





# Equality, Diversity, and Inclusion Policy

## Monitoring and Version Control

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# ED&I Policy Statement

The Marketing Trainer are highly committed to equality and diversity both within, and outside the workplace.

The policy and procedures are a guidance for all staff, apprentices, partners and anyone associated with The Marketing Trainer and are there to help everyone understand their responsibilities in supporting the commitment to equality, diversity and inclusion. The policy outlines what is meant by this, the relevant laws and associated codes of practice, The Marketing Trainer expects all staff, apprentices and any other associates to abide by.

Our aim is to develop and maintain a positive working environment for our employees, clients and apprentices, that is free from any forms of unlawful and unfair discrimination. Apprentices, clients and employees will receive equal and fair treatment, alongside the promotion of opportunity, irrespective of their personal criteria (including the following):

- Race
- Skin colour
- Nationality
- Religious belief or affiliation
- Gender
- Sexual orientation
- Transgender
- Material or family status
- Age
- Current or previous disability
- Ethnic or national origin
- Pregnancy

Regarding the above characteristics (but not limited to):

- The Marketing Trainer value others for their contributions and irrespective of personal differences and strive to provide a supportive and inclusive working environment where everyone feels that they are valued and can work to achieve their potential.
- The Marketing Trainer aim to avoid all forms of unlawful discrimination and are committed to promoting an environment that is free of any forms of bullying or harassment, victimisation or unlawful discrimination. The company aims to promote dignity and respect for all, with differences being recognised and valued.
- No applicant, apprentice, customer, client or member of staff will receive less favourable treatment, nor will any other condition or requirement that cannot be justified disadvantage them.
- Through the policy, The Marketing Trainer aim to support all associates and will continually reappraise methods to support Equality, Diversity and Inclusion (ED&I).

- ED&I will be a key focal point when it comes to recruitment and selection, job descriptions, the interview process and any selection procedures. It's also applicable to training and education, including apprenticeship delivery.

The Marketing Trainer will do the following:

- Implement fully the Equality Act 2010 and any legislation that will eliminate discrimination or harassment.
- Oppose any forms of discrimination and unfair discriminatory practices and harness the diversity of our staff, apprentices, partners and any other associates with The Marketing Trainer.
- Expect anyone associated with us to embrace the core value of respect and create an environment that ensures all individuals are treated with fairness and respect.
- Tackle any prejudice and promote understanding between different groups of people to create a respectful workplace.
- Take proportionate positive action to encourage underrepresented groups participation in our workplace and apprenticeship programmes.
- The policy applies to our employment practices (including recruitment), training provisions and any activity undertaken by the company.
- The overall responsibility to implement, promote and provide equality and diversity rests with *all* staff, partner organisations, suppliers, apprentices and their employers are required to conduct themselves in ways that respects and supports the equality and diversity act at all times.
- The management team, including directors, will establish objectives and impact measures on an annual basis and regularly review these to continually support and improve our performance.

## Scope/Objectives

This policy is applicable to all associated with The Marketing Trainer and all contracts agreed with regards to Government Funded Apprenticeships.

This policy makes clear The Marketing Trainer's stance on Equality and Diversity and establishes the key principles, structures and monitoring arrangements that are used:

All above are associated with the promotion and advancement of this policy. Any behaviours, actions or words that transgress this policy will not be tolerated and will be dealt with in accordance with the relevant policy or procedure.

## Definitions

**Equality** refers to treating people fairly and recognises that some people have needs that must be met to enjoy equal access during employment and education. The Marketing Trainer recognises that some individuals may need reasonable adjustments and support to ensure equality of opportunity if they come from a position of long-standing disadvantage.

**Diversity** refers to understanding that individual and professional differences are natural within society and when recognised and can create opportunity. Valuing diversity acknowledges the intrinsic worth of benefits derived from the differences and seeing them as a strength. The Marketing Trainer will celebrate the values and differences. The Marketing Trainer aim to promote a mutual understanding of the differences and use them as a strength. The Marketing Trainer will encourage the discussion and understanding of these differences to reinforce diversity within the industry.

**Inclusion** refers to accepting and integrating apprentices and staff regardless of their backgrounds. The Marketing Trainer want to create a culture of belonging and participation. The working environment must be open, respectful and inclusive.

**Hate crime.** As per the Metropolitan Police, a hate crime is defined as below:

*A hate crime is defined as 'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender'.*

## Promoting the ED&I Policy

The Marketing Trainer recognises there are various channels that they can utilise in order to communicate and give regular updates around ED&I. They are as below:

- Available on website under 'policies', for any stakeholder to access at any time.
- ED&I Policy in apprentice handbook, this will include all the details as above.
- ED&I awareness training in apprentice induction.
- ED&I discussions in progress reviews with apprentice and line manager.
- ED&I training for all staff (as a minimum annually)
- Our LMS has ED&I resources in the general resources section.

