

# Equality and Diversity Policy

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<b>Latest Formal Review (month/year):</b>	<b>2018-06</b>	Next Formal Review Due (month/year):	<b>2019-11</b>
<b>Policy Owner:</b>	<b>Student Services Manager (CJ)</b>		
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## APPROVAL REQUIRED

<b>SMT Y/N</b>	<b>Y</b>	SMT Date approved:	<b>2017-05-16</b>		
<b>Governor Y/N</b>	<b>Y</b>	Committee:	<b>Compliance</b>	Governor Date approved:	<b>2018-07-11</b>

## PUBLICATION

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<b>Area/s of Staff Intranet:</b>		<b>Student Services; Equality &amp; Diversity</b>					

## Policy Description

The policy brings together the commitments of the College to its users to promote and celebrate diversity and equality of opportunity as well as to fulfil legislative requirements. The purpose of this policy is to establish clear College guidance regarding equality and diversity and to establish key principles, structures and monitoring arrangements for the College. The guidance is applicable to all Craven College employees, students, governors, sub-contractors, contractors, business partners, volunteers, visitors and others coming into contact with the College.

The college will regularly measure, review and reinforce the effectiveness of the policy through:

- College Strategic Action Plan
- The cycle of Self-Assessment
- Staff and student surveys and data analysis
- Annual Equality Information report\*

\*This report will set out how we at Craven College are meeting our duties under the Equality Act 2010. It also provides a summary of headline equality and diversity data and analysis of Staff and Student Profiles to identify possible Equality and Diversity Issues and any steps taken to resolve these.

## Supporting Documentation

- Impact Assessment documentation

## Links to other policies:

<ul style="list-style-type: none"><li>• Accommodation and Estates Strategy</li><li>• Bullying and Harassment Policy</li><li>• Disciplinary and Dismissal Procedures</li><li>• Prevent Strategy</li></ul>	<ul style="list-style-type: none"><li>• Safeguarding Children and Vulnerable Adults Policy &amp; Procedures</li><li>• Strategic plan</li><li>• Student Support Policy</li><li>• Student Disciplinary Procedure</li></ul>
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## Legislation

- [Equality Act \(2010\)](#)
- [Children and Families Act 2014](#)
- [Prevent Duty 2015 Counter Terrorism and Security Act 2015](#)
- [The Public Sector Equality Duty \(PSED\)](#)

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## 1 Introduction

Craven College is committed to providing equal opportunities in employment and study. The college is opposed to all forms of discrimination in line with the Public Sector Equality Duty 2011 and as defined by the Equality Act 2010. The college seeks to ensure that no individual or group, because of their protected characteristic, faces discrimination, harassment or victimisation. Protected characteristics refer to: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The college abides by the current equality legislation and ensures that all subsequent legislative changes are fully utilised to update this policy accordingly to ensure its practices are lawful.

Craven College places great emphasis on access to education as a means to remove barriers, eliminate discrimination, address disadvantage, and raise the aspirations of both present and potential students and staff. This is embedded within the College mission and vision statements.

## 2 College Mission statement

*Enriching lives through learning*

## 3 College Vision Statement

To become the Further and Higher Education provider of choice in the Craven and travel-to-Craven area by providing high quality learning and teaching. To ensure students achieve valuable qualifications and skills which enable them to secure and retain employment, further education or training, develop a career, become economically independent adults and contribute effectively to community and society.

The mission and vision will be achieved by creating a culture of inclusiveness and providing greater access for the wider Craven community and transient community.

The College equality and diversity agenda has the full support of Governors, and management teams, who take a lead in promoting the aims of:

- endorsing all forms of equality and foster greater understanding of and respect for people of all faiths (or those of no faith), races, genders, ages, disabilities and sexual orientations (and other groups with protected characteristics)
- monitoring how well students and staff are protected from harassment, bullying and discrimination, including those based with employers and at other sites external to the provider
- preparing students for a successful life in modern Britain. The college has a range of values that underpin how we are run and how we behave – our United Values. The Government, when talking about the UK, also refer to core or “British Values” that are really important for students and staff to know about. The college promotes the United Values of:
  - Understanding and respect of law,
  - Nurture mutual respect,
  - Individual liberty
  - Tolerance of other faiths and beliefs
  - Equality
  - Democracy
- Preparing students who have special educational needs and/or disabilities to become more independent in their everyday life
- Ensuring that equality objectives are monitored and progress made against objectives targets

The College ensures compliance with the Prevent Duty 2015 taking care that the strategy and focus of this upholds the Equality Act and Public Sector Equality Duty. The Prevent Strategy aims to protect students and build their resilience against all forms of discrimination, hate crime and extremism. As part of their student journey (induction, curriculum, tutorials, enrichment), students are supported to develop their critical thinking skills. The College provides a safe space for students to debate topical issues and challenge key extremist narrative.

