**Devon and Cornwall Counselling Hub**

**Equal Opportunities Policy**

**Statement of Policy**

1. Devon and Cornwall Counselling Hub recognises that we live in a society where discrimination still operates to the disadvantage of many groups in society.

2. Devon and Cornwall Counselling Hub believes that all persons should have equal rights to recognition of their human dignity, and to have equal opportunities to be educated, to work, receive services and to participate in society.

3. Devon and Cornwall Counselling Hub is committed to the promotion of equal opportunities within the organisation, through the way we manage the organisation and provide services to the community. To express this commitment, we develop, promote and maintain policies that will be conducive to the principles of fairness and equality in the workplace/learning environment.

4. The objective of this policy is that no person should suffer or experience less favourable treatment, discrimination or lack of opportunities on the grounds of gender, race, colour, nationality, ethnic origin, religious or philosophical beliefs, health status, HIV status, age, marital status, parental status, sexual orientation, political beliefs or trade union membership, class, responsibility for dependents, physical attributes, ex-offender status as defined by the Rehabilitation of Offenders Act 1974, lack of formal qualifications where such qualifications are not formally required, or any other grounds which cannot be shown to be justifiable within the context of this policy.

5. This policy will influence and affect every aspect of activities carried out at Devon and Cornwall Counselling Hub, i.e. promotional work, educational services, casework and other functions linked to our business.

6. In the provision of services and the employment of staff, Devon and Cornwall Counselling Hub is committed to promoting equal opportunities for everyone. Throughout its activities, we will treat all people equally whether they are:

* seeking or using our services.
* applying for a job or already employed by us.
* learners on one of our courses
* volunteer workers.

**How the Policy is implemented**

The Course Director has specific responsibility for the effective implementation of this policy. In order to implement this policy we shall:

* Communicate the policy to employees, job applicants, volunteers, learners and relevant others.
* Incorporate specific and appropriate duties in respect of implementing the equal opportunities policy into job descriptions and work objectives of all staff.
* Ensure that those who are involved in assessing learners for courses are mindful of the British Association for Counselling and Psychotherapy (BACP) Ethical Framework and apply it to their decision-making process.

**Conduct and general standards of behaviour**

All staff and learners are always expected to conduct themselves in a professional and considerate manner. Devon and Cornwall Counselling Hub will not tolerate behaviour such as:

* making threats
* physical violence
* shouting
* swearing at others
* persistent rudeness
* isolating, ignoring or refusing to work with certain people
* telling offensive jokes or name calling
* displaying offensive material such as pornography or sexist / racist cartoons, or the distribution of such material via email / text message or any other format.
* any other forms of harassment or victimisation.

The items on the above list of unacceptable behaviours are disciplinary offences within Devon and Cornwall Counselling Hub and can lead to disciplinary action being taken. Devon and Cornwall Counselling Hub does, however, encourage staff and learners to resolve misunderstandings and problems informally wherever possible, depending on the circumstances. However, whether dealt with informally or formally, it is important for staff or learners who may have caused offence to understand that it is no defence to say that they did not intend to do so, or to blame individuals for being over sensitive. It is the impact of the behaviour, rather than the intent, that counts, and that should shape the solution found both to the immediate problem and to preventing further similar problems in the future.

**Complaints of discrimination**

Devon and Cornwall Counselling Hub will treat seriously all complaints of unlawful discrimination on any forbidden grounds made by employees, learners or other third parties and will take action where appropriate.

All complaints will be investigated in accordance with the organisation’s grievance, complaints, or disciplinary procedure, as appropriate and the complainant will be informed of the outcome in line with these procedures.

We will also monitor the number and outcomes of complaints of discrimination made by staff, volunteers, clients and other third parties.

***Legal Obligations***

**Equal Opportunities and Discrimination (Equality Act 2010)**

The new Equality Act came into force in October 2010 and replaces all previous equality legislation in England, Scotland and Wales – namely the Race Relations Act 1976, the Disability Discrimination Act 1995, the Sex Discrimination Act, the Equal Pay Act, the Employment Equality (Age) Regulations 2006, The Civil Partnership Act 2004, the Employment Equality Regulations 2003 (religions and belief and sexual orientation).

**The Equality Act 2010** protected characteristics are:

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief sex and sexual orientation.

In valuing diversity Devon and Cornwall Counselling Hub is committed to go beyond the legal minimum regarding equality.

The **Equality Act 2010** harmonises and strengthens and replaces most previous equality legislation. The following legislation is still relevant:

* The Human Rights Act 1998.
* The Work and Families Act 2006.
* Employment Equal Treatment Framework Directive 2000 (as amended).

**Assessment**

**Specific Learning Difficulties and Disabilities**

In some cases of learners with formally diagnosed specific learning difficulties or disabilities it may not be appropriate to assess by the normal methods specified in the Awarding Body Regulations. In such cases DCCH can seek guidance from the Awarding Body to the appropriateness of varying the method of assessment, bearing in mind the objectives of the programme / course, and the need to assess the learner on equal terms with other learners.

They may be allowed extra time or to make use of appropriate aids. It should however be noted that it is not permissible for learners with specific learning difficulties or disabilities to be given work for assessment which is easier to pass.

