



PROMOTING EQUALITY & DIVERSITY TO LEARNERS



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Providing learning programmes for individuals, employers and young people.

Index

Section One – Programmes mainly ‘off-job’	4
Finding out about your learners	4
Keeping a group profile	4
Developing learners’ understanding of equality and diversity	4
Making sure individual barriers to learning are minimised/removed	4
Section Two – Programmes mainly ‘on-job’	5
Induction	5
Assessments	5
Progress reviews	5
Employer involvement	5
Resources	
Appendix One	6
Appendix Two	6
Appendix Three	7
Appendix Four	8
Appendix Five	8
Appendix Six	9
Appendix Seven	10
Appendix Eight	11-14

Top Tips For Trainers On Promoting Equality And Diversity To Learners

Welcome to this guide!

Welcome to this guide! It’s been written with work-based providers in mind – and mainly for the trainers (or teachers or tutors) working in these providers.

The word ‘promote’

By ‘promote equality and diversity’ we will support and actively encourage the principles of equality of opportunity and the recognition of diversity.

There are more obvious opportunities to promote equality and diversity concepts where learners are ‘off-job’ for most, or all, of their programme. There are fewer obvious opportunities on programmes (typically apprenticeship programmes) where learners are in their workplace for all or nearly all of their training...

... and it gets harder for staff where learners’ programmes do not include significant coverage of ‘equality and diversity’ as part of their framework. Health and social care learners, for example, are more likely to encounter familiar E&D topics – and to talk about them - more frequently than learners in, for example, construction or engineering.

This guide recognises the differences in learners’ contexts so it has been designed in two parts – ideas for those working in ‘off-job’ programmes and a separate section for apprenticeship-type programmes.

However, trainers in all contexts must be aware of their responsibilities in relation to the promotion of equality and diversity. These responsibilities are clear and involve ensuring:

That there is no bullying or discrimination

That fundamental British values are promoted*

That all learners are supported to achieve their potential and

That learners are prepared to live and work in our diverse society

It would be clearly helpful for all learners (irrespective of their learning contexts) to understand their rights and responsibilities – and these can be outlined to learners by a statement of their entitlement relating to equality and diversity. (Appendix One may be useful in this regard.) This entitlement could be incorporated into an induction handbook or other learning resource.

***democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs**

Section One – Programmes mainly ‘off-job’

Finding out about your learners

An early activity – perhaps during induction - would be to find out some basic facts about your learners’ backgrounds. This can start very simply (Appendix Two or Appendix Three are very basic, but the activities can be made much more sophisticated) and can move on to wider aspects (such as learners’ cultural and religious traditions, their ethnic origins) particularly where there is a broad ethnic representation.

The outcome of these early activities will be that -

- Learners get to know each other
- Staff get further information about each individual learner’s circumstances, interests and abilities so that the planning and delivery of learning can become more personalised.

Keeping a group profile

A very simple profile, such as Appendix Four, would help you in making sure you respond to learners’ individual circumstances. (As the programme progresses and you know your learners well, you’ll not need to refer to this profile - but it’s very good evidence to an observer that you have thought about the jargon terms ‘individualisation’, ‘personalisation’, and ‘differentiation’!)

Developing learners’ understanding of equality and diversity

Clearly, it is important for training staff to be able to respond to unplanned situations which arise from, for example, the news or from learners’ comments. However, this section deals with planning to ensure that equality and diversity understanding is promoted.

In order to plan, training staff should make sure that -

Equality and diversity issues are identified and discussed relevant to their subject

Equality and diversity examples/case studies are used to enhance learning

We suggest that good promotion of equality will result in the following identifiable outcomes -

- A harmonious atmosphere where learners are clearly supporting and respecting each other
- A harmonious atmosphere where discussions on sensitive matters can take place without inappropriate comments being made

and, over the course of the programme, at least the following outcomes -

- Learners are able to explain clearly ‘stereotyping’, ‘discrimination’, ‘harassment’ and ‘victimisation’
- Learners can explain the reasons why discrimination occurs
- Learners have some strategies to challenge discrimination against themselves and others

Induction must include activities where agreed ‘ground rules’ are set relating to behaviour and to acceptable/unacceptable language and comments. This early agreement is essential to ensure that any later inappropriate comments can be challenged.

