Diversity and Equal Opportunities Policy

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RQF D2

- The Learning Machine Ltd is an equal opportunities employer and is committed to equality of opportunity for its clients. In the performance of its regulated functions it undertakes to comply will all current legislation related to equality and will not discriminate on grounds of race, disability or gender.
- Systems to ensure compliance are:
    - Checking of all units, rules of combination and assessment materials submitted for accreditation in the RQF / CQFW to ensure they are not biased or in contravention of any existing legislation
    - Appointment of a named person to monitor day to day issues and to initiate specific actions to ensure compliance on a day to day basis
    - The requirement of centres and academies to sign a commitment to comply with any equal opportunities legislation in force at the time
    - Including equality of opportunity requirements in the training of account managers, assessor trainers and assessors
    - Site acceptable use policies that promote tolerance and equality

- Systems to ensure equality for all learners include
    - The fundamental aim of the organisation which is to produce innovative qualifications that lower barriers to entry to formal accreditation. This means equality of opportunity is fundamental to the design specifications of any qualifications that are produced. Evidence of this in terms of outcome from the existing qualifications on which the RQF / CQFW qualifications will be based is: take up by approximately equal numbers of males and females in a traditionally male dominated technological area, take up by young children that do not normally participate in accredited qualifications, participation by an age concern group and candidates past retiring age, participation by Special Schools with increased demand from them for new accreditation for "Pscales" using the same assessment pedagogies, participation by a wide range of nationalities both in the UK, across Europe, Asia, Australia, Africa and America. We have consulted members of the gay community in confidence and there are no issues related to sexual orientation as far as they are concerned
    - Targeting centres on education establishments that have to comply with equal opportunities legislation and are themselves independently inspected on these issues by OFSTED under section 5 of the Education Act and their Local Authorities
    - Providing both public and private means of communication so that any learner or assessor acting on their behalf can contact TLM about any issue of concern related to Equality of Opportunity
    - Providing a formal complains procedure which can be applied to equality of opportunity issues
    - By enabling all TLM qualifications to be achieved using open systems data formats and making learning related to the reasons why this is important to equality part of the qualifications themselves. This promotes a specific aspect of equality of opportunities education and is in line with the government's e-gif policy and BECTA recommendations. This is a significant contribution to bridging the digital divide and a reason why we have specific demand in developing countries. It also ensures more

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equality for learners from economically disadvantaged families in the UK
- Providing flexibility for learners to choose their own contexts for meeting the learning criteria is less likely to discriminate against those with a minority interest
- By providing balanced arguments in areas of political difference in technology. eg The ethics of government purchasing reinforcing monopoly supply, technological change and its impact on intellectual property and associated business models.
- We are committed to making clear to all employee's and assessors that victimisation, discrimination and harassment are disciplinary offences, especially in relation to dealing with learners, and will not be tolerated.
- Issues arising at TLM will be dealt with under the company's disciplinary procedures (Disciplinary Procedures enclosed with employee's contract);
- Should a problem be identified that is caused by the assessment methods, unit design or rules of combination, these will be modified to eradicate the problem, Ofqual/Qualifications Wales and the relevant sector skills council will be informed. All Centres will be notified and given time to make any necessary adjustments to their own working methods to cope with the changes.
- Should an issue arise due to operational issues in a Centre, the Centre will be informed through its Principal Assessor and given reasonable time to comply with the relevant legislation. If the centre persists in non-compliance the facility to add new learners to their systems will be revoked until they can provide secure evidence of compliance. The normal appeals procedures will apply. Since most of the learners are registered from mixed groups that broadly represent the schools population and moslty TLM qualifications are offered to entire classes and cohorts, it is likely that it is the centres themselves that will determine any variations in entry by learner characteristics. Furthermore these centres are themselves subject to Equal Opportunities legislation. If evidence arises that centre procedures could be in breech of equal opportunities legislation, TLM will investigate and suspend the facility of the Centre to add new learners to the system until such time as equality is assured. Ultimately the centre could be refused accreditation but in such a case there are likely to be wider ranging issues such as a school centre being in Special Measures. This is because a serious failure in relation to equality of opportunity could cause the school to be deemed failing in a section 5 inspection. TLM will cooperate with other agencies in order to ensure the best interests of existing learners in the centre are served while at the same time ensuring that the centre conforms to the relevant legislation.

- Since the vast majority of learners are minors, in practical terms, consultation with their assessors as their representatives is the main system in place. Subject to parental permission we will sample views of learners directly using e-mail from time to time as part of the change associated with migration to the RQF / CQFW.
- Consultation takes place between account managers and assessors as part of the verification and moderation dialogue at the time awards are being made. There is checking at the annual visit with recording of any issues related to equality of opportunity in the centre file on the certification site. Any assessor or learner is free to initiate a public debate on any issue related to equal opportunities either in their blog on the community site or in the forums. Assessor training includes a discussion of equal opportunities with opportunities to feedback anonymously through the evaluation form. There is an on-line customer satisfaction form available 24/7 from the assessor page on the certification site.
- Availability of reasonable adjustments and aegrotat awards are communicated to all assessors during training and in informal communications and on the publicly available pages on the web site linked from the community site portal titled "The Learning Machine Policies and Procedures"
- There are no barriers to entry to TLM qualifications apart from the implementation of quality assurance and associated costs deemed necessary for accreditation by the Regulatory Arrangements.

