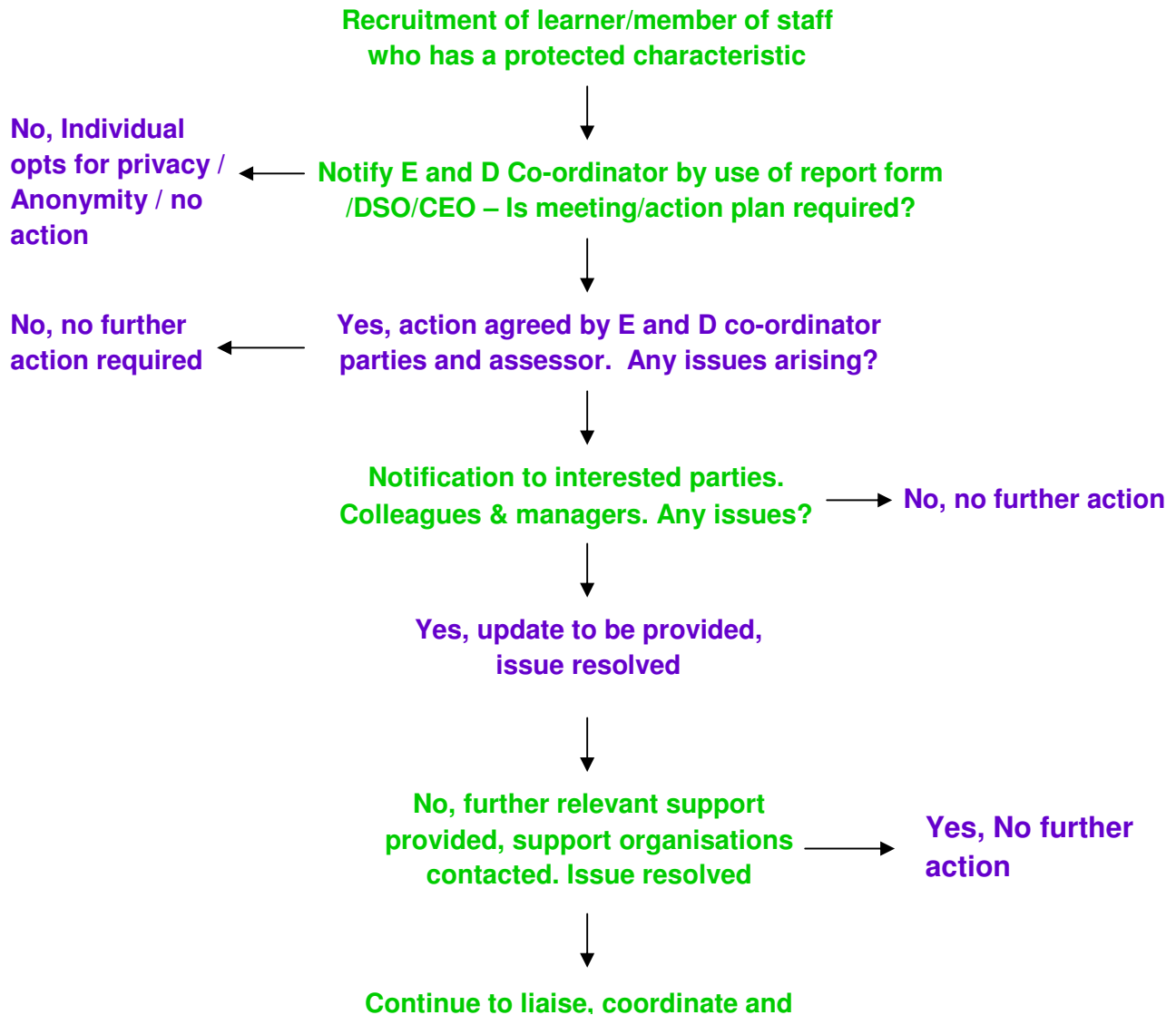


Equality and Diversity Case Scenario



Laura has hearing difficulties and is of mixed race. She has recently applied for a role as a paralegal which would have been a step up for her. She did not get the job and was told that her “disability” would make it difficult for her to communicate with clients. She denies this and says that if they had a hearing loop installed this would have benefited her but would also benefit clients who suffer with hearing problems. A comment was also made by someone else that the clients are predominantly white middle class and someone from her background would unfortunately, give the “wrong impression”.

Since being told this she has been under a lot of stress and feels that people are talking about her. At a recent meeting, the manager turned his face away from her, even though he was addressing her, and she did not managed to catch everything he said. As a consequence she missed an important instruction and has now been reprimanded. She states that he is well aware of her disability and usually is very good at making sure he speaks directly to her in a way that she can hear clearly or lip read what he is saying.

She was also the recipient of a department wide joke email relating to a race issue. Many of her colleagues found it funny but she did not and this made her very uncomfortable.

As a result her concentration at work has been affected and she is being kept back late after work to correct her mistakes.

She says it has affected her sleep and she is not eating. She is not enjoying her coursework and wishes to withdraw. She has discussed the matter with the HR department as she is bound to do under the companies’ policies and they have said that they will “have a word” but nothing has been done.

There are a number of issues here. There is a clear issue with the 5 Every Learner matters requirements – the behaviour of her colleagues is not allowing her to be healthy nor to feel safe.

She is thus not enjoying the course and is not being prepared for making a contribution the social and economic environment.

There are, apparently, policies but they are being paid only lip service – the promise “to have a word” has not resulted in a resolution.

The assessor must discuss with the learner the other options open. Presumably there is a formal grievance procedure in place which she can follow. The assessor must report the matter and seek the guidance of the E and D Co-ordinator.

Co-ordinator will give guidance including encouraging and supporting the learner with the grievance procedure. Assessor can also direct learner to ACAS support material. E and D co-ordinator may, if learner wishes, contact the learner and speak to her/him or meet her/him face to face. If the management of the company need to be contacted then the CEO should do this so the E and D co-ordinator must apprise CEO of situation and they will agree action. Advise Assessor of the action to be taken and update when contact has been made. It is often the case that manager are out of the loop so one manager to another saying “are you aware that there are some E and D issues in such and such a department” will open the dialogue. In some organisations e.g. the Law and Medical profession it is a sector

requirement to have robust policies and to ensure that all staff are aware of them and are held to account. The thing to bear in mind is that often if some poor practice is happening in one area it might be happening in others e.g. turning away business and this affects the organisation and that affects profitability and gets the company a bad reputation. Robust and progressive policies that are promoted and advanced will mean that word gets around that this is an organisation to be in business with and encourages new markets to open up.

What support we can give is going to depend on the wishes of the learner. Some are concerned that if we intervene their job or position may be affected – in which case their concern should be evidence on the report forms but continued support and contact should be maintained to ensure that the learner has some support if they do decide to tackle the issue themselves.