

Introduction

The Rail Academy (TRA) is committed to supporting, developing and promoting diversity, inclusion and equality in all of its practices and activities. It aims to establish an inclusive culture free from discrimination and based on the values of fairness, dignity and respect.

TRA will support and develop employees and learners by providing everyone with access to facilities, leadership, development opportunities, services, assessments and employment on an equal basis regardless of role, seniority, race, national or ethnic origin, disability*, age*, gender, sexual orientation, transgender identity or religion/belief or any other personal/individual identities or needs.

*In some cases, specific Rail Safety and Operations Standards impose restrictions on the characteristics of individuals that are permitted to carry out safety critical, operating roles. For example, criteria that relate to age, BMI, hearing, sight, health impairments, physical and mental disability. The Rail Academy is required under the legislation and industry group standards to meet those standards.

The aim of this Policy is to build a fully inclusive organisation. This will be achieved by:

- Making the best use of the range of talent and experience available within the workforce and potential workforce,
- Building a culture that encourages confidence, dialogue and excellent internal and external customer service,
- Legal and regulatory obligations will be met as a minimum,

Wherever possible – and allowable* – making special arrangements or reasonable adjustments.

The principles of the equal opportunities, diversity and inclusion policy are:

- to develop and promote a culture of diversity and equality throughout the organisation,
- to develop and promote a culture of fairness, integrity and dignity,
- to support all employees and learners, regardless of role, status, race, national or ethnic origin, age, disability, gender, sexual orientation, gender reassignment, religion or belief,
- to prevent all forms of discrimination,
- to deal with investigate instances discrimination consistently, promptly and effectively,
- to ensure that the Diversity and Equality policy influences and informs the culture of TRA and the service customers and learners receive.

The policy applies to all applicants for posts with TRA, to all employees employed on a full time or part-time basis, on permanent or temporary contracts, to agency employees and learners.

This Policy is underpinned by regulatory policy and standards, as well as legislation, which places individual responsibilities on employees /service users/visitors as well as TRA, this includes:

- Human Rights Act 1998.
- The Civil Partnership Act 2004.
- The Gender Recognition Act 2004.
- The Equality Act 2006.
- Equality Act 2010.

The above list is not exhaustive and will be reviewed regularly.

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Equal Opportunities, Diversity and Inclusion Policy.

Under the above Equality legislation, it is unlawful to:

- discriminate directly against anyone and treat them less favourably than others because of a protected characteristic they have or are thought to have (perception discrimination), or because they associate with someone who has a protected characteristic (discrimination by association),
- discriminate indirectly against anyone by applying a criterion, provision, or practice which particularly disadvantages people who share a protected characteristic,
- subject someone to harassment related to a relevant protected characteristic (pregnancy and maternity and marriage and civil partnership are excluded),
- victimise someone because they have made, or intend to make, a complaint or allegation or has given or intends to give evidence in relation to a complaint of discrimination,
- discriminate against someone in certain circumstances because of a protected characteristic after the working relationship has ended.

The protected characteristics are:

- age*
- disability*
- religion or belief,
- race,
- marital status,
- pregnancy, maternity and paternity,
- sexual orientation
- gender,

Equal Opportunities

Equal opportunities is a principle that emphasises that opportunities in employment, education and other areas are available to all. Equal Opportunities in particular relates to a Legal Framework, which makes it illegal to discriminate against people because of a protected characteristic they have.

Direct Discrimination

Direct discrimination occurs when an individual is treated less favourably than another because of a protected characteristic they have

Perception discrimination

This is direct discrimination against an individual because others think they possesses a protected characteristic. It applies even if the person does not actually possess the protected characteristic.

Harassment

Harassment is uninvited and unwanted behaviour related to a protected characteristic and makes a person feel intimidated or humiliated.

Diversity and Inclusion

Diversity and inclusion is a broader concept that builds upon the progress made through equal opportunities. Everyone is different, and diversity and inclusion is about recognising, respecting and valuing the differences we each bring to work

Discrimination by association

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

Indirect Discrimination

Indirect discrimination occurs when a provision, criterion or practice is applied universally, but its effect disadvantages people who share a protected characteristic.

Victimisation

Victimisation is where someone is treated less favourably because they have made a complaint about discrimination.

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Equal Opportunities, Diversity and Inclusion Policy.

TRA has a legal responsibility for demonstrating that it treats all groups of employees fairly in its employment practices. This includes promoting good relationships between different groups of employees and ensuring equality of opportunity.

To achieve this TRA will:

- Gather information on the profile of our employees and our employment practices, such as recruitment,
- Consult employees about how our services and employment practices could be improved,
- Assess the impact of current and proposed employment policies, practices and services,
- Identify priorities and set equality objectives.

This will enable TRA to achieve its aim of a healthy work-life balance for all employees, improve retention and prevent under-utilisation of some employees.

Employees and job applicants will receive no less favourable treatment on the grounds of race, national or ethnic origin, religion or belief, gender, sexual orientation, gender reassignment, disability or age.

The Managing Director

- The Managing Director is ultimately accountable for creating a positive, non-discriminatory culture and for ensuring that all TRA business and employment practices are compliant with Diversity and Equality legislation and promote inclusion and equality of opportunity.

Operations Director

- Will ensure that all assessors undertake their activities in line with the company policy and standards.
- Will ensure that all learners and activities are managed without prejudice and in line with the regulatory requirements, Diversity and Equality legislation and promote inclusion and equality of opportunity.
- Will ensure that recruitment, selection and appointment choices are compliant with Diversity and Equality legislation and promote inclusion and equality of opportunity.
- Will ensure that recruitment, recruitment advertising, selection and appointment procedures, performance management processes and disciplinary grievance processes are fair and transparent and are consistently applied.

Managers

- Will investigate all matters of alleged discrimination, harassment and inappropriate behaviour promptly and thoroughly.
- Will ensure that selection and appointment procedures, performance management processes, employees development opportunities and disciplinary and grievance processes are fairly and consistently applied to all employees.
- Will treat all applications for flexible working patterns on a fair and equitable basis and will provide reasonable and objective reasons when such requests must be refused.

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Equal Opportunities, Diversity and Inclusion Policy.

Head of Compliance & Quality Assurance

Will produce and monitor diversity and equality data and will publish the findings of monitoring activity.

- Statistics will be gathered to monitor equality across all aspects of TRA processes and will be used to inform future practice.
- Will ensure the incorporation of this policy’s principles into all other TRA policies and procedures.
- Will support managers in implementing the policy.
- Any information disclosed to TRA in relation to diversity and equality issues will be kept strictly confidential in accordance with legislative requirements.
- TRA expects all employees, contractors and agency employees to act in accordance with this Policy. This policy will be reviewed annually or when circumstances indicate a change is needed.

Employees

- Legal responsibilities also extend to employees, and TRA therefore expects all employees, contractors and agency employees to act in accordance with this Policy when delivering TRA business.
- Employees are expected to treat colleagues fairly and with respect.
- All employees should deliver their work to the highest standard and that means working in a supportive way with colleagues.
- Every member of employees is an essential member of a team and should feel able to develop their skills and play their part fully in the organisation.
- Employees should actively encourage non-discriminatory practices and challenge any incidences of behaviour that fail to comply with this policy.

Cath Bellamy, Managing Director

The Rail Academy Limited

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