

Accrington and Rossendale College

Single Equality Scheme 2011-2014



SINGLE EQUALITY SCHEME

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Purpose of this Scheme

The College believes the promotion of Equality and Diversity is central to achieving the goals set out in the College's Mission statement. This scheme outlines how the College will ensure and promote equality and diversity in all of its work and how it will meet its statutory duties contained in the Equality Act 2010. It sets out how the College will work to eliminate discrimination and promote good relations between people of different groups. It also sets out the responsibilities of staff, students and others and the actions the College will take to put in place its Single Equality Scheme.

Scheme Statement

Accrington & Rossendale College is committed to the active pursuit of an equality and diversity policy which addresses the need and right of everyone in College to be treated with respect and dignity, in an environment in which a diversity of backgrounds experience is valued. It aims to ensure that all staff and students whether existing or potential receive fair and equal treatment when applying to, or working as, members of the College, and to counter any attitudes and behaviour which deny opportunities to people simply or primarily because of their: -

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (*this includes lack of belief*)
- Sex
- Sexual Orientation

Scope

This scheme applies to all students, staff and visitors and to all services offered under the auspices of Accrington and Rossendale College.

Accrington and Rossendale College will fulfil its Equality Duty in accordance with the Equality Act 2010. We will have due regard in meeting the aims of the General Duty by seeking to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

We will meet the requirements of the specific duties by:

- Publishing our equality objectives every four years
- Publishing information annually to demonstrate our compliance with the General Duty

This information will be accessible to the public and will feature on the College website.

The purpose of this Single Equality Scheme is:

- To provide guidelines for good practice in all matters relating to the treatment of staff and learners and other members of the College community, and in the provision of, and access to, the facilities, benefits and services that the College provides
- To highlight current legislation on equality and tackle discrimination and to make all members of the College community aware of their responsibilities under this legislation
- To develop and deliver a Single Equality Action Plan that ensures that the College is outstanding in all equalities matters
- To make members of the College community aware of equal opportunity issues including the issue of institutional discrimination and all other forms of discrimination
- To make all members of the College Community aware of the scheme and our action to promote choice, opportunity and progression for all staff and learners
- To create an inclusive environment underpinned by fair and equitable practices and procedures in which all members of the College community can feel valued and respected.
- To ensure adherence to relevant College procedures

Meeting our Duties

- Staff, learners, contractors, suppliers and stakeholders will be made aware of the value placed upon equal opportunity and that action will be taken in the event of any breach of the Scheme
- Governors and staff will have access to relevant and appropriate information which assists them to plan, implement and monitor actions to carry out their responsibilities under the Scheme
- The College's publicity materials will present appropriate and positive messages about age, disability, gender identity, gender, race, religion or belief, sexual orientation and cultural diversity.
- Schemes of work, lesson content and teaching resources will demonstrate sensitivity and positive promotion to issues of age, disability, gender identity, gender, race, religion or belief, sexual orientation and cultural diversity.
- All learners will be able to access appropriate support and facilities
- Applicants for employment will be drawn from a wide pool with positive action (*as appropriate*) to encourage applications from under-represented groups
- Recruitment and promotion procedures will be designed and implemented to eliminate unlawful discrimination
- Staff development schemes will be designed to meet the particular needs and enhance the skills of individuals of all under-represented groups

Developing the Scheme

We have consulted with College staff, learners and community representatives to develop this single equality scheme. We will consult more widely with staff, learners and stakeholders during 2011 to ensure participation and increase ownership.

Our Learner Voice Strategy will provide a framework to discuss equality and diversity issues with learners. We will continue to seek their views on our Equality objectives to ensure that we are focusing on issues and developments that are relevant and of benefit to the learners.

We will continue to use a variety of methods to consult with staff including trade union representatives. We will ensure that staff are kept informed of our progress, that they contribute to informing our equality objectives. The College will strive to ensure that all of our stakeholders take collective ownership and responsibility of our equality scheme.

We will consult with the wider community (employers, contractors and key stakeholders to ensure that all of our partners are aware of our commitments and expectations in relation to equality and diversity

Specific Aims

College Management and all staff employed by the college will strive to: -

- Work to ensure equality of access and resources for students and staff
- Provide an environment which promotes equality of opportunity and is free from unlawful discrimination, harassment or victimisation of any kind
- Educate students for life and work in a multi-cultural society
- Enable a representative cross-section of the local community to participate in educational activities
- Work towards a staff team that reflects and complements our communities and clients
- Equally respect, appropriately support and fairly reward each employee, student and user of its services
- Ensure that all staff and students understand the significance of equality of opportunity and know how to implement it in their practice
- Develop systems to monitor and evaluate equality and diversity provision
- Comply with all current equalities and data protection legislation in employment and provision of teaching and learning services

Work to ensure equality of access and resources for students by:

- Devising strategies for marketing and targeting underrepresented groups to encourage them to come to College
- Ensuring that there is an adequate range of programmes that cater for all potential students irrespective of age, gender or ability
- Ensuring that the curriculum meets and reflects the diversity of our student body and communities
- Providing written entry criteria and procedures which are free from any form of discriminatory practice
- Ensuring initial assessment procedures fully take into account the various experience and backgrounds of students
- Ensuring advice is provided to students potentially eligible for financial help from the College
- Providing impartial guidance to enable learners to choose the course or programme which is right for them
- Ensuring guidance and support is sensitive to equality and diversity
- Ensuring the ethnicity and gender data are used to review applications and admissions and to identify trends that may become established to inform improvement strategies.
- Ensuring that students undergo an induction process in which they are made aware of the full range of support available, the location of the welfare services, their rights and responsibilities under the College Charter, The College Values Statement and the College Single Equality Scheme
- Ensuring that materials and teaching methods promote equality and diversity
- Providing accommodation which allows all learners to access and participate fully in a safe and secure environment
- Ensuring specialist equipment and facilities are available which are relevant to the workplace and meet current industrial standards
- Providing regular assessment that is fair and accurate
- Ensuring learners have the opportunity to achieve by being able to access a range of courses
- Providing programmes of work which are socially inclusive, ensuring equality of access and opportunities for learners, which take into account both community and employer needs
- Ensuring there are effective measures to eliminate oppressive behaviour, including all forms of harassment

For Staff by:

- Ensuring no employee or job applicant is treated less favourably because of conditions or requirements which cannot be justified
- Using published, objective and job related criteria when making decisions on recruitment, pay, training, progression and termination of employment

- Supporting and training staff as appropriate help them progress within or outside the College

Provide an environment which promotes equality of opportunity and is free from unlawful discrimination, harassment or victimisation of any kind by:

- Ensuring that staff are aware of the need to accommodate students with varying abilities and learning needs within the group
- Making staff, students and users of College services aware of behaviour which amounts to discrimination, harassment or victimisation and that such behaviour will result in disciplinary action and/or amount to a criminal offence. This will be done through publicising policies through a range of media including intranet, student and staff handbooks, and other media
- Striving to challenge racism, discrimination of people with disabilities, homophobia, sexism and gender stereotyping in all its forms as well as negative attitudes or remarks related to class, accent, background, sexuality, religion, faith or belief and age
- Ensuring that publicity and promotional materials challenge stereotypes and promote positive and non-stereotypical role models
- Ensuring that all teaching and learning materials are free from explicit or implicit discrimination and include positive images of disadvantaged groups
- Ensuring that all students and staff have equal access to the full range of support services within the College
- Ensuring that all assessment strategies and material are fair and reliable
- Ensuring staff have access to comprehensive information to assist them in planning, implementing and monitoring their responsibilities under this scheme
- Seeking advice from organisations representing under-represented groups in the community such as the Commission for Racial Equality, the Equal Opportunities Commission, the Equality and Human Rights Commission and voluntary organisations such as the Royal National Institute for the Blind, Stonewall and MIND (the National Association for Mental Health)
- Ensuring that all students and staff know how to make a complaint

Educate students for life and work in a multi-cultural society by:

- Ensuring that course materials, resources and displays celebrate cultural diversity and include positive images of different social and racial groups
- Promoting understanding, empathy and respect for all cultures
- Encouraging discussion of a range of political beliefs and religious convictions

Enable a representative cross-section of the local community to participate in educational activities by:

- Responding to the educational needs of the local community including any isolated sections of the community.
- Removing potential barriers to learning by assessing the needs of students with learning difficulties and disabilities so they can attend courses which meet their needs.

Work towards a staff team that reflects and complements our communities and clients by: -

- Ensuring that the College's recruitment strategy reflects its commitment to equality of opportunity
- Ensuring that shortlists are drawn up and appointments made according to pre-set, objective criteria, focused solely upon the suitability of the candidate for the post
- Ensuring that all new staff and Governors undergo induction programmes in which they are made aware of the responsibilities under the College's Equality and Diversity Scheme and supporting Policies
- Obtaining statistical information on the profile of College staff and Governors in relation to gender, age, disability, religion and ethnic origin.
- Monitoring how the College's staff profile reflects that of its community and striving to address any significant imbalances

- Monitoring job applications and appointments, highlighting any disparities or trends and addressing these appropriately
- Ensuring that staff involved in interviewing are trained in equality and diversity issues in recruitment

Equally respect, appropriately support and fairly reward each employee, student and user of our services by:

- Consulting, and welcoming feedback from, students, staff and other users of College services
- Taking account of people's lives and commitments outside College
- Establishing fair and transparent criteria for assessment of student work
- Establishing fair and transparent criteria for staff pay structures and access to training and staff development activities

Ensure that all staff and students understand the significance of equality of opportunity and know how to implement it in their practice by:

- Ensuring that all newly appointed staff, full/part time and agency attend an induction programme within the first term of service and are aware of how to address any breach in this scheme
- Ensuring that all students, full and part time, attend an induction programme and are aware of how to address any breach in this scheme
- Ensuring that all staff and students accept the principle that there is equality of opportunity for everyone in all aspects of the College
- Challenging the use of discriminatory language or behaviour by staff and by students
- Ensuring that all staff receive initial and ongoing learning and continuous professional development on equality and diversity issues
- Keeping a database of those who receive training to assist the College in meeting its statutory duties

Develop systems to monitor and evaluate equality and diversity provision by:

- Setting and monitoring Equality and Diversity performance indicators as part of the college's commitment to equality of opportunity and Quality Assurance
- Ensuring course teams monitor ethnicity and gender recruitment data on their programmes and, if appropriate, devise strategies to address imbalance
- Reviewing attendance, retention and achievements in the light of the student's background, age, gender or ethnicity and, if appropriate, devise strategies to address imbalances
- Ensuring that the course teams audit their learning materials to ensure balance and appropriateness of content
- Monitoring staff recruitment and selection in terms of ethnicity, gender and disability
- Actively listening to the views of staff and students to ensure there is no evidence of inadvertent discrimination
- Ensuring that organisations with which the college has collaborative arrangements pursue the notion of equality and diversity
- Impact assesses our policies and procedures to ensure that the College's decisions and activities do not disadvantage any staff or students or any other stakeholders on account of their protected characteristics including: race, gender, disability, age, sexual orientation, marital status or religious belief.