(Depending on the learner group, you might wall-mount the agreed ground rules.)

Off-job programmes should plan to cover as wide range of topics as possible (you can’t cover everything!) and we suggest that learning activities early in the programme should cover attitudes towards gender, cultural practices and beliefs, disability and sexuality. These ‘big’ topics will help to develop an atmosphere where learners can express their views, be prepared to be challenged, and be prepared to challenge. As the open and supportive atmosphere develops, more difficult topics can be introduced.

Appendices Seven and Eight contain discussion topics and various activities which should challenge learners’ thinking and help staff to develop learners’ understanding. However, staff should take opportunities that occur naturally (through the media or through a learner’s immediate experience) to discuss equality/diversity implications.

Making sure individual barriers to learning are minimised/removed

This aspect of ensuring equality of opportunity is about all learners being able to develop – that barriers to learning, development and progression are removed.

At its simplest level, handout fonts should be in at least 12 point and ‘odd’ fonts avoided, Arial and Tahoma are recommended. Leave lots of space and make sure you do not pack too much text or information on to the page. Use more paper and more space.

Some learners find it easier to read from coloured paper than white. Black on lemon paper is particularly good. Check with the learner. Avoid dark coloured or fluorescent paper which can be hard to read.

Avoid using jargon and be careful to use plain simple English.

Use pictures to aid understanding and meaning of text.

Wall displays and other learning resources should reflect diversity – that is, they should not stereotype jobs or roles so that women feel that construction is not for them, that hairdressers have to be female, slim and beautiful, that men cannot work in caring roles.

Where group activities are used, trainers should have a clear rationale for how the groups are formed. In most cases, learners should not self-select. Thoughtful groupings by the tutor will result in opportunities for peer support and the development of specific skills.

There should be a variety of ways in which learners can demonstrate their learning. Checking on learning could include questions pitched at different levels for different learners, presentations to the group (where learners have sufficient confidence), quiet individual checks on learning as the tutor moves round the group.

Is any specialist equipment needed?

Are any adjustments to room layout or seating arrangements required?

Section Two – Programmes mainly ‘on-job’

The opportunities for promoting equality and diversity awareness with apprentices and other learners whose programmes are largely employer-based are mainly at induction, through assessments and progress reviews and through the involvement of the employer.

Induction

Induction should ensure that learners:

- Are clear about their programme and particularly their learning opportunities in the workplace
- Are clear about the assessment process, types of evidence and the appeals procedure
- Understand their responsibilities towards others – other learners, colleagues, customers or clients

Appendix Five focuses on the equality-related aspects of a learner’s workplace induction.

Assessments

In addition to assessors and assessments meeting awarding body requirements, equality of opportunity is more likely to be ensured if:

- Assessors vary the methods of assessment, for example by using direct observation, professional discussion, witness testimony and evidence of products and documents from the workplace.
- Technology is used where it helps to facilitate assessment, not for the sake of using it (for example, digital recordings of discussions or videoed practical work being completed).
- There are frequent assessment opportunities to ensure rapid progress
- Learners know they can ask for assessments when they feel they are ready
- Assessment is not ‘back-loaded’ (that is carried out in a block towards the end of training rather than when the learner is ready)
- Assessors give written as well as verbal feedback to learners. (No matter how good the verbal feedback given is, some learners will forget what was said.)

Progress reviews

In addition to checking on each learner’s progress and welfare, progress reviews give an opportunity to discuss equality and diversity issues as they relate to the people with whom learners will come into contact.

This aspect of learners’ progress reviews should focus on how reviewers can deepen learners’ understanding of how their programme will prepare them for living and working in our diverse society.

