

# Equality, Diversity and Inclusion Policy

**Version 2021**

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**Related Policies:** 16-19 Student Financial Support Policy, Careers Education Information, Advice and Guidance Policy, Fitness to Study Policy, Prayer Room Policy, Attendance and Punctuality Policy, Positive Behaviour Policy

## **AIM AND SCOPE OF THE POLICY**

1.1 This Policy sets out how the College will meet its legal requirements under the Equalities Act 2010, it also establishes the College ethos with regard to Equality, Diversity and Inclusion.

1.2 This policy requires that all individuals working, studying or visiting Joseph Chamberlain College:

- Have the right to be free from harassment and bullying of any description.
- Are treated fairly and with respect in all interactions with the College.
- Are not discriminated (either directly or indirectly) against or suffer any unwanted behaviour because of a protected characteristic.
- Have an equal chance to achieve their full potential, irrespective of any defining features that may give rise to direct or indirect discrimination.

1.3 The Equality, Diversity and Inclusion Policy applies to:

- Prospective students in relation to admissions and recruitment arrangements.
- Current students including those absent, temporarily excluded; students on work placements and students studying remotely.
- Former students (if there is a continuing relationship based on them having been a student).
- All current staff and volunteers including agency staff employed via a third party
- All external applicants for vacancies advertised in the College
- Visitors.
- Contractors (while they are on College premises or carrying out College business).
- Partners and employers where students have work placements.
- Governors of the College.

## **2. EQUALITY, DIVERSITY AND INCLUSION STATEMENT**

2.1 The Senior Leadership Team encourages everyone that works for, or learns with Joseph Chamberlain College, to reach their full potential in an environment which is respectful and that values individual difference. At Joseph Chamberlain Sixth Form College, valuing diversity and promoting equality is essential and governs the way we work with each other and our approach to all learners and stakeholders.

2.2 The College aims to promote equal opportunities for everyone and will actively implement its equalities policies in order to combat discrimination and to promote good relations between different groups.

2.3 We are proud to be located in Birmingham, and value the diversity of all the communities we serve. We acknowledge and celebrate the different backgrounds, cultures, languages, abilities and beliefs of our learners and staff. The college aims to promote community cohesion, and to provide a safe and harmonious learning environment where everyone feels that they belong.

2.4 The College works within existing legislation relating to Equality, Diversity and Inclusion and will take a range of actions each year to ensure it meets its general and specific public sector duties. We are opposed to, and will tackle, any harassment and all other discriminatory attitudes and behaviours in

relation to the protected characteristics of the Equality Act i.e. age, disability, ethnicity, (including race, colour, nationality), gender, gender reassignment, marriage or civil partnership, pregnancy and maternity, religion and belief and sexual orientation, but also in relation to social background, class and trade union affiliation.

- 2.5 We will continue to take positive action to address any under-representation in the student, staff or governor profile, and to tackle any gaps in the success, retention or achievement rates for any equality group. We will also work to eliminate any barriers that might inhibit the success or progression of any groups of students or staff.
- 2.6 We will uphold and promote through our all our activities, the values of respect and tolerance both for each other and for visitors to the College.

### **3. THE LEGAL FRAMEWORK**

- 3.1 The College will fully comply with the current legal framework of the Equality Act 2010 and any subsequent legislation such as the Public Sector Equality Duty 2011.
- 3.2 The College will take a holistic approach to work on Equality, Diversity and inclusion and will produce an annual action plan which incorporates all of its proposed actions in relation to age, disability, ethnicity, gender, gender reassignment, sexual orientation, maternity and pregnancy, marriage and civil partnership and religion and belief. We will also consider issues of socio-economic inequality and class that are not required under the Act. This policy will be monitored and reviewed annually.
- 3.3 In relation to disabled students, the College will adhere to its duties under the Equality Act, which now replaces the SEN and Disability Act 2001 (SENDA) and will make *reasonable adjustments* to the curriculum, information and the built environment for disabled students. We recognise that the 'anticipatory' aspect of this duty means that we need to consider what sort of adjustments may be necessary for disabled people in the future, and where appropriate, will make these adjustments in advance.

### **4. BROAD PRINCIPLES**

- 4.1 The College will publish the actions that it intends to take each year to:
  - Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
- 4.2 The College believes that high quality education and training is a right for all, and will encourage all students and staff to reach their potential The College will continue to implement and assess the impact of its policies, procedures and practices on present and potential students, staff and visitors, to ensure that no equality group is disadvantaged.

