P50 TCHC Group Equal Opportunities, Diversity and Inclusion Policy

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Policy Statement

The TCHC Group acknowledges that ensuring equality of opportunity, valuing diversity, and fostering a culture of inclusion are crucial to our success. We aspire for our staff and learners to reflect the diverse local communities we serve. Our aim is to cultivate an organisation where individuals are free to express their true selves, regardless of identity or background. We are committed to establishing a learning and working environment that values every individual and avoids disadvantaging anyone through discrimination based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (gender), and sexual orientation.

TCHC Group will adhere to its statutory duties regarding students, staff, and stakeholders, aligning with its obligations under the Equality Act 2010. This includes the duty to eliminate discrimination, harassment, and victimisation, advance equality of opportunity, and foster good relations among diverse groups.

The policy sets forth clear guidelines to promote an inclusive environment where everyone is treated with dignity and respect, ensuring equality of opportunity for learners, Restart participants, and staff to learn, work, and realise their full potential. We acknowledge the socio/economic benefits of having a workforce and stakeholders that truly represent all segments of society. We value the ethical advantages of creating an environment that welcomes individual differences while recognising and appreciating the contributions of all staff and learners.

This policy upholds the Equality Act 2010 legislation and underscores the legal responsibility of organisations and their associates to prevent unlawful discrimination across employment, education, and training relationships. We will ensure that decisions regarding recruitment, selection, promotion, training, or any other benefits are based on aptitude and ability, with opportunities made accessible to all staff and learners.

1. Purpose of the Policy

This policy sets out TCHC Group strategy for managing and implementing equality and diversity across the organisation and provides a clear statement of TCHC's position on equality, diversity and inclusion in relation to marketing, publicity, access and environment, curriculum, teaching, learning and assessment, staffing, including recruitment, selection and professional development.

This is an evolving document that will be reviewed and updated in consultation. It will continuously adapt to new developments and legislations and to reflect our growing understanding of existing and emerging issues.

This policy demonstrates how TCHC will meet its commitment to equality of opportunity. In doing so it has three key functions:

- Analysis of local/regional/national demographics (current trends and predictions)
- Monitoring and action planning to identify issues and ensure that any negative impacts are eliminated or minimised where possible.
- Encourage through positive action, initiatives that will promote the full engagement of underrepresented groups.

2. Scope

Our policy applies to all employees, learners, employers and work placement provider businesses and their staff. The policy is also relevant to those individuals who apply for work with TCHC and those who work on our premises, contractors, regular visitors, tutors and trainers.

3.1 Preventing harassment and general treatment of people

TCHC is committed to upholding Equality, Diversity and Inclusion {EDI} across our education and training centres, workplaces and communities within the TCHC Group.

TCHC is fully committed to establishing and maintaining a working environment in which education, training, recruitment and promotion is based upon merit. TCHC value the differences that a diverse workforce brings to the organisation and strive to make full use of the talents, skills experience and different cultural perspectives available in multi-cultural society and where people feel they are respected and valued and can achieve their potential in both training and employment.

TCHC expects learners and staff to treat each other, visitors, participants and stakeholders fairly and with dignity and respect.

3.2a Recruitment and selection

TCHC is committed to ensuring an inclusive supportive culture which is free from harassment and enables staff to achieve their potential through employment including recruitment and selection; employment relations; reward; promotion; education, learning and development.

We are committed to ensuring that all staff, irrespective of their sexuality, do not receive any harsh treatment, are protected from discrimination, bullying and harassment, and that they are supported to achieve their potential. We will continue to improve our communications so that everyone has equal access to both information about, and protection from, workplace harassment and discrimination.

We are committed to ensuring that all staff, irrespective of their religious belief or similar philosophical belief, are protected from discrimination, bullying and harassment, and that they are supported to achieve their potential.

Recruitment and selection will be undertaken in accordance with our Recruitment and Selection Policy. Individuals will be selected based on their relevant merits and ability to perform the job following an open and transparent selection process.

The TCHC Recruitment and Selection policy supports equality of opportunity.