Appendices Seven and Eight contain various discussion topics some of which relate to their work context and should challenge learners’ thinking.

Employer involvement

Relevant staff will have checked that the work place meets health, safety and welfare considerations. Although employers’ practices vary in the amount of time they see or are with the learner, and their direct involvement in learners’ reviews, it would be good practice to get a written undertaking from each employer confirming their commitment to promoting equality and diversity and agreeing with your training organisation’s own policy. Appendix Six might help.

Resources

Please use the following resources for an enhanced teaching experience.

Appendix One

Whilst you are on any learning programme (no matter how long or short) your trainers will aim to deepen your knowledge, understanding and experience of equality and diversity, and ensure your well-being and personal safety.

The amount and type of equality-related learning and development you receive will be dependent upon the length of time you are with your training provider and the amount of time you spend within a training centre or in a work environment.

It is expected that all staff involved in training will be able to:

- Recognise your rights and responsibilities in relation to equality and diversity, personal safety and well-being
- Recognise the rights of other people
- Demonstrate respect for people with different beliefs and cultures
- Understand where and how to get information, advice and guidance on equality, well-being and personal safety issues

As a result, you will be able to:

- Explain how to challenge, complain or report any incidents of discrimination, harassment, bullying, victimisation or abuse experienced while on a your programme
- Explain and give examples of safe learning and safeguarding practice relevant to your programme
- Explain what equality means and discuss how equality principles might affect you at work and in your daily life

Appendix Two

FIND SOMEONE WHO:

This activity is to introduce you to as many people in the group as possible in a very short time. Write down the name of a group member who fits one of the items in the list. Find a different person for each one if at all possible. Don't cheat by copying other people's lists! The tutor will tell you how long you have.

Find someone who

- Has a name beginning with the same letter as yours
- Has a famous relative
- Plays a musical instrument
- Has a definite job in mind
- Lives more than three miles from here
- Is left handed
- Rides a bicycle regularly
- Likes reading
- Has read a book that you have read
- Has slept in a tent
- Enjoys swimming
- Has a birthday in the same month as you
- Likes to eat apples

Appendix Three

Getting to know you

In each of the squares below write the name of someone who has something in common with yourself and what it is you have in common.

Each square must have a different signature and feature.

Appendix Four

Group profile

Note: These details are confidential to the group tutor and programme leader

Learner name	English and Maths level (E1, E2, E3, L1, L2)	Comments/ support as required
Jack B.	Eng L1 Maths L2	Confident, no issues; useful as peer mentor support.
Jocelyn C.	Eng L1 Maths L1	West Indian origin; in England since birth but home reflects birth country customs; very articulate.
Fred C.	Eng L2 Maths L2	Lacks oral confidence; very good written English; needs to be paired/grouped sensitively to draw him out
Maria M.	Eng E3 Maths L1	Italian; good spoken English; very outward-going.
Eileen T.	Eng L1 Maths L1	Slightly limited eyesight so needs to sit near front; sensitive about wearing glasses.
Jamie P.	Eng L1 Maths L1	Has been cautioned by police for violence; generally pleasant but easily roused to anger.
John R.	Eng E3 Maths L1	Still suffering after death of mother; be aware of discussion topics.

Appendix Five

Equality and diversity-related induction into the workplace will include learners' understanding of:

- The main aspects of their job
- Whom they will work with and their supervisor
- Other staff members the learner is likely to come in contact with
- The person with whom the learner should discuss work-related concerns (perhaps a mentor)
- How to find their way around
- Procedures to ensure safe working practices/accident reporting procedures
- Where the toilets, kitchen or catering facilities and fire escapes are located
- If the learner is a paid employee, a written statement of terms and conditions
- Start, finish and break times
- Procedures for liaising with the off-the-job training provider (for reviewing and recording progress or if there are any causes for concern)
- What the employer expects the learner to achieve in the time s/he is with them
- The employer's commitment to equality and diversity
- Attitudes and behaviours relating to the employer's customers or clients

These points can be made into a checklist to discuss with the learner to ensure their understanding.