Complaints under the Single Equality Scheme

All complaints concerning harassment or bullying should be raised under the College's procedures on harassment. Other complaints concerning unfair treatment within the scope of this equality and diversity scheme should be raised under the Students' Complaints Procedure or the College's Employee Grievance Procedure. For those who wish to make a formal complaint, full details of how to do this can be found in the College's Complaints Procedure, which is available on the College's Intranet and at Receptions and within Offices.

Our Equality Commitments

Gender Equality

The College is totally committed to ensuring that its pay and grading structure, as well as all other terms and conditions of employment are fair, equitable and free from any gender bias. Both maternity leave and paternity leave is fully supported in compliance with the statutory requirements.

The College recognises that staff are at times likely to have special issues in relation to childcare and the care of other dependants, and while this is likely to impact disproportionately on women, men too are sometimes affected. The College will continue to make every effort to meet the needs of staff with such responsibilities and to ensure genuine equality of access for those affected.

Gender reassignment

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with. This personal process may include undergoing medical procedures or, as is more likely for school pupils, it may simply include choosing to dress in a different way as part of the personal process of change. A person will be protected because of gender reassignment where they:

- make their intention known to someone – it does not matter who this is, whether it is someone at school or at home or someone like a doctor:
- once they have proposed to undergo gender reassignment they are protected, even if they take no further steps or they decide to stop later on
- they do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected
- start or continue to dress, behave or live (full-time or part-time) according to the gender they identify with as a person
- undergo treatment related to gender reassignment, such as surgery or hormone therapy, or
- have received gender recognition under the Gender Recognition Act 2004.

It does not matter which of these applies to a person for them to be protected because of the characteristic of gender reassignment.

This guidance uses the term 'transsexual person' to refer to someone who has the protected characteristic of gender reassignment.

Gender Identity Equality Commitments

We are committed to:

- Advancing equality of opportunity for transgendered people.
- Eliminating discrimination that is unlawful under the Equality Act 2010.
- Embedding systemic action to eliminate discrimination harassment and victimisation related to gender identity
- Promoting gender identity equality widely and consistently alongside other equality strands
- Working with other institutions, local communities and others to tackle gender discrimination and to encourage and promote good practice
- Eliminating unlawful discrimination, harassment and victimisation on the grounds of gender

- Advancing equality of opportunity and fostering good relations between men and women
- Take steps to understand and take account of the different needs of men and women.
- Addressing any evidence of a gender pay gap
- Gathering and using information on how the College's policies and practices affect gender equality in the workforce and in the delivery of services to students and staff
- Consulting with stakeholders and taking account of relevant information in order to determine gender equality objectives
- Assessing the impact of current and proposed policies and practices on gender equalities

Race Equality

Race means a person's:

- colour, and/or
- nationality (including citizenship), and/or
- ethnic or national origin

A racial group is composed of people who have or share a colour, nationality or ethnic or national origins. A person has the protected characteristic of race if they belong to a particular racial group, such as 'British people'. Racial groups can comprise two or more racial groups such as 'British Asians'.

Both institutional and individual racism "can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantages ethnic minority people." [Macpherson] The College recognises that institutional racism can exist, and that no organisation is immune to it.

Race Equality Commitments

We are committed to:

- Eliminating unlawful racial discrimination, harassment and victimisation
- Advancing equality of opportunity
- Foster good relations between persons of different racial groups
- Preparing a written statement of policy for promoting race equality
- Putting in place arrangements for implementing this Scheme, publicising its contents and the results of its monitoring and effectiveness
- Assessing the impact of its policies on learners and staff of different racial groups

Disability Equality

A person is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has what the law calls 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'.

There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause.

In relation to physical impairment:

- Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.
- HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.
- Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met (see below).
- People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.
- Mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down's syndrome and mental health conditions such as depression and schizophrenia.

Disability Equality Commitments

The College has adopted the social model of disability, which promotes the right of a disabled person to belong, to be valued, to choose and to make decisions. In adopting this model we accept that we will have to strive to remove disabling barriers created by attitudes, systems and practices that prevent participation by disabled persons.

We are committed to:

- Advancing equality of opportunity for disabled people.
- Fostering good relations
- Eliminating discrimination that is unlawful under the Equality Act 2010.
- Eliminating discrimination harassment and victimisation of disabled persons that is related to their disability
- Promoting positive attitudes towards disabled persons
- Encouraging participation by disabled persons in public life
- Taking steps to take account for disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons
- Gathering and using information on how the College's policies and practices affect the educational opportunities available to, and on the achievements of, disabled learners and staff.

Age Equality

The Act defines age by reference to a person's age group and when it refers to people who share the protected characteristic of age, it means they are in the same age group.

An age group can:

- mean people of the same age or a range of ages
- be wide such as 'people under 50'
- be narrow such as 'people in their mid-50s' or people born in a particular year
- be relative, such as 'older than me' or 'older than us'
- be linked to actual or assumed physical appearance which may bear little relation to chronological age such as 'the grey workforce'.