## How Stakeholders Will Engage with the Policy

The Marketing Trainer aim for all employees to engage with the ED&I policy and will do so by ensuring the following:

- Ensuring the policy is promoted to all associated with The Marketing Trainer
- Understand that managing ED&I is not a one-off initiative and requires constant review and monitoring.
- Keeping up to date with law and reviewing policies, ensuring any updates are communicated effectively to all.
- Employees will receive relevant training to help engage all associated with The Marketing Trainer and be able to promote a positive, inclusive, and diverse working environment.

Within the The Marketing Trainer:

- Employees will be trained to understand and engage with ED&I.
- All must show respect, dignity and equality to everyone.
- All are required to promote positive behaviour daily and be able to describe what this looks like.
- The positive promotion of ED&I will be implemented into the culture at The Marketing Trainer.

Communication:

- An open culture will be promoted based on active listening and open dialogue surrounding ED&I.
- Different methods of promotion will be used to help all engage with the policy (see promotion above).

## Associated Policies and Procedures

### **Bullying and harassment**

Please refer to our Anti-Bullying Policy

### **Hate crime**

The Marketing Trainer will not tolerate any racist, disablist, sexist, homophobic, bi-phobic or transphobic hate of any kind. The Marketing Trainer will not tolerate any racial or religious hatred or encourage any racial hatred or any form of physical and verbal violence or abuse.

If you are the victim or witness of the above, we encourage you to report the incident to someone you trust such as your tutor. The Marketing Trainer will provide advice or support and individuals affected will receive reports via email, phone or in person.

## **Language**

The Marketing Trainer understands that discrimination and prejudice may arise from a person's use of language. This includes when writing, speaking, social media, emails and published materials. The Marketing Trainer ask all employees, apprentices, and employers to conduct themselves in a professional manager and to use good judgement and be aware of inappropriate references in relation to protected characteristics.

Individuals should refer to the communications policy for detailed guidance and procedures in relation to viewing, sharing or using discriminatory, offensive and illegal electronic materials.

## **Advertising and Information**

The Marketing Trainer will ensure that any publications and electronic media do not portray any language or images that discriminate.

Please refer to The Marketing Trainer Communications Policy for further detail.

# Training

## The Marketing Trainer ED&I training

### Employees

The Marketing Trainer aim to make sure all staff are up to date with their ED&I training by:

- Ensure ED&I training, such as any online training from the 'Education and Training Foundation' is completed as part of any staff induction.
- Having all staff complete ED&I training annually, this will include group ED&I refresher training.
- Being trained on how to provide feedback and report any ED&I concerns.

### Apprentices

All apprentices will complete ED&I e-learning as part of their induction process with The Marketing Trainer. They will also be provided with a curriculum with ED&I embedded throughout their apprenticeship to ensure they remain up to date. Any incidents that go against the ED&I policy will be dealt with accordingly.

# Responsibilities

## The Marketing Trainer ED&I's Responsibilities

Directors are responsible (but not limited to) the following:

- Ensure resources are available to implement the policy effectively and maintain the policy.
- Ensure that all practices and processes promote fair and equal treatment (including recruitment, development and personal practices).
- Provide ongoing support regarding equality and diversity to staff.
- Collect around ED&I, to ensure the effectiveness of this policy.

## Employee ED&I Responsibilities

All employees will do the following:

- All staff are responsible to promote equality and foster strong relations between different groups.
- All staff must eliminate any discrimination amongst the protected characteristics.
- All staff must challenge any inappropriate behaviour by either other staff members, employers or apprentices.

## Apprentice & Employer ED&I Responsibilities

Apprentices and their employers will also be advised of their ED&I responsibilities as part of their induction and sign-up process. They will also be able to access this policy on the company website and LMS general resources. Apprentices will be provided with access to the ED&I policy upon induction and must adhere to it at all times..

## Statutory responsibilities

The Marketing Trainer accepts its responsibilities and will fully adhere to the UK Equality Legislation relevant to the organisation and its operations in England and Wales. Key to these is the Equality Act 2010 and associated codes of practice for further education applicable to training providers. The Equality Act 2010 which forms the basis of this policy, uses the term 'protected characteristics' to refer to aspects of a person's identity that are explicitly protected from unlawful discrimination.

