

PROMOTING EQUAL OPPORTUNITIES

A SURVEY REPORT BY THE
TRAINING STANDARDS COUNCIL



TRAINING STANDARDS
COUNCIL

INTRODUCTION

This report conveys inspectors' findings on the application of equality of opportunity. It highlights examples of good and poor practice. It is organised to reflect those areas in which equality of opportunity, or its absence, most directly affects trainees, at each important stage of their learning experience. These extend from trainees' first contact with a provider, through advice and guidance, selection, the main body of training and the assessment process, to completion of training and finding a job.

The Training Standards Council is the only inspectorate which evaluates equal opportunities as a distinct aspect of training. The frameworks under which equal opportunities are inspected are *Raising the Standard* and *Partners for Quality*, which refers to the New Deal. There has always been a requirement for training and enterprise councils (TECs), through which much of the work-based training inspected by the Training Standards Council is funded, to promote equality of opportunity. The Employment Service demands high standards from its suppliers, in relation to equality of opportunity. Training providers, therefore, have at least two points of encouragement and control to which to refer in formulating their approach to equal opportunities, in addition to national legislation. Reports on the New Deal have not been included in this survey because inspection began only recently. The chief inspector's first annual report, *Reaching New Standards*, published in July 1999, highlighted widespread compliance among training providers, in terms of their contractual and legal commitments, in fulfilling their duty to assure equal opportunity for trainees. What was unusual then and has remained uncommon is to find training providers which promote equal opportunities beyond the point of contractual compliance.

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METHOD

Six inspectors worked on this report between August 1999 and January 2000. It draws on four distinct sources: consideration of the equal opportunities sections of the Council's published reports completed since May 1998; evaluation of training providers' responses to questionnaires administered between October 1999 and January 2000; visits to training providers by report team members to discuss equal opportunities issues with training staff, employers and trainees; liaison with the Department for Education and Employment (DfEE) which was conducting a survey of the implementation of TEC equal opportunities strategies.

The main findings of over 600 published reports were evaluated to identify the most significant strengths and weaknesses. Some examples of good and poor practice cited in mainstream reports are also included in this report. Forty-eight questionnaires were completed during inspections and contributed to the findings. Providers to which the questionnaires were administered had 7,083 people in work-based training, including 2,190 modern apprentices, 927 national trainees and 1,214 adult trainees. The sample of training providers was chosen carefully to give a wide geographical spread and a range of sizes and types. The sample included small and large private providers, a general further education college and national charity organisations. Visits included both rural areas and inner-city locations with a high proportion of people from minority ethnic groups and with high unemployment. Most of the evidence was gathered in the 13 TEC areas which formed the sample for the DfEE report.

MAIN FINDINGS

- There is general support among training providers for equality of opportunity and a commitment to protect staff and trainees from discrimination.
- In many cases, equal opportunities policies are well documented, comprehensive and detailed; they meet the requirements of both legislation and TEC contracts.
- Policies and procedures are seldom systematically reviewed or updated to reflect changes in legislation or training provision.
- Selection procedures for staff and trainees are well documented and promote equality of opportunity, although many providers are under the misconception that an 'open-door' policy for recruitment automatically leads to equality of opportunity.
- Most trainees are well protected against harassment and discrimination, with training providers having adequate complaints and grievance policies and procedures; in many cases, however, breaches of equal opportunities policy come to light only when trainees complain, rather than being found through systematic monitoring.
- Specialist providers offer good training opportunities and support for disadvantaged people, especially through building working partnerships with external support groups.
- In many cases, effective use of additional funding, such as the European Social Fund (ESF) and the Single Regeneration Budget (SRB), widens participation in training among under-represented groups.
- Many training providers' equal opportunities provision is focused only on contract compliance and on meeting statutory requirements; strategies are formed to avoid inequality, rather than to promote equality.
- The understanding of equal opportunities among training staff, trainees and employers is narrow and often limited to issues of gender and ethnicity.
- The assumption is widespread that equality of opportunity is an issue only in areas where there is a large minority ethnic population.
- There are few formal arrangements for staff training in equal opportunities.
- There is inadequate promotion of equal opportunities, with marketing material seldom addressing the whole range of potential clients, for example, through the use of languages other than English or through an easy-reading format for those with learning difficulties.

- There is little action taken to counter gender stereotyping or low recruitment of those with disabilities.
- People who lack social skills or have mild behavioural difficulties are frequently barred from employment unnecessarily.
- Training providers manage equal opportunities weakly in workplaces and in their subcontracted provision.
- There is a widespread inability or disinclination to act where clear discrimination is taking place, for example, where trainees are paid less than the national minimum wage or where employers are known to discriminate against those from minority ethnic groups.
- Arrangements for implementing and monitoring equal opportunities are often poorly documented and do not show the same rigour as that applied to health & safety issues.
- Collection and use of data are generally inadequate and designed only for contract compliance.
- Access to premises for those with impaired mobility is often difficult, with facilities such as accessible lavatories usually poor or absent altogether.
- Those funds which are available from TECs to support equal opportunity initiatives are underused, often because providers are unaware of them.