A person could therefore belong to various age groups: a 19 year old could, for example, belong to groups that include 'young adults', 'teenagers', 'under 50s', 'under 25s' or '19 year olds

Age Equality Commitments

We are committed to:

- Advancing equality of opportunity for people of all ages.
- Fostering good relations
- Eliminating discrimination that is unlawful under the Equality Act 2010.
- Eliminating discrimination harassment and victimisation related to age
- Creating a working environment underpinned by fair and equitable practices and procedures in which all members of the College community can feel comfortable
- Actively tackling age discrimination whether overt, covert or by omission
- Eliminating any criterion, provision or practice that disadvantages people of a particular age, unless it can be objectively justified

Sex Equality

A person's sex refers to the fact that they are male or female. In relation to a group of people, it refers to either men or women or to either boys or girls.

Sexual orientation

Sexual orientation means the attraction a person feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to.

Some people are only attracted to those of the same sex (lesbian women and gay men).

Some people are attracted to people of both sexes (bisexual people).

Some people are only attracted to the opposite sex (heterosexual people).

Everyone is protected from being treated worse because of sexual orientation, whether they are bisexual, gay, lesbian or heterosexual.

Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation

Sexual Orientation Equality Commitments

We are committed to:

- Advancing equality of opportunity for people of all sexual orientations.
- Fostering good relations
- Eliminating discrimination that is unlawful under the Equality Act 2010.
- Eliminating discrimination, harassment and victimisation related to sexual orientation
- Working with other institutions, local communities and others to eliminate discrimination based on a person's sexual orientation and to encourage and promote good practice

Religion or Belief Equality

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief. A religion need not be mainstream or well known to gain protection as a religion. It must, though, be identifiable and have a clear structure and belief system. Denominations or sects within religions may be considered a religion. Cults and new religious movements may also be considered religions or beliefs.

Belief means any religious or philosophical belief and includes a lack of belief. 'Religious belief' goes beyond beliefs about and adherence to a religion or its central articles of faith and may vary from person to person within the same religion. A belief which is not a religious belief may be a philosophical belief, such as humanism or atheism. A belief need not include faith or worship of a god or gods, but must affect how a person lives their life or perceives the world.

For a belief to be protected by the Equality Act:

- It must be genuinely held.
- It must be a belief and not an opinion or viewpoint based on information available at the moment.
- It must be a belief as to a weighty and substantial aspect of human life and behaviour.
- It must attain a certain level of cogency, seriousness, cohesion and importance.
- It must be worthy of respect in a democratic society.
- It must be compatible with human dignity and not conflict with the fundamental rights of others.

Faith Religion or Belief Equality Commitments

We are committed to:

- Advancing equality of opportunity for people of different religions or beliefs.
- Fostering good relations
- Eliminating discrimination that is unlawful under the Equality Act 2010 related to religion or belief.
- Actively tackling discrimination regarding religion or belief, whether overt, covert or by omission and promoting equality
- Eliminating religious harassment (unwanted behaviour based on religion and which includes proselytising i.e. seeking to convert others to a particular religion or sect)
- Working with other institutions, local communities and others to tackle discrimination regarding religion or belief and to encourage and promote good practice

Pregnancy and Maternity

It is discrimination to treat a woman (including a female student of any age) less favourably because she is or has been pregnant, has given birth in the last 26 weeks or is breastfeeding a baby who is 26 weeks or younger.

It is direct sex discrimination to treat a woman (including a female student of any age) less favourably because she is breastfeeding a child who is more than 26 weeks old

We are committed to:

- Advancing equality of opportunity for pregnant mothers
- Eliminating discrimination that is unlawful under the Equality Act 2010 related to pregnancy and maternity
- Providing flexible modes of study for pregnant mothers and the opportunity to defer elements of their studies
- Providing private areas for mothers to breast feed their babies, whilst recognising that mothers have the right to breastfeed wherever and whenever their baby requires.
- Providing pro-active multi agency support for pregnant mothers
- Undertaking risk assessments to ensure the safety and well being of pregnant mothers
- Promoting a clear policy and entitlement for fathers (*staff and students*) of pregnant mothers

Marriage and Civil Partnership

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated no less favourably than married couples. All employees and learners are protected against discrimination on the basis of marriage or civil partnership. However, being married or in a civil partnership does not constitute a protected characteristic.

We are committed to:

- Advancing equality of opportunity for people of different marital status
- Fostering good relations
- Eliminating discrimination that is unlawful under the Equality Act 2010 related to marriage and civil partnerships.

Responsibility for Equality and Diversity

All members of staff and all students have a responsibility to:

- Listen to what others have to say and respect their point of view
- Speak out or report if they witness, or are aware, of bullying, vindictiveness, verbal or physical aggression - and not assume that it is someone else's responsibility
- Question their own prejudices and assumptions
- Be familiar with the responsibilities that equalities legislation places on them and ensure that they are sensitive to issues of cultural diversity in their work
- Certain individuals have additional responsibilities under this scheme, as set out below:
- The Equality and Diversity Committee and supporting task groups are responsible for setting the scheme and monitoring its implementation
- The Vice Principal Quality and Standards has overall responsibility for the operation of this scheme
- The Senior Management Team is responsible for ensuring the College works to widen participation in education and employment and meets the learning needs of students
- The Equality and Diversity Committee is made up of a cross-section of staff and includes student representation. The group is chaired by the Vice Principal Quality and Standards. The group is responsible for the annual self-assessment of diversity and equal opportunities, monitoring implementation of the Single Equality Scheme, advising the Senior Management Team of action needed, and reporting to Governors (the terms of reference of the Equality and Diversity group are in Appendix A)
- The Director of People and Performance is the named person for staff queries on issues relating to harassment, discrimination and equal opportunities in the workplace.
- The Learning Support Team provides a service for students with issues relating to harassment, discrimination and equal opportunities. Contact may be made through the College Learning Services Director and Personal Development Manager.
- Line Managers are responsible for ensuring their staff understand equality and diversity issues, and how to report perceived discrimination or unequal opportunity. They are also responsible for encouraging staff development opportunities and ensuring that complaints of discrimination or offensive behaviour are dealt with promptly
- All College managers are responsible for ensuring proactive dialogue about equality and diversity issues and practices with partner organisations, contractors, parents, carers, customers, students and employers providing work experience to students
- Service providers working on College premises are expected to operate within the law and should be encouraged to adopt the terms of this scheme
- A report will be published at the end of each academic year identifying key strengths, achievements and areas for further development in the continuous promotion of equality and diversity.

Appropriate action will be taken against anybody who does not comply with the requirements of this scheme and its policies

What happens if the Single Equality Scheme is not adhered to?

Accrington and Rossendale College will not tolerate behaviour which breaches its Single Equality Scheme including for example, acts of wilful, unfair and unjustified discrimination, victimisation, harassment or bullying against members of the College community. We will initiate disciplinary action to those who contravene them. The College will also initiate appropriate actions for any acts of discrimination, harassment, victimisation or bullying by contractors, visitors to the College or members of the public.

Specific Roles & Responsibilities

The Governing Body is responsible for:

- Ensuring the institution complies with the Single Equality Scheme and meets all its duties, including the general duty and the specific duties
- Ensuring the Single Equality Scheme and its procedures are followed

The Senior Management Team is responsible for:

- Giving a consistent and high profile lead on all equality and diversity issues
- Promoting equality and diversity inside and outside the institution
- Ensuring the Single Equality Scheme and its procedures are followed

The Vice Principal Quality and Standards is responsible for:

- Providing a strategic lead on equality and diversity
- Publishing the monitoring information and annual report
- Reviewing the Single Equality Scheme and Action Plan as appropriate
- Leading and Co-ordinating the activities of the Equalities Task Groups

The Management Information Manager is responsible for:

- Supplying accurate data and monitoring information prior to meetings and report deadlines.

The Director of Learner Services is responsible for:

- Leading on equality and diversity through Learner Voice
- Promoting equality and diversity through the learner entitlement
- Leading on the promotion of equality and diversity through tutorial delivery and in the work of Learning Development Mentors

The Director of People and Performance is responsible for:

- Organising staff training and development
- Ensuring that College is up to date with all legal and ethical aspects of equality and diversity.
- Establishing appropriate policies and procedures to meet the requirements of the Single Equality scheme and the Equality Act 2010 for all aspects of staff recruitment and employment

Managers are responsible for:

- Putting the Scheme and its strategies and procedures into practice
- Making sure that all staff know their responsibilities, and receive support and training in carrying these out
- Following the relevant procedures and investigating any aspect of unlawful discrimination.

All staff are responsible for:

- Dealing with equality and diversity incidents, and being able to recognise and tackle bias and stereotyping
- Promoting equal opportunities and preventing unlawfully discriminating
- Participating in training and development activities as advised

All contractors and service providers are responsible for:

- Being aware of our Single Equality Scheme
- Following the Single Equality Scheme and any equality conditions in contracts or agreements

Monitoring Our Progress

To inform the setting of targets and the measurement of our progress in achieving our goals, we will collect and analyse the following information in terms of age, gender, disability and ethnic minority:

For learners:

- Gender, disability and ethnic profiles of learners
- Applications and success rates for admission to programmes by ethnic minority, gender, sexual orientation and disability
- Retention rates across all groups
- Achievement rates of all groups
- Work placements including success rates, satisfaction levels and job offers
- Disciplinary action relating to all groups
- Complaints by students or their sponsors
- Learner Voice surveys
- Assessment appeals

For staff:

- Disability, gender ethnic profiles of staff in post by grade and type of work
- Applications for employment, appointments, training and promotion
- Selection success rates
- Type of contract (permanent, temporary)
- Training application and take up rates
- Promotion
- Disciplinary proceedings
- Grievances
- Satisfaction surveys
- The number of staff who cease employment

The Equality & Diversity Committee will use the information to:

- Investigate whether there are differences in the way groups with protected characteristics are treated and supported
- Identify areas where specific action must be taken
- Highlight any unfairness, disadvantage or possible discrimination and take any recommendations to the Equality & Diversity Strategy Group
- Compare College data to local and national statistics in order to identify success and areas for improvement
- Recognise and share good practice

Legislation

The Equality Act 2010

What is the equality duty?

The public sector equality duty consists of a general equality duty, which is set out in section 149 of the Equality Act 2010 itself, and specific duties which are imposed by secondary legislation. The general equality duty came into force on 5 April 2011.

In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms 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 duty may involve treating some people more favourably than others.

The new duty covers the following eight protected characteristics:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual Orientation

Harassment, Discrimination & Bullying

Harassment.

The Equality Act 2010 states that there are 3 types of harassment that are unlawful

- Harassment related to a relevant protected characteristic
- Sexual harassment
- Less favourable treatment of a person because they submit to or reject sexual harassment or harassment related to sex.

