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| Name of Policy: | Equality, Diversity and Inclusion policy |
| Last Approved: | July 2022 |
| Approved By: | Corporation |
| Consultation | Leadership Team (LT) |
| LT Owner: | Assistant Principal |
| To be reviewed | July 2025 (every 3 years) |

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This policy is available in alternative formats on request from HR with an electronic copy on the College website.

INTRODUCTION

The aim of the Equality, Diversity & Inclusion Policy is to ensure that all staff, students and visitors to the College are recognised and treated as individuals in their own right and given an equal opportunity to participate fully in College life, free from discrimination, harassment and bullying. Through this policy and our equality objectives, we prioritise removing barriers to participation and opportunities whilst celebrating and promoting both the diversity of the College community.

The Equality Act 2010 introduced the term 'protected characteristic' to refer to aspects of a person's identity explicitly protected from unlawful discrimination, harassment and victimisation. The Act also introduced a Public Sector Equality Duty. This policy is designed to implement these requirements.

Appendix A and Appendix B provide further information on these legal requirements.

The Equality, Diversity & Inclusion Policy is reviewed every three years; the associated equality objectives are set every four years and reflect the priorities identified in the College's strategic plan. Progress against these objectives is reviewed on an annual basis as part of the annual self-assessment process and published in our annual EDI Report.

The Equality, Diversity & Inclusion Policy is published on the College's website and all information will be made available in alternative formats on request. It also forms the basis of all related staff and governor training.

1. POLICY STATEMENT

- 1.1 The College is a welcoming and inclusive College, strongly committed to the principle of equal opportunity in education and employment. We strive to ensure that all members of the College are treated fairly. We recognise and value the diversity of our College community and actively promote the celebration of this diversity.
- 1.2 The College has a statutory duty as a public sector provider to have due regard to achieve the objectives set out under s149 of the Equality Act 2010:
 - (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Equality Act identifies nine protected characteristics in respect of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

In addition, this policy takes into account socio-economic background and other factors which are a potential barrier to equality and inclusion.

- 1.3 To ensure transparency, and to assist in the performance of this duty, the Equality Act 2010 (Specific Duties) requires publication of:
- Specific and measurable equality objectives, at least every four years
 - Information to demonstrate compliance with the public sector equality duty

2. POLICY SCOPE

- 2.1 This policy applies to all work, learn, volunteer, visit or who are involved with the College.

This includes:

- staff
- volunteers
- students
- governors
- visitors
- parents / carers

This policy also applies to the wider College community, for example organisations that work in partnership with the College such as employers.

3. POLICY AIMS

- 3.1 The College aims to create and sustain an inclusive work and learning environment which provides equality of opportunity for everyone and celebrates diversity.
- 3.2 The College will robustly challenge inequality, prejudice and discrimination.
- 3.3 The College embraces diversity in all its aspects, and aims to reflect the composition of the wider community and society.
- 3.4 The College will treat all its members with respect and dignity, and seek to provide an environment free from harassment, discrimination and victimisation. The College will not tolerate any form of discriminatory behaviour against its members, either from other members, or from members of the public.
- 3.5 The College will not tolerate bullying, harassment or peer on peer abuse based on any of the characteristics protected in law: this includes racist, sexist, homophobic or other prejudiced or discriminatory language or behaviours. Incidents of the above constitute a breach of the Student Code of Conduct and will be dealt with under the Student Disciplinary and Appeal Procedures [INSERT LINK].
- 3.6 The College will be proactive in seeking to identify individual needs and support them so that no-one is treated less favourably and so that potential barriers are removed. Details of our commitment are detailed in our SEND and Academic Support Policy [INSERT LINK].
- 3.7 Reasonable adjustments will be made to arrangements and premises to ensure access for disabled members of the College or potential members of the College.

- 3.8 We make best endeavours to support students through periods of ill health (both physical and mental) either at point of enrolment or during their programme of study, and will put in place appropriate support plans and adjustments as detailed in our Fitness to Study Policy [INSERT LINK].
- 3.9 In order to ensure that all members of the College and potential members of the College are treated with equality and fairness at all stages, the College will ensure that a consideration of appropriate equality issues are embedded into all its policies and procedures.
- 3.10 The College will analyse performance data, linked to protected characteristics in so far as we can, against national benchmarks and in comparison with previous years' data and in the annual Self-Assessment Review and Action Planning, in order to seek to reduce gaps in attainment and minimise disadvantage in all areas of the College.