CHOOSING WORK-BASED TRAINING

Every training provider needs a set of policies regarding equality of opportunity, which matches local circumstances. The largest influential factor is the community which the provider serves. The better training providers obtain information on ethnicity, age, the proportion of those with disabilities and the gender balance of the population from which they are intending to recruit. More sophisticated profiles may include religious or cultural groups and their locations, as well as the barriers to training experienced by those with disabilities. This information forms the baseline against which the equal opportunity profile of the organisation can be measured. While most training providers have some understanding of how closely their trainees compare with the needs and character of the local community, this perception is rarely based firmly on systematic analysis of data.

Marketing and recruitment procedures are generally well written and include guidelines to assure equality of opportunity. Having said that, most training providers do not tailor their marketing or recruitment strategies to encourage applications from under-represented groups. Advertisements seldom make a public commitment to equal opportunities or include a statement about the training provider being an equal opportunities employer. Only those training providers which knowledgeably use local media and community magazines promote their services accurately to any particular audience. It is not always possible to attract people from some community groups through marketing and/or publicity alone. The more innovative and forward-thinking training providers forge personal links with local community groups, helping them to attract these people.

GOOD PRACTICE

In an attempt to recruit more women, one training provider, specialising in engineering, allocated a female member of staff to give promotional talks in girls' schools, showing that modern engineering is a career suitable for women. Another has a female construction trainer who carries out marketing activities, providing a useful role model for potential trainees.

GOOD PRACTICE

One college recognised that it was failing to attract trainees from the local Bangladeshi community. A member of staff made contact with the community leaders and, after several months' perseverance, was invited to give a talk to young people in the community on the training available at the college.

GOOD PRACTICE

One training provider is deliberately sited in a former shop on a housing estate in which most residents are from a minority ethnic group. Through the enterprise of staff of this training provider, which is registered as a charity, grants from large commercial companies have funded the creation of a good learning environment with excellent information technology resources. Strategies for recruitment focus on making direct contact with disadvantaged young people and long-term unemployed adults, in public houses, community centres and on street corners. Many people, for whom the chance of training for basic employability was remote, are being recruited. They are acquiring information technology skills and increasing their personal effectiveness.

Often, company literature exists in one format only. It is not adapted to make it relevant or understandable to all potential recruits. Material is rarely produced in languages other than English or simplified for those with poor literacy. This remains true of many providers which offer training in foundation for work, whose potential trainees may not be able to read complex marketing material. Few training providers have procedures for evaluating the comprehensibility of the marketing material or information given to trainees. Images and photographs in publicity material reinforce stereotypical training choices, rather than encourage applicants to consider less traditional options. For example, in literature publicising training in agriculture, men are often shown driving tractors and women working with horses. Publicity seldom includes those with disabilities or from minority ethnic groups. While training providers can do little to bring about attitudinal changes in the short term, such material fails to make use of an important opportunity to challenge commonly held beliefs which disadvantage people who are members of a minority. Sometimes, inaccurate assumptions are made about whether a person with a disability can undertake certain types of training. For example, one training provider, specialising in warehousing, was unconcerned that there were no trainees with disabilities, because it held the opinion, without questioning it, that those with disabilities would be unable to do the work.

Some training providers which recruit trainees through external agencies, such as careers services or the Employment Service, have a complacent approach to addressing areas of under-representation. They believe that they have no control or influence over which applicants are referred to them and that they are, therefore, not responsible for ensuring that trainees are drawn from all sectors of the community. In such cases, no effort is made to influence the referral process or to ensure that those from under-represented groups are encouraged to apply.

Many people embark on training programmes when they are already employed. In such cases, the training provider is not involved in the selection process. Employers usually put forward their own choice of eligible employees for training. Training providers rarely monitor the profile of employed trainees to

ensure that employers are securing equality of opportunity through their own selection and recruitment procedures. Where data suggest that certain groups of people are under-represented, training providers are reluctant to challenge employers, fearing that they might take their training business elsewhere.

Many training providers work under the misconception that having an 'open-door' policy relieves them of the responsibility to ensure that the profile of their intake of trainees corresponds with that of the local community. Offering advice on training opportunities to any applicants who walk through the door in no way ensures that those choosing to apply are representative of the local population. Unless the provider is able to offer a good service to all comers, an 'open-door' policy often leads only to inappropriate training, denial of the opportunity to go somewhere else (which may be more suitable) and failure.

POOR PRACTICE

One training provider promoted its 'open-door' policy in its mission statement. In spite of this, no trainees using wheelchairs had been recruited to training programmes during the previous three years. All interviews were conducted in first-floor offices accessible only by stairs. The company's recruitment procedures did not include guidelines for making alternative arrangements for interviewing those using wheelchairs.