The Marketing Trainer is also required to comply with government funding regulations that define the age limits for advanced apprenticeship eligibility, as well as health and safety regulations in relation to disability.

# The Marketing Trainer as a Training Provider

Our goal is to ensure that no job applicant or learner experiences discrimination based on any protected characteristics, such as age, race, gender, or disability.

We regularly review our recruitment and induction processes to ensure that individuals are evaluated based on their relevant skills and abilities. We also consistently update our job selection criteria to ensure they are pertinent, and we actively seek to reach a diverse workforce through inclusive job advertisements that avoid stereotypes or language that might deter certain groups from applying.

We do not question an applicant's health or disability before making a job offer, except in very limited cases. Each exception must be carefully reviewed to ensure it is justified and appropriate.

- Questions necessary to establish whether an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- Questions to establish whether an applicant is fit to attend an assessment, or to identify any reasonable adjustments that may be needed.
- Positive action to recruit disabled persons.

Neither do we ask applicants about:

- Past or current pregnancy or future intentions related to pregnancy.
- Any matters concerning any of the protected characteristics.

That said, the law requires us to ensure that all employees are entitled to work in the UK, and not to make assumptions about immigration status based on appearance or apparent nationality.

So, to satisfy immigration legislation, all prospective staff – of any nationality – must be able to produce original documents (such as a passport) before employment starts. (More at <https://www.gov.uk/government/organisations/uk-visas-and-immigration>)

- Consult with stakeholders associated with The Marketing Trainer regularly about equality and diversity to inform continuous improvement.
- Include an appropriate channel and procedure in place for anyone wishing to raise a grievance in relation to equality and diversity (complaints process). If the person raising the concern, doesn't feel that the case has been dealt with properly, and the ED&I issue being reported is now a safeguarding issue, please refer to the Safeguarding Policy.
- Actively encourage those from diverse backgrounds to consider completing an apprenticeship.
- The Marketing Trainer reserves the right to withdraw any training services from any apprentice or employer that behave out of line with our procedures. Any discriminatory disruptive or abusive behaviour will not be tolerated to any of our staff, partner staff, apprentices or any other person.



## ED&I Lead

The main contact is the ED&I lead (details below). But all SMT will be trained on any ED&I issues and will be able to act accordingly. The ED&I lead must be notified of all cases for concern

**Name: Mitchell Goodall**

**Position: The Marketing Trainer Director**

**Phone: 07386 679512**

**Email:**

- **Mitch@themarketingtrainer.co.uk**

## Rights of Disabled People

The Marketing Trainer values people with disabilities and understands that not all disabilities can be seen.

The Marketing Trainer will ensure that full and proper consideration is given to people with disabilities who apply for jobs and that adjustments are made to assist them do the job. The Marketing Trainer will comply with any health and safety regulations within the digital marketing section. The Marketing Trainer will offer support in relation to health and safety regulations to anyone who has a disability defined by the Equality Act 2010. This will be applicable to both apprentices and staff.

Under this policy The Marketing Trainer will:

- Adjust for any employee who becomes disabled through training or providing any relevant equipment.
- Consider disabled people who apply for jobs and make reasonable adjustments for their abilities to aid them to do the job.
- Ensure that any apprentices involved with The Marketing Trainer, who have identified as having a disability received any additional reasonable adjustments and receive support from ourselves and our partners.
- The Marketing Trainer will ensure appropriate adaptations and support is in place for any apprentices that are using The Marketing Trainer premises.
- The Marketing Trainer will provide help and support to any apprentice with a disability.
- The Marketing Trainer will work closely with any employers who employ a disabled apprentice to ensure they have a safe and comfortable working environment whilst not being limited to being disadvantaged.

# Complaints

Please refer to The Marketing Trainer's Complaints Policy

## Advice and Guidance Provided by the Government

Equality and diversity is a subject that is constantly evolving and improving as new strategies are created within apprenticeships that aim to improve the quality and have an overall better impact.

The Marketing Trainer will utilise guidance (as highlighted in the link) when it comes to dealing with equality and diversity issues. It will also utilise this guidance to help ensure practices are monitored and constantly improved to create a positive and diverse range of apprentices.

[Advice and guidance | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://www.equalityhumanrights.com)

## Relevant Legislation and Codes of Practice

The Marketing Trainer accepts its responsibility to all UK equality legislation including, but not limited to:

- Equality Act 2010.
- Human Rights Act 1998.
- Rehabilitation of Offenders Act 1974.
- Racial and Religious Hatred Act 2006.
- Protection from Harassment Act 1997.
- Sex Discrimination (Gender Reassignment) Regulations 1999.
- Relevant Codes of Practice issued by the Equality & Human Rights Commission.
- Data Protection Act 2018 (including the General Data Protection Regulations).
- Any amendments to the above legislation.