**Reasonable Adjustments**

The Equality Act 2010 requires an Awarding Body to make reasonable adjustments where a disabled person would be at a substantial disadvantage in undertaking an assessment.

A reasonable adjustment for a particular person may be unique to that individual and may not be included in the list of available Access Arrangements.

How reasonable the adjustment is will depend on several factors including the needs of the disabled learner/learner. An adjustment may not be considered reasonable if it involves unreasonable costs, timeframes or affects the security or integrity of the assessment.

There is no duty on the Awarding Bodies to make any adjustment to the assessment objectives being tested in an assessment.

**Special Consideration**

Special Consideration is a post examination adjustment to a learner’s mark or grade to reflect temporary injury, illness, or other indisposition at the time of the examination/assessment.

Some learners may have recognised and/or formally diagnosed learning difficulties and/or disabilities that disproportionally disadvantage them in terms of being able to complete an assessment or examination under the same circumstances as their peers. In some cases, it may be recognised that a learner requires additional support above and beyond that which is required by their peers to have an equal opportunity to access the programme material.

(This additional and on-going support will be known as ‘normal way of working’ for the purposes of this section of the policy.) In either scenario, the learner may qualify for Access Arrangements in Examinations and Assessments that will alter the parameters of the examination and assessments process in order to meet their particular need.

***Principles of access examination / on course arrangements***

**Access Arrangements in Examinations and Assessments**

Access Arrangements are pre-examination adjustments for learners based on evidence of need and normal way of working. Access Arrangements allow learners/learners with special educational needs, disabilities, or temporary injuries to access the assessment without changing the demands of the assessment. In this way Awarding Bodies will comply with the duty of the Equality Act 2010 to make ‘reasonable adjustments.

**Previous Access Arrangements**

* Learners who have had previous access arrangements in place are required to provide DCCH with copies of any associated documentation regarding their previous access arrangements if they wish them to be continued.
* The nature of any access arrangements for examinations or assessments will be determined according to the recommendations in a relevant:
* Assessment from an Educational Psychologist or equivalent, or
* Medical Report

It is the responsibility of the learner to source formal supporting documentation for any access arrangements they wish to be put in place.

* In determining any access arrangements DCCH will seek to ensure:
* that such arrangements do not give the learner an unfair advantage over other learners.
* that such arrangements do not reduce the validity or reliability of the examination or assessment; that such arrangements do not mislead users of the Qualification or Certificate about the learner’s attainment.
* that such arrangements are approved (when applicable) by the relevant Awarding Body.
* that assessments for access arrangements are up to date (if a learner was under 16 when they were assessed, access arrangements have to be renewed every two years).
* that the learner’s usual methods of working are taken into account and that, if necessary, the learner has had an opportunity to gain some experience in the use of any special arrangements.

The Course Director will be responsible for confirming learner entitlement to access arrangements in examinations and assessments and any additional teaching and learning support. All learners who are eligible for access arrangements will be confirmed to the relevant Course Tutor by the Course Director. Access arrangements may apply to learners with a temporary disability as well as to those learners who have a permanent or long-term disability or learning difficulty.

* Depending on the Awarding Body, any entitlement to variation in the method of assessment or to access arrangements in examinations will need to be agreed as early as possible and no later than twelve weeks before the assessment is due to take place

**Written Examination Papers**

* Additional Time for written examinations will only be considered where there is formal evidence of need provided.
* Other arrangements such as reading of questions, an amanuensis, dictation of responses on to tape or oral examination may be permitted if recommended in evidence provided and approved by the relevant Awarding Body.
* Supervised breaks or rest periods may be allowed either inside or outside the examination room as recommended in evidence provided. The duration of any breaks will not be deducted from the time allowed for the examination paper. Additional time for completion of the examination paper may be allowed in addition to approved rest breaks.

**Oral Assessment**

* If recommended in evidence provided, alternative arrangements may be made for a learner for whom a disability or medical condition may influence performance in oral assessment.

**Reporting**

Information about any access arrangements agreed will be made available to the relevant Examinations Board, or Awards Board.

**Staff Development**

DCCH will provide relevant staff development (as required) to enable staff to be fully aware of the difficulties that learning difficulties and/or disabilities may present to learners.

**Recruitment and Selection**

* The recruitment and selection process is crucially important to any equal opportunities policy. We will endeavour through appropriate training to ensure that employees, making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.
* Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
* Job descriptions, where used, will ensure that they are in line with our equal opportunities policy.
* We will adopt a consistent, non-discriminatory approach to the advertising of vacancies and our courses.
* All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do their job. As will applicants for our courses.
* Short-listing and interviewing will be carried out by more than one person where possible.
* Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.
* Selection decisions will not be influenced by any perceived prejudices of other staff.

**Monitoring**

1. We will maintain and review the application records of all learners to monitor the progress of this policy.

Monitoring may involve: -

* The collection of information relating to ethnic origin and gender from applications completed by learners.
* The examination by ethnic/national origin and sex of the distribution of learners and the success rate of the applicants; and…

1. …the results of any monitoring procedure will be reviewed at regular intervals, to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.

Devon and Cornwall Counselling Hub will revise and review this policy regularly.

July 2018 - MH

Reviewed September 2020 - CLH