

Equality and diversity policy

Policy review area	Equality and Diversity
Lead manager	Assistant Principal (Students)
Approval level	Board
Start date	July 2017
Review cycle	3 year
Next review	July 2020

Introduction

- Greater Brighton Metropolitan College is committed to providing equal opportunities for all staff and students and eliminating discrimination. In addition, we are committed to taking positive action to identify and eliminate inequality and promote inclusiveness in all aspects of College life.
- All members of the college community are expected to work together to create an environment where everyone feels safe, respected and listened to, regardless of their backgrounds.
- We value diversity and recognise that people with different backgrounds, skills, attitudes and experiences enhance our College community. We strive to ensure that these differences are celebrated.
- We recognise that some groups in our society experience discrimination. We are, therefore, committed to challenging all forms of discrimination and ensuring that the promotion of equality and diversity underpins everything we do. We will seek to redress all forms of disadvantage.
- We will safeguard the interests of all the protected equality characteristics as outlined in the Equality Act 2010: **disability, sex including gender reassignment, age, race, religion/belief, pregnancy/maternity, marriage and civil partnership and sexual orientation**. We will eliminate unlawful discrimination, harassment or victimisation on the grounds of the protected characteristics, as well as unfair discrimination by perception or association.
- We recognise that discrimination may occur for other characteristics, such as socio-economic status, which are not explicitly protected by the Equality Act 2010. We will challenge inequality for all members of our College community.
- We will promote good practice in equality and diversity, and will ensure that all members of our College community including the external organisations and employers we work with operate within the context of this policy.

Purpose of the Policy

The purpose of this policy is to establish clear College guidance regarding equality and diversity and to establish key principles, structures and monitoring arrangements for the College. The College recognises its legal obligations under the following legislation:

- The Equality Act 2010
- Human Rights Act 1998
- Apprenticeships, Skills, Children and Learning Act 2009
- Special Educational Needs and Disability Act 2001
- SEND Code of Practice 2014

This policy applies to all members of the College community. This community includes:

- All prospective and existing students including apprentices and those working off site.
- Permanent and temporary staff, as well as those employed by third parties. Our policy also applies to members of our Board of Governors, people applying for employment at the College and volunteers.
- All visitors to the College, including parents/carers, suppliers of goods and services and hirers of our premises.
- Partner organisations such as the employers of work based students and those hosting work experience students.

Policy Objectives

- To eliminate unfair discrimination
- To advance equality of opportunity
- To foster good relations for all including those with protected equality characteristics
- To promote and facilitate student success and narrow any gaps in student achievement
- To provide a safe, welcoming and inclusive environment for everyone within our College community
- To encourage the development and sharing of good practice in the promotion of equality and diversity

Governance

The College's Assistant Principal (Students) is the nominated lead for equality & diversity. The Equality & Diversity Committee is chaired by the Assistant Principal (Students) and is comprised of key college managers, staff, students and union representatives.

This committee meets on a termly basis to ensure the College continues to fulfil its legal duties under the Equality Act 2010 as well as to monitor the College's progress towards its Equality Action Plan.

Equality & Diversity Principles

We will:

- Ensure that the achievement of equality and diversity is the collective responsibility of every member of our College community.
- Create a positive, inclusive ethos with a shared commitment to respecting diversity and difference
- Value the achievements of all students and support them to realise their full potential.

- Ensure that equality and diversity issues are considered within College planning processes (including trips, visiting speakers and work experience)
- Encourage all students to have high expectations and high aspirations for their future progression.
- Promote positive images of student and staff to celebrate success from all backgrounds.
- Develop a curriculum offer that meets the needs of the whole community and supports under-represented groups.
- Collect, analyse and report on a range of data that will identify areas of inequality, and develop appropriate strategies and actions that will address those inequalities.
- Make reasonable adjustments to ensure that students and staff are supported to fully participate and achieve their potential.
- Encourage applications from potential students and potential employees into non-traditional areas of work or study to address areas of underrepresentation.

Equality Principles within Employment

The College aims to employ a workforce which reflects, at every level, the community that it serves.

In seeking to achieve a balanced workforce at all levels, the College will ensure that no employee, job applicant or candidate for promotion will be disadvantaged or treated less favourably because of conditions or requirements that are not related to the job.

