

P101 Equality, Diversity and Inclusion Policy

1. INTRODUCTION

The Corporation Board of Peterborough College ('the College') fully recognises the responsibility it has under the Equality Act 2010 ('the act'), and positively promotes, respects and values differences in terms of the 'protected characteristics' under the act as well as promoting all other forms and strands of equality and diversity and human rights that may be relevant to its work. The College recognises its duties both as a provider of education and an employer and strives vigorously to remove conditions which place people at a disadvantage and will actively combat prejudice and discrimination.

2. PURPOSE

The purpose of this policy is to set out a statement of the College's commitment to ensure equality, diversity and inclusion and deliver its duties under the Equality Act. The policy is supported by a range of policies and guidance setting out how it will deliver its policy statement in practice, including its equality objectives and action plans.

3. SCOPE

The scope of this policy extends not only to the learners/ students, apprentices and employees of the College but also workers, contractors, subcontractors, volunteers, visitors, stakeholders and members of the public and commitments to equality of opportunity also extend to potential future employees who apply to work at the College.

4. RELATED DOCUMENTS

- P500 Harassment and Bullying Policy
- P505 Disciplinary Policy and Procedure
- P508 Maternity, Adoption, Shared Parental and Paternity Leave Policies
- P515 Safer Recruitment and Selection Policy
- P517 Attendance Management Policy and Procedures
- P524 Grievance Policy and Procedure
- P525 Flexible Working Policy
- P526 Annual and Special Leave Policy
- P 103 Complaints and Dissatisfactions Resolution Procedure
- P104 Data Protection Policy
- P105 Disclosure of Public Interest (Whistleblowing) Policy

- Equality related legislation: Equality Act 2010, The Employment Rights Act 1996, The Human Rights Act 1998, The Pensions Act 1995, The Protection from Harassment Act 1999,
- Joint Council for Qualifications General Regulations for Approved Centres, access arrangements and reasonable adjustments.

5. RESPONSIBILITIES

5.1 **The Corporation** is responsible for ensuring that:

- the College complies with all legislation related to all protected characteristics
- the College Governors promote equality, diversity and inclusion on behalf of the corporation
- its members are aware of the Corporation's statutory responsibilities in relation to discriminatory legislation as an employer and service provider
- effective policies and procedures are in place to continuously improve the quality of equality, diversity and inclusion throughout the College
- the College strategic plan includes a commitment to equality and diversity training
- their membership reflects the diversity of the communities served

5.2 **Management**

The Principal, Senior Leadership Team and all managers are responsible for ensuring that:

- there is a consistent and high profile lead on all equality, diversity and inclusion issues and that this policy is followed and promoted inside and outside the College
- curriculum areas assess performance in relation to equality, diversity and inclusion and take action as appropriate to target under-represented groups
- the policy influences the admission, enrolment, retention and achievement of learners/ students and the recruitment and training of apprentices
- the teaching observation ensures that issues around equality, diversity and inclusion are addressed during lessons for learners/students and apprentices
- induction and tutorial programmes for learners/ students and apprentices reflect the College's commitment to the promotion of equality, diversity and inclusion
- progress is made against achieving the Equality Objectives and Equality and Diversity Impact Measures
- the policy is promoted to staff, learners, students, apprentices, stakeholders and members of the public through publication on the College website and staff infozone
- they initiate disciplinary action against staff or learners/ students or apprentices who discriminate, harass or victimise anyone for reasons of equality , diversity or inclusion

5.4 **The Executive Director Human Resources** is responsible for ensuring that:

- the policy influences employee recruitment and selection procedures to ensure that job applicants/ candidates are treated fairly and not discriminated against at any stage in the process
- policies are in place to ensure that all employees are treated fairly and with dignity and respect throughout their employment and have equal rights and

