achievement of learners, their enjoyment of their courses and the atmosphere within the centres.

Bullying and harassment can lead to high withdrawal rates, low achievement rates, low morale in all students within a group if they witness it occurring unchallenged, high absenteeism and damage to the image of the organisation.

It can be difficult for staff to recognise when this is occurring and even fellow learners may not recognise that it is taking place. Bullying and harassment can take place in subtle ways and may not even be face to face but by e-mail, text or phone.

## **Dealing with Complaints.**

The Manager must be informed about all bullying or harassment complaints within their Centre.

The Manager will investigate the complaint, talk confidentially to the course tutor and the individuals concerned and then advise on how the matter should be handled. If it is thought that the matter can be dealt with and resolved informally, then this will be undertaken by the Manager.

\* At this point integrate B/H Policies/complaints procedures from staff hand book.  
**Criminal Offences.**

Where a member of staff has reason to believe that a learner has committed a criminal offence, the organisation reserves the right to refer the matter to the police and to continue disciplinary proceedings under the procedure or, to suspend the learner pending the outcome of police enquiries and charges which may be brought against the learner. Where the learner has been suspended under the provision, when the result of those enquiries and any criminal proceeding are known, the organisation reserves the right to recommence proceedings under these procedures in relation to the matter. It is emphasised that in relation to the application of this procedure, the Doncaster G.T.A. is not bound by the results of any criminal proceedings against the learners.

## **Monitoring and Reviewing.**

All documentation about the matter should be held in confidence by the CEO involved for a period of 3 years.

The organisation Manager will monitor the effectiveness of the decisions made to ensure that all parties remain content.

## **Responsibilities.**

### **Doncaster G.T.A.**

The organisation is responsible for:

- Ensuring that the policies and procedures relating to Equality & diversity and bullying and harassment are reviewed and updated.
- Ensuring that all students are aware of the policies and procedures and how to act on them.

### **Centre Managers and staff.**

Are responsible for:

- Implementing the Equality and Diversity policy and bullying and harassment procedures and bringing them to the attention of all students at induction.
- Treating complaints about Equality and Diversity and bullying and harassment seriously, being sensitive to personal feelings and perceptions and recognising that it is the impact on the complainant not the attention of the harasser that has to be taken into account.
- Ensuring that complainants are not victimised for having made a complaint.

- Ensuring that complaints are not victimised for having made a complaint.
- Notifying the relevant Centre Manager of any cases that are brought to their attention or cases where they notice that a situation is arising.
- Ensuring that proven cases are dealt with in accordance with the procedures.
- Protecting confidentiality as appropriate.

**The Centre Manager** investigating complaints is responsible for:

- Informing the relevant Lead Manager and the relevant Equality and Diversity lead about the complaint.
- Carrying out the investigation within the specific time scale in a confidential manner.
- Keeping written records of all the interviews and the decision taken.
- Taking appropriate decisions and actions within the guidelines of the procedure.

### **Lead Managers.**

Are responsible for:

- Leasing with all staff as appropriate.
- Ensuring security of information and appropriate confidentiality.
- Ensuring that investigations are conducted thoroughly.
- Meeting timescales to ensure compliance with the procedures.

### **All learners.**

Are responsible for:

- Being aware of, and complying with, the Equality & diversity policy and bullying and harassment procedure.
- Offering support to a victim of bullying or harassment.
- Not indirectly supporting the harasser by ignoring what is happening.
- Not directly supporting the harasser.

Learners who feel they are being bullied or harassed.

Are responsible for:

- Keeping records of incidents to help recall an accurate account of what has happened.
- Making it clear, if possible, to the harasser that their behaviour is unacceptable and causing offence or hurt. This is often enough to stop the harassment.
- Reporting the harassment verbally or in writing to the tutor or to the Manager.
- Not being afraid to complain if the harasser is a member of staff.

This policy should be read in conjunction with the Equality Policy and Learner Disciplinary Procedure.