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Person Responsible: Assistant Principal People Services

EQUALITY, DIVERSITY AND INCLUSION POLICY 2019/20

Approved by: SLT
Approved by the Corporation (Resources)

Approval Date: 13/1/20
Approval Date: 20/1/20

Related Documents:

- Equality & Diversity Report 2018/19

1. AIM AND SCOPE OF THE POLICY

- 1.1 The Equality and Diversity Policy sets out how the College will meet its legal requirements under the Equalities Act 2010, along with setting clear expectations of the College ethos with regard to equality and diversity.
- 1.2 The policy requires that all individuals working, studying or visiting Coventry 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 learners in relation to admissions and recruitment arrangements.
 - Current learners including those absent, temporarily excluded; learners on work placements, those in work-based learning and learners studying remotely.
 - Former learners (if there is a continuing relationship based on them having been a learner).
 - 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 learners have work placements, are work-based, or study remotely.
 - Governors of the College.

2. POLICY STATEMENT/PRINCIPLES/DETAIL

- 2.1 The Senior Leadership Team encourages everyone that works for, or learns with Coventry College, to reach their full potential in an environment which is respectful and that values individual difference.

2.2 The **College** will:

- Actively promote equality, value diversity and seek to eradicate bullying, discrimination, radicalisation and extremism.
- Embed equality, diversity and British Values into all areas of the College curriculum and all aspects of College life.
- Monitor and address any gaps in the satisfaction, retention, achievement and success of any identified group of staff and learners.
- Take positive action to address any under-representation or stereotyping of staff or learners.
- Improve access to the College in order to attract non-traditional staff and learners, and to widen participation.
- Develop an inclusive and safe environment where the voice of staff, learners, and other stakeholders (particularly those from groups with protected characteristics), is heard and acted upon.
- Celebrate and value the diversity brought to the organisation by individual learners and members of staff.

2.3 In its commitment to learners, the **College** will undertake to:

- Deliver services to learners in a way which is sensitive to their culture, ethnic backgrounds, beliefs, sexual orientation, gender, ages, and disabilities.
- Ensure the curriculum offer reflects the needs of potential and existing learners, and embeds the British Values.
- Promote styles of teaching, learning and assessment that support learners' individual needs.
- Provide appropriate support to assist all learners to achieve their potential and close any achievement gaps.
- Make clear the College's expectations and commitments to equality, diversity and inclusion in marketing materials, at events, and throughout the learner's college journey.

2.4 In its commitment to staff the **College** will undertake to:

- Ensure all staff policies and procedures promote equality of opportunity and are not discriminatory in their implementation.
- Work towards the achievement of a workforce that is representative of the learner body and local community.
- Design, develop and promote a range of family friendly and wellbeing policies, procedures and activities which support a healthy work-life balance.
- Ensure training, development and progression opportunities are available to all staff.
- Arrange training for staff on relevant equality and diversity issues, and include equalities issues in training on employment practices.
- Consult with appropriate staff to identify any potential barriers to recruitment, promotion and retention.
- Act on any unlawful or unfair discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits.

3. **RESPONSIBILITIES**

3.1 **All Learners** have a responsibility to:

- Operate within the Equality, Diversity and Inclusion Policy at all times.
- Behave in a manner that respects others and fosters good relations between people who share a protected characteristic and those who do not.
- Report any instances of bullying, discrimination, radicalisation and extremist activity.

- Embrace and celebrate British Values and act as an ambassador of Coventry College.

3.2 **All Staff** have a responsibility to:

- Operate within the Equality, Diversity and Inclusion Policy at all times.
- Actively promote equality, and celebrate diversity, taking into account the sensibilities of others at all times.
- Tackle bullying, discrimination, radicalisation and extremism by challenging inappropriate language, behaviours and reporting concerns.
- Attend and complete all mandatory equality, diversity and British Values training within agreed timescales.

3.3 **All Managers** are responsible for:

- Implementing the Equality, Diversity and Inclusion Policy and ensuring all staff are aware of their responsibilities and receive support and training to carry these out.
- Promoting equality and valuing diversity within their area of responsibility.
- Taking appropriate action against staff or learners who discriminate, harass, bully or encourage extremist activity.

3.4 **The Principal and Chief Executive** is responsible for:

- Providing a high profile lead on all equality, diversity and inclusion matters and promoting the Equality, Diversity and Inclusion Policy both internally and externally.
- Appointing a senior manager with lead responsibility for equality, diversity and inclusion.
- Holding all staff accountable for the promoting and embedding of equality, diversity and inclusion.

3.5 **The Assistant Principal People Services** is responsible for:

- Leading on equality, diversity and inclusion matters across the College and ensuring that the College meets its equality duty.
- Preparing the College's Equality & Diversity report and associated action plan.
- Taking appropriate action against staff who discriminate, harass, bully or encourage extremist activity.
- 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.

3.6 **The Assistant Principal Business and Growth** is responsible for:

- Ensuring that publicity and marketing materials are available in a range of accessible formats which meet the needs of the local community.
- Developing publicity which will reflect the College's Equality, Diversity and Inclusion Policy, and advances equality of opportunity between those people who share a protected characteristic and those who do not.
- Ensuring all signs, regulations, communications and instructions are as clear and simple as possible, and free from discriminatory language.

