



## **Equality, Diversity & Inclusion Policy 21/22**

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FINAL

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**Impact Assessment Completed**

Yes

**Date of Next Review:**

June 2022

## Equality Impact Assessment Form

The completion of the Equality Impact Assessment (EIA) will help us to ensure that our policies, procedures and practices do not discriminate or disadvantage people and also improve or promote equality.

**In relation to: disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.**

1. Please explain if you identified any inequalities or possible discrimination in the policy, procedure or practice?

No inequalities or areas of discrimination identified.

The Equality, Diversity & Inclusion Policy features key requirements of the Equality Act 2010. The College will make all staff, learners, Corporation members, volunteers, partners, visitors, contractors and subcontractors working on behalf of the College aware of the commitment and responsibilities contained within this policy.

2. If identified, how have you changed the policy, procedure or practice to remove or mitigate the inequality or discrimination?

Not applicable.

3. Any follow up actions required?

Not applicable.

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## **1. Policy Statement**

- 1.1 Shipley College is committed to offering equality of opportunity, eliminating discrimination and celebrating our diverse community.
- 1.2 Our aim is that our workforce will be truly representative of the community it serves and that each employee feels respected.
- 1.3 The College recognises talent and potential in all people and aims to recruit from as wide and diverse a pool of talent as possible.
- 1.4 We expect and encourage employees and learners to work together to overcome all forms of discrimination and harassment. Through our shared College values every individual is respected as of right and this should always be reflected in our language, behaviours and actions.
- 1.5 In line with the Protected Characteristics, set out in the Equality Act 2010, the College seeks to ensure that everyone is treated justly, regardless of age, disability, gender reassignment, marriage and civil partnership, Pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 1.6 The College will make all Corporation members, staff, learners, partners, visitors, and our contractors/subcontractors aware of this commitment and ensure compliance, details of which are contained within this Policy.

## **2. Purpose of the Policy**

- 2.1. State the College's intent and actions regarding Equality, Diversity & Inclusion and indicate how this Policy is implemented throughout the College.
- 2.2. To ensure that no unlawful direct or indirect discrimination occurs, as well as promoting equality of opportunity through good employment policies and practices in respect to all employees.
- 2.3. To provide guidance to managers on issues relating to equality, diversity and inclusion and to equip both managers and staff to meet their legal obligations under the Equality Act (2010) and all other underpinning equality legislation.
- 2.4. To ensure the College is meeting its specific legal obligations under the public sector equality duty, section 149 of the Equality Act (2010); namely to have due regard to the need to:
  - eliminate discrimination, harassment, victimisation (see Equality Act 2010 for definitions) and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2.5. To provide staff and learners with a greater understanding of Equality, Diversity & Inclusion and the relevant legislation, processes and good practices.

- 2.6 To ensure that no existing or prospective employees, learners or members of the public are subject to victimisation, discrimination, harassment or any other form of unfavourable or detrimental treatment resulting from a protected characteristic.

### **3. Scope of the Policy**

- 3.1. The College seeks to ensure that its commitment to advancing equality of opportunity, promoting good relations for all and tackling discrimination is reflected in everything that it does and that everyone, including Corporation members, employees, learners, volunteers, partners, visitors, and contractors/subcontractors share this commitment.
- 3.2 All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.
- 3.3 The College actively supports the right of staff, learners and all stakeholders to hold their own values and beliefs and expects that everyone in the College community is treated with dignity and respect at all times.
- 3.4 The College strives to create an inclusive, positive and respectful learning and working environment that fosters good relations between people of all backgrounds, and will not tolerate prejudice or discrimination in any form.
- 3.5 Any employee who feels they have been subject to bullying or discrimination in relation to a protected characteristic by other members of staff should raise the matter under the Grievance policy and procedure. Following investigation, these matters may be treated as a serious disciplinary offence.
- 3.6 The College will seek to investigate any claims of less favourable treatment or behaviour towards staff as appropriate and seeks to provide a supportive environment for those who make claims of this nature.
- 3.7 Any inappropriate or less favourable treatment or behaviour directed towards College employees by learners will be dealt with under the student disciplinary Procedure.
- 3.8 The College will provide training and development on equality, diversity and inclusion and ensure that this is regularly renewed.
- 3.9 The College will publish our workforce monitoring data on an annual basis and will seek to take positive action where particular groups are under-represented amongst the College staff.
- 3.10 The College endeavours to create a culture of inclusion, whereby individuals feel at ease disclosing any protected characteristics as appropriate and where any subsequent support identified will be provided.
- 3.11 Equal opportunities data is stored confidentially in line with data protection guidelines and will only be used for business and monitoring purposes.