Some training providers have formed effective working partnerships with local support groups and employers to both promote equal opportunities and widen access to training. In some instances, training providers work in partnership with local TECs to provide prevocational training for people whose lack of basic skills and social skills acts as a barrier to learning and employment. Partnerships have been formed among training providers, TECs, schools and colleges, local businesses, community groups and charities to target those in the community with specific needs. Such partnerships often seek funding from the European Social Fund (ESF) and the Single Regeneration Budget (SRB). Some colleges and training providers operate outreach programmes in small centres strategically placed within the wider community, to offer access to training more easily.

GOOD PRACTICE

One college has formed a close working partnership with a local charity, in order to develop training initiatives for disadvantaged groups and to provide support services for minority ethnic groups, refugees and asylum seekers. The charity operates from the college's premises, and the services of both the college and the charity are available to clients of either organisation. The college's training programmes, partly funded through the ESF, provide training in English for speakers of other languages (ESOL) and job-search facilities. The same college has also developed a similar working relationship, and shares resources, with an organisation providing foundation-for-work training for disaffected young people, many of whom have social and behavioural problems. Staff work together to provide high levels of support and supervision to meet individuals' needs. Trainees' attendance is good, and young people who were previously considered 'unemployable' are moving into work.

At interview and selection, the better providers are clear about the criteria for accepting people on particular training programmes. The guidance given at this stage helps trainees to make properly informed decisions about the suitability of the training which they are planning to undertake. The selection tests are appropriate to the training programme and occupational area, but are also free from bias, in terms of gender, disability and social or ethnic background. Initial assessment of each trainee's learning needs should determine the exact nature of those needs, so that appropriate support can be planned and arranged. Inappropriate schemes of learning limit a trainee's opportunity to succeed.

POOR PRACTICE

All of the modern apprentices taking motor-vehicle programmes with one provider were men. Although the company operated in an area where Asian communities formed 8 per cent of the local population, no one from these communities had been recruited to motor-vehicle training programmes during the previous two years. Data on applications made during these two years indicated that 9 per cent of applicants were from Asian groups. The training provider can offer training only when applicants have secured a work placement, and it was turning a blind eye to the discrimination experienced by Asian applicants when applying to local garages for a job.

The better training providers ensure that applicants receive accurate and objective advice about the training programmes available to them, in order for them to make a well-informed choice. On occasion, training providers are guilty of accepting unsuitable applicants, just to achieve their recruitment targets. These training providers rarely refer applicants to a competitor, even when it is clear that they, themselves, cannot meet applicants' needs. Trainees who have been misdirected in this way often work towards qualifications which are largely irrelevant to their work; both learning and assessment are impeded. Trainees find it difficult to generate NVQ assessment evidence at work.

There is discrimination inherent in the funding for work-based training. The type of programme for which individuals are eligible depends on age. The content and depth of programmes vary widely, from extended modern apprenticeships for young people (comprising a comprehensive range of qualifications) to short programmes for adults (lasting a matter of weeks), in which no qualifications may be offered. Adults are not offered a comparable range of learning opportunities to that available for those under the age of 25. Some employers provide the full modern apprenticeship framework for employees over the age of 25, even though government funding is unavailable to them.

In order to monitor equality of opportunity during selection, the better training providers record data on every applicant and later compare them with

information on those who are ultimately selected for training. One training provider with few women trainees or trainees with disabilities did not monitor applications. Inspectors analysed applications for the previous year and found that many people from under-represented groups had applied, but few had been successful. This was news to the provider. Some companies have a deliberate policy of not collecting equal opportunities data before interview, so avoiding the chance of discrimination. Others collect data, but keep them separate from application forms, so that the process of selection for interview cannot be affected by this information.

Selection usually includes a formal interview. In many cases, training providers conduct interviews with prospective trainees, in job centres and community centres, in order to increase their accessibility. Sometimes, applicants are unaware that they are undertaking a selection interview, as this has not been explained to them. Usually, staff have received no formal training in fair selection & interview skills. Often, there are no objective selection criteria against which applicants are measured. Records of the interview process and of the reasons for acceptance or rejection are insufficient to allow managers to monitor the fairness of selection.

GOOD PRACTICE

One company had clear policies for improving access to training for disadvantaged groups. It rented rooms in which to hold interviews in applicants' home areas or paid the travel costs which applicants incurred when attending an interview.

GOOD PRACTICE

In one large engineering manufacturing company, when trainees completed their first year's off-the-job training, workplace supervisors would choose trainees to work with them in their part of the factory. Some supervisors repeatedly failed to select women or trainees whose names suggested a minority ethnic background. The solution, devised by the training centre's staff, was to switch to a selection list which contained only information about trainees' achievements and progress. The result has been that trainees are now evenly dispersed throughout the factory, regardless of ethnicity or gender. Supervisors who are prepared to admit to their earlier prejudices now confess that experience has removed their negative views about trainees whom they had previously been disinclined to recruit.

