

Equality, Diversity and Inclusion Policy

DOCUMENT CONTROL:

Document No:	2.2	Document Type:	Policy
Formal Review Cycle:	Annual		
Latest Formal Review (month/year):	2020-10	Next Formal Review Due (month/year):	2021-10
Policy Owner:	Student Services Manager		
Policy Sponsor:	Vice Principal Curriculum & Quality		

APPROVAL REQUIRED:

SMT Y/N	Y	SMT Date approved:	2020-11-03		
Governor Y/N	Y	Committee:	LTA	Governor Date approved:	12.03.21

PUBLICATION:

Website Y/N	Y	Intranet Y/N	Y	Student VLE Y/N	Y	Date published:	29.03.21
Area/s of Staff Intranet:	Student Services, Quality						

1. Introduction

Craven College is committed to valuing diversity and the promotion of equality of opportunity for all its users. The College seeks to ensure that no individual or group, because of their protected characteristic, faces discrimination, harassment or victimisation. This work is regarded as the responsibility of all staff, learners, governors, visitors and partner organisations of the College.

This policy brings together the commitments of the College to its users to provide equality of opportunity to all who study with and work for Craven College including those who are defined as having protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief (including no belief), sex and sexual orientation. The College expresses its opposition to all forms of prejudice, inequality and discrimination.

The College will seek positively to remove conditions and barriers which place people at a disadvantage and will actively promote equality for all and celebrate diversity.

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
- Single equality annual report*

* To show how we at Craven College are meeting our duties under the Equality Act 2010, we will publish the staff data report and the institution level self-assessment report. These will provide a summary of headline equality and diversity data and analysis of our performance against targets set for Workplace diversity and to narrow the achievement gaps of our learners.

1.1. College Mission Statement

Our mission statement is a short statement that captures the purpose of Craven College and our contribution to our community. The mission celebrates the fact that the College embraces the needs of all our community, irrespective of academic achievement and social background, and enriches lives through delivering and developing high quality learning opportunities for all.

Enriching lives through learning

1.2. College Vision Statement

To deliver and develop high quality learning opportunities for all through an aspirational team who collaborate with our key stakeholders in a well-connected and resourced, sustainable learning and working environment.

2. Scope

The College is keen to develop a culture that is fully inclusive, promotes equality and embraces diversity.

2.1. Equality and the Law

The College's Equality, Diversity and Inclusion Policy is based on the Equality Act 2010, and the Equality Act 2010 (Statutory Duties) Regulations 2011. These two legal duties also overarch the College's statutory duty under the Children and Family Act 2014 as specified in the Special Educational Needs and Disability (SEND) Code of Practice for 0-25 year olds (2014). This SEND Code of Practice relates to children and young people with special educational needs (SEN) and disabled children and young people (up to 25 years of age) and provides guidance on the statutory duties which apply to Further Education Colleges to identify, assess and provide support for young people with SEN.

2.2. The Counter Terrorism and Security Act 2015 and the Prevent Duty

This places a duty on the College to have "due regard for the need to prevent people from being drawn into terrorism" and to challenge vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. The College recognises that it plays a vital role in keeping our students safe from harm, including from the risks of extremism and radicalisation. College staff are expected to exemplify key British values within their general behaviours, leadership and management. 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. All staff are required to undertake mandatory training linked to the Prevent Duty.

2.3. The European Social Fund (ESF)

Craven College delivers Apprenticeships and Skills training provision under the ESFA Adult Education Budget. ESFA funding is used as match funding for the European Social Fund, and thus supports specific contract and provision within the English Operational programme for ESF, which reflects the following objectives:

"The European Social Fund (ESF) Operational Programme is part of the European Structural and Investment Funds Growth Programme for England in 2014-2020. It will deliver the Programme's priorities to increase labour market participation, promote social inclusion and develop the skills of the potential and existing workforce".

