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|  | **Issue Date:** 05/09/2018  **Review Cycle (Years):** Annually  **Next Review Date:** 31/08/2019  **Person Responsible:** Assistant Principal Student Experience |
| **EQUALITY, DIVERSITY AND INCLUSION POLICY 2018/2019** | |
| **Approved by: SLT**  **Approved by the Standards Committee**  **Approved by the Corporation** | **Approval Date: 05/09/2018**  **Approval Date: 25/09/2018**  **Approval Date:** |
| **Related Documents:** | * Safeguarding Policy and Procedure 2018/2019 * Student Bullying & Harassment Policy & Procedure * Staff Bullying & Harassment Policy & Procedure * Annual Equality, Diversity and Inclusion Report |

# 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 students in relation to admissions and recruitment arrangements.
* Current students including those absent, temporarily excluded; students on work placements, those in work based learning and students studying remotely.
* Former students (if there is a continuing relationship based on them having been a student).
* All current staff and volunteers including agency staff employed via a third party
* All external applicants for vacancies advertised in the College
* Visitors.
* Contractors (while they are on College premises or carrying out College business).
* Partners and employers where students have work placements, 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 students.
* Take positive action to address any under-representation or stereotyping of staff or students.
* Improve access to the College in order to attract non-traditional staff and students, and to widen participation.
* Develop an inclusive and safe environment where the voice of staff, students, 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 students and members of staff.

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

* Deliver services to students 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 students, and embeds the British Values.
* Promote styles of teaching, learning and assessment that support students’ individual needs.
* Provide appropriate support to assist all students 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 student’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 local community.
* Design, develop and promote a range of family friendly and wellbeing policies, procedures and activities which support a healthy work and 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 Students** 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 students 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 **Assistant Principal Student Experience** 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 Objectives and Targets, and submitting the Annual Equality & Diversity report for approval.
* Taking appropriate action against staff or students who discriminate, harass, bully or encourage extremist activity.
* Working with the College Management Team to monitor the impact of actions taken to close gaps in satisfaction, retention, achievement and success.
* Providing appropriate support services to assist all students to achieve their potential including those with SEND support needs.
* Ensuring comprehensive information, advice and guidance is available to prospective and existing students, without bias and in line with equality and diversity legislation.
* Equitable processes being consistently implemented to provide mentoring, additional learning and financial support to enable students to be successful in their studies
* Provide appropriate support to assist all students to achieve their potential and close any gaps that are identified.

3.6 **Assistant Principal People Services** is responsible for:

* Ensuring that appropriate arrangements exist for effectively managing and recording all aspects of the employment relationship, including recruitment and selection.
* Reporting on staff grievances, and disciplinary action taken related to bullying and harassment or other acts not in accordance with the Equality and Diversity Policy.
* Maintaining a central record of all staffs’ equality and diversity training.
* Ensuring that individuals are treated fairly and that decisions on recruitment, selection, pay, training, development, promotion, career management and termination of employment are based solely on objective and job related criteria.
* Promoting employee well-being and work-life balance through associated HR policies and practice.
* Providing and monitoring staff equality data and contributing to the development of the equality and diversity Objectives and Targets and the Annual Equality & Diversity Report.

3.7 **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.
* Develop publicity which will reflect the College’s Equality, Diversity and Inclusion Policy, and advance equality of opportunity between those people who share a protected characteristic and those who do not.
* Ensuring all signs, regulations, communications and instructions are as clear and simple as possible, and free from discriminatory language.

3.8 **The Vice Principal Curriculum and Learning Standards** has a responsibility to:

* Develop a curriculum that provides opportunities to all students 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.
* Embedding equality and diversity in the curriculum from planning through to course design and delivery, ensuring that the curriculum enables students to understand and embrace the College values.
* 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.
* Taking appropriate action against staff or students who discriminate, harass, bully or encourage extremist activity.
* Providing appropriate training to support the promotion and embedding of equality and diversity within the curriculum.
* Supporting teaching staff to adopt styles of teaching and learning that support students’ individual needs.
* Monitor the embedding of equality and diversity via the lesson observation process.

3.9 **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 students.

3.10 **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 College Annual Equality, Diversity and Inclusion 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 students, and when revised, will be disseminated to ensure understanding and responsibilities.
* The Principal, Corporation and all staff working with or on behalf of the College, whether employed directly or indirectly, and including volunteers and external contractors, will receive a level of training appropriate to their role, with refresher training at least every 3 years.
* When arranging work experience placements for students, the employer is fully aware of their duties in terms of equality and diversity matters, and that students are given guidance prior to their work placement on equality and diversity.
* When arranging accommodation with local families for apprentices and international students, the families are made aware of their responsibilities to respect diversity and uphold the principles of equality of opportunity.
* All lesson observations include the opportunity to report on equality and diversity, and will be included in the lesson observation briefings/training.

