

Equality Policy

Version 3.0

This document sets out the Equality Policy for Magic Beans Group Limited

Document Responsibility	<i>CEO</i> <i>C Boyle</i>	Created	<i>11/01/2022</i>
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Introduction

Magic Beans Group's vision is to be a company that is valued by all its stakeholders, which achieves exceptional results in all different aspects of its business. Key to achieving this, Magic Beans Group is committed to providing an excellent training service, contributing to the wider regeneration and sustainability of local communities.

We understand that in order to provide the commitment necessary to realise this vision, we must exemplify the principles of promoting equality and valuing diversity in all our activities, as a service provider and as an employer. These ambitions can only be achieved through people. Magic Beans Group's employees will reflect the culture, values, and ambitions that Magic Beans Group will aim to achieve.

Magic Beans Group's priority will be to tackle all forms of discrimination and exclusion across the main protected characteristics, recognising that any one person may be disadvantaged on more than one of these grounds. We also recognise that there may be other groups who may be vulnerable to discrimination.

Magic Beans Group Equality Policy applies to the recruitment, selection, education, and assessment of learners/apprentices and in the recruitment, selection, training, appraisal, development and promotion of staff, the only consideration must be that the individual's abilities and needs, in relation to the requirements of the programme post.

If requirements are met, no learner or employee will be discriminated against on the basis of their sex, sexual orientation, race, colour, ethnic origin, nationality (within current legislation), disability, marital status, sexuality, caring or parental responsibilities, age, or beliefs on matters such as religion and politics.

Magic Beans Group is committed to provide a learning, working and social environment in which the rights and dignity of all its members are respected, and which is free from discrimination, prejudice, intimidation, and all forms of harassment including bullying.

This Policy means that all students and employees of Magic Beans Group have the right to study or work in an environment free from discrimination, prejudice and all forms of harassment or bullying. Magic Beans Group has a ZERO tolerance approach to bullying and harassment.

Magic Beans Group is committed to a programme of action to ensure that this and other equalities policies are implemented and monitored at an organisational and individual level.

Magic Beans Group seeks to employ a workforce which reflects the diversity of the wider community. It does so because it values the individual contribution of people irrespective of sex, age, disability, sexual orientation, race, religion or belief, gender, gender reassignment, maternity, or because someone is married or in a civil partnership, or any other personal characteristics.

Magic Beans Group will treat all employees with dignity and respect and will provide a working environment free from unlawful discrimination, victimisation, or harassment on the grounds of any of the protected characteristics or other personal characteristics. The protected characteristics are:

- Age
- Disability
- Sex
- Gender reassignment

- Pregnancy & maternity
- Race
- Sexual orientation
- Religion or belief
- Married or in a civil partnership

Magic Beans Group will not tolerate acts that breach the Equality and Diversity policy and all instances of such behaviour, or alleged behaviour, will be taken seriously, be fully investigated and may be subject to the Company's disciplinary procedures. Additionally, any person found to be inciting, encouraging, or condoning discriminatory actions or behaviour may be subject to disciplinary action.

Magic Beans Group values innovation and feels that diversity within the team and client base brings positive benefits that will improve and strengthen the business.

The adoption of a Diversity Policy goes further than simply complying with the letter of the law. It aims to get the best from people by treating them fairly and with respect and providing a safe and rewarding working environment. There are sound operational, as well as ethical reasons for having a policy which supports and encourages staff to develop and demonstrate their full potential, including:

- Attracting and retaining employees from the wider community
- Selecting the best person for the role
- Improving individual and corporate performance
- Creating a healthy and constructive working atmosphere and organisational culture
- Enhancing staff morale
- Demonstrating to clients and the community that the Company is a fair and diverse organisation, representative of the local community.

The Managing Director and Senior Management are committed to developing and maintaining policies and working practices designed to promote equality of opportunity and to address the elimination of discrimination of any form, in particular discrimination in relation to 'protected characteristics'.