The College is contracted under ESF Investment Priority 1.4, Building Better Opportunities – Positive Progressions, as well as subcontracted for delivery under Skills Support for the Workforce in the York, North Yorkshire and East Riding area. The College is committed to inclusive learning, and ensures that it embeds within its training and educational plans, clear targets and objectives to address horizontal principles to address Equality and Diversity.

2.4. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017

The College continues to publish gender pay gap information within its Staff Annual Report.

3. Key Processes

The Equality Act 2010 places a general duty on public sector organisations (including Further and Higher education colleges) 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; and
- Foster good relations between people who share a protected characteristic and those who do not

Craven College must meet this general duty both as an employer and as a provider of further and higher education and show due regard to the duty across all of our functions.

The nine protected characteristics are:

1. Age
2. Disability
3. Gender
4. Gender reassignment
5. Marriage and civil partnership
6. Pregnancy and maternity
7. Race
8. Religion or belief
9. Sexual orientation

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.

3.1. Equality Commitments:

3.1.1. We are committed to:

- Promoting equality of opportunity for all;
- Promoting a good and harmonious environment in which to work and study, and in which everyone is treated with respect and courtesy at all times and where differences are not only respected but are celebrated;
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimisation;
- Fulfilling our legal obligations under the Equality Act 2010 and associated codes of practice;
- Complying with our own Equality, Diversity and Inclusion policy and associated policies;
- Ensuring all instances of bullying, harassment or discrimination are taken seriously and fully investigated, with appropriate action taken.

For Craven College this will mean:

3.1.2. Accessibility

- An open commitment to providing an accessible website.
- All information used to market learning and employment opportunities will convey our positive attitude to equality and diversity and be made available in a variety of formats on request.
- Guidance and admissions procedures will be clear and transparent and free from unfair discrimination.
- The college aims to provide support services during enrolment and on programme to help in the identification of additional student support needs where necessary.
- Effective plans are in place to make the learning environment safe, welcoming and accessible for all groups of learners and staff in terms of timing and location of provision, physical access, amenities and services.
- As a service provider the College has an obligation to think ahead and address any barriers that may impede disabled people from accessing the College as a place of study or a place of work.

3.1.3. Equal opportunities in the Curriculum Offer

- Our curriculum Offer is inclusive of a person's individual needs, and we educate and advocate for those people who need to upskill to find work or who require moderate learning support to access opportunities.
- We will ensure that high quality, impartial and relevant information, advice and guidance is available to all students of the College, at all sites.
- Relevant study programmes will be offered which are responsive to learner need and enables learners to study at the appropriate level and by increasing the breadth of our curriculum, will secure good prospects for success and progression from all entry points.
- We will create clear 'Progression Pathways' information for students, schools, parents so that the journey to specific careers can be seen and advice given impartially.
- Induction procedures which familiarise learners with the College's policy and commitment to equality and diversity will be delivered via the tutorial programmes and cross College activities.
- The provision of additional learning support will be determined based on the assessment of each individual student's support requirements and will have due consideration to the application of reasonable adjustments. 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.
- Learning materials which are free from bias, which celebrate diversity and challenge stereotyping will be used throughout the curriculum.
- Inclusive learning practices, which acknowledge differences in students' learning styles and abilities.
- We will be inclusive and embrace diversity to support active citizenship. For young people, we will nurture the development of characteristics and behaviours for success including authenticity, resilience, collaboration and aspiration
- Develop a co-ordinated approach to raising awareness of diversity and citizenship through internal promotion in lessons, tutorial provision and enrichment. We will produce a Citizenship Calendar each year that celebrates diversity, enhancing the student experience.

- We aim to support learners into sustainable careers, including facilitating opportunities for work placements and experience as appropriate to their programme.