Some training providers use selection tests to eliminate people who are less able. While some trainees need prerequisite qualifications, there are times when such requirements are imposed unnecessarily. A reluctance to offer training to those who are less able often stems from an unwillingness or inability to supply the additional learning support required.

The content of trainees' formal induction programmes is, to some extent, prescribed by a TEC contract. Usually, equality of opportunity is one of the topics which must be covered, alongside health and safety. In the poorer

instances, informing trainees about equal opportunities at induction consists merely of giving them a copy of the training provider's equal opportunities policy and asking them to sign to confirm that they have received it. In these cases, trainees' later recollection of equal opportunities is poor. Equal opportunities policies are often complicated and written in a formal style which conveys little to trainees. The policy statement is often filed away by trainees and never read.

GOOD PRACTICE

In one college, in an area with a high representation of people from minority ethnic groups, the equal opportunities policy was produced in the eight main languages spoken by local people. Another training provider, targeting those with learning difficulties and disabilities, made the policy available in Braille, on audio tape, written in different languages and in large-print format.

Some training providers go to greater lengths to provide equal opportunities training during the induction programme, but do not deliver it well. Sessions can be dull and unimaginative, concentrating too much on legalities, rather than on the practical application of the principle of equality to everyday life. Visual resources are seldom used to enliven training. Staff, themselves, are seldom confident with the topic and have received little or no training. Staff frequently hold the misconception that equality of opportunity means treating everyone the same, rather than taking care to be sensitive to differences among people.

GOOD PRACTICE

One TEC has recognised that poor equal opportunities training is a common weakness. The TEC has developed a training video on equality of opportunity and has given a copy to each training provider in its area.

Retention of that equal opportunities information which is given to trainees during induction is seldom checked by staff. After induction, trainees rarely receive any training or updates on equality of opportunity, unless these form part of an occupational programme.

Most providers give trainees clear information on their rights and responsibilities, usually in the form of a handbook or charter for trainees, containing guidelines on acceptable behaviour. Trainees are usually given a copy of the training provider's complaints & grievances procedures and details of the NVQ appeals procedure, if appropriate. Few trainees use complaints procedures, which remain untried and untested. Their effectiveness remains unknown.

There is sometimes confusion over the purpose of initial assessment. Some training providers use initial assessment as a selection tool, to identify the more able applicants, rather than to assess the skills and knowledge of those who have

been accepted and to determine their learning programmes and support needs. Arrangements for initial assessment often vary from one occupational area to another, in the same training provider. While there is justification for variety among assessments, this variety is mistaken, too often, for circumstances in which thorough assessment takes place in one area, but not in another. It is rare to see systematic, fair, initial assessment of basic, key and occupational skills, throughout a provider's work.

Some initial assessment materials are commercially produced, while others are devised by providers themselves. In both cases, assessment tools are found which are not valid, reliable or free from bias. Some commercial tests are not neutral in terms of the language used, discriminating against those from some cultural backgrounds by assuming knowledge which only someone brought up in a western country would have. There are examples in which trainees undertake tests designed to assess numeracy, in preparation for engineering, where poor performance in the test derives from an inability to read the questions (as English is a second language), rather than from any mathematical shortcomings.

Many tests rely too heavily on trainees' ability to perform written tasks, rather than on their practical skills. Initial assessment activities are sometimes carried out under examination conditions, to which many trainees are unaccustomed or to which their experience at school has made them hostile. The work-based training route is an alternative to formal academic teaching and examination – conflating the two learning styles does nothing to extend equality of opportunity.

POOR PRACTICE

One trainee panicked when doing a basic skills screening test and performed poorly. As a result, he was placed on a very basic literacy programme which he found both lacking in challenge and insulting. Having completed the qualification, the trainee had not improved his skills at all. Another trainee who had a degree was placed on a foundation-for-work programme, as he did not speak English.

ON- AND OFF-THE-JOB TRAINING

Most training is conducted in an environment which is at least appropriate to the training requirements of the particular occupational area concerned. Much of it is provided in good, modern workplaces. Having said that, working environments often reinforce the stereotypical views which potential trainees may have. For example, women are under-represented in engineering generally and in motor-vehicle engineering in particular. While many training providers and employers express a genuine desire to increase participation among women, it is common to find an already male-dominated environment made less welcoming still by the display of posters and calendars which many people find offensive. When the display of pin-ups is mentioned to training providers, some are reluctant to acknowledge that these images are unseemly in a place to which they wish to attract more women. Some training providers and employers seek to justify their acceptance of old habits, suggesting that women can also put posters of their choice on the walls. The fact that the display of body images is increasingly seen as a form of harassment is ignored.

