



# Equality & Diversity Policy

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## 1. Policy Statement

- 1.1 At Nescot, we are committed to; advancing equality of opportunity, respecting and celebrating difference, eliminating discrimination, harassment and victimisation and fostering good relations between all who work or learn with us or those who use our services. We aim to ensure a working and learning environment in which all people have the opportunity to participate fully, give their best and achieve their full potential in a climate free from discrimination or harassment. We recognise that everyone has a right to equality of opportunity irrespective of race, disability, gender, gender reassignment, age, nationality, sexual orientation, religion or belief, marital or civil partnership status, or socio-economic status, background or class.
- 1.2 The purpose of this policy is to set out Nescot's commitment to create an inclusive college, where people are treated with dignity and respect and where we anticipate and respond positively to different needs and circumstances so that everyone can achieve their potential.
- 1.3 It will seek to establish key principles, structures and impact measures to ensure continuous focus for the College. The guidance will be applicable to the whole College community including employees and learners, governors, contractors, business partners, volunteers and visitors.
- 1.4 The College will also ensure that through this policy it meets its public sector duty in accordance with The Equality Act 2010 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.
- 1.5 Equality and diversity are central to all that we do, and fundamental to our mission and key priorities:
- Mission:*
- “To be the college of choice for students, staff and employers.”
- Key Priorities:*
1. Outstanding teaching, learning and assessment in an inspirational and safe environment.
  2. Stability and growth.
  3. Helping our students to develop the skills, attitudes and qualifications they need to succeed at work.
  4. Engage with employers and other organisations to offer courses that are innovative, relevant and in demand.
  5. Develop strong relationships with schools and community groups to give clear

information, advice and guidance.

6. To be an employer of choice.

## **2. Scope**

2.1 This Policy applies to all learners, staff, governors, clients and partners with whom we work to deliver services.

2.2 This policy will apply to all College procedures and processes relating to the legal observation and promotion of equality and diversity.

### **For Staff:**

- Staff Profile (ensuring it is reflective of the College demographics)
- Grievance Procedure
- Disciplinary Policy
- Complaints Policy
- Turnover
- Promotion opportunities
- Access to and satisfaction with staff development opportunities

### **For students:**

- Recruitment, retention, achievement and success
- Attendance
- Student satisfaction
- Complaints Procedure
- Disciplinary Process

2.3 Outcomes from analysis of the above information will where relevant inform self-assessment processes and college improvement plans. Regular reports assessing our progress in meeting our commitment and improving practice will be submitted to senior managers and governors together with equality improvement targets. We will ensure relevant policies are in place to tackle any issues.

## **3. Associated Policies and Procedures**

3.1 Policies and procedures linked to this policy include;

- Admissions Policy
- Staff Recruitment and Selection Policy
- Bullying Policy (Staff and Students)
  
- Staff Disciplinary Policy
- Student Disciplinary Policy

Please contact the Quality Department or Advice & Guidance if you would like this policy to be made available in an alternative format

- Learner Code of Conduct
- Safeguarding Policy
- FE Student Financial Support
- Tutorial Policy
- Complaints Policy and Procedures
- Students Learning Support Procedures.

#### **4. Governance & Monitoring**

- 4.1 Governors have a significant role in creating and maintaining an inclusive organisation where all can work, learn and reach their full potential. The Equality and Diversity Policy is reviewed by the Equality and Diversity Committee and approved by the Corporation on an annual basis, or earlier if required.
- 4.2 The Equality and Diversity Committee will ensure that effective systems to monitor and evaluate equality and diversity practice are in place by:
- Setting and monitoring equality and diversity performance indicators and impact measures.
  - Monitoring and analysing data on student applications, enrolment, retention and achievement in terms of age, ethnicity, gender and disability with a view to comparing trends and highlighting and improving or narrowing the gap of any imbalances identified.
  - Monitoring and analysing student progression and destinations in terms of age, ethnicity, gender and disability, including progression within the College, progression into other educational institutions and where possible, progression to employment.
  - Monitoring and analysing staff recruitment, grievance and disciplinary, staff progression and gender pay gap in terms of age, gender, and disability.
  - Monitoring and analysing the take-up of staff training and development opportunities.
  - Ensuring college policies in relation to Equality and Diversity are regularly monitored, reviewed and updated, in line with legal requirements and external body recommendations.
  - Producing an Annual Equality and Diversity Report for approval by the Board of Governors and publication on the College website.
  - Ensuring that the College's Equality Objectives are agreed and approved and published on the website alongside this policy.