4. ROLES AND RESPONSIBILITIES

- 4.1 Governors are responsible for:
- 4.1.1 Ensuring that College supports advancing equality, diversity and inclusion through the College's quality improvement plan is monitored through the Standards committee.
 - 4.1.2 Ensuring the College meets all its legislative duties, including the general and the specific duties of the Equality Act 2010, the SEND reforms of the Children and Families Act 2014 and all subsequent legislation.
 - 4.1.3 Reviewing progress on advancing equality, diversity and inclusion on an annual basis and through the link governor visits.
 - 4.1.4 Ensuring that equality objectives are published, reviewed and updated at least once every four years, in line with the requirements of the specific duties (see appendix A).
 - 4.1.5 Ensuring progress on equality, diversity and inclusion, including progress on achieving equality objectives are published in an annual EDI report, in line with the requirements of the specific duties (see appendix A).
 - 4.1.6 Striving to ensure that the membership of the Corporation reflects the diversity of the student community at the College.
- 4.2 Managers are responsible for:
- 4.2.1 Promoting a welcoming, inclusive College for all, showing respect for everyone, valuing diversity and advancing equality.
 - 4.2.2 Implementing the policy, procedures and guidelines within their areas of responsibility, with their staff and visitors to the College and providing appropriate awareness and direction on

the key issues.

- 4.2.3 Ensuring that all members of the College and potential members of the College are treated fairly, encouraged to disclose individual needs and are given the support and respect they need to do their jobs and learn
- 4.2.4 Ensuring staff and students understand their responsibilities and are given appropriate support and training to enable them to carry out their duties.
- 4.2.5 Challenging and reporting on instances of inequality, prejudice and discrimination (see 6.1).
- 4.2.6 Ensuring that all members of staff are aware of the advice and support available through the Equality and Diversity Lead and the Academic Support and Welfare Department for students, HR support and counselling service (for staff), and consulting the Senior Leadership Team when in any doubt about the implementation of the policy.
- 4.2.7 Ensuring that equality, diversity and inclusion monitoring is integrated into quality assurance processes and reported in self-assessment review.
- 4.2.8 Impact assessing policies, major plans and procedures, to identify areas for improvement and then to make changes to ensure we are implementing our values as well as complying with the law.

- 4.3 All Staff are responsible for:
 - 4.3.1 Promoting a welcoming, inclusive College for all, showing respect for everyone, valuing diversity and advancing equality.
 - 4.3.2 Behaving in a way which does not discriminate against, victimise, bully or harass any individual or group including online and on social media.
 - 4.3.3 Challenging inappropriate, discriminatory and prejudiced behaviours.
 - 4.3.4 Reporting incidents of discrimination, victimisation, bullying and harassment to their line manager in the first instance or to a member of LT, following the College Harassment Policy.
 - 4.3.5 Contributing to self-assessment reporting on how equality and diversity are advancing in their areas.
 - 4.3.6 Participating in equality, diversity and inclusion training.
 - 4.3.7 Fully integrating and embedding equality, diversity and inclusion in their delivery of services.
 - 4.3.8 Fully integrating and embedding equality and diversity within curriculum planning and teaching, learning and assessment.
 - 4.3.9 Regularly reviewing the promotion of equality, diversity and inclusion in individual subject areas and improving the opportunities identified in schemes of work.
 - 4.3.10 Developing schemes of work, lesson content and resources which recognise and

promote inclusion.

4.3.11 Encouraging students to respect other people with particular regard to the protected characteristics set out in the Equality Act 2010.

4.4 Students are responsible for:

4.4.1 Promoting a welcoming, inclusive College for all, showing respect for everyone and valuing diversity.

4.4.2 Complying with our Student Code of Conduct and behaving in a way which does not discriminate against, victimise, bully or harass any individual or group including online..

4.4.3 Reporting issues or incidents of discrimination, bullying or harassment that they experience or witness to an appropriate member of staff, their Progress Coach or Director of Student Care, Guidance & Progression, by following the Student Anti-Bullying and Harassment Procedure [INSERT LINK].

5. MONITORING AND REVIEW OF POLICY

5.1 Senior leaders and managers will monitor and evaluate the implementation of this policy, which will include the following:

- Routinely analyse relevant statistics and data to identify and tackle equality gaps in recruitment, achievement and progression.
- Report on equality gaps, targets, action and progress at Staff, Management and Governor meetings
- Scrutinise reported incidents of bullying, discrimination and harassment.
- Analyse EDI staff statistical reports, such as outcomes from recruitment and selection, appraisal and promotion records, and reasons for resignation, to ensure the College recruits and retains a diverse workforce.
- Log any prejudice-related incidents with the local authority's Prejudice Report for Education system (PRfE) for statistical monitoring.

5.2 The effectiveness of the policy will be monitored by the Leadership Team.

5.3 This policy will be reviewed every three years. Where necessary, the review will be more frequent to ensure compliance with current legislation.