Where training providers have been successful in recruiting trainees from traditionally under-represented groups, they nevertheless sometimes fail to ensure the suitability of the training environment. Such omissions include the failure to provide adequate washrooms, changing rooms and lavatories for women trainees in traditionally male-dominated occupations.

POOR PRACTICE

One training provider, having recruited two female school leavers on to a training programme to which it had previously recruited only young men, recognised the need to provide a washing and lavatory facility for women. The solution offered was to allow female trainees access to the staff lavatory and wash basin. To reach this, women had to leave the work area and pass through a door marked 'no access to trainees'. Their male colleagues had properly designed washing and changing facilities, next to the workshop.

POOR PRACTICE

A manufacturing company proudly identified an example of what it considered to be its commitment to equal opportunities, by drawing inspectors' attention to the fact that it had added another lavatory for a trainee who had undergone gender reassignment while in training. This was done in response to the fact that 'the blokes were not happy with her using their lavatory, and the girls didn't like him using theirs'. A well-meaning attempt to resolve the situation only set apart the trainee, with no one seeking to challenge the ignorance on which this discrimination was based.

Some training providers pay insufficient attention to providing accommodation and equipment which is suited to the needs of trainees who have restricted mobility or physical disabilities. Some training providers, with training facilities which are accessible only by stairs, provide alternative rooms and equipment on the ground floor, specifically for those who use wheelchairs. This accommodation is often poor, however, with older and worse equipment than

that available to other trainees. Far from being the strength in equal opportunities which the provider sometimes claims, this practice reflects, at best, a lack of consideration.

In some work placements, trainees are set to work on old or outdated equipment which no longer meets production demands. Much of the value of work-based training is lost through this practice. Trainees are unable to develop their skills to industrial standards. Examples range from the use of outdated computers and obsolete engineering machines to manual sewing machines. Trainees with learning difficulties are often given the oldest equipment. The reason often given for this is that these trainees are being provided with a service; they cannot expect to find unsubsidised work. That justification is often given the lie by the excellent work which those with learning difficulties can do, when given the facilities to succeed.

GOOD PRACTICE

A young man with a prosthetic arm, following a programme of work-based training for young people in greenkeeping, was found a work placement with a local golf club. His supervisor adapted machinery, enabling the trainee to complete all aspects of the training programme. Risk assessments were carried out and submissions made to the awarding body for approval. The trainee was offered full-time employment because his work was excellent.

GOOD PRACTICE

One company, having recruited a trainee with a permanent and painful back problem, set up a trainees' project to modify some of the machinery used in off-the-job training. Their brief was to modify the equipment so that the trainee could operate it competently in a position which alleviated the back condition. Not only did this work enable the trainee to complete training successfully, but it also provided a real-work project for the other trainees. The project was also used to raise all trainees' awareness about those equality issues which they might encounter.

In recent years, colleges have paid considerable attention to issues of equal opportunity. Most have well-developed policies and supporting procedures which address all aspects of discrimination. Staff are often well aware of likely sources of discrimination, reacting sensitively to issues which might be raised. Where the college acts as a training provider, however, the good practice found on college premises is seldom extended to the workplace. For many trainees on government-funded work-based training programmes, only around 20 per cent of their time is spent in college. The remaining 80 per cent takes place at work, where the college, as the primary provider, also has responsibility for ensuring equality. Although those employers offering work placements to trainees are often obliged to have a suitable policy for equal opportunities, or to sign up to that of the college, checks to ensure that the policy is applied are less common. It is the deed which is important, not just the word.

Similarly, private training providers often arrange work placements for their trainees, paying little attention to the implementation of equal opportunities policies. They sometimes claim that they fear losing work placements for trainees, if they attempt to enforce their stance on equal opportunities. In fact, few test this concern by discussing the issue with employers. When inspectors point out deficiencies in equal opportunities provision, most employers are keen to address the problem.

For many employers providing work experience, there are problems to be overcome in balancing the needs of the company with those of trainees. For many manufacturing companies, an ability to meet immediate production demands determines whether or not the firm remains viable. From an equal opportunities viewpoint, a balance between work and training must be found which takes full account of trainees' aspirations and their reasonable expectations of achieving an award within the intended time. Some employers treat trainees as employees on a reduced rate of pay. In the worst cases, trainees work alongside other staff, for little pay and making no progress towards achieving their intended qualifications. Some trainees are left to do repetitive work which requires little supervision, freeing a qualified member of staff for other, 'more productive' work. For example, trainees in some care homes effectively run them, with few qualified members of staff present to supervise them.

POOR PRACTICE

One training provider had placed some of its modern apprentices with an employer which was paying trainees £60 for a 40-hour week. Despite a clearly stated commitment to equality of opportunity and fairness, the training provider did nothing to address this underpayment of its trainees. Its response to the inspectors' challenge was to voice a concern that the work placement would be lost if exploitation was questioned.