Magic Beans Group will ensure that discrimination in any form is challenged and addressed in all its activities. It will through systematic reviews, ensure that its policies, procedures and practices address any potential or actual discrimination or disadvantage and regular monitoring and evaluation of their effectiveness will be undertaken.

Magic Beans Group will actively challenge discrimination through reviewing its processes, attitudes and behaviour supported with appropriate staff training programmes. Magic Beans Group's grievance procedure will make it clear that instances of discrimination and/or harassment should be raised with the Managing Director in the first instance to reflect Magic Beans Group's intolerance of such behaviour.

Magic Beans Group will monitor and evaluate the effectiveness of the Equality and Diversity policy with its employees, customers, and associated partners. Recruitment records, along with reports from complaints, incidents, safeguarding and feedback interviews will be discussed by the directors and, where necessary, any changes can be implemented.

Equity for staff will be supported by policies and practices which foster:

- equitable recruitment and promotion procedures for all staff
- a staff composition which reflects closely the communities we serve
- a non-sexist, non-racist and disability supportive working environment
- a monitoring and feedback system capable of highlighting areas for improvement
- considering and acting upon feedback from staff when reasonably practical to do so.

What is meant by “Equality”?

Equality is ensuring individuals or groups of individuals are treated fairly and equally and no less favourably, specific to their needs, including areas of race, gender, disability, religion or belief, sexual orientation, and age.

Promoting equality should remove discrimination in all of the following factors: sex, sexual orientation, marital status, ethnic origin, race, religion, colour, nationality, political beliefs, disability and age should not be taken into account for the purposes of:

STAFF:

Recruitment, appointment, training, appraisal, promotion, discipline etc.

LEARNERS/APPRENTICES:

Application to and acceptance on to a course of study, and assessment of academic performance
Selection for a course of study or for a job should be made solely on merit.

Managing Director Responsibilities

The Managing Director is responsible for ensuring:

- The Company implements and follows its equality and diversity policies and codes of practice and meets its legal responsibilities
- A consistent and high-profile lead on equality and diversity
- Promotion of equality and diversity inside and outside the training organisation
- Policies and procedures are in place to comply with all applicable legislation
- The Company implements its equality and diversity policies and codes of practice. Quality audits are carried out in all areas of Equality & Diversity
- There is baseline data on admission used to ensure learner progression and for staff

recruitment and career progression

- That all staff and learners/apprentices know their responsibilities and receive the necessary support and training
- Making sure that staff know about Magic Beans Group's Equality and Diversity policy and that any kind of harassment or discrimination is not acceptable
- Keeping a look out for changes in behaviour
- Challenging inappropriate behaviour, taking prompt action wherever there is evidence of bullying or harassing behaviour, whether or not anyone has complained
- Checking that office banter is appropriate and not upsetting anyone
- Always take issues seriously where required
- Investigate all allegations with consistency and an open mind
- Listen carefully without bias to what employees have to say
- Making sure that staff know they can approach you if they have a problem
- Do not jump to premature conclusions about the validity of a particular complaint
- Always do a follow up after any issue or complaint to ensure that the matter has been properly resolved
- Discuss promptly with your Managing Director any complaint of bullying or harassment
- Ensure you are familiar with all HR policies and procedures
- Ensure you lead your team by observing the Magic Beans Group Code of Conduct at all times
- Relevant procedures and actions are followed in cases of unfair discrimination, harassment or bullying

Employees and Volunteers Responsibility

Employees and Volunteers are responsible for:

- Co-operating with the Company to ensure that this policy is effective to ensure equal opportunities and to prevent discrimination
- Promoting equality and diversity and avoiding unfair discrimination
- Reviewing on an annual basis the existing policy
- Challenging, reporting, and analysing any incidents of unfair discrimination racial, sexual or other Stereotyping perpetrated by staff, volunteers and/or learners/apprentices
- Keeping up-to-date with equality law and participating in equality and diversity training
- Employees should also bear in mind that they can be held personally liable for any act of unlawful discrimination
- We all have a responsibility to help create and maintain a work environment which celebrates diversity and promotes equality
- Being aware of how your own behaviour may affect others and changing it, if necessary – you can still cause offence even if you are 'only joking'
- Treating your colleagues with dignity and respect
- Making it clear to others when you find their behaviour unacceptable unless it should be

obvious in advance that this would be the case

- Taking steps to stop harassment or bullying and giving support
- Making it clear that you find harassment and bullying unacceptable
- Reporting equality and diversity issues and harassment or bullying to your manager or HR Adviser and supporting the Company in the investigation of complaints
- If a complaint relating to equality and diversity or harassment or bullying is made, not prejudging, or victimising the complainant or alleged harasser
- Staff who feel they require support and guidance should contact their line manager or Managing Director

Learner/Apprentice Responsibilities

Learners/Apprentices are responsible for;

- Participating in equal opportunity and diversity training
- Respecting others in their language and actions
- Having an input into policy amendments
- Reporting instances of unfair discrimination, or racial, sexual, or other stereotyping
- Implementing the Company's equality and diversity policies and codes of practice

Magic Beans Group will seek to involve and consult staff on the Equality and Diversity policy, action points and any other equality and diversity initiatives as appropriate. Magic Beans Group has a number of methods of consulting with and involving staff including:

- Weekly team meetings
- Cultural events
- Information bulletins and information
- Interactive quality management system

Discrimination

The following are the kinds of discrimination which are against the Company's policy:

Direct discrimination: where a person is less favourably treated than another person because of a protected characteristic they have or are thought to have. An example is if someone is refused entry onto a learning programme on the grounds that he or she is black, disabled, homosexual, of a particular religion or belief or she is a woman.

Associative discrimination: this is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive discrimination: this is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination: where a requirement or condition which cannot be justified is applied equally to all groups but has a disproportionately adverse effect on one particular group. Some examples are:

- where an age limit for new recruits may exclude many women of that age group because they are unable to apply for the job as a result of family commitments, or
- the restricting of recruitment to areas where there are few ethnic minorities, or
- Victimisation: where an individual is treated less favourably because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Harassment

Harassment may be defined as unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient. Please refer to our Bullying and Harassment policy for more information.

We will treat all our Employees with dignity and respect and will provide a working environment free from bullying or harassment on any grounds.

We will not tolerate acts that breach this policy and all instances of such behaviour, or alleged behaviour, will be taken seriously, be fully investigated and may be subject to our disciplinary procedures. Additionally, any person found to be inciting, encouraging, or condoning such behaviour may be subject to disciplinary action.

Magic Beans Group will not tolerate acts which breach this policy including third parties such as customers and clients. Staff who feel they require guidance and support should contact their HR Adviser.

Employees are also protected from harassment because of perception and association.

Gender Equality

We will work with our partners to eliminate sexual harassment, support victims, and take action against perpetrators.

Definitions:

- Sexual Discrimination: Occurs when someone is treated unfairly or less favourable than others in the same circumstances, on the basis of their gender
- Direct Discrimination: Direct sexual discrimination occurs when a person is treated less favourably than others, in comparable circumstances, on the basis of their gender. For example- An assumption that women are more suited (or not suited) to certain types of work or are more (or less) available for certain jobs than their male counterparts
- Indirect Discrimination: Indirect sexual discrimination occurs when a condition or

requirement is applied which adversely affects or favours one particular group more than another- For example “must have two years’ unbroken service” as a requirement would discriminate unfairly against women, due to women having maternity leave. Indirect discrimination can also occur where sexual harassment is used to create a hostile, abusive or offensive working environment

- Sexual Harassment: “unwanted conduct of a sexual nature, or other conduct based in sex, affecting the dignity of men and women at work. This can include unwelcome physical, verbal and non-verbal conduct” (European Commission)
- Sexual Victimisation: Occurs when a person victimises another person for bringing a claim or giving evidence in connection with a claim of discrimination or harassment

Magic Beans Group believes that the organisation will benefit from engaging employees at all levels of responsibility and across all areas of work regardless of their sexual orientation. Magic Beans Group recognises the right of every person to be treated in accordance with these values. Magic Beans Group employees of all sexual orientations have a statutory right to fair treatment under S12 of the Equality Act 2010.