6. BREACHES OF THE POLICY

6.1 Allegations of breaches of the Equality, Diversity and Inclusion Policy by staff and complaints relating to Equality, Diversity and Inclusion will be dealt with, initially through the College complaints procedures, and, if appropriate, via the Grievance and Disciplinary Policy and procedures.

6.2 Key aspects of this policy will be included in student Induction sessions, the Student Code of Conduct and Student Anti-Bullying and Harassment Procedure. Students found to have behaved in breach of the policy will be dealt with through Student Disciplinary Policy and Appeal Procedures.

7. COMPLAINTS

7.1 The College's Complaints Policy and Grievance Policy have details of the informal and formal processes that the College operates to deal with complaints relating to discrimination.

7.2 Complaints relating to bullying and harassment by employees will be dealt with under the staff Harassment Policy.

8. OTHER POLICIES

8.1 The Equality, Diversity & Inclusion Policy should be read in conjunction with the College's:

- Strategic Plan
- Equality, Diversity and Inclusion Objectives
- Fitness to Study Policy
- Safeguarding and Child Protection Policy
- SEND and Academic Support Policy

These policies outline how the College will develop, implement, monitor and review its work towards achieving equality for all including those who have one or more of the protected characteristics as defined by the Equality Act.

8.2 This policy should also be read in conjunction with other College policies, in particular:

- Admissions Policy
- Complaints Policy
- Grievance Policy
- Harassment Policy (Staff)
- Staff Code of Conduct
- Student Anti-Bullying and Harassment Procedure
- Student Code of Conduct
- Student Disciplinary and Appeal Procedures
- External Speakers and Events Policy

Legal framework

The Equality Act 2010 introduces the term 'protected characteristic' to refer to aspects of a person's identity explicitly protected from unlawful discrimination. Nine are identified:

- Age
- Disability
- Gender reassignment
- Marriage / civil partnership
- Pregnancy / maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

However, other aspects of a person's identity or circumstance can cause them to experience discrimination, for example a person's socio-economic status, class or background. The law states the *minimum* actions and the College is committed to advancing equality and eliminating discrimination on these and other grounds.

The Equality Act 2010 contains a Public Sector Equality Duty, which requires the College to give due regard to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity;
- foster good relations.

'Advance' involves having due regard to the need to:

- a) remove / minimise disadvantages experienced by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet needs of persons who share a relevant protected characteristic that are different from the needs of persons who don't share it;
- c) encourage persons with a relevant protected characteristic to participate in public life or in any other activities where participation by such persons is disproportionately low.

'Foster good relations' includes having due regard to tackle prejudice and promote understanding.

The Equality Act 2010 also requires certain public sector organisations, including schools and Colleges, to meet the requirements of two specific duties, which are to:

- Set and publish equality objectives every four years, that are specific and measurable;
- Publish equality information every year. This should show how the organisation is meeting the general duty and the progress that has been made in achieving the equality objectives.

Definitions of discrimination and harassment

Direct discrimination occurs when someone is treated unfairly, or less favourably than another person, because they have a protected characteristic. This often arises because of assumptions, stereotyping or prejudice. Direct discrimination also covers association discrimination or perception discrimination. This is direct discrimination against someone because they associate with a person who has the protected characteristic or because they are perceived to have a protected characteristic.

Indirect discrimination occurs when a provision, criterion or practice is applied that appears to affect everyone equally but which in fact puts people who share a protected characteristic at a disadvantage.

Harassment occurs when someone behaves in such a way that their conduct has the purpose or effect of creating an environment that is offensive, hostile, degrading, humiliating or intimidating for a person, where:

- this is related to a protected characteristic (except pregnancy and maternity or marriage and civil partnerships)
- this is of a sexual nature (sexual harassment)
- a person is treated less favourably because they have either submitted to or rejected sexual harassment, or harassment related to sex or gender reassignment (this is known as 'consequential harassment').

Harassment by others applies to age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

The Equality Act is clear in terms of the responsibilities of employers ensuring that employees and students are not placed at risk from this type of harassment. For example, employers are potentially liable if they are aware that harassment has taken place and have not taken reasonable steps to prevent it from happening again.

Discrimination arising from a disability occurs when a disabled person is treated less favourably than others because of something connected to their impairment

Failure to make reasonable adjustments occurs when an organisation fails to make reasonable adjustments for a disabled person, to avoid the disabled person being placed at a substantial disadvantage when compared with a non-disabled person.

Victimisation occurs when a person experiences disadvantage because they have supported someone in making a complaint or an allegation of discrimination, or because they personally have made an allegation of discrimination.