GOOD PRACTICE

One training provider insisted that an employer should accept a female trainee for a work placement in construction, as she was the person most suited to the job. The employer felt that the job could be done better by a man. The trainee was accepted for a trial period. Her performance was so good that she was taken on as a permanent employee.

While overt, intentional discrimination in the workplace is rarely seen during inspection, many training providers fail to provide adequate safeguards against the more subtle types of discrimination to which trainees are sometimes subjected. Some employers feel justified in providing only menial work for their trainees, at least in the first year, because they may make costly mistakes or lose clients. Such an approach clearly sets trainees apart from other employees. In the better training, employers are at pains to ensure that trainees are quickly assimilated by extending to them as many of the privileges and duties of other employees as is practicable.

GOOD PRACTICE

In one company, all trainees are treated as its employees. They have access to a wide range of support services, including the open-learning centre, sports facilities, medical services, the company pension schemes and share ownership. The company pays trainees the respect due to its future workforce. Grievance and appeals procedures against discrimination are part of the company's codes of practice. There are no recorded examples of trainees having had to use these procedures. Trainees interviewed by inspectors said that there were no discriminatory practices in the company.

Employers are obliged to ensure that each trainee has a clear plan against which progress to full occupational competence can be measured. Where such plans are absent or weak, progress may be unreasonably slow, and a risk may arise that trainees could be used as cheap labour. Good employers ensure that the opportunity exists in their company to acquire the full range of job skills required to gain the qualification which is the aim of the training programme. Where an employer cannot offer the necessary diversity of experience, good training providers arrange for the missing aspects of training and assessment to be undertaken with another employer or through simulation.

GOOD PRACTICE

In one large clothing manufacturing company, a training line was established alongside the production lines. When short-term production demands were excessive, trainees could move into the production lines to help to meet the orders. The work which they produced during these short periods contributed to the evidence by which their competence was assessed for a qualification. They also received the full rate of pay for that job. As much as possible, the company ensured that work demands did not delay trainees' progress towards achievement.

POOR PRACTICE

One motor-vehicle training provider placed trainees in companies which could not provide the range of work experience required for the NVQ. They were used to carry out many of the tedious or repetitive jobs which the qualified mechanics disliked. The reason which the training provider gave for allowing this to continue was that the qualification is not time-constrained. It found no fault with the fact that some of the trainees had not achieved their NVQ at level 2 or 3, despite having been on the training programme for five years.

MANAGEMENT OF EQUAL OPPORTUNITIES

Those training providers with high levels of commitment to maintaining equality of opportunity integrate that consideration with other aspects of their business plans. They give overall responsibility for equal opportunities to a senior member of staff. Written job descriptions clearly define the responsibility of individual members of staff to ensure that equality of opportunity is maintained in every activity. Staff have a clear awareness of their duties and sufficient understanding to fulfil them. Often, failure to allocate clearly the responsibility for securing equal opportunities is marked by failure to monitor the effectiveness of procedures or to review and amend policies.

POOR PRACTICE

One training provider had not reviewed or amended its equal opportunities policy for six years, although the annual review of all policies was a requirement of its quality assurance policy. The equal opportunities policy made reference to the Employment Act of 1944 and had not been amended to include the requirements of the Disability Discrimination Act of 1995. In another case, no amendment of the policy had taken place for several years, although the training provider claimed that it was reviewed systematically each year. It was claimed that a review of the policy had shown it to be adequate to maintain equal opportunities, although the company had undergone major restructuring and expansion of its training programme during this time. Records of the policy-review process had not been kept.

Most training providers have written equal opportunities policies. The length and content of these policies vary considerably. In some cases, the policy is no more than a statement of intent. In others, the policy incorporates operational procedures and guidelines for staff and trainees. In many cases, copies of equal opportunities policies are given to subcontractors and to employers or work-placement providers. Many policies meet the requirements of legislation and make clear reference to the main statutes governing the prevention of discrimination. Where content is inadequate, it is most often in the lack of any reference to disability.

Most colleges of further education are aware of their statutory responsibilities and have developed comprehensive policies for their application, at least on their own premises. Some training providers make little attempt to ensure that subcontractors, employers and work-placement providers are aware of their equal opportunities policy. In some cases, service-level agreements specify neither that subcontractors should have equal opportunities policies nor that they should guarantee equality of opportunity. When funding organisations require training providers to implement equal opportunities policies, they usually comply. Having said that, TECs' specifications for equal opportunities policies vary considerably. Some TECs set incentive targets for the recruitment of people from minority ethnic groups or with disabilities. These targets often appear to be arbitrary. In the better examples, targets are related specifically to the needs of the local community. They form part of a wider strategy for providing access for people who are traditionally under-represented in both education and training.