## **4. Commitment**

- 4.1 The College celebrates and values the rich diversity of all those who make up the College's community and as such, will ensure that equality matters are actively promoted throughout all of its services and activities.
- 4.2 The College is firmly opposed to any form of discrimination and is committed to taking positive action where necessary to redress any imbalances.
- 4.3 The College is working towards providing a positive environment, free from discrimination, harassment or victimisation.
- 4.4 The College will actively engage with staff, learners and all stakeholders on key matters relating to equality, diversity and inclusion.
- 4.5 In line with its legal duties, the College is committed to publishing an annual Equality, Diversity and Inclusion report, which includes our workforce monitoring data, evaluates our position at the end of each academic year and sets out our improvement priorities.

## **5. Key Principles**

- 5.1 The College considers all forms of prejudice and discrimination to be unacceptable, and will:
  - Oppose any form of discrimination;
  - Continuously monitor practices and procedures to improve access to College services;
  - Analyse data to identify trends, measure impacts and implement improvements;
  - Offer a curriculum which meets the needs of the diverse community it serves;
  - Ensure publicity material positively promotes equality and the diversity of staff employees and learners;
  - Consult with employees, learners, governors and other stakeholders on key matters related to Equality, Diversity & Inclusion.

## 5.2 Equality Principles related to employment:

- Ensure that no employee or job applicant is disadvantaged or treated less favourably because of conditions or requirements that are not related to the job;
- Ensure managers involved in the recruitment process have been trained in College Safer Recruitment procedures;
- Make all reasonable adjustments to ensure equality of opportunity for employees or potential employees who have particular needs or who are disabled;
- Ensure equality issues are embedded into all the College policies, practices and procedures;
- Seek to employ a diverse workforce which reflects the diversity of the community it serves and the learner population;
- Ensure information and support to employees is available through Human Resources and line manager;
- Ensure employees have access to Equality, Diversity & Inclusion training and/or resources;
- Develop an open culture in which mental, physical and emotional wellbeing is taken seriously and in which employees are supported in order that they may seek and receive help and support.

## 5.3 Equality Principles related to teaching, learning and assessment:

- Make courses accessible to as wide a range of learners as possible and ensure, where set, entry requirements are relevant, appropriate and transparent;
- Provide equal access to assessment for all learners and ensure effective assessment and verification appropriate to the type of programme;
- Make all reasonable adjustments to teaching, learning and training to take account of the individual needs of learners through differentiated activities which inspire and provide stretch and challenge to enable learners to reach their potential.
- Provide equal access to the highest quality teaching, learning or training for all learners and ensure effective methods and appropriate support are used to meet the needs of the learner;
- Make use of learning resources and delivery methods within teaching, learning and training which are free from stereotyping and support cultural and linguistic needs of learners;
- Provide a positive and high quality learning experience which is underpinned by impartial careers information, advice and guidance;
- Encourage learners with Special Educational Needs and Disabilities (SEND) to self-disclose and, where learning needs are identified, provide an appropriate level of support to allow full participation in teaching and learning and college life;
- Offer pastoral support to enable learners to deal with personal issues, including help with their mental health and wellbeing concerns in order that they are not disadvantaged, and can participate fully and achieve at College.
- The needs and interests of our learners are reflected in our curriculum.