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

* The Equality, Diversity and Inclusion Policy is reviewed and approved by the College SLT and Corporation 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 The implementation of this policy is monitored by SLT and Governors within the EDI framework attached in Appendix 5. The following information/data is reviewed to monitor the effectiveness of this policy;

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

5.2 Monitoring and review of equality and diversity matters feed into the College SAR, Strategic Plan and Quality Improvement Plans.

5.3 The following mechanisms are in place to monitor and evaluate equality and diversity:

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

**6. LIST OF APPENDICES**

**Appendix 1**: Protected Characteristics

**Appendix 2**: The Equality Act: Types of Unlawful Discrimination

**Appendix 3**: The Public Sector Equality Duty

**Appendix 4**: British Values

**Appendix 5**: Equality, Diversity & Inclusion Meeting & Committee Structure

**Appendix 1: Protected Characteristics**

Public Sector Equality Duty covers the following eight protected characteristics:

* Age
* Disability
* Gender reassignment
* Pregnancy and maternity
* Race
* Religion or belief (including lack of belief)
* Sex
* Sexual orientation

Public authorities also need to have due regard to the need to eliminate unlawful discrimination in employment against someone because of their marriage or civil partnership status.

This means that the first arm of the duty applies to this characteristic but that the other arms (advancing equality and fostering good relations) do not apply.

**Appendix 2: The Equality Act: Types of Unlawful Discrimination**

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

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

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

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

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

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

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

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

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

**Failure to make reasonable adjustments** happens when an organisation fails to make reasonable adjustments for a disabled person, to avoid the disabled person being placed at a substantial disadvantage when compared to a non-disabled person.

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

**Appendix 3: The Public Sector Equality Duty (PSED)**

## 3.1 What does the Duty consist of?

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

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

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

## 3.2 Overview of the Public Sector Equality Duty

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

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

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

* Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
* Advance equality of opportunity between people who share a protected characteristic and those who do not.
* Foster good relations between people who share a protected characteristic and those who do not.
* These are sometimes referred to as the three aims of the general equality duty. The Act helpfully explains that having due regard for advancing equality involves:
* Removing or minimising disadvantages suffered by people due to their protected characteristics.
* Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
* Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

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

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

**3.3 Fulfilling the Public Sector Equality Duty**

Public bodies should ensure:

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

**3.4 The Public Sector Specific Equality Duties**

The specific duties require listed public authorities to:

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

**Appendix 4: British Values**

'Fundamental British Values' are classified as:

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

**Appendix 5: Equality, Diversity and Inclusion Meeting and Committee Structure**

**5. 1 Equality Diversity & Inclusion Committee**

* Frequency - meets termly
* Purpose – management oversight of key data (see table below):

|  |  |
| --- | --- |
| **Student Data** | **Staff Data** |
| * Admissions/Enrolment/Progression * Attendance * Retention * Disciplinary * Destinations * Complaints * Additional Learning Support * Surveys | * Staff profile * Sickness Absence * Turnover * Requests for Compassionate/Carers Leave/Flexible Working Requests * Recruitment/Promotion/Resignations * Complaints * Gender Pay Gap * Disciplinary/Capability/Grievance * Surveys |

* Chair –Principal CEO
* In Attendance:
* Assistant Principal Student Experience
* Assistant Principal People Services
* 6 X Heads of Faculty (2 per term)
* HR Manager
* Head of Student Services
* Head of Apprenticeships

**5.2 Inclusion Champion Meeting**

* Frequency - Meets termly
* Purpose – To raise awareness of the protected characteristics and to ensure that Equality, Diversity and Inclusion is promoted and embedded across all aspects of the college.
* Chair – Head of Student Services/HR Manager on a rotational basis
* In Attendance:
* Link Governor
* Staff Representatives
* Student Representatives
* Student Support Manager
* Student Engagement Manager
* Student Experience Coordinator
* Student Experience Apprentice
* Each meeting will be themed as follows and there will be an opportunity to pick up any other key business:
* Term 1 - Mental Health
* Term 2 - Sexuality & Gender
* Term 3 - Disability

**5.3 Equality Impact Assessment Working Group**

* Frequency – As appropriate
* Purpose – The Equality Impact Assess all policies and procedures implemented at Coventry College.
* Chair – Assistant Principal Student Experience
* In Attendance:
* Head of Student Services
* HR Manager
* 1 X Programme Manager representative (on a rotational basis)
* 1X business support middle manager representative (on a rotational basis)
* Student representative where appropriate