3.7 The Vice Principal Curriculum, Quality and Learner Experience has a responsibility to:

- Develop a curriculum that provides opportunities to all learners to study at a level appropriate to them.
- Provide a range of programmes and varied modes of delivery to meet the needs of the local community.
- Embrace widening participation, enabling those seeking to return to study after a long period of unemployment (having been made redundant and/or with caring responsibilities), whose personal circumstances have made it difficult for them to benefit from education.
- Embed equality and diversity in the curriculum from planning through to course design and delivery, ensuring that the curriculum enables learners to understand and embrace the College values.
- Ensure 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.
- Maximise progression opportunities, including the accreditation of prior learning and experience.
- Take appropriate action against staff or learners who discriminate, harass, bully or encourage extremist activity.
- Provide appropriate training to support the promotion and embedding of equality and diversity within the curriculum.
- Support teaching staff to adopt styles of teaching and learning that support learners' individual needs.
- Monitor the embedding of equality and diversity via the lesson observation process.
- Take appropriate action against learners who discriminate, harass, bully or encourage extremist activity.
- Work with the College Management Team to monitor the impact of actions taken to close gaps in retention, achievement and progression.
- Provide appropriate support services to assist all learners to achieve their potential, including those with SEND support needs.
- Ensure comprehensive information, advice and guidance is available to prospective and existing learners, without bias and in line with equality and diversity legislation.
- Ensure equitable processes are being consistently implemented to provide mentoring, additional learning and financial support to enable learners to be successful in their studies
- Provide appropriate support to assist all learners to achieve their potential and close any gaps that are identified.

3.8 The Vice Principal Finance and Resources has a responsibility to:

- Provide systems and reporting mechanisms to enable staff to identify and monitor gaps in the retention, achievement and success of any identified group of learners.

3.9 The Governing Body has a responsibility to:

- Ensure that the College meets all its duties under the Equality Act 2010 and other relevant legislation.
- Identify and appoint a designated Governor of the Corporation with lead responsibility for equality, diversity and inclusion.
- Receive and approve the Equality, Diversity and Inclusion Policy and the annual Equality and Diversity report.

4. IMPLEMENTATION OF THE POLICY

4.1 The College will ensure that:

- An introduction to the Equality, Diversity and Inclusion Policy will be included in the induction of new staff and learners, and when revised, will be disseminated to ensure understanding of responsibilities.
- The Principal and CEO, 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 learners, the employer is fully aware of their duties in terms of equality and diversity matters, and that learners are given guidance prior to their work placement on equality and diversity.
- When arranging learner accommodation with local families, the families are made aware of their responsibilities to respect diversity and uphold the principles of equality, diversity and inclusion.

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

- The Equality, Diversity and Inclusion Policy is reviewed and approved by the College SLT and Corporation on an annual basis.
- 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 partners with its own Equality, Diversity and Inclusion Policy for use as required.

5. MONITORING AND EVALUATION OF THE POLICY

5.1 There are a number of formal mechanisms by which the College will ensure that its equality objectives are implemented effectively and monitored regularly to ensure their effectiveness and continuing relevance:

- Members of the Equality and Diversity Management Group each have lead responsibility for specific equality objectives detailed in the Equality, Diversity and Inclusion Action Plan, and will ensure that, in liaison with relevant staff, the actions are achieved. The Group meets on a termly basis to report on progress.
- Equality actions form an integral part of the College's self-assessment and quality improvement processes, therefore enabling equality issues to feed into College, curriculum area and business support improvement plans.
- The termly 'critical friend' curriculum area reviews monitor learners' performance, identify under-performance and review the progress of learners against agreed targets. Key issues with potential College-wide implications are shared with relevant staff, together with good practice, and used to inform equality action plans accordingly.
- The Equality Impact Assessment (EIA) process also provides feedback on equality issues. The Assistant Principal People Services is responsible for ensuring any actions arising from EIAs are communicated to relevant staff and incorporated into equality action plans as appropriate.
- Ongoing feedback on the Scheme, the action plan and equality issues in general is achieved through established mechanisms for raising and discussing equality issues amongst learners and staff. In addition to established learner voice mechanisms, the cross-College Equality and Diversity forum has a clear remit in relation to raising the

profile of equality throughout College, through acting as a formal channel for staff and learners to raise equality issues/concerns, and through its contribution to equality action planning and monitoring.

6. LIST OF APPENDICES

Appendix 1: The Legal Framework

Appendix 2: The Equality Act: Types of Unlawful Discrimination

1 THE LEGAL FRAMEWORK: THE EQUALITY ACT 2010

- 1.1 The Equality Act 2010 came into force on 1 October 2010. It combined nine separate pieces of legislation into one single Act, which consolidated and extended existing anti-discrimination law. In addition, from April 2011 the current equality duties for race, gender and disability were replaced by a new Single Equality Duty that protects against discrimination on the basis of 9 'protected characteristics'. These are as follows:
- Race
 - Disability
 - Gender
 - Gender re-assignment
 - Age
 - Sexual orientation
 - Religion and belief
 - Pregnancy and maternity
 - Marriage and civil partnership
- 1.2 The Equality Duty comprises a **general duty** and a number of **specific duties**. The specific duties are designed to help public bodies, including colleges, to meet the requirements of the general duty.
- 1.3 The general duty has three main aims. To comply with the duty, the College must have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation;
 - Advance equality of opportunity between different groups; and
 - Foster good relations between different groups.
- 1.4 The general duty is supported by the specific duties, set out in regulations which came into force on 10 September 2011. The specific duties require public bodies to publish relevant, proportionate information demonstrating their compliance with the Equality Duty on an annual basis; this includes information relating to employees for public bodies with more than 150 employees and for other individuals who share a relevant protected characteristic who will be affected by their policies and practices. Public bodies are also required to prepare and publish specific, measurable equality objectives at least every 4 years. The equality information and objectives must be published in a way that is accessible to the public.

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.