TCHC will ensure that all recruitment and selection panels have training and guidance on their responsibility under the Equality Act 2010 and the TCHC Equality, Diversity and Inclusion policy.

Staff recruitment and progression data will be monitored to prevent discrimination and take action to address any issues. TCHC will provide an inclusive environment with a wide range of support for staff, so they are able to fulfil their potential within the organisation.

TCHC will monitor the recruitment profile of all applications for employment to ensure appointments are made on merit.

TCHC will provide an inclusive environment with a wide range of support and training for staff so that they are able to fulfil their potential within the organisation.

TCHC will collect, analyse, and react accordingly to feedback and suggestions from staff as part of our continuous service improvement All newly appointed staff will undertake an induction programme making them aware of this policy expectations and their personal responsibilities.

TCHC will provide all staff with mandatory training to raise awareness of the Equality Act 2010 and its implications and equip them with the knowledge and skills required to meet our commitment to Equality, Diversity and Inclusion.

TCHC will make reasonable adjustments to premises or working arrangements to ensure that staff and learners are not disadvantaged on the grounds of any protected characteristics.

Please refer to the P37 Recruitment Policy for further information.

3.2b Recruitment and provision for learners

TCHC is committed to ensuring an inclusive, supportive culture which is free from harassment and supports all learners to achieve their potential.

TCHC is committed to ensuring it addresses the needs of potential learners.

TCHC is committed to ensuring that all recruitment activities and enrolment systems are valid, fair and inclusive.

1. TCHC will ensure equality of access to all applicants.
2. Course information is accurate, clear and free from explicit or implicit discrimination and easily understood by prospective learners.
3. All written entry requirement criteria and procedures are free from any form of discriminatory practice.
4. Impartial guidance is offered to all applicants to ensure their placement on an appropriate programme which, with their commitment, offers them success and progression.
5. Provide clear and accurate information and advice on education and training opportunities both within TCHC and elsewhere
6. The course content and method of delivery will be adapted to meet the needs of learners to ensure equality of opportunity to engage and achieve on their study programme.
7. Learners will be made aware of their options for progression routes following on from their programme of study with TCHC.
8. Prospective learners will be made aware of the support that is available to them within TCHC and signposted to other organisations that are able to offer support, including for their own welfare, wellbeing and financial situation.
9. Prospective learners will be made aware of the financial support available to them whilst on programme with TCHC, including bursaries.

3.2b(i) Accessibility

TCHC will ensure, as far as reasonably practical, that learning difficulties and/or learning disabilities do not prevent learners from enrolling on an appropriate course of study.

TCHC will provide confidential consultation and assistance to enable access to all facilities.

TCHC will provide assessment of learner needs and provide learners with support to enable them to achieve their learning goals.

TCHC will ensure that learners have access to relevant technology, hardware and software to reduce the risk of digital poverty and to provide an inclusive blended learning environment.

TCHC will ensure the liaison between staff and outside agencies to co-ordinating support and minimising potential barriers.

TCHC will ensure accessibility of assessment in line with Awarding Body regulation.

TCHC will ensure that all learners experience equal access in terms of curriculum, assessment, support services and resources.

TCHC will ensure that the curriculum meets learner needs and takes Labour Market Intelligence (LMI) into account when planning the provision to support local and national employment priorities.

TCHC will endeavour to promote Equality, Diversity and Inclusion in the course of Teaching, Learning and Assessment across the provision to support a positive and diverse culture within Centres.

TCHC staff will use teaching, learning and assessment strategies and resources that reflect and value diversity of learners' experiences and provides learners with a comprehensive understanding of people and communities beyond their immediate experience.

TCHC staff will plan to meet individual learner needs within teaching sessions and ensure that differentiation is consistently planned for and reflected upon to ensure the best possible experience for all learners.

At TCHC, all learners benefit from an adaptable learning experience, building in differentiation and flexibility where possible to support learners to achieve using a blended learning model of paper portfolios and digital learning.