#### **4 Public Sector Equality Duty**

The equality duty was developed in order to harmonise the equality duties and to extend it across the protected characteristics. It consists of a general equality duty, supported by specific duties which are imposed by secondary legislation. 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 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 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.

#### **5 Purpose of the duty**

The broad purpose of the equality duty is to integrate consideration of equality and good relations into the day-to-day business of public authorities. If an organization does not consider how a function can affect different groups in different ways, it is unlikely to have the intended effect. This can contribute to greater inequality and poor outcomes. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services, including internal policies, and for these issues to be kept under review.

Compliance with the general equality duty is a legal obligation, but it also makes good business sense. An organisation that is able to provide services to meet the diverse needs of its users should find that it carries out its core business more efficiently. A workforce that has a supportive working environment is more productive. Many organisations have also found

- it beneficial to draw on a broader range of talent and to better represent the community that they serve
- It should also result in better informed decision-making and policy development
- it can lead to services that are more appropriate to the user, and services that are more effective and cost-effective.
- this can lead to increased satisfaction with public services

## **6 Equality and Diversity Principles within the Employment Code of Practice**

The College embraces equality and diversity in all of its aspects and aims to employ a workforce, which reflects, at every level, the community which it serves. In seeking to achieve a balanced workforce at all levels, the College will ensure that no employee, job applicant or candidate for promotion or training will be disadvantaged, or treated less favourably because of conditions or requirements that are not related to the job. Reasonable adjustments will be made to working arrangements and premises to ensure equal access for employees or potential employees who have particular needs or who are disabled.

In order to ensure that all employees and potential employees are treated with equality and fairness at all stages of employment, and that their treatment is based solely on objective and job related criteria, the College will ensure that equality issues are embedded into all its policies, practices and procedures.

## **7 Equality and Diversity Principles within the Teaching and Learning Code of Practice**

The College will provide impartial educational careers guidance to all students and ensure that students with learning difficulties and/or disabilities receive appropriate additional learning support to meet their individual needs.

Support to students may take the form of: In class support (*guided by EHCP*); Mentoring; Counselling; Study skill drop-in workshops; Personal and social workshops or via Progress Coaches. Specific support will be provided and/or barriers removed where reasonably practicable to enable a student with a difficulty /disability to use particular facilities or services.

## **8 Monitoring**

The College publishes Equality priorities and objectives linked to the protected characteristics within the Act and will comply with the following:

- set and publish equality objectives and publish information to show compliance with the Equality Duty, at least annually
- publish all information in a way which makes it easy for people to access
- objectives will be explicitly linked to the general duty aims and protected characteristics
- will give a rationale for the chosen objectives
- will be specific and measurable
- the objectives will be available in alternative formats through the use of an accessible internet page

Action plans will have key leads, responsibilities and be based upon rigorous analysis in relation to:

- Impact assessment of policy, practice, structural change, curriculum development and procedures to ensure minimum negative impact for users
- Monitoring success rates, enrolments, recruitment, progression in respect of equality of opportunity
- Consultation with staff, learners, stakeholders and community groups
- Taking positive action where appropriate to promote full engagement with under-represented groups objectives will be explicitly linked to the general duty aims and protected characteristics
- rationale for the chosen objectives
- being specific and measurable

## 9 Specific Responsibilities

The Board of Governors is responsible for ensuring that the Equality and Diversity policy is in place and that the College meets its obligations. An Annual Equality Information report will be presented to the Board of Governors in terms of whether the objectives of the policy have been met. This will be produced in September when outcome data is in place for students and the college can reflect on staff and student surveys and develop the Equality Action Plan.

The Principal is responsible for providing overall direction and leadership in promoting and monitoring the Equality Strategy and Action Plan.