Harassment occurs when a person is subjected to unwanted behaviour which is related to one or more of the protected characteristics which has either the purpose or the effect of:

- Violating a person's dignity
- Creating an intimidating, hostile, degrading or offensive environment,
- And the behaviour is unwanted, unwelcome or uninvited.

A person does not have to say they object to the behaviour for it to be unwanted.

Behaviour associated with harassment can take many forms and is defined as unwelcome, physical, verbal or non verbal conduct.

Harassment related to a protected characteristic

Harassment related to a relevant protected characteristic means harassment based on: Age, disability, gender, gender identity, sexual orientation, race, and religion or belief.

Related to, means and includes situations where a person who is subjected to the unwanted behaviour does not share the protected characteristic themselves, but there is a connection between the behaviour and the protected characteristic.

Sexual Harassment

Occurs when a person is subjected to unwanted behaviour which is of a sexual nature, and which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. It is also unlawful to treat a person less favourably because they either submit to or reject sexual harassment or harassment related to their sex.

The table below shows examples of unwanted behaviour of a sexual nature

Behaviour	Example	Sexual nature
Including to but not limited to:		
Physical	Assault, pushing, standing too closely, intimidating stance, threats of violence.	Inappropriate touching, sexual assault, coercion of sexual acts.
Verbal	Shouting, emails, phone conversation, text message, comments, jokes.	Sexual jokes, emails, comments.
Non verbal	Hostility, tonality of voice, display of offensive pictures and photographs.	Pornographic photographs or drawings,

All members of the College community, staff and learners alike, by their own behaviour and their response to others, are legally responsible for helping to ensure that individuals do not suffer any other form of harassment and that they are encouraged and supported in making complaints. Any difficulty in deciding what constitutes harassment should not deter anyone from complaining of behaviour that they find offensive or distressing. The College will, however, take wilfully false allegations very seriously and may take disciplinary action as a result.

The equality act states that it is not necessary for a person to immediately say that the behaviour that they object to is unwanted for the behaviour to be construed as harassment. Some behaviour that causes offence or distress, may be conscious or deliberate, or may arise from thoughtlessness or insensitivity. In either case, the person causing harassment should be given a clear signal that his or her behaviour is unacceptable. This may be done directly or through a suitable third party. No one should be deterred from complaining of behaviour, which distresses him or her, by embarrassment, intimidation or fear of publicity. The need for confidentiality will be respected wherever possible.

Bullying is unjustified and inappropriate behaviour, which is threatening or humiliating.

Victimisation

The Equality Act 2010 also prohibits further and higher education institutions from victimising:

- prospective students
- students at the institution
- in some limited circumstances former students
- disabled people (non-students) who hold or who have applied for a qualification conferred by the institution.

Victimisation is defined in the Act as:

Treating someone badly because they have done a 'protected act' (or because the institution believes that a person has or is going to do a protected act).

A 'protected act' is:

- Making a claim or complaint of discrimination (under the Equality Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that the further or higher education institution or someone else has breached the Act.
- Doing anything else in connection with the Act.

Under the Act people are not allowed to discriminate, harass or victimise another person because they have any of the protected characteristics. There is also protection against discrimination where someone is perceived to have one of the protected characteristics or where they are associated with someone who has a protected characteristic.

- Discrimination means treating one person worse than another because of a protected characteristic (known as direct discrimination) or
- putting in place a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified (known as indirect discrimination).
- Harassment includes unwanted conduct related to a protected characteristic which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment for someone with a protected characteristic.
- Victimisation is treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so.

Positive action

Students with protected characteristics may be disadvantaged for social or economic reasons or for reasons to do with past or present discrimination. The Act contains provisions which enable education providers to take action to tackle the particular disadvantage, different needs or disproportionately low participation of a particular student group, provided certain conditions are met. These are known as the positive action provisions and allow (but do not require) education providers to take proportionate action to remedy the disadvantage faced by particular groups of students. Such action could include targeted provision or resources or putting in place additional or bespoke provision to benefit a particular disadvantaged student group.

Positive action is not the same as positive discrimination which involves preferential treatment for a particular disadvantaged student group which does not meet the positive action conditions. It is never unlawful to treat disabled students (or applicants) more favourably than non-disabled students (or applicants).

Direct discrimination

Direct discrimination occurs when you treat a student less favourably than you treat (or would treat) another student because of a protected characteristic.

It is not possible to justify direct discrimination, so it is always unlawful.

In order for someone to show that they have been directly discriminated against, they must compare what has happened to them to the treatment a person without their protected characteristic is receiving or would receive.

There is no need for someone claiming direct discrimination because of racial segregation or pregnancy or maternity to find a person to compare themselves to:

- Racial segregation is deliberately separating people by race or colour or ethnic or national origin and will always be unlawful direct discrimination.
- To claim pregnancy or maternity discrimination a female student must show that she has been treated unfavourably because of her pregnancy or maternity and does not have to compare her treatment to the treatment of someone who was not pregnant or a new mother.

It is not direct discrimination against a male student to offer a female student special treatment in connection with her pregnancy or childbirth. It is not direct discrimination against a non-disabled student to treat a disabled student more favourably.

Discrimination based on association

Direct discrimination also occurs when you treat a student less favourably because of their association with another person who has a protected characteristic (other than pregnancy and maternity).

This might occur when you treat a student less favourably because their sibling, parent, carer or friend has a protected characteristic.