TCHC embraces widening participation and will provide educational opportunities for those Restart participants seeking to return to work after a long period of unemployment; for individuals who have been made redundant; for those from minority and/or vulnerable groups; and for those whose personal circumstances have previously made it difficult for them to benefit from education.

TCHC commits to providing learners with support they need to succeed in their programme of study.

From admission through to completion TCHC will ensure the provision is an inclusive and engaging environment where teaching and learning practices develop subject specific and transferable skills which supports personal development and progression.

Please refer to the P45 Teaching, Learning and Assessment Policy for further information.

4 Communication and marketing

TCHC promotes an inclusive and non-discriminatory environment through its marketing and presentation materials, induction processes and general communication channels.

TCHC will ensure that all communications and publicity are accessible and give regard to the diversity of the audience. We take reasonable steps to overcome barriers to communication that may impede learners in accessing our services or staff entering TCHC employment.

TCHC endeavours to portray positive and diverse images on all publicity materials to further demonstrate our inclusive community.

5. Raising a concern

TCHC aims to support and facilitate a culture where learners and staff feel safe and supported. All staff and learners are encouraged to raise concerns about safety, misconduct, discrimination or any other issue that could impact the quality of a training or working environment.

Please refer to the following TCHC policies regarding raising a concern:

P06 Complaints Policy

P12 Teaching Staff Appeals Policy

P15 Mental health and Wellbeing Policy

P23 Bullying and Harassment Policy

P38 Behaviour Management and Support Policy

P42 Whistleblowing Policy

P63 Safeguarding and Child Protection Policy

P67 Learner Appeals Policy

P68 Malpractice and Maladministration Policy

P81 Data Protection and GDPR Policy

6. Responsibilities

This policy sets out the responsibilities of learners, staff, managers and the board within the organisation and the support available.

6.1 Responsibility of the Executive Team

The Chief Executive Officer (CEO) has overall responsibility and accountability for the management and strategic direction of this policy in line with The Equality 2010.

Responsibility for ensuring that the organisation is provided with sufficient resources to ensure The Equality Act 2010 is adhered to and implemented effectively and to ensure that management complies with the requirements of the policy and its duties under legislation.

Ensure the completion and approval of Equality, Diversity and Inclusion monitoring reports, review of statistical data and acting as appropriate.

6.2 Responsibility of Managing Director

Responsible for giving a consistent and high profile to all equality issues.

Promoting the Equality, Diversity and Inclusion policy both internally and externally.

Ensuring the policy is fully implemented across the organisation and external partners and reviewing and contributing to the Equality, Diversity and Inclusion monitoring reports.

6.3 Responsibility of Management Team

Responsible for ensuring the Equality, Diversity and Inclusion policy is put into practice within their teams.

Provide training and support to ensure all staff, learners and participants are aware of the protected characteristics.

Provide training and support to all staff to ensure awareness of their responsibilities and implement those responsibilities effectively.

To take appropriate action where necessary, to any staff member, participant or learner who demonstrates behaviour that undermines Equality, Diversity and Inclusion.

Ensure that all policy documentation and procedures are equality impact assessed and to be aware of possible adverse effects that may impact learners and/or staff.

Create an inclusive environment and culture where everyone is treated with dignity and respect.

6.4 Responsibility of staff & learners

Responsible for consistently operating within this policy.

Comply with TCHC Group code of conduct.

Show common courtesy, dignity and respect to all.

Challenging inappropriate language and/or behaviour. Inform their manager/tutor/trainer if they experience or are aware of any behaviour that undermines equality, diversity or inclusion.

Subcontractors, contractors and service providers are responsible for following the Equality Act 2010 and equality conditions in contracts or agreements.

It is the personal responsibility of every staff member, learner and participant to act in a professional and courteous manner to colleagues, customers and members of the public. It is only when this standard is being achieved that TCHC can ensure inclusivity and equality of opportunity for all.

7 Data analysis and review

TCHC will monitor and analyse data relating to applications, enrolment, attendance, retention, achievement, and progression of staff and learners with a view to comparing trends whist highlighting and addressing any imbalances identified.