The Senior Management Team are responsible for ensuring the Equality Action Plan is monitored and becomes embedded within the college's self-assessment and strategic planning processes, including employers and off site provision.

The Senior Management Team are responsible for ensuring students experience an open and welcoming environment where support needs are disclosed within a positive process. In addition, the Senior Management team will ensure that funding is available to meet agreed support needs, including making adjustments to the physical environment, and sourcing assistive technology.

Heads of School and Department Managers are responsible for ensuring that the Equality Action Plan is embedded within planning processes, progress review, monitoring impact of interventions and celebrations, responding to student outcomes and any achievement gaps. Heads of School and Department Managers are also responsible for identifying staff training needs and tracking progress against these through appraisal.

Subject Sector Leaders are responsible for ensuring that study programs can be adapted to make reasonable adjustments, equality and diversity is celebrated and promoted and that United Values are embedded within all teaching teams.

All staff are responsible for ensuring that equality and diversity is celebrated and promoted, and any issues of bullying or harassment are dealt with swiftly within the parameters of the Student Disciplinary Policy.

The Equality and Diversity Committee is made up of representatives across the College and is responsible for driving the equality and diversity strategy for the College, updating and monitoring the Equality Action Plan, advising on equality impact assessments, and spreading good practice amongst the teams they represent.

## 10 Equality and Diversity linked to the College Strategic Plan

The College strategic enabler for equality as part of the wider College strategic plan is:

*"To promote equality of opportunity for all students and staff, and advance social inclusion by removing barriers to learning, progression and employment".*

In order to achieve the strategic enabler, the College will promote the following values:

- Recognise that equality of opportunity requires identifying different starting points for students and staff
- Have high ambitions and aspirations for all students and staff
- Embed Equality and Diversity at all levels of the organisation with each manager taking responsibility for Equality and Diversity within their remit
- Use data and consultation to identify and promote priority actions and objectives
- Engage staff, students and stakeholders with consultation

- Provide education and training across a broad curriculum and delivery type (work-based training, vocational and professional training, further and higher education, Apprenticeships, full-time, part-time, flexible, on-line, distance learning and short courses)
- Ensure that Equality and Diversity is fully addressed in self-assessment plans and strategies for improvement
- Challenge any issues in outcomes for students in relation to equality and diversity
- Empower the Equality and Diversity Advisory Committee to support and to spread best practice
- Be committed to training and staff development programmes to ensure all staff feel confident in promoting equality and celebrating diversity
- Encourage a culture of cohesion, inclusion and the promotion of British Values
- Celebrate diversity and individuality and foster respect and tolerance of difference

## **11 Priority Objectives 2018-21**

- Continue to work towards creating and supporting an inclusive and diverse staff and student population
- Devise ways to create and maintain a diverse leadership team
- Identify ways to gather data for other protected characteristics
- Monitor outcomes from different groups of students
- Equip staff to be confident and able to support the needs of an increasingly diverse range of staff and students
- Promote United Values through debate and open conversation
- Actively engage with Community Activities to enable greater understanding of local diverse communities

**GLOSSARY OF TERMS**

**Age**

The Act applies to people of any age and it is discrimination to treat anyone differently on the grounds of their age.

**Disability**

Under the act a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. There are no impairment categories which were included in the Disability Discrimination Act. Under the Act a claimant does not have to show that their impairment affects a particular capacity such as mobility, speech, hearing or eyesight.

**Discrimination**

**Direct Discrimination** occurs where a person treats another less favourably because of a protected characteristic than they treat, or would treat, others

**Discrimination by association**

The new definition of direct discrimination also covers cases where discrimination occurs because of a person's association with a particular protected characteristic e.g. parent, partner or child

**Discrimination by perception**

Protection is also provided where someone is *wrongly thought* to have a particular protected characteristic, e.g. they are mistakenly believed to be gay, and are treated less favourably because of that belief.

**Discrimination - Pregnancy and maternity**

Defined as unfavourable treatment of a woman because of her pregnancy; unfavourable treatment because she has given birth, including because she is breastfeeding from birth to end of 26 weeks.

**Discrimination arising from disability**

It is discrimination to treat a disabled person in a particular way that, because of their disability, amounts to being treated unfavourably when the treatment cannot be shown to be justified. For example, if a disabled person is dismissed after a long period of disability related ill health there may be a claim of discrimination 'arising from disability'. For this to occur the employer/learning provider must know, or could **reasonably be expected** to know, that the person has a disability.