The Act sets out a framework for eliminating employment or occupational inequalities based on sexual orientation, i.e., to ensure there will be no discrimination against employees, either directly or indirectly, on the grounds of sexual orientation in access to employment, training, promotion, or dismissal, in the provision of work-place benefits, or the provision of references.

It is Magic Beans Group’s aim to create an inclusive company where people are enabled to meet their full potential and are treated as individuals. This includes recognising and supporting a person’s self-identity as male or female. Magic Beans Group is committed to ensuring that transgender people are treated with respect and that it does not discriminate unlawfully. This commitment is an important aspect of our overall commitment to providing equal opportunities in employment and to ensure that no current or prospective members of staff are subject to discrimination or victimisation as a result of the gender in which they present themselves.

Disability Equality

We will ensure that the working environment is accessible and meets the needs of disabled people, taking into consideration particular needs as required.

Ensure that we work with our partners to eliminate harassment of disabled people, support victims and take action against perpetrators.

Ensure that information we provide is accessible to disabled employees. Definitions:

S6 Equality Act 2010 defines a disabled person as someone with ‘A physical or mental impairment, which has a substantial and long-term adverse effect on his or her ability to carry out normal day to day activities’. The definition is complex and it is important not to think too narrowly when considering whether a person is disabled or not. For example, hidden disabilities such as epilepsy and diabetes are included within the definition.

- Mental impairments include learning, psychiatric and psychological impairments. However, where an impairment concerns mental health, it falls within the definition only if the condition is clinically recognised, such as schizophrenia, manic depression, and severe and

extended depressive psychoses.

- A person's impairment amounts to a disability only if it affects their ability to carry out day to day activities.
- Staff who have a disability and consider that they may fall within the definition may wish to record this with Magic Beans Group and contact their Line Manager.

Reasonable Adjustments

- Magic Beans Group has a statutory duty to make reasonable adjustments and conduct health and safety risk assessments to avoid discrimination against disabled employees or prospective employees. Adjustments are a means of levelling the playing field to help disabled people contribute fully to the work force and enable that person to perform the job.
- Adjustments apply to all aspects and stages of employment and needs are always considered during: recruitment, selection, training and induction, transfers, promotion, opportunities for training and career development, terms and conditions, employee benefits, retention, redundancy and dismissal.
- Types of adjustments will be discussed with the HR Adviser and, in conjunction with advice from a medical professional and other professional advisory bodies may include: alter premises, allow absences during working hours for rehabilitation assessment or treatment, supply additional training, acquire special equipment or modify existing equipment, modify instructions or reference manuals (this list is not exhaustive).

Race Equality

We will ensure that we work with all partners to eliminate racial harassment and racially motivated crime, support victims and take action against perpetrators.

Magic Beans Group will take steps to ensure that applications are attracted from all races and will ensure that there are equal opportunities in all stages of the recruitment process. Where appropriate, staff responsible for recruitment will receive training in equal opportunities, and guidance will be available to all staff. Promotion within the Company is based solely on merit.

Magic Beans Group main centre is in a diverse area of the United Kingdom and wherever possible we actively promote applications from clients from our local centre for jobs at Magic Beans Group.

Religion or Belief

Magic Beans Group welcomes all people regardless of their religions, philosophical beliefs and faiths and is strongly committed to promoting equality of opportunity in all its activities. Members of any religion, followers of any faith or belief and those without religious belief will be treated with equal dignity, respect, and fairness.