- 4.3 The College will actively work towards offering equality of opportunity to all students, staff and visitors.
- 4.4 All participants in the educational process will be made aware that they have a legal and moral responsibility to eliminate discrimination and harassment and to promote equality of opportunity and good relations between people from different backgrounds and communities, and between different equality groups.
- 4.5 The College will take active steps to eliminate all forms of discrimination (whether direct or indirect). Bullying, harassment or any other discriminatory behaviour will not be tolerated.
- 4.6 The College will take positive action to recruit a workforce and student body that is diverse and reflects the local population, and will address any differences in outcomes for any particular group

## **5. SPECIFIC PRINCIPLES – LEADERSHIP AND MANAGEMENT**

- 5.1 The College will ensure that Equality, Diversity and Inclusion is reflected in its values and vision statements, and that a high profile is given to these issues at all levels of the College's work in order to meet the Public Sector Equality Duty.
- 5.2 The Governing Body and managers will ensure that the College is fully compliant with legislative requirements on Equality, Diversity and Inclusion.
- 5.3 The College will monitor how well equality of opportunity is promoted and discrimination tackled, through all of its quality assurance and self-assessment processes.
- 5.4 The College and individual managers, will regularly monitor the success, retention rates and attendance rates of learners from different equality groups, and will take action to address any gaps.
- 5.5 The College will constantly review its provision and support services to ensure they are designed to take into account the specific needs of all equality groups.
- 5.6 The College will ensure it has in place a comprehensive action plan that is updated annually.
- 5.7 The College will continue to assess the impact of its policies, strategies, plans and practices as required by legislation.
- 5.8 The College will work with sub-contractors and employers and providers of work-based learning to ensure that Equality, Diversity and Inclusion principles are monitored and met; and that any under-achievement or under-representation is addressed.

## **6. ACCESS TO, AND PARTICIPATION IN, EDUCATION**

- 6.1 A clear statement of the College's commitment to Equality, Diversity and Inclusion will be made in relevant College publications and publicity.
- 6.2 The College will work to ensure that there is no discrimination of any kind in relation to the recruitment and admission of students to courses.

Recruitment patterns across curriculum areas for all equality groups will be reviewed and positive action taken to address any under-representation.

- 6.3 The College will constantly review its provision to ensure that it is appropriate for and attractive to students from all backgrounds e.g. physical access, location and timing of courses and interviews, availability of rooms, and childcare support.
- 6.4 The College will provide appropriate financial support, through the Student Bursary Scheme and the Discretionary Support Fund within the resources available to it, to students who can demonstrate financial need.
- 6.5 The College will seek to identify and take into account the needs of local communities and actively encourage representation in relevant policy-making and consultation bodies
- 6.6. The College will seek to develop specific provision that meets the needs of its local community.
- 6.7 The College will make available interpreters if they are required by students or their families to access education e.g. at enrolments, parents' evenings etc., and will make information accessible and available in alternative formats if required.

## **7. EMPLOYMENT OF STAFF**

- 7.1 Recruitment for all positions within the College will be carried out in a manner which accords with good equal opportunities practice.
- 7.2 The long-term aim is that the College staff should broadly reflect the make-up of the Birmingham available-for-work population.
- 7.3 Members of interviewing panels will be made familiar with the College's Equality, Diversity and Inclusion Policy and the Recruitment Code of Practice. Training in appropriate procedures and practices, and on specific equalities issues will be given. Where possible, interview panels should also reflect the diversity of the College population.
- 7.4 The criteria for the promotion and progression of existing employees will be determined solely on the basis of the requirements of the job.
- 7.5 The Human Resources Team will be responsible for the maintenance of statistical information relating to the profile of the workforce, of all applicants and of staff involved in disciplinary actions, grievances, leavers etc. The Governing Body will review and monitor these statistics to identify any trends of differences between equalities groups.

## **8. MARKETING, PUBLICITY AND EXTERNAL LIAISON**

- 8.1 The College will act to identify the needs of the communities the College serves and will take positive action to engage with those communities. This will include liaison with community representatives and market research.
- 8.2 Publicity material will, where practical, reflect the diversity of all communities, and will be free from bias.
- 8.3 The College's Equality, Diversity and Inclusion Statement will be displayed in public places throughout the College, and the full policy will be available to all

staff and students through the intranet, and be referred to in key documents such as the Student Handbook and College Website.

- 8.4 The College's publicity material will be available in translation into community languages or alternative formats if required; and will be widely distributed in public places and community venues.
- 8.5 The College will take positive action to publicise its provision to communities that are currently under-represented as staff or students, through attending community events, road shows, links with schools and specific initiatives.

