



## **Equality and Diversity Policy**

Version 9, February 2022

Reviewed Feb 2023 SJukes

Next review Feb 2024

## Introduction

Marshall Assessment's Equality and Diversity Policy incorporates the following core values:

- Everyone is welcome and will be treated fairly and equally
- We strive to provide the highest quality of assessment and a welcoming learning environment for all our learners
- We understand and remove bias from our assessment materials making assessment materials accessible to all
- We will offer an open and accepting place of work to all staff
- We expect the best of ourselves and others
- We will respect everyone as an individual
- We believe we can achieve more by working together and striving for excellence
- We will seek to achieve the highest levels of quality in all aspects of our business.

## Policy Statement

Marshall Assessment aims to ensure that all actual or potential employees and learners are treated equally, under the characteristics that are protected by the Equality Act 2010:

1. age
2. disability
3. gender reassignment
4. marriage or civil partnership (in employment only)
5. pregnancy and maternity
6. race
7. religion or belief
8. sex
9. sexual orientation.

Marshall Assessment is working to create an environment in which cultural diversity and individual differences are positively valued in an atmosphere free from harassment and discrimination. Marshall Assessment takes its legal and moral obligations seriously with respect to equality and diversity. Marshall Assessment welcomes dialogue with groups and individuals on ways in which its equality and diversity policies and practice can be enhanced and improved.

## Scope

The purpose of this policy is to establish clear guidance regarding equality and diversity and to establish key principles, structures, and monitoring arrangements for Marshall Assessment. This will ensure that we adhere to legal obligation within the single equality and diversity duty. The guidance should be applicable to all staff and learners who are part of Marshall Assessment.

It will include all five types of potential discrimination set out in the Equalities Act 2010:

**Direct discrimination** – if an employer treats one person less favourably than another person because of their race, sex, age group, etc.

**Associative discrimination** - discrimination against a person because they may have an association with someone with a particular protected characteristic, e.g., where a non-disabled employee is discriminated against because of action they need to take to care for a disabled dependant.

**Unintended bias** - A fair and unbiased assessment uses contexts that are equally familiar to all and uses words that have common meanings to all. Effective assessment processes yield evidence and conclusions that are meaningful, appropriate, and fair to all relevant subgroups of apprentices

**Perceptive discrimination** – discrimination against a person because the discriminator thinks the person possesses that characteristic, even if they do not.

**Indirect discrimination** – this is where a policy applies to everyone but has a disproportionate impact on people with a protected characteristic, e.g., only recruiting staff with 10 or more years' experience would discriminate against younger applicants.

**Harassment** - subjecting another person to behaviour, speech or physical contact that is inappropriate and unwelcome, e.g., jokes, gossip, etc.

## Policy Implementation

Marshall Assessment will ensure that its equality and diversity policy commitments are delivered through the following strategies and processes:

- The implementation, monitoring and review of all policies, targets, actions, and outcomes will be evaluated with the consideration of equality and diversity impact measures
- Staff development programmes to support staff at all levels of the organisation in the delivery of equality and diversity objectives
- Working with partner organisations such as employers in the field of diversity, inclusion, and equalities to enhance equality of opportunity
- Ensuring that quality assurance and self-assessment processes incorporate equality issues
- Reporting on progress against equality objectives
- Legal duties regarding Race, Disability and Gender will be regularly reviewed to ensure we comply with the current legislation.

## Staff Selection, Recruitment and Development

Marshall Assessment will take positive action to ensure that under-represented groups are encouraged to apply for vacant posts at different levels and in different areas of Marshall Assessment's work. Our procedures will ensure that there is neither 'direct' nor 'indirect' discrimination in staff recruitment, selection, or development.

Marshall Assessment will aim to ensure:

- The profile of staff in relation to age, gender, disability, and race is monitored across all areas of work at all levels
- Recruitment and selection documentation and procedures are non-discriminatory
- Members of recruitment and selection panels are trained in Equality and Diversity
- Consideration is given to candidates' views of the recruitment process and that feedback is offered

- Our complaints procedure is followed in cases of alleged discrimination or unfair treatment
- Staff Development in equality and diversity issues is included in Marshall Assessment's annual Staff Development Plan
- Person specification and advertisements will reflect the objective requirements of the job.

## Access

Wherever possible, Marshall Assessment will support targeted provision for groups who are underrepresented. Interviews for employment will be sympathetically conducted, with due regard to equality and diversity issues and experiences and expressed needs of potential learners/ employees.