3.1.4. Equal opportunities in Employment and Professional Development

- The College will avoid unlawful discrimination in all aspects of employment including recruitment and selection, promotion opportunities for training, pay and benefits, discipline and selection for redundancy.
- 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.
- Job descriptions and person specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking in to account any reasonable adjustments that may be required for candidates with a disability.
- 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.
- The College will be proactive in offering staff the opportunity to disclose a disability and supporting them to do so. Staff can update any details on protected characteristics confidentially via the Select HR system.
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
- Any allegation of discrimination will be investigated thoroughly and action taken if necessary.
- As a minimum, the College will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs, and the number of people with disabilities within these groups. The College will consider and take any appropriate action to address any issues that may be identified as a result of the monitoring process.
- The College will not discriminate in the selection of employees for recruitment or promotion, but may use appropriate lawful methods, including lawful positive action, to address identified under-representation of any group or particular types and levels of job.

4. Roles and Responsibilities

The Board of Governors is responsible for ensuring that the Equality, Diversity and Inclusion policy is in place and that the College meets its obligations. A Single Equality annual report will be presented to the Board of Governors in terms of whether the objectives of the policy have been met.

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 Department 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. This also includes ensuring that study programs can be adapted to make reasonable adjustments, equality and diversity is celebrated and promoted and that British Values are embedded within all teaching teams.

Heads of Department are also responsible for identifying staff training needs and tracking progress against these through appraisal.

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.

5. Objectives

Objective 1 - To further develop and promote a socially inclusive, diverse and accessible College for the recruitment of staff and students

- Analysis of learner recruitment, retention, achievement, success and progression by reported protected characteristics.
- Analysis of the staffing profile in relation to recruitment, workforce profiling/diversity.

Objective 2 - To continue to identify, prioritise, address and reduce any significant gaps in retention, achievement, progression and destination, between groups of learners

- Putting in place appropriate Impact Measures with clear start and end points.

Objective 3 - To ensure equality and diversity, and British values continue to be fully and explicitly developed within the curriculum and that all discrimination, bullying or harassment is challenged appropriately.

- Evidenced via quality processes, lesson observation, student voice and survey feedback mechanisms.
- Staff development and support to equip staff to be confident and able to take an active part in the above

Objective 4 - To work with employers and actively engage with local community activities to enable a greater understanding of local diverse communities.

- Employer and community engagement

6. Communication

The following principles are fundamental to the communication of the Equality, Diversity and Inclusion policy:

- The policy will be published on a standardised template
- The policy will be reviewed by the Student Services Manager, before being escalated to the SMT for approval
- The policy is to be referred to the Board of Governors for ratification
- All staff have a legal responsibility to ensure they undertake training, are aware of their responsibilities and exemplify the core values through their practice
- The strategy will be published on the intranet, Moodle, website

7. Implementation

All staff will be made aware of the Equality, Diversity and Inclusion Policy during the induction process. Additional training will also be conducted for staff as part of Continual professional development.

The College will develop a co-ordinated approach to raising awareness of diversity and citizenship through internal promotion in lessons, tutorial provision and enrichment. We will produce a Citizenship Calendar each year that celebrates diversity, enhancing the student experience.

8. Monitoring

The policy will be monitored through the Equality and Diversity Committee. The Committee advise on legal compliance and best practice in all matters relating to equality and diversity.

- The Committee will be chaired by the Vice Principal Curriculum and Quality (or a representative) who has responsibility for the review of the policy, monitoring its effectiveness and measuring its impact.
- Regular reports assessing progress in meeting annual targets and legal responsibilities will be received by the Learning, Teaching and Assessment Committee (LTA).
- The effectiveness of the policy will be reviewed through:
 - Regular analysis of learner recruitment, retention, achievement, success and progression by reported protected characteristics.
 - Regular analysis of the staffing profile in relation to recruitment, workforce profiling.
 - Regular assessment of impact with clearly defined and measurable start and end points.

9. Reporting

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
- 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
- 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

The Governing Body monitors compliance with statutory requirements and identifies areas for improvement. At least annually the VP Curriculum and Quality will prepare a Single Equality annual report to be presented at the Governors Learning and Teaching Committee.

