

# Equality and Diversity Policy (EPA)

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SMART AWARDS  
BEECHWOOD HOUSE, TANNERS LANE, BERSKWELL, COVENTRY CV7 7DA

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## 1. Policy Statement

Smart Awards have a duty under The Equality Act 2010 to make reasonable adjustments to the way their end point assessments (EPA) are delivered, to ensure that they are accessible to apprentices with disabilities.

Smart Awards strives to ensure that it does not create any unnecessary barriers to achievement and provides fair assessment opportunities for all apprentices, including those with particular assessment requirements.

## 2. Scope

The policy applies to all those involved with the end-point assessment (EPA) process including independent assessors, technical advisor, lead providers and Smart Awards staff. Under the Equality Act 2010, it is unlawful for any education provider to discriminate between apprentices on grounds of disability, race, sex, gender reassignment, pregnancy and maternity, religion or belief, or sex. Discrimination on these grounds (known as “protected characteristics”) is unlawful in relation to EPA arrangements for apprentices.

## 3. Responsibility

This policy is for Clients and apprentices accessing Smart Awards EPA services. We are committed to ensuring that the principles of equality and diversity are reflected throughout our EPA services. This policy sets out those commitments and how we meet them.

## 4. Protective characteristics

The Equality Act (2010) harmonises and replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995). The Act protects people from discrimination on the basis of 9 protected characteristics.

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

The Act provides protection for the protected characteristics across education functions against:

- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation

And in relation to disability:

- Discrimination arising from disability
- Duty to make reasonable adjustments

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## Direct discrimination

Direct discrimination takes place where a person treats an apprentice who has a protected characteristic less favourably than he or she treats or would treat others not possessing the protected characteristic.

## Indirect discrimination

Indirect discrimination occurs where a provision, criterion or practice is applied which is discriminatory in relation to protected characteristic. This includes conduct which is applied or would apply to apprentices who do not share the characteristic in question and conduct which puts or would put an apprentice possessing a protected characteristic at a particular disadvantage.

## Harassment

Harassment occurs where an apprentice is subjected to unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating his dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment. This can include unwanted conduct of a sexual nature or that is related to gender reassignment or sex.

## Victimisation

Victimisation is a form of discrimination where an individual is the subject of less favourable treatment because the discriminator knows or suspects that an individual has done or intends to bring a discrimination claim or give evidence against them in a discrimination claim or has made an allegation of discrimination.

## 5. Commitment

Smart Awards is committed to upholding and promoting equality of opportunity through all aspects of its work and will treat all people with dignity and respect, valuing the diversity of all. It will eliminate all forms of discrimination and will tackle social exclusion, inequality, discrimination and disadvantage.

Smart Awards goal is to work towards a just society free from discrimination, harassment and prejudice and to embed this in all its policies, procedures, day-to-day practices and external relationships.

Smart Awards is committed to taking positive steps to ensure that:

- All apprentices are treated with dignity and respect, valuing the diversity of all
- Equality of opportunity and diversity is promoted
- Recognising and valuing the differences and individual contributions
- Services are accessible, appropriate and delivered fairly to all
- The mix of its employees, assessors and contractors reflects, as far as possible, the broad mix of the population
- Individuals are made aware, understand, agree and are willing to implement this policy
- Effective record keeping and monitoring, and acting on information gathered, in order to measure effectiveness

## End Point Assessment

- Every apprentice is assessed according to his or her personal capability prior to any assessment
- EPAs are offered to apprentices who are able to achieve the required standards and free from unnecessary barriers that restrict access and progression
- Content and language of all written information including EPA assessment materials are non-discriminatory and free from social and racial bias or stereotypical wording
- Promotional EPA materials are monitored for the use of potentially discriminatory language and bias and make use of images that are representative of society
- EPA Appeals policy is published and made available to individuals and service users

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- Reasonable adjustments policy is published and made available to ensure that this is achieving its objective of providing all apprentices with equal access to EPA
- Monitoring of data on ethnicity, gender, age, and disability in relation to apprentices

## 6. Client responsibilities

It is important that Smart Awards and its Clients are fully aware of the contents of this policy. It is equally as important all apprentices undertaking EPA are fully aware of the contents of this policy.

Smart Awards expects its Clients to enable apprentices to have equal access to assessment materials for Smart Awards EPA assessments, irrespective of their age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex or sexual orientation. EPA Assessments must be undertaken without discrimination.

Clients are required to have a policy in place to ensure that such discrimination does not occur either directly, indirectly or as a result of pressure from any other body. This policy must apply to all satellite/associated venues and it is expected there are arrangements in place to monitor its application and effectiveness.

In the event an apprentice makes a formal complaint to Smart Awards relating to issues of inequality which cannot be resolved, the apprentice must be made aware, by the Client, of their right to direct their complaint to Smart Awards via the arrangements outlined in our Complaints Procedure.

Smart Awards Clients are required to:

- ensure that all processes concerned with the preparation of EPA assessment are carried out in a fair and objective manner
- adhere to current legislation regarding equality and diversity
- operate an effective equality and diversity policy, with which apprentices are familiar and which applied to all apprentice using our EPA services
- operate an effective appeals procedure, with which apprentices are familiar and which is applied to all apprentices using Smart Awards EPA services.

## 7. EPA development of assessment materials

During the development of Smart Awards End Point Assessments tools and materials Smart Awards will ensure that apprentices with protected characteristics will not be disadvantaged. Furthermore, any barriers to entry will only be set in place if they directly relate to the purpose of the EPA assessment tools and materials. The nature of any such features or barriers will be stated and the inclusion of the requirements that create the barrier justified in terms why they are required for the particular EPA assessment(s).