Appendix Six

(Training provider's name) is committed to equality of opportunity for all associated with us, whether learners or directly employed by us. We are committed to ensuring that all our staff and learners have the opportunity to develop their talents to the full.

Our policy is that no one involved with (Training provider's name) will receive less or more favourable treatment due to sex, race, colour, ethnic or national origin, religion, creed, sexual orientation, spent convictions, disability, age, appearance, pregnancy or marital status.

We will aim to promote equality and diversity and will achieve this by working in a way which is representative of the areas and local communities we work with.

(Training provider's name) expects staff and any sub-contractors involved in training our learners to help learners so that they will be able to:

- Recognise their rights and responsibilities in relation to equality and diversity, personal safety and well-being
- Recognise the rights of other people
- Demonstrate respect for people with different beliefs and cultures
- Understand where and how to get information, advice and guidance on equality, well-being and personal safety issues

Employers working with (Training provider's name)'s apprenticeship or other learning programme are asked to sign this statement and to honour their commitment to ensure our equal opportunities commitments are upheld.

For a detailed version of our equal opportunities policy please contact

Insert relevant contact details.

Equal Opportunities Policy Declaration of Acceptance

By signing this declaration I confirm that I have been informed, understand and accept the terms and conditions of (Training provider's name)'s Equality and Diversity policy and will abide by it.

Name:

Company:

Signature:

Date:

Appendix Seven

Some questions to start discussions on equality and diversity in a learner's work place.

(Be aware of the age and experience of the learners – learners must not feel they are being patronised.)

Jade works as a mechanic in a local garage. Her male colleagues have put up pictures of naked women. *Does it matter? If it does, why? Would it be alright if there were also pictures of naked men?*

If a man and his wife or female partner came to buy a car, whom would you speak to mainly? Why do you think I am asking this question?

The discussions should centre around gender stereotyping

If a man and his wife or female partner came to buy a washing machine, whom would you speak to mainly? Why do you think I am asking this question?

The discussions should centre *around* gender stereotyping

Do you know the proportions of women to men employees here? Are they about the same? Why do you think there is such a difference in numbers?

If these questions are asked of a learner in a traditionally male environment, for example, the construction or engineering industries, discuss with the learner why s/he thinks that is.

Use the discussion to develop the learner's attitude if negative attitudes are displayed. (The same approach can be used where the industry is female-dominated e.g. childcare.)

Fewer men now 'wolf whistle' at good-looking women. *Why do think this is?*

Do you think it is wrong to put up pictures of semi-nude women on the walls of your work area? Would your answer be different if there were women in the work area? Why do you think I am asking this question?

The discussions should centre around attitudes to women and whether women in these circumstances would get offended or feel somehow 'harassed'. Harassment is always in the opinion of the person on the receiving end.

It's usual to shake hands when you meet someone for the first time or when you haven't seen them for a while. *Are there any circumstances when you think you should not do this?*

Have you worked with someone from a different background (gender, race, religion?) Would you think it's important to know about the background of people you work with? Why do you think this?

What does 'equality of opportunity' mean to you?

The discussions should be about learners' developing an understanding of the barriers which affect people's equality of opportunity to education, training, services and goods.

Barriers are obstacles – things that stand in the way of people developing their full potential and/or doing many of the day-to-day activities that most of us take for granted

Can you describe any 'reasonable adjustments' that have been made at your place of work to help a member of staff who has any special need? What do you understand by a 'special need'?

What alterations to your work premises would you suggest to help a customer with limited mobility? Can you explain what 'limited mobility' means?

Does your organisation provide customer information about accessibility features such as automatic doors, accessible washrooms, etc?)

(The idea is to develop the learner's appreciation of disabilities and how to respond to certain disabilities. The discussions might also encourage the learner to think about whether his/her company might increase its business if the company were more 'disability aware'.)