Marshall Assessment will aim to ensure:

- That our assessment and support materials are non-discriminatory
- That we continue to develop assessment materials that are free from bias and do not discriminate against specific groups or protected characteristics
- That our EPA manager regularly reviews ACE360 data to ensure apprentices make good progress, irrespective of gender, disability, and age
- Data is used to monitor and improve participation and achievement of learners for all minority groups
- Good practice with regard to equality and diversity in the field of apprenticeships is shared and celebrated by staff

## Qualification Development

Marshall Assessment will ensure that there are no features present in any qualification we have developed that could disadvantage any groups of learners that share a particular characteristic or barriers to entry, other than those directly related to the purpose of the units or qualifications. The nature of any such features or barriers will be stated and the inclusion of the requirements that create the barrier, justified in terms of why they are required for the unit or qualification. This will be documented in our BIAS /equality Impact statement. This checklist used by MA means that Equality issues can be addressed at the early draft stages. Before any assessments are signed off MA uses a checklist that is signed by the Assessment Quality Manager.

The process of designing of assessments will include identifying and precluding any unjustifiable barriers in the assessment of qualifications and units that might prevent learners who share particular protected characteristics from demonstrating their knowledge, understanding or skills. This includes Learners and Apprentices with physical disabilities.

## **Monitoring the success and relevance of our arrangements**

Marshall Assessment is committed to complying with all current and relevant legislation. As part of the Learner/Apprentice registration and certification processes for End-Point Assessment, we may collect information on diversity, requests for special considerations, access arrangements and feedback from apprentices, Training Providers and employers. All relevant issues identified that suggest that our EPA services may have unnecessarily impacted on apprentices will be reported back to the Compliance Director and the Board. They are responsible for ensuring that a relevant staff member introduces, as appropriate, amendments to assessment materials where necessary and in accordance with the procedures for developing and reviewing assessment materials. Details of ongoing reviews will be made available to the regulators upon request.

## **Environment and facilities**

Marshall Assessment will help our employers to provide a welcoming, safe environment which encourages access and participation by their apprentices and our tutors/ assessors irrespective of race, gender, disability, and age.

Marshall Assessment will aim to ensure:

- Accommodation is welcoming, accessible to all and that facilities and rooms are appropriate for assessment
- There is an environment in which all users can observe individual needs
- There is an environment in which all users should feel safe, secure, and free from bullying, harassment, and discrimination

## **Responsibilities of Marshall Assessment Management:**

It is the responsibility of Marshall Assessment management to ensure that the Equality and Diversity Policy agreed is implemented, monitored, and reviewed effectively and to use effective leadership and management to ensure that:

- there is no unfair discrimination
- they act positively where appropriate to ensure legal duties are met
- that all employees are aware of their Equality and Diversity duties and responsibilities
- to ensure no unfair or unlawful discrimination takes place on grounds of race, gender, disability, or age and to recognise that they will be liable for the discriminatory acts of employees

- policies, procedures, and action plans comply with anti-discrimination legislation and are not unlawfully discriminatory
- they take responsibility for eliminating discrimination
- they promote equality of opportunity
- they act positively where necessary to redress any unjustified disparities whether by age, disability, or gender in the fields of education, training and employment.
- Equality and Diversity is incorporated into strategic and operational planning, is effectively monitored against national/local benchmarks etc.
- Marshall Assessment EPA provision is responsive, accessible, and flexible in meeting diverse learners needs
- there is disabled access, advice, and support in respect of childcare and provision for meeting religious and dietary needs
- there are positive action measures in place to address any issues of staff and/or learner underrepresentation
- there is a programme of effective support measures for both learners and staff which promote a culture of inclusiveness and reinforce positive values and codes of behaviour consistent with a policy of non-tolerance of all forms of discrimination.

### **Responsibilities of Employees (both full and part time contracts):**

All staff members of Marshall Assessment whether full or part time are responsible for adhering to Marshall Assessment's Equality and Diversity ideology as set out in this Policy. All employees shall be required to:

- observe all Marshall Assessment regulations as outlined above
- show respect for Marshall Assessment and employer environment and encourage others to do the same
- take responsibility for eliminating discrimination
- treat everyone equally and with respect.

### **Reasonable Adjustments**

We are committed to fulfilling our duty to meet the access arrangements and reasonable adjustments requested for our learners in a way that does not disadvantage either them or their peers.

We will always consider a request relating to access to our qualifications, except where acceptance of the request is not logistically possible or where it would undermine the criteria for the assessment.

## Expectations

No party shall under this agreement discriminate within the meaning of the Equality Legislation against any person on the grounds of their race, disability, gender, sexual orientation, religion or belief or age.

All members of staff, learners and employers providing employment to apprentices under Marshall Assessment care, shall comply with the Equality Act 2010 and all incorporated policies including the Disability Equality Duty, the Race Equality Duty and the Gender Equality Duty, (together the “Equality Duties”); and specific duties imposed on public authorities by each of the Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005; the Race Relations Act 1976 (Statutory Duties) Order 2004; and the Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006.