**Diversity**

Diversity is about recognising, valuing and taking account of people's different backgrounds, knowledge, skills, and experiences, and encouraging and using those differences to create a productive and effective educational community and workforce.

**Equality**

Treating people the same does not create equality of opportunity. Sometimes you have to treat people differently in the first instance in order to give them an equal opportunity to access all areas of life. This may require making specific adjustments in order to aid particular individuals.

**Ethnicity**

A strict definition of an ethnic group is a group regarded as a distinct community by virtue of certain essential characteristics - a shared history which distinguishes it from other groups and a cultural tradition of its own. The expression "ethnic monitoring" is used in reference to groups defined by colour, race or national origin as well.

## Gender

The word 'gender' is often used in place of the word 'sex' in equality issues. 'Gender' does not appear in legislation (except for 'gender re-assignment' - see below) but 'sex discrimination' and 'gender discrimination' are generally interchangeable.

## Gender Reassignment

The definition has changed so that people no longer have to be under medical supervision to be protected by the law. Gender Reassignment continues to cover those who intend to live permanently in a gender other than the one assigned at birth.

## Gender Identity

Gender identity can be defined as a personal belief of an individual seeing themselves as male or female (or rarely, both or neither).

## Genuine Occupational Requirements

If an employer can show it is necessary for someone to have a particular protected characteristic to do a job, it may not be unlawful discrimination. This is called the occupational requirement exception.

The Equality Act 2010 provides that employers need to show all of the following things for the discrimination to be lawful

- the requirement is an **occupational** requirement - there must be a link between the requirement and the job
- the employer has a good business reason or a **legitimate aim** for applying the requirement - the employer can't just say they have a good business reason for applying the requirement, they must be able to show it
- having the requirement is the best way to achieve the employer's aim - the Equality Act says the requirement must be **proportionate**.

## Harassment

Behaviour which is unwelcome or unacceptable and which results in the creation of a stressful or intimidating environment for the victim amounts to harassment. It can consist of verbal abuse, racist jokes, insensitive comments, leering, physical contact, unwanted sexual advances, ridicule or isolation.

## Liability

Employers have legal liability for any act of discrimination (including harassment) carried out by their employees unless the employer can show that they have taken all reasonably practicable steps to prevent it.

## Marriage or Civil partnership

The Equality Act 2010 makes it unlawful to discriminate against or treat someone unfairly because they are married or in a civil partnership.

Gay and Lesbian couples are able to register their civil partnerships which gives them many of the same rights as same sex and opposite sex married couples. In particular:

- Same sex couples who register as civil partners have the same rights as married couples in respect of employment rights.
- The Act protects employees who are in a civil partnership, or marriage against discrimination.
- The Act also gives protection from discrimination because of an employee's sexual orientation.
- Recruitment and selection policies must not discriminate on the grounds of civil partnerships, marriage or sexual orientation.

## Pregnancy or maternity

This section defines what it means to discriminate because of a woman's pregnancy or maternity, as distinct from her gender, in specified situations outside work. It protects a woman from discrimination because of her current or a previous pregnancy. It also protects her from maternity discrimination, which includes

treating her unfavourably because she is breast-feeding, for 26 weeks after giving birth and provides that pregnancy or maternity discrimination as defined cannot be treated as sex discrimination.

**Race (includes ethnic or national origins, colour or nationality)**

People may define their racial group by their country of birth, their nationality, their skin colour or their ethnic group.

**Religion or belief**

The term "religion or belief" means any religion, religious belief, or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief. It is important to recognise that the law gives equal protection from discrimination to those who have no religion or belief

**Sexual Orientation**

Whether a person is attracted to people of their own sex, the opposite sex or both sexes. Assumptions and perceptions of a person's sexuality are also covered by law.

**Targets**

These can be percentages of underrepresented groups that employers or education providers aim to achieve in the make-up of students and/or their workforce as part of their equality action plan. It is unlawful to use a target as a reason for selecting someone, but it is not unlawful to take steps to get more qualified applicants from particular groups (see 'Positive Action' in Employment Practices section).

**Victimisation**

If a person has made or is making an accusation of discrimination in good faith, it is unlawful to discriminate against them for having done so, or because they intend to do so or it is suspected that they intend to do so.