10. Assessment of Impact

Craven College is committed to the promotion of equality and diversity and to providing a supportive environment for all members of our community. The college seeks to

- Ensure that no individual or group, because of their protected characteristic, faces discrimination, harassment or victimisation
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not

11. Continuous Improvement

Craven College will:

- Review policies, procedures and action plans to ensure that all legislative requirements are met and best practice adopted.
- Collect and review data relevant to equality and diversity matters relating to students and staff on a regular basis and recommend changes to policies and procedures as appropriate.
- Advise on the provision of appropriate training and awareness-raising in relation to all equality, diversity and inclusivity matters.

12. Associated Documentation

- Access and Participation Plan
- Accommodation and Estates Strategy
- Admissions policy
- Bullying and Harassment Policy
- Complaints policy
- Disciplinary Policy and procedure (Staff and students)
- Health and Safety policy

- Guest speaker policy
- Fitness to Study policy
- Prevent Strategy
- Safeguarding Children and Vulnerable Adults Policy & Procedures
- Staff recruitment and Selection policy and procedure
- Strategic plan

13. Appendices

- Protected Characteristics
- Types of discrimination
- European Social Fund

Appendix A - Protected characteristics

Each protected characteristic is defined below:

Age

A reference in the act to a person who has the protected characteristic of age is a reference to a person of a particular age group or a person who shares a particular age group. An 'age group' is a group of persons defined by reference to age, whether to a particular age or a range of ages. The College must not discriminate against any employee because of his/her age or to the age group they belong to.

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.

Gender Reassignment

References to transsexual people under the act covers employees who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex, i.e. gender reassignment. There is no requirement that the process of gender reassignment includes medical supervision. It is recognised that there may be differences between physical sex and gender identity.

Marriage and civil partnership

The College must not discriminate against any employees because they are married or are in a civil partnership. Marriage will cover any formal union of a man and woman which is legally recognised in the UK as a marriage. A civil partnership refers to a registered civil partnership of a same sex couple under the Civil Partnership Act 2004, including those registered outside the UK. Only people who are married or in a civil partnership are protected against discrimination on this ground.

Pregnancy or maternity

The College must not treat a woman unfavourably because of her pregnancy or related illness, or because she is on maternity leave or seeking to take maternity leave.

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. The College must not discriminate against any employee because of his/her colour, nationality or ethnic or national origins.

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.

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 Identity

Gender identity can be defined as a personal belief of an individual seeing themselves as male or female (or both or neither). The College must not discriminate against any employee because of his/her/their gender.

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.

Appendix B - Types of discrimination

Discrimination occurs when a person (or group) is treated less favourably than others. It can take different forms and this section describes the different types of discrimination, or 'prohibited conduct', under the act.

Direct Discrimination

This occurs where a person treats another less favourably because of a protected characteristic than they treat, or would treat, others.

Indirect discrimination

May occur when an apparently neutral provision, criterion or practice is applied to everyone, but which puts employees who share a protected characteristic at a particular disadvantage; and this cannot be justified as a proportionate means of achieving a legitimate aim.

Discrimination by association

This 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 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.

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.

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 (e.g. made or supported a complaint, or raised a grievance) regarding a protected characteristic.

Giving 'due regard' to reasonable adjustments

Reasonable adjustments are made to remove barriers preventing people from integrating into the workplace. The duty to provide reasonable adjustments is a positive duty to remove any barriers or provide extra support to disabled employees in the workplace and for applicants during the recruitment process. Failure to make that adjustment may amount to discrimination.

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.

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.

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.

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.

Appendix C – European Social Fund



This policy relates to activity that has been directly or indirectly part-financed by the European Social Fund – helping develop employment by promoting employability, business spirit and equal opportunities and investing in human resources – including Apprenticeship and Adult Education Budget.