Some equal opportunities policies, especially those of larger organisations, focus on equality of opportunity for employees, rather than for trainees. These policies are often complex and difficult for trainees to see as being relevant to their own circumstances. In the better equal opportunities policies, clear guidance is given to staff and trainees. Explanation of direct and indirect discrimination is given, with examples to illustrate the points being made.

POOR PRACTICE

In two cases where training for young people is provided through local authorities, the equal opportunities policies adopted for training were those relating to employees of the council. In both cases, no reference was made to training or trainees. The policies did not extend to training in the workplace. Much of the content related to terms of employment, such as holiday entitlement, sickness pay and redundancy. In neither case was there systematic review or evaluation.

Many training providers adopt a ‘compliance-only’ approach to equal opportunities. Equal opportunity strategies focus on meeting the conditions of funding contracts. Many providers are content to meet minimum requirements, in order to stay within the law, without actively promoting equal opportunities. Policies and procedures stress the prevention of inequality and discrimination – they do not enhance equality. In some cases, responsibility for the development of policies is devolved to consultants. Such policies often lack the specific references required to meet a particular organisation’s needs.

Staff invariably claim to support the principle of equal opportunities and to be intolerant of discrimination. Few staff have a deep understanding of the issues, however, especially those associated with legislation. The full range of those actions and circumstances which may constitute harassment is not well understood. Few staff are knowledgeable about the implications of the Disability Discrimination Act of 1995. Some employers admit that a lack of understanding of their legal obligations to employees with disabilities makes them reluctant to offer training opportunities to those who may require additional support.

Some training providers have well-established programmes for staff training in equal opportunities issues. Many make good use of the training offered by TECs. Usually, however, staff training in equal opportunities is poorly organised or unsustainable, if it happens at all. Sometimes staff are sent on training courses as delegates; they will later disseminate information to colleagues. This process is often informal and proves ineffective. In comparison with training in health & safety issues, for example, training in equal opportunities is usually superficial and infrequent. There are training providers which both offer employers and subcontractors training in equal opportunities and subsequently provide information to sustain awareness of current issues.

There is widespread ignorance of the terminology which is least likely to cause offence to people from minority groups. This leads to much apparent insensitivity in the use of language in training sessions, learning material and promotional matter. Many trainees' knowledge and understanding does not extend beyond issues of gender (sexual harassment) and race (unfair treatment and racism). Incidental comment of a sexual or racial nature, at work and in off-the-job training, is (in some cases) considered to be much as expected and par for the course. Little is done to change gradually that culture of ignorance or indifference.

POOR PRACTICE

There is general ignorance of currently acceptable terminology. In one equal opportunities policy, those with disabilities were referred to as 'the handicapped'. In one self-assessment report, the inclusion of 'one Irish lady and one black lady' (contributing to the 'multiracial' staff) was quoted as an example of good practice. In one engineering training session attended by eight trainees, one trainee was a woman; the trainer addressed the group as 'lads' throughout the session.

In many cases, data to assist the analysis of equal opportunities are gathered only in response to TEC requirements. Usually, these data extend only to identification of the gender and ethnicity of applicants, ignoring disability. The use of data to evaluate the effectiveness of equal opportunities policy and procedures is underdeveloped. In many cases, data are neither analysed nor evaluated, and performance is not benchmarked against local or national economic statistics or labour-market information. The use of data to inform management decisions is neither routine nor systematic. In some national or regional training providers, data, if collected locally, are not used to make comparisons of the effectiveness of the same policies in different parts of the country or, by doing so, to evaluate their robustness. In the better cases, data-collecting extends to early leavers and trainees' achievement and progression into employment or further training and education. Comparisons are made among different groups of trainees to scrutinise equality of opportunity at all stages of training. Where differences in achievement are identified, the better training providers respond promptly and often in partnership with local community groups and support agencies.

GOOD PRACTICE

One training provider promoting courses for unemployed adults conducted a local equal opportunities survey as part of a prevocational course project. Results of the survey indicated that progression from training to jobs for those trainees from one particular housing estate was lower than that for trainees from other parts of the town. Further investigation showed that unfavourable perceptions of people from the estate were a contributory factor to a lack of job offers from employers. Better liaison with employers and better support for trainees when making job applications brought about higher rates of progression.

POOR PRACTICE

One training provider, operating throughout a county in six different locations, had no strategy for the collection or analysis of information on equal opportunities across the company. The effectiveness of the equal opportunities procedures was evaluated only on a company-wide basis; this did not take account of local factors. For example, one training centre operated in an area in which 6 per cent of the local community were from minority ethnic groups and in which there were pockets of deprivation, while another operated in an area of relative prosperity, with less than 1 per cent of people from minority ethnic groups. No trends were identified for trainees in these distinct areas.