## **6. Monitoring and Reporting**

6.1 The Annual Equality, Diversity & Inclusion report will be provided to the Corporation, and will include an action plan and progress updates relating to our Equality Objectives. The report will:

- Monitor curriculum to ensure that College policies, processes and practices are not discriminatory and ensure equality of achievement for all;
- Provide learner retention and achievement rates, disaggregated by ethnicity, gender and disability;
- Provide employee and recruitment analysis on workforce composition, recruitment and selection;
- Develop equality action points to advance specific areas of work to further promote Equality, Diversity & Inclusion.

6.2 Published on the College website.

6.3 The Equality, Diversity & Inclusion Policy will be reviewed and updated in line with any new or legislative developments.

## **7. Positive Action**

7.1 Positive action measures are allowed by law to rectify disadvantages in employment or education provision revealed by monitoring.

7.2 Positive action allows the College to:

- Provide services to employees (in the form of training, education or welfare) in order to promote a more diverse workforce, particularly where certain groups are underrepresented in particular areas of work;
- Encourage applications from groups that are underrepresented in particular areas of work.

## **8. Complaints Procedure**

- Complaints made to the College regarding any unfair or discriminatory treatment experienced will be dealt with sensitively and fully.
- Learners can make a complaint following the College's formal Complaints Procedure or, if they find it easier, by speaking to a member of the Student Services Team, their Course Coordinator, Team Leader, Tutor, Learning Coach or member of the Learning Support Team.
- College employees can raise complaints with the Human Resources Manager or their line manager. The College grievance procedure will be used to manage employee complaints. All efforts will be made to resolve complaints/grievances informally in the first instance.
- All complaints will be fully investigated and the appropriate action, training and procedures will be taken. Although informal processes may be initially used to investigate the complaint, disciplinary investigation and formal disciplinary hearings may result from the investigation.
- For the purposes of employment within the College, discrimination could be considered as Gross Misconduct.

## 9. Responsibility for Implementing the Policy

9.1 Everyone has a responsibility to ensure:

- The Policy is understood and implemented;
- Their behaviour at all times takes account of the sensibilities of others;
- They treat everyone with respect and dignity;
- They challenge behaviour in breach of the Equality, Diversity & Inclusion Policy
- Compliance with any agreed Equality, Diversity & Inclusion actions.

9.2 Specific responsibilities:

The Board of Governors

- The College complies with all equality legislation and meets all of its duties in this regard, both general and specific.
- The College's commitment to equality, as outlined in this policy.
- Adequate resources are made available for the implementation and promotion of this and other equality policies and strategies.
- Receiving and responding to data produced in line with our reporting requirements, including recruitment and retention data, workforce monitoring data, learner success rates, etc..
- To review the Annual Equality, Diversity & Inclusion Report and Equality Objectives to ensure that Equality, Diversity & Inclusion issues and policies are implemented and monitored appropriately by the Senior Management Team, managers and employees.
- To nominate a Equality, Diversity & Inclusion Liaison Governor.

Senior Management Team (SMT)

- The overall implementation of our equality commitments and the promotion of equality, diversity and inclusion, both within and external to the organisation.
- Monitoring the Equality, Diversity & Inclusion Policy and ensuring equality actions agreed are implemented.
- Taking a lead in fostering a positive, inclusive and respectful learning and working environment for all staff and learners.
- Ensuring that equality, diversity and inclusion is embedded into overall College policies, procedures and processes.
- Ensuring the accessibility of College facilities and premises.

All employees

- Promoting equality of opportunity, eliminating discrimination and fostering good relations.
- Promoting a positive, inclusive and respectful learning and working environment which celebrates diversity and is free from discrimination, harassment or prejudice.
- Undertaking regular training on equality, diversity and inclusion as required and identifying opportunities for further learning and development.
- Challenging and reporting any incidents of discriminatory behaviour or harassment of employees, learners or any other stakeholders, including hate crimes.