Has an access audit been carried out on your place of work? Do you know what an access audit would involve? Do you think you'd get more customers if the physical environment were improved?

The physical environment can cause barriers which affect clients and customers, for example:

- *hallways and doorways that are too narrow for a person using a wheelchair, electric scooter or walker*
- *counters that are too high for a person of short stature*
- *poor lighting for people with low vision*
- *doorknobs that are difficult for people with arthritis to grasp*
- *parking spaces that are too narrow for a driver who uses a wheelchair*

Is it ok to describe a person with a disability as a 'disabled person'? Can you explain your answer?

(To call someone 'disabled' is not good as it suggests that they are somehow incapable of anything. It is better to refer to their specific disability. Use "disability" not "handicap." Put people first. "Person with a disability" puts the focus on the person instead of their disability.)

For specific disabilities, say "person with epilepsy" or "person who uses a wheelchair". Avoid statements that make it seem as if a person with a disability should be pitied such as "victim of", "suffers with", or "stricken with" a particular illness or disability.)

Why is it better to use the term 'wheelchair user' rather than 'wheelchair bound'?

(To say 'wheelchair bound' suggests that the user has no control over his/her situation – that they are somehow tied to their wheelchair rather than just using it as appropriate to their needs. This could lead to discussion of other inappropriate terms when thinking about disability.)

If a person being pushed in a wheelchair came to buy an item of clothing, would you speak first to the person doing the pushing or the person being pushed? Why do you think I am asking this question?

Treat people with disabilities with respect and consideration. Speak normally and directly to your customer. Speak directly to a person with a disability, not to their interpreter or someone who is helping them. Ask permission before touching a wheelchair or a piece of equipment.

Would all your clients/customers be able to read easily the forms/documents/contracts they need to read and/or sign in your place of work?

A partially-sighted customer has a Labrador guide dog. You like dogs and particularly like Labradors. While you are helping the customer, would you think it is ok to stroke the dog?

No. You should not touch or speak to service animals – they are working and have to pay attention at all times.

Appendix Eight

Situations to develop learners' understanding Harassment or bullying – or neither?

Alexandra is an apprentice chef at Cafe Claude's. Basil, the head chef, pays her a lot of attention. At first she feels flattered, but when he starts putting his arm around her she gets worried. She wants him to stop, but is afraid that if she says anything she might lose her job.

Why is Basil acting like this? What could Alexandra do? (Is she being over-sensitive?) Does Basil's employer have any responsibility in this situation?

Harassment or bullying – or neither?

Sidney is a black man who worked in an engineering firm where 'banter' is common. When he bought a new car, two of his colleagues made repeated jokes saying that he must be a drug dealer to be able to afford such a nice car.

Sidney made a complaint to his employer about his treatment, but was ignored. One of his colleagues found out about this and confronted Sidney. A scuffle broke out and Sidney was dismissed by his employer for fighting at work.

What comments would you make on this event?

Harassment or bullying – or neither?

A group of men working in an office make sexist jokes and forward pornographic emails across the office computers. They also rate the appearance of female customers out of ten. This makes their only female colleague feel intimidated and embarrassed, even though the jokes and comments are not about her.

Are the men doing anything illegal? What should their female colleague do?

Is stereotyping wrong?

Oswald is from the West Indies. Having worked part-time for a few months, he applies for a full-time position that has become vacant in his department. His manager, Peter, says that he has to choose between several candidates, but has found in the past that West Indians are not as responsible or reliable as others, but he will think about it.

Are West Indian people unreliable?

Do different races have common characteristics (for example, are Italians excitable? are Scots mean?)

If different races do have common characteristics, what problems might this lead to in situations such as Oswald's?

Harassment or bullying?

Assif was the only Muslim in a team of police officers. After a terrorist attack in the UK, his colleagues began to treat him differently. They stopped talking to him and inviting him to workplace social events.