(N.B. Appendix A and B have been adapted, with permission, from Christine Rose (2011) *The New Equality Act 2010: What does it mean for the learning and skills sector?*)

Glossary

(Adapted from information provided by the
Equality and Human Rights Commission)

| Term | Definition |
|-------------------------------|---|
| Age | This refers to a person belonging to a particular age (e.g. 32 years old) or range of ages (e.g. 18-30 years old). |
| Disability | A person has a disability if he or she has a physical or mental impairment, which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. This is a broad definition and can include, for example, people with physical or sensory impairments, long term medical conditions such as epilepsy or diabetes, mental health difficulties and specific learning difficulties such as dyslexia. |
| Direct Discrimination | This occurs when a person treats another less favourably than they treat, or would treat, others because of a protected characteristic. |
| Discrimination by Association | This is a form of direct discrimination, which occurs because of someone's association with another person who has a protected characteristic. It may also occur because someone has campaigned to help people with a particular characteristic or has refused to act in a way that would disadvantage a person or group who have a particular characteristic. |
| Discrimination by Perception | This is a form of direct discrimination, which occurs when someone is treated less favourably because of a protected characteristic they are mistakenly thought to have. |
| Faiths and Beliefs | Faiths and beliefs include religious, philosophical and political beliefs as well as lack of belief. Generally, a belief should affect a person's life choices or the way they live to be included in this definition. |
| Gender | Sex and gender are often used interchangeably. However, sex is used to mean someone's biological sex, based, for example on genitalia, hormones and other sex characteristics. Gender has a broader meaning, for example it can relate to social and cultural roles, or the stereotypes, barriers and discrimination that men, women and non-binary people might experience |
| Gender identity | This is a person's deeply held sense of their own gender, which may be masculine, feminine, some of both, gender neutral or gender fluid |

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| Gender Reassignment | The process where a person 'transitions' – either male to female or female to male, so that their gender expression, gender identity and gender status align and they live permanently and completely in the gender to which they identify. Some people prefer to use the term 'gender confirmation' as they see the process as confirming their true gender. During gender reassignment, they may change their name, their |
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| | hairstyle, the way they dress, the pronoun they use to describe themselves. The term is broad and covers anything that a person may choose to do to reflect their gender identity, whether this be male, female, non-binary etc. It may or may not involve medical intervention. It may or may not involve surgery. |
| Harassment Related to a Protected Characteristic | This occurs when someone is subject to unwanted conduct, which is related to a protected characteristic they have which has the purpose or effect or violating the individual's dignity or creating an intimidating, degrading, humiliating or offensive environment for that individual. Harassment may take the form of spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting an individual's surroundings or other physical behaviour. |
| Indirect Discrimination | This occurs when applying a provision, criterion or practice, which puts someone from a particular group having one, or more protected characteristics at a particular disadvantage. Indirect discrimination may only be justified in exceptional circumstances if it can be shown that the action was reasonable in managing the business or organisation. |
| Marriage and Civil Partnership | Marriage can be defined as a union between a man and a woman but also as the union of a same-sex couple. Couples may also choose to have relationships legally recognised as civil partnerships. Civil partners must be treated the same as married couples in a wide range of circumstances, such as employment and education. |
| Positive action | Lawful actions that seeks to overcome or minimise disadvantages that people who share a protected characteristic have experienced, or to meet their different needs (e.g. providing mentoring to encourage staff from under-represented groups to apply for promotion). |
| Positive Discrimination | Treating someone with a protected characteristic more favourably to counteract the effects of past discrimination. It is generally not lawful although the duty to make reasonable adjustments is an exception where treating a disabled person more favourably may be required by law, so it is legitimate to provide reasonable adjustments which favour of a disabled person. |

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| Pregnancy and Maternity | Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after birth, in the employment context this is linked to maternity leave; otherwise, protection against maternity discrimination is for 26 weeks after giving birth and includes less favourable treatment because of breastfeeding. After the 26-week period, any discrimination is Sex discrimination. |
| Protected Act | A protected act is bringing proceedings under the Act, giving evidence or information in connection with proceedings brought under the Act, done anything in relation to the provisions of the Act or making an allegation that another person has done something in breach of the Act. |
| Protected characteristics | These are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and |

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| | civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. |
| Race | Refers to a group of people defined by their race, ethnicity, nationality or national origins. |
| Sex | Being a man or a woman. Sex refers to biological characteristics |
| Sexual Harassment | This occurs when a person engages in unwanted conduct, which is of a sexual nature. This may be verbal, non-verbal or physical conduct. |
| Sexual Orientation | Whether a person is attracted to their own sex, the opposite sex, both sexes, or neither sex. |
| Trans | An umbrella term that describe a wide and diverse range of people including those whose gender identity or gender expression differ from the gender assumptions made about them at birth or in society or from a clear-cut gender 'binary', male or female. |
| Victimisation | This occurs when an individual is subjected to detriment because they have done, are believed to have done or it is believed they will do a "protected act". |