Discrimination based on perception

Direct discrimination also occurs when you treat a student less favourably because you mistakenly think that they have a protected characteristic (other than pregnancy and maternity).

Discrimination because of pregnancy and maternity

It is discrimination to treat a woman (including a female student of any age) less favourably because she is or has been pregnant, has given birth in the last 26 weeks or is breastfeeding a baby who is 26 weeks or younger.

It is direct sex discrimination to treat a woman (including a female student of any age) less favourably because she is breastfeeding a child who is more than 26 weeks old.

Indirect discrimination

Indirect discrimination occurs when you apply a provision, criteria or practice in the same way for all students or a particular student group which has the effect of putting students sharing a protected characteristic within the general student group at a particular disadvantage. It doesn't matter that you did not intend to disadvantage the students with a particular protected characteristic in this way. What does matter is whether your action does or would disadvantage such students compared with students who do not share that characteristic.

'Disadvantage' is not defined in the Act but a rule of thumb is that a reasonable person would consider that disadvantage had occurred. It can take many different forms, such as denial of an opportunity or choice, deterrence, rejection or exclusion.

Indirect discrimination applies to all the protected grounds other than pregnancy and maternity, although something that disadvantages students who are pregnant or new mothers may be indirect sex discrimination.

Indirect discrimination will occur if the following four conditions are met:

- You apply (or would apply) the provision, criterion or practice equally to all relevant students, including a particular student with a protected characteristic. and
- The provision, criterion or practice puts or would put students sharing a protected characteristic at a particular disadvantage compared to relevant students who do not share that characteristic, and
- The provision, criteria, practice or rule puts or would put the particular student at that disadvantage, and
- You cannot show that the provision, criteria or practice is justified as a 'proportionate means of achieving a legitimate aim'.

Institutional Discrimination

Is the collective failure of an organisation to provide an appropriate and professional service to people because of their protected characteristics.

What is a 'proportionate means of achieving a legitimate aim'?

To be legitimate the aim of the provision, criteria or practice must be legal and non-discriminatory and represent a real objective consideration. In the context of further and higher education, examples of legitimate aims might include:

- Maintaining academic and other standards.
- Ensuring the health and safety and welfare of students.

Even if the aim is legitimate the means of achieving it must be proportionate. Proportionate means 'appropriate and necessary', but 'necessary' does not mean that the provision, criterion or practice is the only possible way of achieving the legitimate aim.

Although the financial cost of using a less discriminatory approach cannot, by itself, provide a justification, cost can be taken into account as part of the further or higher education institution's justification, if there are other good reasons for adopting the chosen practice.

The more serious the disadvantage caused by the discriminatory provision, criterion or practice, the more convincing the justification must be. In a case involving disability, if you have not complied with your duty to make relevant reasonable adjustments it will be difficult for you to show that the treatment was proportionate.

Discrimination arising from disability

Discrimination arising from disability occurs when you treat a disabled student unfavourably because of something connected with their disability and cannot justify such treatment. Discrimination arising from disability is different from direct discrimination. Direct discrimination occurs because of the protected characteristic of disability. For discrimination arising from disability, the reason for the treatment does not matter; the question is whether the disabled student has been treated unfavourably because of something connected with their disability.

Discrimination arising from disability is also different from indirect discrimination. There is no need to show that other people have been affected alongside the individual disabled student or for the disabled student to compare themselves with anyone else. Discrimination arising from disability will occur if the following three conditions are met:

- you treat a disabled student unfavourably, that is putting them at a disadvantage, even if this was not your intention, and
- this treatment is because of something connected with the disabled student's disability (which could be the result, effect or outcome of that disability) such as an inability to walk unaided or disability-related behaviour, and

You cannot justify the treatment by showing that it is 'a proportionate means of achieving a legitimate aim'.

Knowledge of disability

If you can show that you:

- did not know that the disabled student had the disability in question, and
- could not reasonably have been expected to know that the disabled student had the disability

- then the unfavourable treatment does not amount to unlawful discrimination arising from disability.

If your agent or employee knows of a student's disability, you will not usually be able to claim that you do not know of the disability

Reasonable adjustments

The reasonable adjustments duty was first introduced under the Disability Discrimination Act 1995. The reasonable adjustments duty under the Equality Act operates slightly differently but the object is the same: to avoid as far as possible by reasonable means the disadvantage which a disabled student experiences because of their disability.

The duty requires you to take positive steps to ensure that disabled students can fully participate in the education and other benefits, facilities and services provided for students.

What is the reasonable adjustments duty?

You are required to take reasonable steps to:

Avoid substantial disadvantage where a provision, criterion or practice puts disabled students at a substantial disadvantage. Avoid substantial disadvantage, where a physical feature puts disabled persons at a substantial disadvantage; this includes removing the physical feature in question, altering it or providing a reasonable means of avoiding it. Provide an auxiliary aid where without one, disabled students would be put at a substantial disadvantage. You owe this duty to existing students, applicants and, in limited circumstances, to disabled former students. You cannot justify a failure to make a reasonable adjustment; where the duty arises, the issue is whether or not the adjustment is 'reasonable' and this is an objective question for the courts to ultimately determine.

The duty is an anticipatory and continuing one that you owe to disabled students generally, regardless of whether you know that a particular student is disabled or whether you currently have any disabled students. You should not wait until an individual disabled student approaches you before you consider how to meet the duty. Instead you should plan ahead and anticipate the requirements of disabled students and the adjustments that might need to be made for them. You are not expected to anticipate the needs of every prospective student but you are required to think about and take reasonable and proportionate steps to overcome barriers that may impede people with different kinds of disabilities.