Magic Beans Group is committed to protecting and promoting the rights of every member of the community to freedom of thought, conscience and religion, freedom of expression and freedom of association. These rights apply to people with or without formal religious affiliation, of all faiths and none, and provide for the principle of respecting other people's freedom to express their beliefs and

convictions. However, any expression of belief has to take account of the rights and reasonable sensitivities of others.

Some religions require their followers to pray at specific times during the day. Staff may therefore request access to an appropriate quiet place to undertake their religious observance. Many religions or beliefs have special festival or spiritual observance days. An employee may request holiday in order to celebrate festivals or attend ceremonies. Magic Beans Group are sympathetic and will consider such a request where it is reasonable and practical for the employee to be away from work, and they have sufficient holiday entitlement in hand.

If it is practical and safe to do so, staff may welcome the opportunity to wear clothing consistent with their religion. Staff should contact their Line Manager for guidance.

Age

Age discrimination in employment is unlawful. The UK legislation protects people of all ages in employment. Direct and indirect discrimination, victimisation and harassment are covered in all aspects of employment including unfair dismissal and redundancy provisions.

Magic Beans Group recognises the contributions that people of all ages can bring, and welcomes and believes that all employees should, wherever possible, be permitted to continue working for as long as they wish to do so. Staff and managers can contact the General Manager for further information on the process.

Recruitment

The Company applies selection processes for both internal and external applicants which ensure the appointment of the highest quality staff.

As part of our commitment, Magic Beans Group will aim to:

- Ensure all appointments are fair and free from discrimination;
- Ensure that the operation of the Recruitment and Selection policy processes delivers fair and evidenced equality of treatment for all applicants.
- Improve retention rates as the right people are recruited for the right roles

The Company's selection criteria are designed to give applicants every opportunity to demonstrate their skills and abilities in a variety of relevant activities and to learn as much as they can about our Company and the role they are applying for. Activities may include: criteria-based interviews, presentations, and written exercises.

A person specification should link to the job description and outline the skills, experience, and knowledge a person needs.

It is our policy to advertise vacancies in publications that are relevant to the nature and level of the job.

In line with our policy Magic Beans Group positively encourages applications from suitably qualified and eligible candidates regardless of sex, gender, race, disability, age, sexual orientation, or religion or belief, gender reassignment, maternity or because someone is married or in a civil partnership. At the interview or selection stage questions are asked, and where appropriate tests set, to check for the skills and competences needed for the post. Interviewers will not ask personal questions which may be perceived to be intrusive and imply potential discrimination. Where applicants volunteer personal information, those selecting will not to be influenced by such information.

The Company will take steps to ensure that applications are attracted from all sexes, races and from disabled people, and will ensure that there are equal opportunities in all stages of the recruitment process. Where appropriate, staff responsible for recruitment will receive training in equal opportunities and guidance will be available to all staff.

Promotion within the Company is based solely on merit and without regard to race, sex, disability, sexual orientation, religion, or belief.

The Managing Director will monitor recruitment and selection practices through the collection of equal opportunities monitoring data, which will be reviewed and used to inform improvements and changes in processes where required.

Disciplinary

Acts of discrimination or harassment by employees of the Company may result in disciplinary action. The Company will treat seriously and consider resolutions when any employee has a grievance as a result of discrimination or harassment.

It may be difficult for individuals experiencing discrimination or harassment to bring the matter formally into the open. Support and guidance will therefore be made available, in confidence, to people wishing to pursue this avenue through the General Manager without obligation to progress the matter to a final end. Formal complaints may be made in writing initially to their Line Manager. All investigations will be carried out in the strictest confidence and all people involved in the investigation will be expected to respect this confidentiality. Only once the facts have been established will a course of action be recommended. The HR department will retain all information collated from investigations.

Should any person feel that an investigation has been managed in an inappropriate or unfair manner they may appeal to the Managing Director.

Please refer to the Disciplinary and Grievance policies for further information.

Policy Revision and Review

Version No	Revision Description	Section	Date of Revision	Approved By
3.0	Policy Format Update	All Policy Update	24/02/2023	Managing Director