## **9. THE CURRICULUM, ASSESSMENT, LEARNING AND TEACHING**

- 9.1 It is the legal and ethical responsibility of all staff to conduct their teaching and learning activities in a non-discriminatory manner; and this is reinforced in the requirements of the Education Inspection Framework.
- 9.2 All students will be provided with an effective induction programme that familiarises them with the College's Equality, Diversity and Inclusion Policy and helps them to recognise the rights and responsibilities of themselves and others in relation to these issues.
- 9.3 Teaching and learning will be informed by Equality, Diversity and Inclusion principles, and an awareness of cultural and linguistic diversity. Teaching styles should take account of students' varied backgrounds, abilities and learning styles. This should be regularly monitored through the College's quality assurance processes.
- 9.4 The outcomes of any assessment processes will be regularly monitored to ensure that they do not indirectly discriminate against any group of learners.
- 9.5 The curriculum for all areas will be rich and varied; and will be regularly reviewed to ensure it is culturally sensitive, addresses equality issues; and reflects the interests and backgrounds of learners.
- 9.6 All teachers should use materials, resources and learning activities that are free from discriminatory assumptions, images and language, challenge stereotypes, are sensitive to diversity and promote equal opportunities. The College will take swift action if it is made aware of any inappropriate materials that are discriminatory.
- 9.7 Curriculum design will be sufficiently flexible, and the curriculum offered sufficiently broad, to take account of the differing needs of all learners, with the objective of providing easy access to the curriculum for non-traditional learners and widening participation.
- 9.8 Under the protection of the relevant legislation, the College will encourage specific course provision in those areas of the curriculum where particular groups of students are under-represented.
- 9.9 The College will offer learning support in literacy and numeracy for all students who are identified as requiring it, support for students whose first language is not English; and appropriate additional support for any disabled students or those with additional learning needs.
- 9.10 A range of inclusive enrichment activities will be developed (both college wide and in specific curriculum areas), that promote the good relations between students from different backgrounds and support community cohesion.

## **10. STUDENT SUPPORT AND GUIDANCE, AND LEARNER VOICE**

- 10.1 Support (financial or personal) provided to students through Student Services will be monitored by the Equality, Diversity and Inclusion Committee to ensure that it is equally available to all students; and positive action will be taken if any group does not appear to be accessing a service.
- 10.2 All students will be encouraged to take part in Learner Voice activities and these will be monitored to ensure that they are inclusive; and that learners on decision making bodies include those from all equality groups.
- 10.3 Positive action initiatives will be developed to meet the needs of students from any particular groups who are found not to be proportionately accessing support services e.g. young parents, Looked After young people, asylum seekers, adult learners.
- 10.4 Pastoral support will be constantly reviewed to ensure it takes account of the needs of particular groups of students.
- 10.5 Student Services will provide appropriate impartial advice and guidance to all students.

## **11. BEHAVIOUR, ATTENDANCE, AND DISCIPLINE**

- 11.1 All formal processes relating to student behaviour or disciplinary actions will be monitored and any over-representation or other issues will be addressed.
- 11.2 Attendance of students on different courses will also be monitored and action will be taken to seek, understand, and address any patterns that emerge.

## **12. COLLEGE ENVIRONMENT**

- 12.1 The College will seek to create an environment in which all students, staff and visitors feel comfortable, irrespective of their background and any protected characteristics.
- 12.2 The College staff will respond positively and courteously to all its students, staff and visitors from the first point of contact; and will be trained in Equality, Diversity and Inclusion to enable them to meet the needs of particular equality groups.
- 12.3 The College will cater for the different religious and cultural needs of its students e.g. providing, where possible, for particular dietary requirements and prayer facilities.
- 12.4 The College will continually review the physical access to its buildings and environment to ensure it complies with the law and is accessible to the widest range of disabled people as possible.
- 12.5 The College will ensure that displays, photos and other artefacts reflect the diversity of the college and promote community cohesion.

### **13. STAFF TRAINING AND DEVELOPMENT**

- 13.1 All managers and governors will receive Equality, Diversity and Inclusion training and should be able to demonstrate a good understanding of their roles and responsibilities regarding this.
- 13.2 The College will make all employees aware of their responsibility for the implementation of Equality, Diversity and Inclusion policies through induction and follow up training.
- 13.3 The College will use a range of processes to support teaching staff to review and the content of the curriculum they deliver to ensure it is relevant and culturally sensitive (e.g. lesson observations, coaching and training).
- 13.4 Staff training and development opportunities will be monitored by to ensure that they are equally available to, and can be accessed by, all staff, both teaching and support, full-time and part-time.
- 13.5 The College will also take positive action to offer opportunities for training and promotion to groups of employees who are identified as disadvantaged and/or are under-represented at particular levels in the organisation.