- access to training, promotion and career development
 - the College promotes this policy to all new staff prior to joining the College, and to existing staff through the infozone
 - training is provided for all staff on equality and diversity (e.g. mandatory online equality and diversity training and other ad hoc training as required).
- 5.5 The Vice Principal Curriculum & Quality** is responsible for ensuring that:
- The policy influences the admissions and enrolments processes for learners and students and apprentices
 - support and guidance on information, admissions and enrolments is provided for all learners/ students and apprentices
- 5.6 The Director of MIS and Exams** (the 'Centre Manager') is responsible for:
- meeting the guidance on access and reasonable adjustments to qualifications as set out in the Joint Council for Qualifications General Regulations for Approved Centres
- 5.7 The Director of Quality** is responsible for ensuring that:
- the Equality Impact Assessment process is implemented and monitored and that equality impact assessments are completed and published
- 5.8 The Operational Director for Apprenticeships** is responsible for ensuring that:
- the policy influences the recruitment of apprentices
 - the policy is implemented when training apprentices
 - Employer Health & Safety risk assessments for apprentices include consideration of equality and diversity.
 - That all subcontractors used for apprenticeship provision have an equality and diversity policy and comply with the legal regulations regarding equality and diversity, and that they review this annually or more frequently as issues arise. (a full list of subcontractors is available from the Operational Director for apprenticeships)
- 5.9 All Employees** are responsible for ensuring that:
- they are aware of the College's statutory duties in relation to equality legislation and this policy and that they treat all colleagues, learners/ students, apprentices and all other visitors to the College fairly and with dignity and respect
 - their schemes of work, lesson content and teaching resources for all learners/ students and apprentices demonstrate sensitivity to issues of equality, diversity and inclusion
 - teaching delivery, resources and materials are adapted to meet the needs of all learners
 - they challenge inappropriate behaviour, whether intended or unintended by learners, work placement providers, outside contractors, visitors or other members of staff
 - they respond positively to the needs of all staff and learners who they come in contact with in the course of their work and make reasonable adjustments where necessary
 - they take up training and learning opportunities provided to them on equality, diversity and inclusion

- 5.10 All Contractors, Subcontractors and Service Providers** are responsible for:
- following the College Equality , Diversity and Inclusion Policy and any equality conditions in contracts and agreements (see also section 5.8 regarding apprenticeship subcontractors)
- 5.11 The College Equality, Diversity and Safeguarding Committee** is responsible for:
- overall oversight of equality , diversity and inclusion
 - promoting policies and practices that ensure a College environment in which equality flourishes
 - drafting, reviewing and monitoring the College Equality Objectives and Equality and Diversity Impact Measures (EDIMS) and action plans
 - reviewing equality impact assessments for College policies and procedures
 - monitoring and reporting on equality and diversity and making recommendations

6. RISK ANALYSIS

If the College does not have a policy in place on equality and diversity, there is a risk that the College, its staff and learners/ students and apprentices may not comply with the provisions of the Equality Act, and may not act in a way that values equality, diversity, inclusion, dignity and respect. This policy has been devised to mitigate against these risks and put controls and assurances in place to manage them. Risks on equality and diversity are included in the College Risk Register, and in addition, the College will also actively seek assurance on its work on promoting and ensuring equality and diversity with its regulators and auditors.

7. EQUALITY IMPACT ASSESSMENT

An equality impact assessment was completed on the introduction of this policy and revised on 21 November 2016.

8. DATA PROTECTION

The College will comply in full with the confidential requirements of the Equality Act 2010 as they relate to the Data Protection Act and the collection and storage of sensitive employee data on the protected characteristics of its staff and learners/ students and apprentices is set out in the College General Data Protection Policy.

9. POLICY STATEMENT ON EQUALITY, DIVERSITY AND INCLUSION

The College is committed to achieving equality of opportunity for all people who work and study at the College.

In line with the Equality Act 2010, the College will put processes in place to ensure that nobody at the College will unlawfully discriminate against, harass or victimise anyone else because they have any of the protected characteristics, including 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. The College also commits to meeting its

equality duties under section 149 of the Equality Act.

The College will provide a suitable learning environment for the education and training of all its learners, students and apprentices of varying abilities and interests and to do this without creating barriers to this provision or taking qualifications. As part of this the College commits to meeting the Joint Council for Qualifications General Regulations for Approved Centres in terms of access to qualifications (see appendix 5)

The College will seek to make reasonable adjustments to its arrangements and premises with a view to avoiding disadvantages for individuals with specialized educational needs and or disabilities. Any necessary action will be taken to ensure that individuals are treated equally and fairly and that decisions taken on learner, student and apprentice recruitment, staff recruitment, selection, training, promotion, career management and the termination of employment or study are based on objective criteria.

The College seeks to employ a workforce which reflects its diverse community and will treat all employees with dignity and respect and provide a working environment free from unlawful discrimination, harassment or victimisation.

Any instances of discrimination, harassment or victimisation including abuse, bullying, unacceptable and unwanted behaviour based on a person's protected characteristics are viewed seriously and treated as disciplinary offences, which may lead to the dismissal of an employee or the exclusion of a learner, student or apprentice.

The College will work towards mainstreaming equality and diversity into all its activities such as through the equality impact assessment process for its policies, procedures and services and also through embedding the assessment of equality and diversity within the College's Self- Assessment Report (SAR) processes.

The College will ensure that the Policy is implemented through setting equality objectives and impact measures and action plans to ensure that it delivers on its duties, which will be overseen by the Equality, Diversity and Safeguarding Committee, which is responsible for ensuring equality and diversity across the College.