Reasonable adjustments will be made to arrangements and premises to ensure equal access for employees or potential employees with disabilities. The College is an accredited Disability Confident Employer and is committed to the following:

- To interview all applicants with disabilities who meet the minimum criteria for a job vacancy
- To ensure that there are mechanisms in place for regular discussions with employees with disabilities to discuss what can be done to make sure they can develop and use their abilities
- To make every effort when employees become disabled to make sure they stay in employment
- To take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work
- To annually review the College's commitment and what has been achieved, plan ways to improve on them and let employees and Jobcentre Plus know about progress and future plans

Policy

Legal Compliance: The College will provide all information about its policy to learners, staff, governors, partner organisations/employers and volunteers. All members of the College community will be expected to conduct themselves in accordance with this policy.

Promotion: The College will promote equality of opportunity, positive attitudes and good relations between all members of the College community. All staff and students are responsible for the promotion of equality.

Impact Assessment: Our Equalities Impact Assessments monitor the impact of College policies or strategic decisions on race, gender, disability and age and will be extended to all protected characteristics. The College has a public duty to assess the effect of the equality policy on staff and learners from different groups. It will do this by setting and monitoring equality and diversity targets as set out in the College Quality Improvement Plan. Each curriculum area is required to comment on equality and diversity issues within its area in the annual Self-Assessment Report.

Staff: All teaching staff are required to highlight equality and diversity positively in their delivery. Evidence of the promotion of equality and diversity in teaching and learning is also assessed during lesson observations.

Balancing Rights and Responsibilities: All members should exercise their right to freedom of expression in a way that is compatible with the rights and beliefs of others. The College will take necessary steps to balance the rights of individuals with divergent views that seem to be in conflict with common views, as sensitively as possible.

Positive Action: The College takes positive action to narrow gaps in achievement and address under-representation of groups in the provision of employment, education and training. It monitors data on race, gender, age, and disability among the staff and learners. There is an action plan to re-address any gaps revealed in its monitoring which is reviewed regularly by the Senior Leadership Team and the Equality and Diversity Committee.

Teaching and Learning: The College will ensure that its teaching and learning strategy actively promotes equality of opportunity and meets the needs of individual learners by ensuring effective and appropriate learning support is in place and teaching and assessment methods, approaches and materials are varied and relevant.

Assessments and Examinations: The College will comply with the Single Equality Act in fully supporting assessments and examinations for disabled candidates, including accessible information on their qualifications, initial assessment of support needs and correct application of awarding body standards for assessment and examinations.

Complaints: The Assistant Principal (Quality) oversees the formal complaints procedure. All formal complaints will be logged and investigated thoroughly in line with College procedure.

Discriminating Behaviour: All members of the College community, including all learners, staff and subcontractors have a duty to report any act of discriminating behaviour, harassment and victimisation relating to protected characteristics.

External Organisations: The College will actively promote equal opportunity with its partners, employers and work experience providers. The Apprenticeship Team requires that employers sign to confirm they have their own equality and diversity policy or will work within the College

policy. Quality Assurance visits to partners and subcontractors are undertaken to monitor compliance and good practice.

Staff Development: The College is responsible for providing training on equality and diversity for its employees. This includes initial training at induction and further sessions at different levels to promote awareness, including new requirements such as meeting the needs of students with Special Educational Needs and Disabilities, Safeguarding and the Government's Counter Terrorism Strategy (PREVENT). Training is designed to enable all staff to carry out their role in promoting equality, fostering good relations between different groups and eliminating discrimination.

Contribution to Community Cohesion: We are committed to building strong relationships with community groups and local organisations, contributing to community cohesion.

Monitoring and Review: The College assesses the success of policy and procedure through a variety of means. Equality Impact Assessment is a process of systematically checking policies and practices for any adverse impact that they may have on staff, students or the wider community.

Recruitment Practices: Process and guidance relating to student admissions and staff recruitment will be regularly reviewed via the Equality & Diversity Committee to ensure they comply with Equality and Diversity related legislation and the College's Equality & Diversity Policy. The College's Admissions process supports non-discriminatory access. Every effort is made to ensure equality of opportunity for all students and will provide suitable support in order for all students to access all services and facilities at the College.