### **14. HARASSMENT AND BULLYING**

- 14.1 The College will ensure that all students and staff are aware of the policies and processes for reporting harassment and bullying through induction and tutorials; and this information will be available in all major publications (such as the Student Handbook) and on the intranet.
- 14.2 Support will be provided for any students who are victims of harassment or any other form of bullying, through the tutorial system and Student Services.
- 14.3 The Human Resources Department will provide advice and guidance to employees on all issues connected with their employment, including bullying or harassment.
- 14.4 All complaints of bullying and harassment will be recorded and dealt with through the Anti-Bullying and Harassment Policy. The outcomes will be monitored by the Vice Principal or Executive Director of HR as appropriate.

### **15. CONSULTATION**

- 15.1 The College will ensure that staff and students from equality groups are consulted on and involved in, the review of the Plan and other equality policies; and in identifying areas for action.
- 15.2 The College will consult its staff and students from different equality groups on other policies and strategies as required, and will ensure that they are involved in decision making and Learner Voice bodies.
- 15.3 Specific questions on equalities and diversity will be included in learner satisfaction surveys and the results will be monitored by equality group.
- 15.4 Consultation with external agencies such as independent Auditors and Equality organisations will be sought to improve all aspects of College provision to ensure equality.



## **16 STRUCTURE**

16.1 The Equality, Diversity and Inclusion Committee, under the Chair of the Assistant Principal (College Operations), will monitor compliance with the College's Equality, Diversity and Inclusion Policy and Plan. The Committee's remit is:

- To advise and report to the Senior Leadership of the College on policies and good practice in relation to equalities, diversity and community cohesion; and to provide them with minutes of all meetings.
- To agree an annual action plan that includes any review of equality policies and plans, in conjunction with the Clerk of the Corporation.
- To review and monitor the implementation of the College's Equality, Diversity and Inclusion Policy and Plan and all related Equality, Diversity and Inclusion policies and action plans and to determine Codes of Practice and other guidance.
- To raise awareness of, and comment on, new national policies and statutory requirements in relation to Equality, Diversity and Inclusion; and to advise the College on their compliance.
- To advise on the strategy for raising awareness of equalities and diversity issues through staff development and other activities.
- To commission and agree the Annual Report on Equality, Diversity and Inclusion for the Governors (to include the progress on the Plan).
- To undertake any other task within the broad remit of the Committee.

## **17. PROCEDURE FOR HANDLING AND MONITORING COMPLAINTS**

17.1 All complaints will be dealt with under the College's Complaints Procedure. Complaints will be monitored annually and reported on by the Equality Committee.

## **18. MONITORING OUR PROGRESS**

18.1 To inform the setting of targets and the measurement of our progress in achieving them, the College will collect and analyse the following information by equality groups without prejudice to the right of staff to confidentiality.

### **FOR LEARNERS**

- Profile of learners
- Retention rates
- Achievement rates
- Disciplinary action
- Complaints by learners and their response
- Satisfaction surveys

## **FOR EMPLOYEES**

- Profiles of employees by grade and type of work
- Job application rates
- Selection success rates
- Type of contract (permanent, temporary)
- Training application rates
- Promotion application and success rates
- Disciplinary proceedings
- Grievances
- Satisfaction surveys

## **19. PUBLICISING OUR POLICY AND PROGRESS**

### **19.1 To the public (including learners, work placement providers and staff)**

- Our commitment to equality, diversity and inclusion will be highlighted in our College Website and in the annual self-assessment report.
- A summary of the results of our monitoring information will be included on the College website.

### **19.2 To learners**

- All learners will receive a summary of the statement in the Student Handbook. Copies will also be on display in the Learning Resource Centres and student social spaces.
- The induction programme for learners will highlight the College's commitment to Equality, Diversity and Inclusion, action to be taken for learners who suffer discrimination and the action to be taken against any perpetrators of discrimination.
- Personal Progress Tutors will reinforce this information during tutorials.

### **19.3 To staff**

- All staff will receive a copy of the Equality, Diversity and Inclusion Statement as part of the Staff Handbook.
- The induction programme will highlight the College's commitment to Equality, Diversity and Inclusion, action to be taken to support learners who suffer discrimination and the action to be taken against any perpetrators of discrimination.

## **20. RESPONSIBILITIES**

### **20.1 Governors** are responsible for ensuring that

- The College meets its duties under the Equality Act 2010 and other relevant legislation.
- They appoint a designated Governor of the Corporation with lead responsibility for equality, diversity and inclusion.
- They receive and respond to the Equality, Diversity and Inclusion Policy and the College Annual Equality, Diversity and Inclusion Report.
- They consider equality implications of any planning or review of provision.