Key points and codes of practice that are mentioned in the above policies will be discussed and reviewed during training courses completed by staff at The Marketing Trainer.

The Charity Governance Code 2017

The board at The Marketing Trainer follows the charity governance code 2017. This code of practice defines 7 principles of good governance and has equality, diversity and inclusion led into them.

### **Types of discrimination under The Equality Act 2010**

Discrimination can be direct or indirect. The Equality Act 2010 recognises the following types of discrimination:

- Indirect discrimination.
- Direct discrimination, including perception and associative discrimination.

- Discrimination arising from a disability.
- Victimisation.
- Harassment.
- Failure to make reasonable adjustments.

**Direct discrimination:**

This is classed when an individual is treated less favourably than others because they are a protected characteristic (see list).

**Discrimination by association (Associative):**

This is classed as discrimination against someone because of their association with an individual who has a protected characteristic.

**Discrimination by perception:**

This is discrimination against someone because it is believed they have a protected characteristic. It still applies even if the person does not have the characteristic.

**Indirect discrimination:**

This applies when a condition or practice puts someone with a protected characteristic at an advantage. This can only be justified in exceptional circumstances and it can be shown the action was reasonable. It must be shown as a proportionate means of achieving a legitimate aim.

**Discrimination arising from disability/failure to make reasonable adjustments:**

Discrimination is classed as when an employer/organisation fails to:

- Take reasonable steps to avoid a practice that puts disabled people at a disadvantage compared to people who are not disabled. This includes formal/informal rules, practices, arrangements or one-off decisions and actions.
- Remove or amend a physical feature that puts a disabled person at a disadvantage compared to those who are not disabled.
- Provide an accessible format of information.
- Provide auxiliary aids or services where this is the only thing that puts disabled people at a disadvantage.

**Harassment:**

This is classed 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.

Individuals can complain about offensive behaviour even if they don't have the relevant characteristic or it is not directed towards them.

**Victimisation**

This is where a person treats another with less favour because they have asserted their legal rights in line with the equality act or associated with someone else who has done. This

includes making a complaint, providing evidence related to proceedings or claiming discrimination has taken place, or taking legal action.

For example, if someone claims they have encountered racism and as a result they are then ignored. An individual is not protected if they have made a false complaint.

### **Genuine occupational requirements**

In line with current regulation, any job may be restricted to a particular characteristic if there is a 'genuine occupational requirement (GOR). For example, a religious organisation could request applicants for a practising member of their faith.

### **Positive action**

If members of protected groups are underrepresented then action can be taken to encourage people belonging to that group to take advantage of opportunities (such as training, work experience or encourage them to apply for a job).

## Annual Review of the Policy

### **Monitoring and Review**

The Marketing Trainer will adhere to the following review process:

The process comprises policy monitoring, review, planning, implementation, and periodic evaluation.

This policy and the associated guidance and procedures document will be reviewed annually by the SMT within four weeks of a review of any serious ED&I incident.

This policy and the associated guidance and procedures document is to be made available to all staff and apprentices in various formats appropriate to The Marketing Trainer audiences, e.g. in Apprentice Handbooks, on website etc.

The Marketing Trainer will record all ED&I incidents and keep them on file. On a monthly basis the ED&I lead will look at the data collected to identify any themes or trends and look to improve the policy in order to mitigate the risks.

Possible Actions:

- Training could be required for all staff members in order to combat a new risk.
- Policies are updated/new policies created.

## Senior Management Team Meetings

As part of all SMT meetings, ED&I will always be a point on the agenda to discuss any concerns. Any immediate concerns will be dealt with initially without requiring an SMT meeting to take place. All SMT meetings around ED&I will have associated minutes which will be stored.

## **On Going Review**

The Marketing Trainer will continually review and monitor a variety of information and resources to ensure the effectiveness of the policy outlined below. Data will be processed in accordance with the Data Protection Act 2018.

- Employee data will be monitored on an annual basis in relation to recruitment, selection, learning, development and equal pay. This will help assess the opportunity afforded to ensure the diversity balance is achieved.
- Data will be collected on apprentice achievement and retention and will be analysed and evaluated by demographic breakdown on a regular basis to consider the parity of starts, outcomes and retention between groups.
- Staff and apprentices will complete surveys to gain feedback regarding equality, diversity and inclusion. The feedback of this will be reviewed.
- The board will be reviewed progress on a quarterly basis and action plans will be set.