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- Data is currently collected on the certification site at the time learners are registered and spot checked from time to time for issues such as take up by gender. A new site has been developed for the transition to the QCF which is compatible with the old site but makes analysis of data collected easier. Queries can be made in specific timeframes eg last year, previous year etc to monitor trends over time. We will be automatically provided with the following statistics for learners registered for QCF qualifications at any time.
    - Number of male and female Entry level assessors
    - Number of male and female Entry level assessor trainers
    - Number of male and female Level 1 assessors
    - Number of male and female Level 1 assessor trainers
    - Number of male and female Level 2 assessors
    - Number of male and female Level 2 assessors trainers
    - Number of male and female Entry awards
    - Number of male and female Level 1 awards at each of pass, merit and distinction
    - Number of male and female Level 2 awards at each of pass, merit and distinction
    - Number of children in special schools on the system compared to mainstream
    - Number of certificates awarded to special school children compared to mainstream.
    - Approx percentage of ethnic minorities registered and certificated compared to whole population
- Additional data will be available from responses to customer service questionnaires and training evaluations provided opportuities for stakeholders to express their views.
- Data will be shared with the Regulators on request.

Further general information

- The starting point for equality policy is the aim to create the conditions in which staff and clients are treated equitably regardless of age, race, colour, nationality, ethnic origin, creed, disability, staff category, sexual orientation, gender, marital or parental status, political belief or social or economic class, or any other criteria that cannot be shown to be properly justifiable. The procedures to ensure that this aim is achieved starts with a clear statement of policy that is publicly available from the Community Web Site.
- As an Awarding Body the Learning Machine Ltd expects its Assessors to apply the same standards in their professional activities related to assessment approved by The Leaning Machine Ltd as are laid down in this document for The Learning Machine Ltd itself. All Centres must have an up to date Equal Opportunities Policy compatible with the Equal opportunities Policy of The Awarding Body and this is specified in the Centre contract and the dialogue in the annual Centre visit . Rosemary Lynch is the Equal Opportunities Officer, responsible for ensuring that the Equal Opportunities Policy is put into practice **.**
- Anyone who believes they have not been treated equitably in accordance with the Equal Opportunities Policy may make their complaint either informally or by pursuing a formal complaint in accordance with the company's Grievance Procedures.

Equal Opportunities Policy Statement

- We are committed to promoting equal opportunities for people from all ethnic backgrounds. We will do all we can to:
- Make sure that when we recruit and train staff, during promotion and selection procedures and in all other employment practices, we take account of our equal opportunities policy;
- Make sure that when we are considering disciplinary procedures and dismissal, we take account of our Equal Opportunities Policy (Grievance Procedure enclosed with employee's contract);
- We are committed to making clear to all employees that victimisation, discrimination and harassment are disciplinary offences, especially in relation to dealing with learners, and will not be tolerated. Such issues will be dealt with under the company's disciplinary procedures (Disciplinary Procedures enclosed with employee's contract);
- Make sure as far as possible and within the specific skills and knowledge required to maintain high standards that our workforce reflects the ethnic and gender balance of the population in Tamworth within statistically significant measures.

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- Promote racial equality in what we write to make sure that everyone is aware of our policy and the action we are taking.

1. By enclosing this document with every employee's contract of employment, the company will comply with all statutory regulations with regard to equality. In particular:

- The Equal Pay Act 1970
- The Sex discrimination Act 1975
- The Disability Discrimination Act 1995
- The Employment Act 1989
- The Employment Act 2002 (Flexible working regulations)
- The Employment Relations Act 1999,
- The Employment Rights Act 1996,
- Employment Tribunals (Interest on Awards in Discrimination Cases),
- The Employment Equality (Religion and Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Health and Safety at Work Act 1974,
- The Human Rights Act 1998
- The Management of Health and Safety at work Regulations 1999
- Maternity and Paternity Leave Regulations 1999
- The National Minimum Wage Act 1998
- The National Minimum Wage Regulations 1999
- The Occupational Pension Schemes (Equal Treatment) Regulations 1995
- Part-time Workers Regulations 2000
- The Pensions Act 1995
- The Protection from Harassment Act 1997
- The Race Relations Act 1976
- The Sex Discrimination (Questions and Replies) Order 1975
- The Social Security Contributions and Benefits Act 1992
- Statutory Maternity Pay (General) Regulations 1986
- Statutory Maternity Pay (General) (Modifications and Amendment) Regulations 2000,
- Working Time Regulations 1998,
- Carers (Equal Opportunities) Act 2004
- and any other relevant law related to equality of opportunity.