- Managers and other staff receive adequate training to meet their equality duties.
- They scrutinise reports, analyse complaints and grievances in relation to equality and discrimination.

20.2 **The Principal** is responsible for:

- Giving a consistent, high profile lead on Equality, Diversity and Inclusion issues inside and outside the College.
- Holding all staff accountable for promoting and embedding Equality, Diversity and Inclusion.
- Appointing a Senior Manager with lead responsibility for Equality, Diversity and Inclusion.
- Ensuring that the Plan and its procedures are followed by all.
- Providing Pastoral services to students free from any discrimination, bias or bullying, ensure that appropriate support is provided to assist all students to achieve and to close any gaps that are identified.
- Ensuring that managers fulfil their responsibilities in relation to the Plan.

20.3 **Assistant Principals (Curriculum)** are responsible for:

- Providing appropriate training to support the promotion and embedding of equality and diversity within the curriculum.
- Supporting teaching staff to adopt styles of teaching and learning that support students' individual needs.
- Monitoring the embedding of equality and diversity via the lesson observation process.
- Ensuring that HODs are required to assess Equality, Diversity and Inclusion issues through the self-assessment process and action taken as appropriate.
- Developing a curriculum that provides opportunities to all students to study at a level appropriate to them.
- Providing a range of programmes and varied modes of delivery to meet the needs of the local community.
- Maximising progression opportunities, including the accreditation of prior learning and experience.
- Supporting all teaching staff to perform their duties in a matter which promotes a harmonious and productive college.

20.4 **The Vice Principal** is responsible for:

- Providing appropriate C&IAG support services to assist all students to achieve their potential including those with SEND support needs.
- Ensuring that comprehensive information, advice and guidance is available to prospective and existing students, without bias and in line with equality and diversity legislation.
- Ensuring that equitable processes are being consistently implemented to provide additional learning and financial support to enable students to be successful in their studies.
- Devising Tutorial programmes reflect the College's commitment to promote Equality, Diversity and Inclusion.
- Celebrating Diversity and promoting Inclusion.
- Creating and disseminating anti-bullying and harassment materials.

- 20.5 **Assistant Principal (College Services)** is responsible for:
- Developing publicity which will reflect the College's Equality, Diversity and Inclusion Policy, and advance equality of opportunity between those people who share a protected characteristic and those who do not.
  - Ensuring that publicity and marketing materials are available in a range of formats which meet the needs of the local community.
  - Ensuring all signs, regulations, communications and instructions are as clear and simple as possible, and free from discriminatory language or images.
- 20.6 **Assistant Principal (College Operations)** is responsible for:
- Taking a strategic lead on the Equality, Diversity and Inclusion in college and chairing the EDI committee.
  - Annually reviewing the college Equality, Diversity and Inclusion policy.
  - Producing an Annual Equality, Diversity and Inclusion report.
  - Providing systems and reporting mechanisms to enable staff to identify and monitor gaps in the retention, achievement and success of any identified group of students.
  - Promoting widening participation in the staff and student body alike.
  - Reporting to SLT and the governing body on matters relating to Equality Diversity or Inclusion.
- 20.7 **Executive Director of HR** is responsible for:
- Ensuring that appropriate arrangements exist for effectively managing and recording all aspects of the employment relationship, including recruitment and selection.
  - Reporting on staff grievances, and disciplinary action taken related to bullying and harassment or other acts not in accordance with the Equality and Diversity Policy.
  - Maintaining a central record of all staff equality and diversity training.
  - Ensuring that individuals are treated fairly and that decisions on recruitment, selection, pay, training, development, promotion, career management and termination of employment are based solely on objective and job-related criteria.
  - Promoting employee well-being and work-life balance through associated HR policies and practice.
  - Providing and monitoring staff equality data and contributing to the development of the equality and diversity objectives and targets and the Annual Equality & Diversity Report.
  - Ensuring that the procedures for the recruitment and promotion of staff enshrine best practice in equal opportunities
- 20.8 **Heads of Department** have a responsibility for:
- Embedding equality and diversity in the curriculum from planning through to course design and delivery, ensuring that the curriculum enables students to understand and embrace the College values.
  - Taking appropriate action against staff or students who discriminate, harass, bully or encourage extremist activity.
  - Ensuring that all teaching and curriculum materials will advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.
  - Ensuring that Internal verification procedures include scrutiny of Equality, Diversity and Inclusion issues.