Disclosures: Every opportunity will be given throughout each academic year for students and staff to disclose any disabilities, learning difficulties or other needs relating to protected characteristics that they may have. The College will promote an environment in which people feel confident to disclose. The College will also provide reasonable adjustments in response to disclosure and will not disadvantage a student or member of staff on the basis of such needs.

Quality Improvement Process: Each year as part of the self-assessment process, the College sets itself a College Improvement Plan (CIP). In addition, there is a monthly HR report which analyses staffing, including recruitment from an Equality and Diversity perspective and plans to address any areas of concern. These are shared with the Executive Team and the governors who monitor targets within the CIP.

Feedback: A range of activities such as student and staff surveys, student engagement and enhancement activities and staff focus groups will be used to identify staff and student perceptions of the College environment and the quality of their experience.

The Division of Responsibilities

The Board of Governors:

The Board of Governors are responsible for discharging their statutory duty in relation to equality legislation as an employer and service provider. Governors will strive to ensure that the Governing body reflects the diversity of the communities that the college serves and will ensure that the College Executive actively promotes Equality and Diversity and adequately addresses any identified areas of concern.

The Senior Leadership Team:

Provides senior leadership and direction on equality issues. The Assistant Principal (students) and Senior Leadership Team are responsible for ensuring that the action plan is reviewed regularly.

Staff:

All staff have responsibilities for promoting equality and fostering good relations between people of different ethnic, gender, age, disability and any other protected characteristics (See Appendix 1). The staff are responsible for putting policies into practice and challenging inappropriate behaviour from either learners, work placement providers or other members of staff.

Students

As key stakeholders in the College, learners have a responsibility to comply with all College policies, treating fellow learners, staff and visitors with respect and dignity. Learners are made aware of the College policies at induction, during tutorial discussions and through various methods including posters and messages.

Equality and Diversity Committee:

Chaired by the Assistant Principal (Students) and includes staff and student representation. It monitors equality and diversity performance including monitoring and analysing data on student enrolment and success by gender, race, age and disability in line with Ofsted inspection. It also monitors staff recruitment, retention and promotion in terms of age, race, gender and disability.

College Recognised Unions:

As the recognised unions in the College, UCU, Unison, and AMiE have key roles to play in promoting, representing and monitoring equality issues. As democratic and member-led organisations they have a well-established history and practice of promoting equality from a grassroots perspective, both nationally and within the institution. At a college level, the unions also work closely with the Executive Team on equality issues by advising, negotiating and representing their membership through both formal and informal channels, including regular Joint Consultative Group meetings and representation on the Equality and Diversity Committee.

Equalities Information.

In line with the Public Sector Equalities Duty we will review and publish our equalities information on an annual basis. This information will demonstrate how we meet our obligations under the Equality Act 2010. This information will be made available via the college website.

Equality Objectives

In line with the Public Sector duty we will publish our Equality Objectives on the College website. These objectives will be regularly reviewed via our Equality and Diversity Committee

Reporting on the Policy

The Equality and Diversity Policy, once approved by the Corporate Governing Body, will be published on the staff and student intranet and reviewed every three years. The Public Sector Equality Duty Statement will be reviewed annually. Both documents will be displayed on the College website and easily accessed as part of the local offer.

- The policy will be monitored through the Board of Governors.
- Review of the Equality and Diversity Action Plan at Equality and Diversity Committee meetings and monitoring of targets.
- Minutes of the Equality and Diversity Committee are available on the Intranet.

Equality and diversity related incidents and complaints.

The College will monitor equality and diversity incidents and complaints, and all staff will take responsibility for challenging and recording discriminatory behaviour, harassment and victimisation relating to protected equality characteristics. The College's Anti Bullying procedure, Safeguarding Policy, Complaints processes will enable those who believe they have been victims discrimination and harassment to raise concerns and achieve redress without undue delay or difficulty.

Any member of the College community who becomes aware of discriminatory behaviour, harassment or victimisation has a duty to report this:

- Acts perpetrated by students should be reported to their Head of Department
- Acts perpetrated by staff or volunteers should be referred to their line manager and/or HR Director or via the Customer Complaints Procedure.
- Any instance of unfair discrimination, harassment and victimisation will be dealt with under the relevant College policies and procedures. In addition, any individual is able to log a complaint via the College Customer Complaints process.

