
**EQUALITY, DIVERSITY
AND
ANTI-DISCRIMINATION POLICY**

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Kaplan recognises that different people bring diverse skills to the organisation and aspires to have a representative workforce at all levels and in all roles. Kaplan believes that this is important if it is to deliver a service that meets the needs, and reflects the diversity, of its different service users.

In pursuance of this aspiration:

- Kaplan welcomes candidates irrespective of ethnicity, gender, age, disability, belief or any other characteristic protected under the Equality Act 2010
- We actively seek to recruit office staff, trainers/assessors from a wide range of backgrounds to reflect the diversity of the delegates that we train/assess. Whilst not complacent, we are proud of the success we have had in this area
- We seek to identify any specific diversity issues which may affect our assessments and work with relevant people to develop appropriate solutions
- Kaplan will ensure that all relevant employees, directors and assessors are informed of any equality and diversity issues specific to the delivery of the QLTS, or generally, and will make available equality and diversity training appropriate to their needs and responsibilities
- All those who act on Kaplan's behalf in the delivery or administration of assessments under this, or any other, scheme will be expected to pay due regard to equality and diversity issues at all times
- Kaplan will treat seriously all complaints of unlawful acts under the Equality Act 2010 and will take appropriate action. All those involved in the complaints procedure and the complainant will be informed of the outcome
- Unlawful acts under the Equality Act 2010 by employees or directors of Kaplan may result in disciplinary action including termination of services where appropriate
- Kaplan QLTS has a protocol to cover situations where an allegation of unlawful discrimination is made (See Appendix)
- Kaplan will monitor and review equality and diversity issues that are specific to this scheme at least annually and consider what further action (if any) is required.

This Policy will be monitored by Kaplan and any necessary amendments will be made and implemented at the earliest opportunity. As a minimum, Kaplan QLTS will review this and all associated policies on an annual basis as part of its ongoing Quality Assurance procedures.

Implementing Equality, Diversity and Fairness in the QLTS assessments

Kaplan QLTS is determined that its assessments shall be fair to all takers and assess competence irrespective of candidates' background or personal characteristics. It is committed to ensuring the fairness of its assessments to all candidates; it will seek to ensure the absence of unlawful discriminatory practices; and it will work positively to promote fairness, in line with the Equality Act 2010.

In particular Kaplan QLTS will:

- Make provision for reasonable adjustments to assessment arrangements in line with the Policy for Establishing Alternative Assessment Arrangements for Candidates with Disabilities and Special Needs
- Ensure that all question setters, markers and assessors receive equality and diversity training
- Monitor the candidature and assessment performance in relation to the Equality Act 2010 protected characteristics
- Monitor the assessors and role-players in relation to these characteristics
- Monitor the content and the delivery of the assessments from an equality and diversity standpoint
- Perform any further statistical analyses which may be appropriate (e.g. performance by transactional gender/ethnicity of the OSCE encounters)
- Report the relevant statistics annually.

APPENDIX

Protocol where Unlawful Discrimination is Alleged

1. This Protocol will apply where a candidate makes an allegation of unlawful discrimination or other act deemed to be unlawful under the Equality Act 2010 ("an act of discrimination").
2. Any allegation of unlawful discrimination must be made within **10 working days** of the conduct complained of.
3. In a case where a candidate has made a representation based on more than one ground, of which an act of discrimination is one, the procedure for investigating such act of discrimination will be carried out in full before the other grounds for appeal are investigated. Any time limits under the normal procedure will be suspended pending consideration of the allegations of an act of discrimination.
4. Where such an allegation against Kaplan QLTS is made, the matter shall be immediately identified and reported to the Head of Kaplan QLTS.
 - 4.1 The Head of Kaplan QLTS will, in cases where the act of discrimination is alleged to be the result of the action of (a) named individual(s), inform them in writing of the allegation and the requirement that they must not contact the candidate in relation to it.
 - 4.2 If the Head of Kaplan QLTS considers that the allegation is not sufficiently detailed to allow further action to take place, he/she will ask the candidate to provide the complete case in writing within 20 working days.
5. Kaplan QLTS shall notify the SRA immediately on receipt of any complaint of an act of discrimination from a candidate. Kaplan QLTS is responsible for addressing and resolving all such complaints but in so doing shall give due consideration to any input received from the SRA. The procedure set out below is subject to this requirement.
6. Within 20 working days of receipt of the candidate's case, a panel, consisting of two staff, each nominated by the Head of Kaplan QLTS ("the Panel"), will consider the case based on the information available and may decide:
 - a) That a *prima facie* case of an act of discrimination exists and that the matter be referred back to the Head of Kaplan QLTS for further action
 - b) That the matter requires further investigation by an independent investigator or
 - c) That, based on the evidence available, no case of an act of discrimination can be proved.
7. Where an investigation subsequently takes place under 6b) above, the report of the investigator together with any further comments made by the candidate/named individuals will be given to the Head of Kaplan QLTS.
8. The report will then be passed back to the Panel who may make the following decisions:
 - a) Dispose of the case by holding that no act of discrimination can be proved to have occurred. In these circumstances, where the candidate has appealed on multiple grounds, of which an act of discrimination by

Kaplan QLTS is one, these other grounds will then be considered, according to the main appeals procedure.

- b) Find that there has been an act of discrimination. The Panel will then notify the Head of Kaplan QLTS, who is responsible for ensuring that appropriate action is taken to remedy the effects of the act of discrimination. This may include recommendations to the Assessment Board.
9. As part of its findings, the Panel may recommend, in respect of a named member of staff, that the formal disciplinary procedure of Kaplan QLTS be followed in determining an appropriate outcome. In cases of allegations made against contractors engaged by Kaplan QLTS, the Panel may recommend other action, including terminating the contract with the contractor(s).
10. Where the act of discrimination is the consequence of institutional practices within Kaplan QLTS and not the unsanctioned behaviour of (an) individual(s), the Panel will advise the Senior Management of Kaplan QLTS, when appropriate, on the steps recommended to prevent a re-occurrence.
11. The decisions made under paragraphs 6 and/or 8 are final and there is no further opportunity to make representation on grounds of an act of discrimination.
12. Where practicable, individuals who are involved in reviewing a candidate's allegations of discrimination will not be involved in reviewing any other representations they make in respect of an assessment, including claims for mitigating and/or extenuating circumstances and appeals against decisions of an Assessment Board.
13. Kaplan QLTS shall maintain a register of complaints that it receives of acts of discrimination (the Discrimination Complaints Register). The Discrimination Complaints Register shall contain, as a minimum, in respect of each complaint of an act of discrimination details of:
 - the complaint made
 - the date of the complaint
 - the date of notification of the complaint to the SRA
 - any action taken or to be taken.
14. Kaplan QLTS shall keep the Discrimination Complaints Register up to date no less frequently than weekly.
15. The SRA shall be entitled on 5 working days' notice to Kaplan QLTS to inspect the original Discrimination Complaints Register at Kaplan's premises.