20.9 **All managers** are responsible for ensuring that:

- They are aware of the College's statutory duties in relation to Equality, Diversity and Inclusion.
- This policy is actively promoted and enacted, making sure that staff are aware of their responsibilities and receive support and training to carry them out.
- All aspects of College activity are sensitive to Equality, Diversity and Inclusion issues.
- Equality monitoring information is collected and analysed.

20.10 **All staff** are responsible for ensuring that:

- They are aware of the College's statutory duties in relation to Equality, Diversity and Inclusion.
- They challenge and report inappropriate behaviour by either learners, work placement providers or other members of staff.
- They promote community cohesion, and good relations between learners from different backgrounds and between different equality groups.
- Teachers' schemes of work, lesson content, teaching resources and techniques demonstrate sensitivity to Equality, Diversity and Inclusion

20.11 **Students** are responsible for ensuring that:

- They promote Equality, Diversity and Inclusion and community cohesion.
- They do not discriminate against anyone for reasons of disability, age, ethnicity, colour, race, gender, gender reassignment, marriage or civil partnership, maternity or pregnancy, religion and belief, sexual orientation, social background, class, or trade union affiliation.
- They challenge and report any breaches of equality policies.

20.12 **Contractors and Service Providers** are responsible for ensuring that:

- They follow the College Plan and any equality conditions in contracts or agreements.

## **21. IMPLEMENTATION OF THE POLICY**

21.1 The College will ensure that:

- An introduction to the Equality, Diversity and Inclusion Policy will be included in the induction of new staff and students, and when revised, will be disseminated to ensure understanding and responsibilities.
- The Principal, Corporation and all staff working with or on behalf of the College, whether employed directly or indirectly, and including volunteers and external contractors, will receive a level of training appropriate to their role, with refresher training at least every 3 years.
- When arranging work experience placements for students, the employer is fully aware of their duties in terms of equality and diversity matters, and that students are given guidance prior to their work placement on equality and diversity.
- Lesson observations include the opportunity to report on equality and diversity.

21.2 The College is committed to using a number of different ways in which to communicate our policy to all staff, governors, students and visitors:

- The Equality, Diversity and Inclusion Policy is reviewed and approved by the College SLT and Corporation every 3 years (or when a major revision is required).
- The Equality, Diversity and Inclusion Policy is communicated to all staff and trade union representatives through staff induction, staff intranet and email.
- The College provides its partners with the College Equality, Diversity and Inclusion Policy for their use as required.

## **22. MONITORING AND EVALUATION OF THE POLICY**

22.1 The implementation of this policy is monitored by SLT and Governors.

The following data is reviewed to monitor effectiveness of this policy;

- Student enrolment trends and statistics.
- Student attendance, retention and achievement data.
- Staff equality data and relevant recruitment.
- Training and development data.
- Staff and student disciplinary data.
- Student surveys and general feedback.
- Self-assessment reports.
- Equality impact assessments.
- Lesson observations.
- Compliments, complaints and any subsequent actions.
- Any other relevant data.

22.2 The following mechanisms monitor and evaluate equality and diversity:

- Annual Self-Assessment Reports.
- Student Survey and Focus Groups.
- Equality Impact Assessments.
- Training, Development and Support Plan.
- Annual Equality, Diversity and Inclusion Report
- The Equality, Diversity and Inclusion Committee

## **23. HANDLING BREACHES OF THE POLICY**

Any breach of this policy by a student, staff member or College Governor will be treated as a serious matter, and if necessary will be handled through formal disciplinary procedures.

## APPENDICES

### Appendix A

#### Protected Groups / Characteristics :

- 1 Age
- 2 Disability
- 3 Gender Reassignment
- 4 Marriage and Civil Partnerships
- 5 Pregnancy and Maternity
- 6 Race
- 7 Religion and Belief
- 8 Sex
- 9 Sexual Orientation

#### 1. Age

The College recognises unlawful prejudice and discrimination on the basis of age (ageism), based on stereotypes and negative assumptions, is harmful and has negative impacts on individuals' opportunities to equality of opportunity.

##### What the Equality Act says about Age

In general, you must not treat someone worse than people of other ages just because of their age or the age group into which they fall compared to people in any other age groups. However, you may be able to prove you have good reasons for treating people of different ages differently because of their age if this will address identified discrimination.

#### 2. Disability

The College recognises that unlawful prejudice and discrimination on the basis of disability (diabolism), based on stereotypes and negative assumptions, is harmful and has negative impacts on individuals' access to equality of opportunity and on their self-esteem.

##### What the Equality Act says about Disability

A person has a disability if they have a physical and/or mental impairment affecting their body or mind, and the impairment has what the law calls 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'.