Supporting Policies and Policies

The principles and aims of this policy complement and are supported by other policies and procedures relating to equality and diversity and these include:

Student Related:

- FE and HE Admissions Policy
- Safeguarding Policy
- Behaviour Management Procedure
- Disability Statement
- Accessibility Statement

Staff related Polices:

- Code of Conduct
- Dignity at Work
- Disability Policy – Recruitment
- Guidance for gender equality in employment
- Guidance for religion or belief equality in employment
- Guidance for sexual orientation equality in employment
- Guidance for transgender equality in employment
- Recruitment Policy and Procedure

Appendix 1

Types of Discrimination

Direct Discrimination

This occurs when someone is treated less favourably than another person because of a protected characteristic.

Associative Discrimination

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic (for example, the mother of a disabled child).

Perceptive Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination

Indirect discrimination can occur when an employer has a condition, rule, policy or a practice in the company that applies to everyone but which particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if employers can show they acted reasonably in managing their business.

Harassment

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”. Employees can complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves.

Employees are also protected from harassment because of perception and association.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

Appendix 2

Protected Characteristics covered by the Equality Act 2010

Race Equality

The College has a general duty to have due regard to the need to:

- Eliminate unlawful race discrimination
- Promote equality of opportunity
- Promote good relations between people from different racial groups

The College also has specific duties to help it meet the general duty. These are:

- To monitor by racial group the number of teaching staff in the College
- To take reasonable practical steps to publish annually the results of this monitoring.

Disability Equality

The Disability Discrimination Act (1995) outlaws discrimination against disabled people in employment, provision of education, provision of goods or services to the public, disposal or management of premises and provides for regulations to improve access to public transport. This Act was amended in 2005 to place a duty on all public sector authorities including education bodies to promote disability equality. This duty ensures that all public bodies build disability equality into the way in which they carry out their business.

This means that the College must, in carrying out all functions, have due regard to:

- Promote equality of opportunity between disabled people and other people.
- Eliminate discrimination that is unlawful.
- Eliminate disability related harassment.
- Promote positive attitudes towards disabled people.
- Encourage participation by disabled people in College life.
- Take steps to meet disabled people's needs, even if this requires more favourable treatment.

The College also has specific duties to help it meet the general duty. These are:

- To report annually on progress made.
- To review and revise the equality scheme every three years.
- To provide a statement of how disabled people have been involved in developing the scheme.
- To assess the impact of policies and practices on disability equality and where improvements can be made.
- To gather information relating to disabled staff and learners.

- To produce an action plan detailing the steps that are going to be taken to meet the general duty.

Gender Equality

Under the Single Equality Act 2010, the College has a general duty to:

- Eliminate unlawful discrimination and harassment.
- Promote equality of opportunity between men and women.
- Produce an equality scheme that makes clear the values, principles and standards that guide our approach to equality.

The College also has specific duties to help it meet the general duty. These are:

- To consult staff and learners as appropriate in drawing up the equality scheme.
- To gather information that is relevant as to how our policies and practices affect gender equality in the workplace.
- To be aware of the causes of any gender pay gap.
- To monitor progress of actions and publish annual reports on progress.
- To conduct and publish gender impact assessments.
- To review the implementation of the scheme at least every three years and revise accordingly.

Other Equality Legislation

Under the Equality Act 2010 the College also has responsibility to address the following areas of equality:

- Sexual orientation
- Age
- Religion and belief
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity

The College has a responsibility to address other types of discrimination that are not direct. These include:

- Associative discrimination – this is discrimination against an individual because she/he associates with another person who possesses a protected characteristic
- Discrimination by perception – this is discrimination against a person because others think she/he possesses a protected characteristic.
- Harassment – College employees are entitled to complain of behaviour they find offensive, even if it is not directed at them.

- Harassment by a third party – the College is potentially liable for harassment of its staff or learners by people not employed by the College. (Example: harassment of a learner on work experience.)
- Under the SEND Code of Practice 0-25 years 2014 there is a statutory duty on the College to use “Best Endeavours” to meet the needs of learners who have 139a (transition plans) and Education, Health and Care (EHC) plans.