10. THE PROTECTED CHARACTERISTICS

The College commits that it will not discriminate against anyone for any reason connected to the 'protected characteristics' under the act. In addition, the College has a wider commitment to ensure equality of opportunity for all, and therefore also includes commitments for all people regardless of their socio-economic status. A brief description of each characteristic is set out below, with details on how the College will put its commitments into practice is in appendix 2, and definitions of discrimination, harassment and victimisation as defined under the act are in appendix 3.

Age

Refers to discrimination against a person because of their age. Reference in the

act to a person who has the protected characteristic of age is a reference to a person of a particular age group or a person who shares a particular age group. An 'age group' is a group of persons defined by reference to age, whether to a particular age or a range of ages.

Disability

Refers to discrimination against a person because they are disabled. A person is defined as disabled under the act if he/she has a physical or mental impairment which has a long term and substantial adverse effect on his/her ability to carry out normal day to day activities. Physical or mental impairment includes sensory impairments. Non-disabled employees who are (wrongly) perceived to be disabled will also be protected from direct disability discrimination and harassment.

Gender reassignment

Refers to discrimination against a person because they are transsexual. References to transsexual people under the act covers employees who are proposing to undergo, or are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex, i.e. gender reassignment. There is no requirement that the process of gender reassignment includes medical supervision. It is recognised that there may be a difference between physical sex and gender identity. This policy relates not only to the protected characteristic of gender reassignment but also to the wider Trans community.

Marriage and civil partnership

Refers to discrimination against a person because they are married or in a civil partnership (only people who are married or in a civil partnership [under the Civil Partnership Act 2004) are protected against discrimination on this ground under the act), but not all areas of discrimination are included (see appendix 3).

Race

Refers to discrimination against a person because of their race, the definition of which includes nationality, ethnic or national origins.

Religion or belief

Refers to discrimination against a person because of their religion or philosophical belief, or a lack of a religion or belief. Ultimately it is up to the courts and tribunals to determine which beliefs are covered under the legislation, however the EHRC provides the following guidance on the definition of a 'philosophical belief' as being: genuinely held; a belief and not an opinion or view point based on the present state of information available; 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 by a democratic society, not incompatible with human dignity and not conflict with the fundamental rights of others.

Sex

Refers to discrimination against a person because of their sex or also referred to as their gender – whether they are male or female.

Sexual orientation

Refers to discrimination against a person because of their sexual orientation – whether they are heterosexual, gay, lesbian or bisexual.

Socio – economic status

Although not a protected characteristic under the act, the College commits not to discriminate against anyone due to their socio-economic background.

11. THE EQUALITY DUTY & EQUALITY OBJECTIVES

Under the general Equality Duty, which is set out in section 149 of the Equality Act 2010, Colleges have a legal duty to have due regard to the need to:

- a) eliminate discrimination, harassment and victimisation (e.g. remove or reduce disadvantages felt by people from different groups;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (e.g. meet the needs of people from different groups and encourage involvement in public life or other activities where participation is low); and
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (e.g. deal with prejudice and promote understanding between people from different groups).

This applies in relation to all the College's activities relating to employees, learners and service users.

In addition, under Regulation 3 of the Equality Act 2010 (Specific Duties) Regulations 2011 requires Colleges to:

- Publish information to demonstrate compliance with the general duty at least annually² and
- Prepare and publish equality objectives at least every four years. The objectives should focus on what the College believes it should reasonably achieve to further one or more of the aims of the general Equality Duty, and must be specific and measurable. The College Equality Objectives are set out below, and included in more detail in appendix 1.

EQUALITY OBJECTIVES 2018 - 2022

Equality Objective 1	To create, sustain and celebrate an inspiring working and learning environment which advances equality of opportunity for everyone and fosters good relations
Equality Objective 2	To eliminate inequality, harassment and victimization by removing or reducing disadvantages felt by people of different groups
Equality Objective 3	To identify learner, student and apprentice groups with lower achievement, retention and pass rates and put processes in place to narrow gaps and exceed benchmarks
Equality Objective 4	To be representative of our community and seek to promote harmony and community cohesion and to work with other organisations across Greater Peterborough with respect to equality, diversity and inclusion
Equality Objective 5	To treat all learners, students, apprentices, staff, stakeholders and visitors with dignity and respect and to build a positive reputation in equality, diversity and inclusion

The Equality Objectives are set every four years, and reviewed annually. The objectives are published on the College website and staff infozone and progress against them is delivered through an EDI action plan which identifies the key areas for improvement, the specific tasks to be completed, owners, and target completion dates which is reviewed each academic year. In addition, delivery of the objectives across curriculum activities is supported by Equality and Diversity Impact Measures (EDIMs) specifically to narrow identified gaps in achievement amongst learner groups, along with action plans to narrow the gaps. These are overseen by the College Equality, Diversity and Safeguarding Committee. An annual report of activity to meet our objectives and to set out progress for students, learners and our workforce, is also given to Governors at the Curriculum and Quality Committee.