2. (RQF G6) The Learning Machine will require Centres to sign a declaration that they too are fully compliant with the relevant legislation and this provides an opportunity to open a dialogue for consulting the **representatives** of learners. This will be checked at the annual visit by the account manager and any deficiencies recorded in the Centre's on-line record. The Centre will be given reasonable time to rectify the deficiencies but if non-compliance persists TLM will revoke the ability to add new learners or register existing learners for new awards until compliance is assured. In cases where equal opportunities issues are identified at TLM itself, TLM undertakes to remdy and such issues that are reasonably within its control and scope of operation.

Equality of Opportunity and Certification Basic Philosophy

3. The philosophy of The Learning Machine certification is to lower barriers to entry to certification **(RQF G6)** and is therefore fundamentally linked to equality of opportunity. The units are designed to meet the QCF requirements for diversity and equality by supporting assessment methods geared to improving knowledge of technological issues that lead to a digital divide. It might take some people longer than others to achieve an award, but the design of the qualification is to be flexible and not cause unnecessary constraints by imposing time limits. The Learning Machine aims to motivate participation among those with minimal confidence and low level skills, building confidence through progressive success and access to low cost technologies.

Fundamental principles

4. Anyone who has the physical capability to operate a computer, with or without physical aids, will

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be eligible for certification irrespective of age, gender, ethnicity, religion or other human attributes. The use of criteria to promote co-operative learning strategies is intended to promote take up by females who are less well represented in the IT industry than males. The Learning Machine will allow reasonable adjustments for those who, for example, can not physically "type at the keyboard with two hands". The spirit of this criterion is to achieve efficient data input. Should a candidate not have the capacity to type with both hands they can use any other input methods as long as its deployment is accepted good practice for the specific circumstances of the candidate. The over-riding consideration is the practical output intended in terms of the capability of the candidate when working in a typical office environment. If technological aids are available to help overcome a disability then in principle they will not prevent the candidate from gaining certification. The INGOT ICT qualifications are primarily about capability in the context of understanding open systems and becoming capable of making voluntary contributions to society, including such things as the licenses under which digital resources are made available. Centres can translate the criteria, explain them, record them as audio, or take whatever other steps are necessary to meet specific needs in accessing the criteria. What matters is whether or not the candidate matches the criteria, not whether they can read the criteria or substitute one physical means of interfacing with a computer for another. The Learning Machine has defined an output specification in terms of best practice in using computers in the context of learning about open systems and cooperative strategies. As long as the candidate can meet the criteria for these outputs with the option for reasonable adjustments they will be certificated.

Assessor Training and Verification

5. All assessors are trained in fair assessment methods based on the intentions of the criteria. The Account Managers will check that equality of opportunity is a reality through direct observation and the use of moderation/verification techniques. The Learning Machine requires Centres to provide it with the names of any students that have requested assessment but assessment is not available to them. The Centre must give reasons eg if they believe students are impossible to assess and why they came to that judgement. The Learning Machine will review these cases and provide feedback to the Centres as to whether it agrees. If not the Account Manager for the Centre will visit the Centre and evaluate the reasons for any assessment disapplication and we will work with the Centre to resolve the issue in the best interests of the learners within the requirements to match the criteria. Centres are required to sign a statement agreeing to these procedures and to make the best efforts to provide all students with the opportunity to be fairly assessed.

6. From time to time The Learning Machine will take statistically representative samples of the certificates awarded and check statistics on the characteristics of the students and assessors to monitor the outcomes as far as equality of opportunity is concerned. The Learning Machine will take steps to address any imbalances such as in the gender of those being certificated, their ethnicity or their social circumstances in so far that this is possible by asking centres to review their own policies if the centre is contributing disproportionately to the imbalance. The Learning Machine will require the Centres to co-operate in supplying relevant information in confidence. This together with an on-line survey permanently linked to the login page of the certification web site provides further opportunity to initiate dialogue with clients. In addition there are discussion forums on the web site where any subjects related to equal opportunities can be raised and these are monitored by TLM. The company will review its Equal Opportunities Policy annually in the light of the above Acts and input from clients, recording any issues and any actions required to resolve them.

Monitoring and complying with the Equal Opportunities Policy

7. Monitoring will take two key forms. Any equal opportunities issues that arise on a day to day basis eg from an appeal or enquiry will be immediately referred to the Equal Opportunities Officer. She will evaluate the evidence and initiate the action to be taken if any. She will record issues related to equality of opportunity as part of an evidence base for annual review. There will be an annual review of certification information that can be used to provide information about the proportion of candidates achieving the various certificates and particular attributes related to equality of opportunity. If other issues that might be deemed relevant to monitoring equal opportunities arise, we will collect the appropriate data. It is the policy of The Learning Machine Ltd to minimise the data burden on assessors and centres by requesting only such information as is needed for monitoring

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through valid statistical methods.

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