In some cases, training providers' quality assurance procedures do not extend to equal opportunities. They focus only on systems and on satisfactory completion of paperwork. Policies and procedures which may work at a training centre are frequently attenuated when translated into the workplace or subcontractors' premises. Monitoring of equal opportunities, especially at work, is done only incidentally by staff when visiting trainees to conduct training progress reviews. In many cases, checklists of topics to be covered during these reviews do not include equal opportunities. Where progress reviews are infrequent, there are often no other steps taken to compensate for their lack.

Tick boxes are sometimes used to record the levels of trainees' satisfaction. This practice is usually too crude for the purpose. It relies on trainees being able to evaluate accurately the complexity associated with levels of equity in working practices. As trainees seldom have enough experience of acceptable working practices to make such sophisticated judgements, the onus is placed on them to complain, in order to expose harassment, discrimination and general poor practice.

Where data are used critically, some training providers still fail to ensure that these data bring about action. Most training providers have no clear strategies for tackling significant inequality when they find it. Sometimes, trainees are found alternative work placements, when there is a problem, rather than the training providers dealing with it at its root, with the employer. Such evasion gives the clear impression that the trainee is to blame for being discriminated against and discourages others from complaining, even when they have ample cause to do so.

POOR PRACTICE

Some national trainees following NVQs in hairdressing were refused time off from their work placements to attend weekly off-the-job training sessions at college. The college responded by providing evening sessions on two days each week, but was unwilling to jeopardise the placements by tackling the issue with the employer, which was not meeting the terms of a formal agreement.

In many cases, working relationships between training providers and employers have been built up over many years. Familiarity leads easily to a lack of rigour in monitoring equal opportunities arrangements. Training providers often assume equality of opportunity at work, because trainees have not complained. The provider relies on the arrangements made by subcontractors and employers themselves to guarantee fair practices, rather than retaining responsibility for fulfilling that guarantee themselves. Some trainees are inevitably worried that complaining to training providers may jeopardise their future. In the worst cases, training providers take the view that employers with poor equal opportunities records are better than no employer at all. In the better cases, monitoring of equal opportunities at work is systematic and open. Detailed written guidelines are used by the provider's staff to help them to evaluate the effectiveness of employers' equal opportunities arrangements, against criteria which the employer, too, can accept and understand.

The management of equal opportunities in training and at work is not as thorough as are arrangements to ensure health & safety. Nearly all training providers have designated health & safety officers who maintain their knowledge of this subject through regular training. Written procedures for monitoring health & safety are detailed and comprehensive. Visits to employers' premises to carry out health & safety audits are systematic. Formal agreements among training providers, subcontractors and employers, about health & safety measures, are commonplace. These arrangements involve no embarrassment nor are they resented by employers. They offer a good model which might be applied to securing equality of opportunity.

THE COUNCIL AND INSPECTORATE

The Council

The Training Standards Council is responsible for the independent inspection of government-funded work-based training. Its scope includes provision currently funded through training and enterprise councils (TECs), through franchise agreements with further education colleges, as part of the New Deal initiative, with the assistance of the European Social Fund (ESF) and the Single Regeneration Budget (SRB) and in prisons. The Training Standards Council draws its funds directly from the Department for Education and Employment and the Employment Service. The Council's chief inspector reports annually on the findings of the inspectorate. The Council uses the chief inspector's report to inform the Secretary of State for Education and Employment on standards in government-funded work-based training.

The Training Standards Council has 18 members, including the chief inspector, who is also the chief executive, and members of the senior management team who are executive directors. Executive and non-executive members alike are selected from applicants for publicly advertised posts. In its recruitment procedures, the Council uses the guidelines on good practice in making public appointments. Members are drawn from industry, training organisations, education and TECs.

Terms of reference

- To advise the Secretary of State for Education and Employment on the quality of training in England offered by training providers supported by public funding.
- To oversee the development and implementation of a quality assurance framework for training providers, embracing self-assessment and external inspection.
- To recommend to the Secretary of State for Education and Employment and keep under review methods for assessing quality and standards of training provision and related methods of assessing competence.
- To receive assessment reports, from the national inspectorate, on government-funded training provision in England and elsewhere, and to advise on necessary action.
- To report annually to the Secretary of State for Education and Employment, including an evaluation of the overall quality of training in England.
- To advise on other matters as requested from time to time by the Secretary of State for Education and Employment.

The inspectorate

The Council's operational arm is the training inspectorate, which is led by the chief inspector. Three directors of inspection are responsible for corporate and operational matters.

There are 40 full-time inspectors and six senior inspectors. They work from their homes throughout England. Their responsibilities include: leadership of inspections, which are conducted with the participation of part-time associate inspectors; leadership in matters related to the occupational areas in which they are qualified and experienced; representing the inspectorate locally and maintaining close links with TECs, government offices and Employment Service regional offices; representing the Council on professional bodies and other national organisations.



TRAINING STANDARDS
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