- Maintaining an awareness and familiarity with the organisation's workforce and learner profile, trends and any subsequent actions planned or on-going.
- Providing effective and appropriate support to break down any barriers to learning.
- Where appropriate, acting as the point of liaison for external partners, stakeholders or visitors and ensuring their awareness of the key equality, diversity and inclusion principles set out in this Policy.
- Responsible for their behaviour and conduct and for the advancement of Equality, Diversity & Inclusion, both in the classroom/work areas and on premises used by the College.
- For the implementation of any agreed equality objectives.
- Managers who have responsibility for recruitment, including shortlisting and interviewing, should complete safer recruitment training to ensure equality and best practice in the recruitment process.
- Managers are required to evaluate the equality data in relation to key groups to identify actions and eliminate differences in achievement, participation, access, etc.
- All new employees must complete the mandatory Equality and Diversity training.
- All employees must complete refresher training as stipulated.
- All employees must report incidents involving learners or employees to their line manager, where discrimination, harassment, bullying or victimisation has occurred, in particular, relating to Protected Characteristics of others, be this on campus or on external premises used by the College.

Visitors, external partners and stakeholders

- Visitors and third parties working with the College, including contractors, sub-contractors and service providers, must comply with this policy and share the College's commitment to Equality, Diversity & Inclusion.

## **10. Related Policies, Procedures or Supporting Information**

10.1 This list is not exhaustive, but draws attention to relevant documents accessible to staff and learners which should be read in conjunction with this policy.

10.2 Staff:

- Access Arrangements Policy
- Acceptable Use Policy for IT
- Additional Learning Support (ALS) Policy
- Admissions Policy and Procedure
- Assessment & Verification Policy
- Charity Fundraising Policy
- Compliments & Complaints Procedure
- Data Protection Policy
- Employee Handbook
- Exams Policy
- Fee and Remission Policy
- Flexible Working Policy and Procedure
- Freedom of Expression Policy
- Grievance policy
- Procedure on Personal Consent required regarding the Use of Digital Photography and/or Video Recording

- Learner Financial Support Policy
- Maternity, Paternity, Adoption, Parental & Shared Parental Leave Policy
- OTLA Policy and Procedures
- Policy and Procedure for Events Involving External Speakers
- Positive Behaviour Policy and Student Disciplinary Procedure
- Probationary Policy and Procedure
- Recruitment and Selection Policy and Procedure
- Safeguarding Policy and Procedure
- Sickness Absence Policy and Procedure
- Staff Appraisal Policy and Procedure
- Staff Development Policy and Procedure
- Student Handbook
- Teaching and Learning Policy
- Whistle Blowing Policy and Procedure
- Quality Policy and Strategy

### 10.3 Learners:

- Acceptable Use Policy for IT
- Additional Learning Support (ALS) Policy
- Assessment & Verification Policy
- Compliments & Complaints Procedure
- Exams Policy
- Procedure on Personal Consent required regarding the Use of Digital Photography and/or Video Recording
- Learner Financial Support Policy
- Positive Behaviour Policy and Student Disciplinary Procedure
- Student Handbook