TCHC will collect, analyse and react accordingly to feedback from learners, staff, parents and stakeholders to strive for continuous service improvement.

TCHC will monitor the embedding of equality, diversity and inclusion and British values into teaching, learning and assessment through classroom observations.

TCHC currently have systems in place to monitor the following areas:

- Current composition of staff, learners and work placement candidates
- Recruitment and selection – internal and external
- Grievance and disciplinary actions
- Leavers (staff learners and work placements)
- Monitors outcomes of students and staff by protected characteristics and for vulnerable groups.
- Training and development (staff, learner and work placements)

This information is collected and analysed to identify and remove any existing barriers, which may be hindering the progress of equality within TCHC through the self-assessment and quality improvement plan.

It is the responsibility of the Board to approve this policy and monitor its implementation and review the effectiveness of this Equality and Diversity Policy.

To ensure continuous development in the implementation of our EDI policy, a Quality Improvement Plan (QIP) will be produced annually, which include EDI monitored actions.

8 References

Related Acts and Regulations

- Equality Act 2010
- Human Rights Act 1998
- Offenders Rehabilitation Act 2014
- Race Relations Act 1976 and Race Relations (Amendment) Act 2000
- Disability Discrimination Act 2005
- Employment Act 2008
- Gender Recognition Act 2004
- Religion or Belief Regulations 2003
- Sexual Orientation Regulations 2007
- Employment Equality (Age) Regulations 2006, 2007
- Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011
- Modern Slavery Act 2015

9 Appendix

For Information. Summary of 9 Protected Characteristics and Definitions

- **Age** - a protected age group could comprise of a group such as the over-fifties, or it could comprise of a particular age, such as 21-year-olds.
- **Disability** – for the purposes of the Equality Act 2010, a person has a disability if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on their ability to conduct normal day-to-day activities. This can include any person who identifies as having a neurodiverse condition.
- **Gender Reassignment** (including commitment to supporting staff/learners on the grounds of gender identity and gender expression) – a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassignment the person's sex by changing physiological or other attributes of sex. Non-binary as defined by Stonewall.org is an umbrella term for people whose gender identity does not sit comfortably with 'man' or 'woman' and are therefore protected from discrimination under this characteristic.
- **Marriage & Civil Partnership** (only in respect of eliminating unlawful discrimination) – marriage covers any formal union which is legally recognised in the UK as marriage. Therefore, marriage between a man and a woman and between same-sex couple are covered. A civil partnership under the Civil Partnership Act 2004 is between same-sex partners and, since 2 December 2019, opposite sex partners in England and Wales.
- **Pregnancy & Maternity** – it is unlawful for an employer to discriminate by treating a woman unfavourably because of her pregnancy during the protected period (if she has the right to ordinary and additional maternity leave, at the end of the additional maternity leave period or (if earlier) when she returns to work after the pregnancy; or if she does not have that right, at the end of the period of two weeks beginning with the end of the pregnancy). Unfavourable treated can be related to:
    - an illness she has suffered because of her pregnancy during the protected period.
    - being on compulsory maternity leave
    - exercising or seeking to exercise, or has exercised or sought to exercise, the right to ordinary or additional maternity leave.
- **Race** – this includes ethnicity, national origins, colour or nationality.
- **Religion or belief** (this includes religious and non-religious) – "Religion" means any religion, and a reference to religion includes a reference to a lack of religion. "Belief" means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.
- **Sex** (Gender) – reference to a man or to a woman

- **Sexual Orientation** – A person's sexual orientation towards persons of the same sex; persons of a different sex; or persons of either sex.