What should Assif do?

Harassment or bullying?

Sandra, 16, is planning a sleep-over party to celebrate her

birthday. Her parents have set a limit of eight girls, so Sandra can't invite everyone she'd like. Two girls who are left out overhear the plans. Angry, they plan their revenge. The girls make a "We hate Sandra Jones" website. They say that anyone invited to the party should not go. They tell everyone in their group the site's address. The girls invite everyone to add new reasons why they hate Sandra and to spread ugly rumours about her.

When Sandra hears about the site, she gets a sick feeling in her stomach. Unable to ignore it, she checks the site often. Each day she finds a new nasty comment or joke about her. She feels hurt and powerless to defend herself. Sandra is too embarrassed to go to her training programme and tells her parents she is sick.

Is this an example of harassment or of bullying?

Is there a difference? If there is, are you clear about the difference?

If you were Sandra's friend, what advice would you give her?

Harassment or bullying?

A male worker who has a same sex partner is continually referred to by female nicknames which he finds humiliating and distressing.

A worker has a son who is gay. People in the workplace often tell jokes about gay people and tease the worker about his son's sexual orientation.

Are these examples of harassment or of bullying?

Is there a difference? If there is, are you clear about the difference?

Both examples are of harassment. Harassment is unwanted conduct related to a relevant protected characteristic, such as sexual orientation, 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.

Harassment or bullying – or neither?

"I was working as a waitress in a restaurant, along with a team of three other waitresses. We were all in our 20s and 30s. I liked the team and we got on well together. But there was one big problem at work. The restaurant owner, John, was always making suggestive inappropriate comments to us. He insisted we wear short skirts as our uniform and asked us about our sex lives."

What should the waitresses do?

A wheelchair user phoned a taxi company asking them to take him to the shops. He told them he was in a wheelchair and they replied 'Sorry we cannot help'.

Write down reasons why you think this man has been treated in this way.

A female is paid £10,000 a year less wages than her male colleague who is doing the same job.

Write down the reasons why you think the woman is being paid less wages.

An estate agent refuses to let a house to a Sikh family because the neighbours might object to them living in the area.

Appendix Eight

A health club offers reduced membership fees for married couples. A same-sex couple are told that this offer is not available to them.

Write down reasons why you think the couple are being refused the membership offer.

A woman who is blind is refused entry to a restaurant because she has her guide dog with her.

Write down reasons why you think this woman was refused entry to the restaurant.

Fair? Unfair? Or illegal?

A female learner is discouraged from undertaking an apprenticeship in bricklaying by a tutor who tells her this is an unsuitable area of study for a female.

This is direct discrimination on the grounds of sex. It is unlawful to treat someone less favourably than another because they have a protected characteristic.

Fair? Unfair? Or illegal?

A potential learner applying for an apprenticeship place is turned down because he cares for a disabled parent. The course tutor feels he won't be able to commit to the demands of the programme.

This is discrimination by association. They are discriminating against someone because they are associated with someone with a protected characteristic.

Fair? Unfair? Or illegal?

Monitoring by a training provider has shown that white boys aged 16-18 are performing worse than other groups. The training provider decides to run extra functional skills maths classes after hours just for this group.

This is called positive action. The Equality Act allows providers to take action that may involve treating one group more favourably where this is a proportionate way to help group members overcome a disadvantage or participate more fully, or in order to meet needs they have that are different from the population as a whole.

Fair? Unfair? Or illegal?

Jeff works for an airline. One of the perks of the job is a discount card for travel on any of the company's flights. Jeff's married colleagues were given discount cards so that their wives or husbands could also get discount travel on company flights. Jeff who is in a civil partnership asked for a card for his partner. The company refused saying that this privilege is only available to the wives or husbands of married employees.

The discount travel card given to the wives or husbands of married employees would amount to an employment benefit and therefore refusing employees in civil partnerships would be contrary to equality legislation. An industrial tribunal is likely to decide that the employer has unlawfully discriminated against Jeff.