## Appendix 1 – Definitions

Key word	Definition
Diversity	Acknowledging, respecting and valuing differences and similarities between individuals and groups of people.
Equality	Equality is the framework that enables opportunity, access, participation and contribution that is fair and inclusive. Equality is not about treating everyone the same, but recognising the barriers people face and finding different ways to offer the opportunity of equality.
Protected Characteristics	Protected characteristics are definitions for groups of people given protection under the Equality Act 2010. This includes, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.
Direct Discrimination	Someone is treated less favourably than another person because of a protected characteristic.
Direct Discrimination by Association	Someone is treated less favourably because they associate with another person who has a protected characteristic.
Direct Discrimination by Perception	Someone is treated less favourably than another person because others think they have a particular protected characteristic.
Indirect Discrimination	A rule or policy that applies to everyone, but disadvantages people with a particular protected characteristic.
Harassment	Someone behaves in such a way that their conduct has the purpose or effect of creating an environment that is offensive, hostile, degrading, humiliating or intimidating, even if this behaviour is not directed at the person making a complaint.
Victimisation	Someone is treated badly because they have made or supported a complaint or grievance under the Act.
Discrimination arising from a disability	A disabled person is treated less favourably because of something connected to their physical or mental impairment.

Reasonable Adjustment	<p>The duty to make reasonable adjustments comprises three requirements.</p> <p>For education providers, these requirements are to take reasonable steps to:</p> <ul style="list-style-type: none"> <li>• Avoid the substantial disadvantage where a provision or practice puts disabled learners and staff at a substantial disadvantage compared to those who are not disabled</li> <li>• Remove or alter a physical feature or provide a reasonable means of avoiding such a feature where it puts disabled learners and staff at a substantial disadvantage compared to those who are not disabled</li> <li>• Provide an auxiliary aid where disabled learners would, but for the provision of such an auxiliary aid, be put at a substantial disadvantage compared to those who are not disabled.</li> </ul>
EHRC	<p>The Equality and Human Rights Commission has duties to promote human rights and equality and to provide advice about the law so that discrimination is avoided. It also has powers to enforce discrimination law in some circumstances.</p>
EDIMs	<p>Equality, Diversity &amp; Inclusion impact measures are actions an organisation takes to advance Equality, Diversity &amp; Inclusion.</p>
Equality Impact Assessment	<p>This is a process whereby a policy, procedure or practice is reviewed, and if necessary amended, to ensure that it does not discriminate against any group or individual with a protected characteristic.</p>

## Appendix 2 – Definitions

### The Equality Act 2010

The information below is guidance from the Equality and Human Rights Commission (EHRC)

The College's policies and procedures are in line with the Equality Act which protects individuals from unfair treatment and promotes a fair and more equal society.

### Protected Characteristics

Protected characteristics are definitions for groups of people given protection under the Equality Act 2010.

1. **Age** - A person belonging to a particular age (eg 16 year olds) or range of ages (eg 16 - 25 year olds).
2. **Disability** - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. Long-term means that the disability has lasted or is likely to last for at least 12 months. Substantial means more than minor or trivial.
3. **Gender Reassignment** - This is the process of transitioning from one gender to another. This transitioning process is a personal process, rather than a medical process, i.e. it does not require someone to undergo medical treatment in order to be protected. Transgender refers to a person who has the protected characteristic of gender reassignment. It is important not to confuse gender reassignment with sexual orientation. A transsexual person can be a gay man, lesbian, heterosexual or bisexual.
4. **Marriage and Civil Partnership** - Marriage is defined as a 'union between a man and a woman or between a same-sex couple'. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.
5. **Pregnancy, Maternity & Adoption**- Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. Adoption is the act of legally becoming a parent of a child not biologically the employees own. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth or adopting a child, and this includes treating a woman unfavourably because she is breastfeeding. However, an employee can still claim discrimination out of this timescale if they believe they have been treated unfairly by reason of Pregnancy, Maternity or Adoption.
6. **Race** - Race refers to a group of people defined by their race, colour, nationality (including citizenship) and ethnic or national origins.
7. **Religion or Belief** - Religion means any religion and includes a lack of religion. A

religion need not be mainstream or well-known to gain protection as a religion. However, it must have a clear structure and belief system. Belief means any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

8. **Sex** - A male or a female.
9. **Sexual Orientation** - A person's sexual attraction towards persons of the same sex (ie a gay man or a lesbian), persons of the opposite sex (ie heterosexual) or persons of either sex (ie bisexual).