#### **5. Commitment**

Every opportunity will be given throughout each academic year for learners/staff to disclose any disabilities or learning difficulties or other needs relating to protected characteristics that they may have. The College will, through a culture of inclusivity, ensure an environment in which people feel able and confident to disclose and to see disclosure as the right course of

action. The College will always provide reasonable adjustments in response to disclosure and will never disadvantage a learner/staff on the basis of such needs.

## 5.1 Commitment to staff

We will:

- Strive to employ a diverse workforce which reflects the local community and the learner population.
- Make transparent our expectations and commitments to equality and diversity during the recruitment and selection process and again during the induction.
- Provide ongoing continuous professional development in equality and diversity to equip staff to recognise and embed diversity and to challenge any form of discrimination.
- Provide reasonable adjustments for staff who are or who become disabled.
- Ensure that the College buildings are accessible for all.
- Embed equality and diversity through workforce practice, for example providing good customer care.
- Promote and take part in national and regional equality and diversity programmes, initiatives and celebrations.
- Continue to analyse gender pay gaps to address any disparities.

## 5.2 Commitment to Learners

We will:

- Make clear our expectations and commitments to equality and diversity in our marketing materials and events, during the student admissions process and again during induction
- Ensure the 'Learner Voice' plays a key role in the development of the College's equality and diversity objectives through focus groups, learner surveys and one-to-one dialogue.
- Celebrate equality and diversity through events, for example; LGBT History month, Black History month, religious festivals through tutorial activities and college-wide celebratory events
- Strive to provide an inclusive teaching and learning environment which takes account of individual need and cultural backgrounds
- Embed equality and diversity in teaching and learning and provide a high-quality service for all

- Work towards embedding equality and diversity within curriculum planning and teaching and learning
- Provide additional learning support (ALS) tailored to individual needs for students who require ALS to support their learning and progression in line with current funding streams.

### **5.3 Commitment to Service Users**

We will:

- Ensure our services are accessible to all.
- Provide clear and meaningful information about our services
- Monitor take up and satisfaction with our service to ensure people who use our services and facilities are able to participate in activities and do not experience discrimination.

## **6. Tackling Discrimination**

Discrimination is the unfair or prejudicial treatment of people and groups based on characteristics such as race, gender, age or sexual orientation. (See Appendix A) Nescot will not tolerate discrimination of any kind and will always take action to protect the rights of its college community.

We will

- Actively challenge and tackle all forms of prejudice, discrimination and stereotypical attitudes
- Deal with all allegations of discrimination, harassment and victimisation sensitively and we will investigate fairly and thoroughly
- Treat any form of discrimination, harassment or victimisation carried out by an individual as a matter for disciplinary action.

## **7. Monitoring and Review**

7.1 This policy is approved by the Board of Governors and will be reviewed by the Board on an annual basis. The Governors will also receive an annual summary of equality and diversity performance together with progress towards equality and diversity improvement targets.

7.2 The internal monitoring of the implementation of this policy will be the responsibility of the Equality and Diversity Management Group which will be chaired by the Deputy Principal

- 7.3 The Deputy Principal has responsibility for ensuring that this policy, and its associated processes and procedures remain appropriate and comply with changes in legislation.

## **8. 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.

## **9. 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

## Appendix 1

### Definitions of Discrimination

The Equality Act 2010 introduces the term ‘protected characteristic’ to refer to aspects of a person’s identity explicitly protected from unlawful discrimination. Nine are identified:

- Race
- Disability
- Gender
- Age
- Sexual Orientation
- Religion and belief
- Gender reassignment
- Pregnancy/maternity
- Marriage/civil partnership

We recognise, however, that other aspects of a person’s identity, background or circumstance can cause them to experience discrimination, for example a person’s socio-economic status, class or background. We are committed to advancing equality and eliminating discrimination on these grounds.

The Equality Act 2010 recognises the following 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, a 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 will now be able to 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.

**Third Party Harassment** - The Equality Act makes employers potentially liable for harassment of their employees by people (third parties) who are not employees of the company, such as customers or clients. Employers will only be liable when harassment has occurred on at least two previous

occasions and they were aware that it has taken place but did not take reasonable steps to prevent it from happening again.

**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.

**Failure to make reasonable adjustments** - The duty to make reasonable adjustments comprises three requirements for service providers and those exercising public functions, these requirements are:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage compared with those who are not disabled, to take reasonable steps to avoid that disadvantage.
- Where a physical feature puts disabled people at a substantial disadvantage compared with people who are not disabled to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function.
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage compared with people who are not disabled, to provide that auxiliary aid.

**Discrimination arising from disability** - Treating disabled people unfavourable when using their services for a reason connected with disability.