Fair? Unfair? Or illegal?

"I applied for one of two posts of sales representative in a local timber company. As I have 30 years experience in the industry I felt that I was a strong candidate for one of the posts. The advertisement specifically stated that candidates needed to have "youthful enthusiasm" and when I telephoned the company to express my interest, I was asked my age. On hearing that I was 58 years old the Company Director commented that I was the same age as he and asked whether I thought I still had the drive and motivation to be successful in the trade. During the first interview I was again asked to convince the Director that I still had the drive and motivation to be successful in a sales position and that I am still hungry enough to succeed. I was invited to a second interview with this director and another director who remained passive for most of the interview and did not engage in two-way conversation with me. I was asked questions again referring to my age and the following week I received a letter stating that my application had been unsuccessful."

It is unlawful for an employer to discriminate in recruitment and selection, in the terms on which employment is offered, or by refusing to offer a person employment. In this scenario the job advertisement uses the terms "drive" and "motivation" that are more often associated with young people, and the use of the term "youthful enthusiasm" would suggest that the company intends to discriminate against older applicants. The complainant in this scenario states that one director "remained passive" during the second interview. It is good practice for two or more people to be actively engaged in interview (otherwise what is the point of a second person being on an interview panel if he/she is not participating?). This scenario is a clear case of direct age discrimination.

Fair? Unfair? Or illegal?

"I applied for a job recently and was asked to attend for interview. I got a follow-up phone call to say that I had scored the highest marks and would be sent a written job offer. The caller said that they would want me to start work at the beginning of April. I told them that I could start as soon as they wanted and that I was delighted because I needed the money for when my baby is born at the end of August. I got a letter the following week telling me that my application had been unsuccessful."

It is direct discrimination to treat a female worker or applicant less favourably on the grounds of her pregnancy. The woman in this scenario should take her case to the industrial tribunal.

Fair? Unfair? Or illegal?

Following a recruitment exercise for an Operations Supervisor the selection panel were undecided between two candidates one of whom was White British and the other Black African. As the company had identified an under-representation of Black Africans in the workforce they chose to appoint the Black African candidate.

Even though applications from members of a particular background are welcomed, recruitment must be on the basis of the best person for the job regardless of their race. Positive discrimination in favour of an applicant of a particular religious belief and/or political opinion is illegal

Appendix Eight

Challenging sexist, racist, homophobic and other oppressive moments

Guidance for staff

None of us can know everything, understand every oppression, or be free of all prejudice - but it is likely that on occasions you will hear comments that really offend you because they are directed at you, people like you, or people whom you like.

Both staff and learners need to have the skills to challenge inappropriate comments. Some comments are made out of ignorance – some out of straightforward cruelty.

Whatever the speaker's motive or situation, it's important to be prepared.

As a trainer you will at times have to challenge learners over their behaviour because you feel it is potentially discriminatory.

No matter how difficult it is, there is virtually no way to avoid making someone uncomfortable if you really are going to identify and address any incident of racism, sexism, homophobia or other forms of oppression.

You may be hesitant to create a conflict or make learners uncomfortable. However, you must be particularly sensitive to how frightening it might feel to be a member of a targeted group hearing inappropriate, hostile words.

You have to challenge in order to:

- Make sure you create a learning environment that is free of discrimination
- Reinforce the policies and procedures of your training organisation
- Make sure you don't break the law

Knowing what to challenge, and when to challenge is tricky.

There are some 'non-negotiables' re: inappropriate language/behaviour, for example, learners using particularly offensive swear words which may give offence, language that is racist/sexist/homophobic, etc.

However, not all situations are straightforward. What constitutes inappropriate banter? Was any offence intended?

So - should you challenge?

Your role is to protect learners from unfair discrimination.

Would you ignore or excuse someone if they inflicted physical pain on someone else?

If you don't challenge, wouldn't that be seen as somehow agreeing with the comments and contributing to the person feeling that it is acceptable to speak or behave in that way?

