

Equality & Diversity - Statement of policy

The Blueberry Academy aims to be an equal opportunity employer, and has a policy for this purpose.

This policy covers all aspects of employment, selection recruitment and training and reasons for termination of employment. The policy covers all learners supported by the Blueberry Academy and establishes the minimum standards expected during their experience with the organisation.

To ensure that this policy is operating effectively the Blueberry Academy maintains records of employees / applicants and learners racial origins, gender and disability.

Ongoing monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote equality of opportunity.

The Blueberry Academy aims to have a workforce and learner group which reflects that of the community. Where necessary, special steps, as permitted by the relevant Acts of Parliament, will be taken to help disadvantaged and/or underrepresented groups to compete for jobs and entry to programmes on a genuine basis of equality.

The directors of the Blueberry Academy are responsible for the effective operation of the company's Equal Opportunities Policy.

The policy

Selection and recruitment

Selection criteria (job description and employee specification) will be kept under constant review to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

Wherever possible, more than one person will be involved in the selection interview and recruitment process, and all should have received training in equal opportunities.

Reasons for selection and rejection of applicants for vacancies will be recorded.

Recruitment Procedure:

Posts advertised through sources relevant to the post, including the York CVS voluntary, University bulletin boards, community and social enterprise jobs networks.

All applicants send in a CVC, which is then shortlisted and interviews arranged.

The interview comprises a 'working interview' where candidates can demonstrate skills in a workplace setting - this is the most accessible way of conducting interviews and discovering an individual's potential. Two references are requested, including one from the most recent employer.

Verification of identity sought and we hold copies of passports and any relevant proof of ability to work documents.

Verification of certificates is obtained for roles where specific qualifications are required.

A Disclosure & Barring Service (BDS) check is undertaken for all staff members (see appendix 1).

A contract of employment is issued to all staff.

Positive action - training, promotion and conditions of service

Underrepresented groups will be encouraged to apply for training and employment opportunities. Wherever possible, special training will be provided for such groups to prepare them to compete on genuinely equal terms for jobs and promotion. However, Actual recruitment to all jobs will be strictly on merit.

Wherever necessary, use will be made of lawful exemptions to recruit suitably qualified people to cater for the special needs of particular groups.

Wherever possible, efforts will be made to identify and remove unnecessary/unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged and/or underrepresented groups.

Personnel records

In order to ensure the effective operation of the equal opportunity policy (and for no other purpose) a record will be kept of all employees' and job applicants' gender, racial origins and disability.

Where necessary, employees will be able to check/correct their own record of these details. Otherwise, access to this information will be strictly restricted.

Such records will be analysed regularly, and appropriate follow-up action taken.

General

The objectives of this policy are to:

- Achieve an ability-based workforce which is in line with the working population mix in the relevant labour market areas.
- The cooperation of all employees is essential for the success of this policy. However, ultimate responsibility for achieving the policy's objectives, and for ensuring compliance with the relevant Acts of Parliament as well as the various Codes of Practice, lies with the company. Behaviour or actions against the spirit and/or the letter of the laws on which this policy is based will be considered serious disciplinary matters, and may, in some cases, lead to dismissal.

Our commitment is:

- To raise the awareness of everyone involved with education and training regarding Equality of Opportunity, and to ensure that all learners/customers and staff receive equal treatment.
- To encourage the full participation of learners/customers in all aspects of their learning.
- To work towards inclusive learning by ensuring the greatest degree of fit or match between the individual requirements of learners and potential learners, and the provision made for them.
- To identify and remove all discriminatory practices, procedures and customs and to replace them with systems which are fair to all.
- To develop positive images of those with different needs through the development and promotion of the curriculum.
- To recognise that positive action is needed if equality of opportunity is to be achieved.

Programme and Curriculum

- A range of fair and impartial assessment methods are to be available so that an all-round picture of skills, including learning support needs, can be gained.
- The Service will be learner-centred at all points of administration
- There will be compliance with the Disability Discrimination Act in order to facilitate access of learners to our programme
- There will be compliance with the Race Relations Act 2000
- The aims and objectives of courses and programmes are to be continually evaluated to ensure that they meet the needs of all learners/customers
- Alternative learning strategies are to be explored and developed to assist in providing for a wide range of learners.

Complaints Process

All complaints are dealt with equality, integrity and in a supportive and accessible process. Individuals are encouraged to access advocate and partner services to support the process if appropriate.

Stage 1 – Discuss complaint with Area Leader to explore an immediate resolution

Stage 2 – Area Leader to review complaint with Principal or if not appropriate complainant can discuss the matter directly with the principal who can put in place any appropriate actions.

Stage 3 – Directors to lead on complaints process. Will bring in suitable partner to arbitrate the process (e.g. CVS, CYC) to ensure independent and objective actions / responses.

All complaints are evaluated and reviewed and fed back into the planning and quality improvement process.

Appendix 1:

Further information regarding conviction information On the 29 May 2013, legislation¹ came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

- In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions.
- All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.
- You can also direct applicants to the guidance and criteria on our website which explains the filtering of old and minor cautions and convictions which are now 'protected' so not subject to disclosure to employers. ¹ See Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013; and Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013.
- As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Blueberry Academy complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. Blueberry Academy undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- Blueberry Academy can only ask an individual to provide details of convictions and cautions that Blueberry Academy are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended), Blueberry Academy can only ask an individual about convictions and cautions that are not protected.
- Blueberry Academy is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- Blueberry Academy has a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment process.
- Blueberry Academy actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. Blueberry Academy select all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- Blueberry Academy ensures that all those in Blueberry Academy who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. Blueberry Academy also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, Blueberry Academy ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the

position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

- Blueberry Academy makes every subject of a criminal record check submitted to DBS aware of the existence of the Code of Practice and makes a copy available on request.
- Blueberry Academy undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.