Education providers have a 'duty to make reasonable adjustments'. It may involve treating disabled people 'more favourably' than non-disabled people.

#### 3. Gender Reassignment

The College recognises that unlawful prejudice and discrimination on the basis of gender reassignment/ transgender (transphobia), based on stereotypes and negative assumptions, is harmful and has negative impacts on individuals' access to equality of opportunity and on their self-esteem. The College further recognises that gender reassignment is a new area of legal responsibility and is working hard to engage with internal and external stakeholders who are able to

support the College in improving its effectiveness in this area, particularly in terms of data collection and analysis.

### **What the Equality Act says about Gender Reassignment**

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with. This personal process may include undergoing medical procedures or it may simply include choosing to dress in a different way as part of the personal process of change.

### **4. Marriage and Civil Partnerships**

The College will challenge and work to eliminate actual or perceived discrimination based on an individual's marital or civil partnership status.

### **What the Equality Act says about Marriage and Civil Partnerships**

Marriage and civil partnerships is not a protected characteristic under the Act within an education provider context; however it would still be unlawful to discriminate against someone who is either married or in a civil partnership.

### **5. Pregnancy and Maternity**

The College will challenge and work to eliminate discrimination arising from pregnancy, maternity (including adoption), and, where relevant, sex/gender.

### **What the Equality Act says about Pregnancy and Maternity**

A woman is protected from unfavourable treatment because she is pregnant, at any stage of the pregnancy; she has given birth within the last 26 weeks; she is breast-feeding her baby. An education provider should not treat a pregnant woman or a new mother worse than they would treat a man or a non-pregnant woman.

It is not sex discrimination against a man to make special provision for a woman in connection with her pregnancy or maternity.

### **6. Race**

The College recognises that unlawful prejudice and discrimination on the basis of race (racism), based on stereotypes and negative assumptions, is harmful and has negative impacts on individuals' access to equality of opportunity and is committed to working with internal and external stakeholders to positively promote good relations between people of different races, ethnicity and cultural origins.

### **What the Equality Act says about Race**

Race means a person's colour and/or nationality (including citizenship), and/or ethnic or national origin. People can belong to more than one of these groups at the same time and the one which is relevant to a particular situation depends on the circumstances. A person is protected against discrimination because of their race whether they are black or white, British Asian or an Asian of Indian nationality, a person of Chinese origin or any other colour, nationality, or ethnic or national origin, including mixed race, Roma Gypsies and Irish Travellers.

### **7. Religion and Belief**

The College recognises that unlawful prejudice and discrimination on the basis of religion and belief, based on stereotypes and negative assumptions, is harmful and has negative impacts on individuals' access to equality of opportunity and on



their self-esteem. The College further recognises that there is a great deal of sensitivity around the issue of faith, belief and non-belief in a culturally and ethnically diverse inner city college and is working hard to engage with internal and external stakeholders who are able to support the College in improving its effectiveness in this area, particularly in terms of staff, learner engagement, confidence and data collection.

### **What the Equality Act says about Religion and Belief**

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief. In a 2020 ruling, vegetarianism is regarded as a belief system.

### **8. Sex (formerly referred to as Gender)**

The College recognises the harm that unlawful discrimination on the basis of gender (sexism) has in terms of an individual's access to equality of opportunity and the College is committed to the eradication of gender discrimination and to actively promoting gender equality throughout all aspects of the College's operations.

### **What the Equality Act says about Sex (Gender)**

A person's sex refers to the fact that they are male or female.

You must not treat a woman or girl worse than you would treat a man or boy.

You must not treat a man or boy worse than you would treat a woman or girl in the same circumstances, you can however make use of Positive Action when appropriate.

### **9. Sexual Orientation**

The College recognises the harm that unlawful discrimination on the basis of sexual orientation (homophobia) has in terms of an individual's access to equality of opportunity. The College further recognises that sexual orientation is a sensitive area of legal responsibility and is working hard to engage with internal and external stakeholders who are able to support the College in improving its effectiveness in this area, particularly in terms of data collection and analysis, and challenging and eliminating persistent low level homophobic behaviour and attitudes.

### **What the Equality Act says about Sexual Orientation**

Sexual orientation means the attraction a person feels towards one sex or another.

## Appendix B: The Equality Act: Types of Unlawful Discrimination

**Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

**Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**Harassment** is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment

**Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

**Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

**Third-party harassment** occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable:

- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- it must be aware that the previous harassment has taken place; and
- it must have failed to take reasonable steps to prevent harassment from happening again.