We suggest the following principles regarding challenging.

First step – Think

If in doubt about whether you should challenge someone's behaviour or not, consider the following:

- Is the banter/joke/comment excluding anyone or aimed at anyone in order to ridicule them?
- Could someone be offended by the behaviour?

- Is the banter/joke/behaviour open to misinterpretation or misunderstanding?

Lack of intention is not an excuse for behaviour. You must consider and manage the effect of the unacceptable behaviour.

Next step – Act

Where the comments are clearly against your organisation's policy (which will have been explained to learners at the outset) you should act along the following lines:

- Be critical of the unacceptable behaviour/language, but not of the person who said it
- Remain calm and make your comments in a non-aggressive way (thus modelling good behaviour to the other learners)
- State your position, for example: 'That's disrespectful; we don't talk about people like that'.
- If appropriate ask the offender to leave the group to diffuse potential conflict, to show your disapproval and to give you the opportunity to talk to the offender in private so that s/he does not lose 'face'
- You must record the incident for monitoring purposes and report it to the relevant colleague/manager.

Where the comments are unintentionally inappropriate or discriminatory (through a learner's lack of understanding, insensitivity, or ingrained prejudice) there is no definite way to challenge. However, the following may be useful to consider:

- Understand the situation. Do you challenge there and then or quietly at a later date? What will be most effective for the person involved and for those witnessing the incident?
- Delicately make a vague reference to the learner thinking more carefully about what they are saying (even though we know exactly what they said or did, why it was offensive or homophobic and what they could do to begin to remedy the situation.)
- Build a sense of co-operation and shared rules "We all agreed at induction that..." "How would you feel if ...?"
- Try to identify the personal, individual concerns which may lie behind the unacceptable words
- Show that you are delaying judgement (in some cases) by asking questions
- Allow the learner space to reflect on what s/he has just said or done
- Give the learner a chance to back-track, self-justify or modify their behaviour
- Be critical of the behaviour or language, but not of the learner so allowing the challenged learner to retain dignity and be able to move on
- Give information: "What you just said was racist/sexist/homophobic" and explain why it was offensive.

Appendix Eight

Summary

Not to challenge isn't an option

One of the most difficult things to do is to do something - because doing nothing is actually acquiescing to the behaviour of the discriminator. It is not easy but if you do not speak out who is going to? A barbed wire fence is no place to sit!

Challenge immediately if you can

The temptation is not to say anything or do anything there and then - but that might suggest to others that you are happy with the negative behaviour.

Question someone's motivation

One of the most successful ways of challenging inappropriate behaviour or remarks is to question the motivation of the perpetrator. Ask them questions like, "Why would you say that?" "What evidence do you have for that?" "What are you really trying to say?" "Why are you being so defensive?"

Take your time and step back

If a situation is becoming over-heated and people are not listening to what is being said, slow down the speed of your conversation... take time, pause and talk quietly. Nothing de-escalates a difficult situation better than dropping the pitch and rhythm of your voice and speaking quietly, because if someone else is shouting they are forced to lower their voice to hear you!

Question the accuracy of the information being used

Often individuals will make discriminatory statements such as "all X do or think this." It is often helpful to challenge the basis of these suppositions and discover whether there is any factual accuracy or whether it is merely a stereotypical, knee-jerk discriminatory statement. People often back down and correct themselves if they discover their arguments are flawed.

Use reflection

Reflecting back to someone what is being said and using others can be very helpful - in particular, use yourself as a personal reflector of what is being said. Statements such as, "I'm having some difficulty with what you're saying" or "I can't see your point" or "I accept that is how you think, but I find it unacceptable"

Be firm

Sometimes someone says something or undertakes an action which is blatantly unacceptable or discriminatory. On these occasions, if after dialogue and discussion their behaviour continues, you may have to take further action away from the incident or event.

Remember not challenging is accepting and colluding with discrimination.





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