### Access to the end-point assessment

Smart Awards takes steps to ensure that its end-point assessments do not inadvertently discriminate and lead a group of apprentices who share a common attribute or circumstance to experience an unreasonable disadvantage. Smart Awards takes steps to ensure that assessment materials do not contain language or images that may discriminate or offend in any way.

Smart Awards will ensure that:

- the widest possible diversity of apprentices can access the content and assessment of our products and services

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- entry requirements, content and EPA assessment demands of products and services will be appropriate to the knowledge, understanding and skills specified and do not act as unnecessary barriers to achievement
- all products and services allow for the fair assessment of all apprentice language used in all materials is clear, free from bias and appropriate to the target group
- we aim to produce materials that do not cause offence
- all products and services are reviewed against this policy
- our staff and other representatives are trained to identify issues relating to equality and diversity especially in the application of EPA assessment
- we will always act fairly when working with Clients and Apprentices
- we will always support and demonstrate the principles of diversity and equality
- EPA policies and methods of assessment do not have any adverse or potential adverse affect on any group of apprentices and take full account of individual apprentice needs

## 8. Making reasonable adjustments and special considerations

Smart Awards assessments permit reasonable adjustments to be made where necessary and appropriate so that barriers can be addressed for apprentices with particular requirements. Apprentices that may require reasonable adjustments include those with the following (these may be temporary or permanent): Physical impairments; Auditory impairments; Visual impairments; Dyslexia or literacy issues (provided literacy is not a requirement of the training or qualification).

Reasonable adjustments must not affect the integrity of what needs to be assessed, but may involve:

- Changing usual assessment arrangements, for example allowing extra time to complete the assessment activity
- Adapting assessment materials, such as providing materials in Braille
- Providing assistance during assessment, such as a sign language interpreter or reader
- Re-organising the assessment room, such as removing visual stimuli for an autistic learner
- Changing the assessment method, for example from a written assessment to a spoken assessment
- Using assistive technology, such as screen reading, or voice activate software
- Providing the mechanism to have different coloured backgrounds to screens for onscreen assessments or asking for permission for copying to different coloured paper for paper-based assessments
- Providing and allowing different coloured transparencies with which to view assessment papers.

Reasonable adjustments are approved or set in place before the assessment activity takes place; they constitute an arrangement to give the apprentice access to the end-point assessment. The use of a reasonable adjustment will not be taken into consideration during the assessment of an apprentice's work.

This list is not exhaustive and there may be other apprentices that qualify for reasonable adjustments. Smart Awards must be notified at the point of registration of apprentices for the end-point assessment of any issue or proposed adjustment. If the need for a reasonable adjustment emerges after registration or during the assessment process, the assessor should apply this as appropriate so as not to disadvantage the apprentice and notify Smart Awards notify as soon as practicably possible. Note that apprentices must still cover the totality of the Standard that is to be assessed.

### Special consideration

All elements of the Standard must be achieved with verifiable evidence produced against each so that the competence of apprentices is established without any doubt. Special consideration will not normally be given for vocationally related qualifications. If an apprentice misses an assessment, or there is a disturbance

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during an assessment, this must be re-arranged. In doing so, the apprentice is given the opportunity to evidence their competence against the relevant Standard.

## 9. Breach of Diversity and Equality Policy

Smart Awards will not tolerate any victimisation, harassment, discrimination and/or breach of its policy on equality and will take disciplinary action against offenders who are internal members of staff. Should any Client be involved in any victimisation, harassment, discrimination and/or breach of this policy, Smart Awards will not hesitate to issue sanctions in accordance with its Sanctions Policy. Where possible, this may include (but is not limited to) Client status termination. Smart Awards and its Clients are reminded that unlawful discrimination can lead to criminal and civil proceedings being taken against them individually.

## 10. The Process in Dealing with Claims of Unfair Treatment

If someone considers the treatment they have received amounts to discrimination, harassment, or victimisation in line with the definitions contained in this policy, where possible you should make it clear to the apprentice concerned that their behaviour is unacceptable and offensive and you should ask them to stop. Often this is enough to stop the treatment and prevent it happening again.

If the problem persists or the person feels unable to make a complaint directly to the individual they should make a formal complaint in line with the applicable Complaints Procedure (if the complaint is from a apprentice and relates to a Client, the apprentice should utilize the Clients Complaints Procedure in the first instance.

In the event an apprentice makes a formal complaint to a Smart Awards relating to issues of inequality which can't be resolved, the apprentice must be made aware, by the Client, of their right to direct their complaint to Smart Awards via the arrangements outlined in our Complaints Procedure.

Any complaint raised with Smart Awards will be treated in complete confidence and will always be treated seriously and fully investigated. All investigations will be carried out in the strictest confidence and all the people who are part of the investigation will be expected to respect this confidentiality, whether this be Smart Awards or its Clients.

Only once the facts have been established will a course of action be recommended. As part of the investigation, the complainant/relevant persons may well be asked to attend a formal interview to provide evidence. If the investigation finds that the allegations have been made maliciously or to slight a person's reputation, the accuser may be subject to sanctions/disciplinary and/or punitive action. When the investigation is complete, the complainant will be informed of the outcome in person and/or writing.

## 11. Monitoring

All requests for reasonable adjustments are monitored by Smart Awards Management Team.

Smart Awards will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in ensuring equality of opportunity.