10 Definitions

- **Equality** – is ensuring everyone has the appropriate support to achieve the same outcomes. This enables a fairer approach where everyone can participate and has the same opportunity to fulfil their potential.
- **Diversity** – acknowledges and values the full range of differences between people in the workplace.
- **Inclusion** – refers to an individual's experience within the workplace, within each service we deliver and the extent to which they feel valued and included.
- **Human Rights** – are about our basic needs as human beings. These are the core rights we are all entitled to so that we may develop our potential and live our lives with dignity and respect.
- **Direct Discrimination** – takes place when one person or a group of people are treated less favourably than other people on the grounds of a protected characteristic: This includes discrimination on the grounds of perceived characteristics, whether that perception is correct. It can also be directed against someone because they associate with or defend someone covered by a protective characteristic.
- **Indirect Discrimination** – means applying a practice, provision, condition or requirement of employment which applies to everyone, but whether intentionally or not, adversely affects, or favours, people who share one or more of the protective characteristics.
- **Harassment** – is a repeated behaviour defined under the Equality Act as 'unwanted conduct related to a relevant protected characteristic, which has the purpose of effect of violating and individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

  There are three types of harassment which are unlawful under the Equality Act:

  - Harassment related to a relevant protective characteristic.
  - Sexual harassment
  - Less favourable treatment of a student because they submit to or reject sexual harassment or harassment related to sex.
- **Harassment related to protected characteristics (includes harassment by association and perception)** – unwanted conduct related to a protected characteristic, which has the purpose or effect of violating and individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

  The following can be unwanted conduct spoken words, banter, written words, posts or contact on social media, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes or pranks, acts affecting a person's surroundings, aggression, physical behaviour towards a person or their property.

- **Sexual Harassment** – unwanted conduct of a sexual nature, which has the purpose or effect of violating and individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
- **Victimisation** – occurs when a person is treated less favourably for asserting their right to make a complaint under the Equality Act, have been suspected of making a complaint or have supported a complaint made by another person.
- **Disability Discrimination** – As well as direct and indirect discrimination, victimisation and harassment this also includes discrimination arising from a disability and failure to make a reasonable adjustment to alleviate disadvantages caused by a disability. Discrimination arising from disability can include any of the following:
    - An employer/trainer treats the disabled person unfavourably.
    - This treatment is because of something arising in consequence of the disabled person's disability.
    - The employer/trainer cannot show that this treatment is a proportionate means of achieving a legitimate aim.
    - A disability that has not been declared does not mean the individual is not entitled to support, unless the employer/trainer does not know and could not be expected to know, that this person has a disability.
- **Homophobia** – as defined by Stonewall.org is the fear or dislike of someone, based on prejudice or negative attitudes, beliefs or views about lesbian or gay people. Homophobic bullying may be targeted at people who are perceived to be lesbian or gay. Hatred or fear of lesbians or gay people sometimes leading to acts of violence and expressions of hostility towards them. There is a zero-tolerance approach to any form of homophobia in the organisation.
- **Transphobia** – as defined by Stoenwall.org is the fear or dislike of someone, based on prejudice or negative attitudes, beliefs or views about trans and non-binary people. This may involve a denial and/or refusal to accept the gender identity and gender expression of trans and non-binary people. It can also manifest in refusing to respect and/or use their name/s and/or pronoun/s. Hatred or fear of trans and non-binary people can sometimes lead to expression of hostility towards them and to acts of violence. There is a zero-tolerance approach to any form of transphobia in the organisation,
- **Biphobia** – as defined by Stonewall.org is the fear or dislike of someone who identifies as bisexual based on prejudice or negative attitudes, beliefs or views about bi people. BI phobic bullying may be targeted at people who are, or who are perceived to be bisexual. An aversion towards people who are bisexual as a social group or as an individual, sometimes leading to acts of violence and expression of hostility towards them. There is zero tolerance approach to any form of biphobia in the organisation.

The policy will be reviewed annually led by the Head of Quality with final approval by the Board of Directors.



Kim Kitchener

Head of Quality - TCHC GROUP LTD

Document History

Reference No	Version	Date	Author	Classification	Review Date
P50	1.0	23/10/2025	Rose Lavin Wayne Taylor Yuen-Man Yau Samantha White	Unclassified	23/10/2026
P50	1.1	23/10/2026	Rose Lavin Wayne Taylor Yuen-Man Yau Samantha White	Unclassified	23/10/2027