What is a substantial disadvantage?

A disadvantage that is more than minor or trivial is called a 'substantial disadvantage'. The level of disadvantage created by a lack of reasonable adjustments is measured in comparison with what the position would be if the disabled student in question did not have a disability.

A further or higher education institution will need to take into account a number of factors when considering what a substantial disadvantage might be, such as:

- the time and effort that might need to be expended by a disabled student
- the inconvenience, indignity or discomfort a disabled student might suffer
- the loss of opportunity or the diminished progress a disabled student might make in comparison with his or her peers who are not disabled.

The duty to change a provision, criterion or practice

These terms are not defined but in general they relate to how the education and other benefits, facilities and services are provided and cover all of a further or higher education institution's arrangements, policies, procedures and activities. Where a provision, criterion or practice places disabled students at a substantial disadvantage in accessing education and any benefit, facility or service, the further or higher education institution must take such steps as it is reasonable to take in all the circumstances to ensure the provision, criterion or practice no longer has such an effect. This might mean waiving a criterion or abandoning a practice altogether but often will involve just an extension of the flexibility and individual approach that most further and higher education institutions already show to their students.

The duty to provide auxiliary aids

A further or higher education institution must take such steps as it is reasonable for it to take to provide auxiliary aids to avoid the substantial disadvantage experienced by disabled students. An auxiliary aid includes an auxiliary service and covers anything which provides additional support or assistance to a disabled student. This could range from the provision of a particular piece of equipment (which does not become the property of the student) to extra staff assistance. It includes making information available in an accessible format.

Strategic Equality Objectives

We will:

- Operate an Admissions Scheme, which is based on the ability to succeed and does not involve unduly restrictive conditions or requirements
- Review the information that we provide about our programmes to ensure that it is clear, accessible and easily understood by all potential learners.
- Seek to make staff more aware of the cultural assumptions, stereotypes and biases which may exist within curriculum materials and assessment methods, and encourage and support them in developing curriculum materials which reflect a wider range of experiences and culture.
- Monitor the composition of our staff and learner body with protected characteristics and address identified imbalances and under representation.
- Monitor the retention and achievement of learners with protected characteristics and seek to address identified imbalances.
- Ensure, through our quality assurance policies, that equal opportunities issues are addressed in the design and delivery of learning programmes
- Review our portfolio of programmes to ensure that the range of opportunities provided reflects the needs of all sections of the community
- Actively promote equality and diversity and respect for all to our staff, students, employers and collaborative partners.
- Eliminate any forms of discrimination, bullying or harassment

Strategic equality objectives will be used to inform specific equality objectives. Specific equality objectives will contain measures and targets. These objectives will be set annually informed by monitoring information, equality analysis and consultation with stakeholder groups.

The College will also take account when setting specific equality objectives of any emerging issues which may not fall under the strategic objectives.

Specific equality objectives will be published annually together with a detailed monitoring report. This information will feature on the College website.

Equality and Diversity Committee (Appendix)

MEMBERSHIP

Member of Senior Management Team
All College Directors
Member of Human Resources Team
Manager responsible for Apprenticeship programmes
Dean of Higher Education
Marketing Manager
Representation from Heads of Curriculum
Representative from schools recruitment team

REMIT :

The Equality and Diversity Committee will:

- Ensure that the college fulfils in legal responsibilities in relation to the Equality Act 2010 and any subsequent additions or amendments to the law
- Promote values, principles and standards to ensure equality of opportunity pervades all that we do.
- Ensure equality of opportunity is taken into account in all policy making, service delivery and employment practice
- Make information available to all staff and students on College procedures for dealing with all forms of harassment and discrimination.
- Prepare and publish equal opportunities policies, which are reviewed and revised as appropriate each year.
- Ensure that staff and students are aware of College policies on equal opportunities
- Ensure that appropriate training and development is available for all staff, promoting awareness of the Single Equality Scheme and its implications
- Prepare an annual action plan for the promotion of equal opportunities containing improvement targets and a timetable for review
- Monitor the implementation of the equal opportunities action plan and identified performance indicators
- Consult staff and the public, including ethnic minority communities on our plans and our equal opportunities progress.
- Ensure that annual monitoring and evaluation reports inform planning and decision making
- Monitor strategies to promote and celebrate cultural diversity to our learners

Equality and Diversity Task Groups

In order to adopt a pro-active and participative approach to the promotion and implementation of equality and diversity in the work of the college, members of the Equality Committee will also be members of a working task group. Task groups will be in the following areas:

- **Race Religion and Belief**
- **Gender Reassignment, Pregnancy & Maternity, Sex and Sexual Orientation**
- **Age and Disability**

In relation to their designated area each group will:

- Work towards the targets contained in the College 'Single Equality Scheme'
- Evaluate appropriate data including: MIS, the College Performance Report and the College annual equality and diversity monitoring report. Make recommendations to inform strategy and facilitate improvement
- Consult with various groups within the college and external stakeholders, regarding their needs and interests relating to equality and diversity
- Celebrate and promote equality and diversity
- Consider the effectiveness of existing arrangements and make recommendations for improvements
- Help eliminate any form of discrimination
- Make recommendations and contribute to staff training and development in equality and diversity
- Progress reports from each group will feature as the main agenda items at equality and diversity committee meeting