**Victimisation** occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so. However, an employee is not protected from victimisation if he or she acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare his or her treatment with someone who has not made or supported a complaint under the Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behaviour could amount to victimisation.

Previous equality legislation recognised disability-related discrimination. The Equality Act 2010 replaces this with two new causes of action in relation to disability – indirect discrimination (see above) and **discrimination arising from a disability**. The latter occurs when a disabled person is treated less favourably because of something connected to their impairment.

**Failure to make reasonable adjustments** happens 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 to a non-disabled person.

In the majority of cases, the college will be legally liable if a court found that discrimination, harassment or victimisation had occurred. However, it is also important to realise that individuals can also be held responsible for their own actions.

## **Appendix C: The Public Sector Equality Duty (PSED)**

### **What does the Duty consist of?**

The Public Sector Equality Duty consists of a general equality duty and specific duties, which help authorities to meet the general duty.

The aim of the general equality duty is to integrate considerations of the advancement of equality into the day-to-day business of public authorities. In summary, those subject to the equality duty, must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act.
- Advance equality of opportunity between people who share a characteristic and those who don't
- Foster good relations between people who share a characteristic and those who don't.

### **Overview of the Public Sector Equality Duty**

The Public Sector Equality Duty (the Equality Duty) was created by the Equality Act 2010 in order to harmonise the previous race, disability and gender equality duties and to extend protection to the new protected characteristics listed in the Act. The Equality Duty replaced these duties and it came into force on 5 April 2011.

The duty covers age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. It applies in England, Scotland and in Wales. The general equality duty is set out in section 149 of the Equality Act 2010.

In summary, those subject to the general equality duty must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.

- Foster good relations between people who share a protected characteristic and those who do not.
- The Act helpfully explains that having due regard for advancing equality involves:
- **Removing or minimising disadvantages suffered by people due to their protected characteristics.**
- **Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.**
- **Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.**

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the equality duty may involve treating some people more favourably than others.

The duty to have due regard to the need to eliminate discrimination also covers marriage and civil partnership in the workplace.

### **Fulfilling the Public Sector Equality Duty**

Public bodies should ensure:

- **Knowledge** – those who exercise the public body's functions need to be aware of the requirements of the Equality Duty.
- **Timeliness** – A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.
- **Real consideration** – The duty must be exercised in substance, with rigor and with an open mind in such a way that it influences the final decision.
- **Sufficient information** – the decision maker must consider what information he or she has and what further information may be needed in order to give proper consideration to the Equality Duty.
- **No delegation** – It is a duty that cannot be delegated.
- **Review** – public bodies must have regard to the aims of the Equality Duty not only when a policy is developed and decided upon, but also when it is implemented and reviewed.

### **The Public Sector Specific Equality Duties**

The specific duties require listed public authorities to:

- Publish sufficient information to demonstrate their compliance with the general equality duty across their functions by the 31st January.
- Prepare and publish objectives to demonstrate how they will meet one or more of the general equality duty aims.
- Public sector bodies with more than 250 employees must publish their gender pay gap data and a snapshot must be taken at 31<sup>st</sup> March each year. The Gender pay gap is a measure of the difference between men and women's average earning across an organisation (introduced in March 2017).

## **Appendix D: British Values**

'Fundamental British Values' are classified as:

- Democracy
- The rule of law
- Individual liberty
- Mutual respect for and tolerance of those with different faiths and beliefs

## **Appendix E: Equality, Diversity and Inclusion Committee**

### **Equality Diversity & Inclusion Committee**

- Frequency - meets termly
- Purpose –
  - To advise and report to the Senior Leadership of the College on policies and good practice in relation to equalities, diversity and community cohesion; and to provide them with minutes of all meetings.
  - To agree an annual action plan that includes any review of equality policies and plans, in conjunction with the Clerk of the Corporation.
  - To review and monitor the implementation of the College's Equality, Diversity and Inclusion Policy and Plan and all related Equality, Diversity and Inclusion policies and action plans and to determine Codes of Practice and other guidance.
  - To raise awareness of, and comment on, new national policies and statutory requirements in relation to Equality, Diversity and Inclusion; and to advise the College on their compliance.
  - To advise on the strategy for raising awareness of equalities and diversity issues through staff development and other activities.
  - To commission and agree the Annual Report on Equality, Diversity and Inclusion for the Governors (to include the progress on the Plan).
  - To undertake any other task within the broad remit of the Committee.
- In Attendance:
  - Assistant Principal - Chair
  - Member of the HR team
  - Teaching /support staff (max 6)
  - Inclusion manager
  - Learning support reps (max 2)
  - Student council reps (max 2)