12. EQUALITY MONITORING AND ANALYSIS

Monitoring will be undertaken in accordance with best practice recommendations, particularly from bodies such as the Equality and Human Rights Commission in order to:

- ensure that learners are treated fairly and in a non-discriminatory manner and given equality of opportunity in all aspects of their College experience
- ensure that staff are treated equally in terms of recruitment, promotion, staff development, grading etc
- review any areas of under representation and develop action plans to address

(Originator: Executive Director of HR

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Equality Impact Assessment: (Section one)

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- issues as appropriate
- inform the development of equality objectives and EDIMs

The College will collect and analyse the following equality profile information:

For learners, students and apprentices

- group profiles e.g. gender
- participation by course area of all groups
- applications for admissions for full time and part time programmes
- retention and achievements rates
- withdrawals and exclusions
- progression
- complaints and incidents of harassment and bullying
- formal warnings
- views collected through quantitative surveys

For staff

- category of work/ type of role/ contract (fixed term, permanent, part time)
- job application and selection success rates
- staff training and development
- employee relations activity including disciplinary proceedings, grievances (including complaints about harassment and bullying), capability, performance management, attendance management etc
- staff internal application , promotion and success rates
- staff satisfaction survey results
- leavers and redundancies
- information from exit interviews/surveys
- pay and reward (gender and equal pay audits)
- rates of requests for flexible working
- rates of return from maternity leave
- data on adjustment solutions, such as for disability

In addition, data from other related sources such as equality impact assessments on policies, procedures and services, access audits and the outcomes of other audits and regulatory inspections that relate to equality and diversity are gathered and reviewed. The analysis of equality and diversity data and recommendations for action to address concerns is reported to the Equality, Diversity and Safeguarding Committee on at least an annual basis, and key data is also reported to the Curriculum and Quality Committee. This then informs the review of the equality objectives, EDIMs and action plans for each academic year.

13. COMPLAINTS

Any concerns about the application of this policy, such as if an employee or learner, student or apprentice feels they have been discriminated against, should be raised in the first instance with their line manager or tutor, and if they remain concerned, they are invited to raise a complaint they under the College Complaints and Dissatisfactions Resolution Procedure. Employees who have a complaint regarding their employment as it relates to this policy e.g. for

harassment and bullying, are also encouraged to raise it under the College Harassment and Bullying Policy and/or Grievance Policy. Where for any reason an individual feels they cannot access these policies, they are encouraged to raise their concerns under the College Disclosure of Public Interest (Whistleblowing) Policy.

14. PUBLICATION OF EQUALITY INFORMATION

This policy will be widely publicised to staff, learners, students, apprentices, visitors, partner organisations, stakeholders, the Corporation and the public including potential employees. The policy and the College's equality objectives will be published in a reasonably accessible format on the College staff Infozone and website and references to the commitments to equality and diversity will also feature in the College prospectuses and annual plan.

16. MONITORING AND REVIEW

The Equality, Diversity and Safeguarding Committee will monitor and review this policy every two years and also in line with any developments in equality legislation. The College will review its equality objectives to ensure they are still relevant and to assist with developing new objectives annually, with a full review every four years. The College will involve and consult with its employees, learners, students, apprentices and stakeholders in the development and review of the equality objectives. An implementation plan will be drawn up to assist with this, with agreed timescales for actions.

Appendices

- Appendix 1: Equality Objectives 2018 - 22
- Appendix 2: The Protected Characteristics – College Commitments
- Appendix 3: Definitions
- Appendix 4: Equality & Diversity Charter
- Appendix 5: Summary of duties on access to qualifications (Joint Council for Qualifications)

Further guidance and information on managing equality and diversity issues for learners, students, apprentices and staff is available for employees on the College Infozone.

PRC Equality Objectives 2018 - 2022

Peterborough Regional College has a diverse community of learners and staff and is committed to ensuring equality of opportunity, diversity, inclusion, dignity and respect for all those who learn and work at the College. We have set out our Equality Objectives in order to help us to deliver our commitments to eliminate discrimination, harassment and victimisation, advance equality of opportunity, foster good relations and promote understanding between people from different groups. Our Equality Objectives set out below. They are measured by the Equality and Diversity and Inclusion Measures (or EDIMs) which are revised annually and are monitored through an action plan that is overseen by the College Shackleton EDI Group. The equality objectives are reviewed annually and revised no later than every four years. The current objectives are for 2018 – 2022.

Equality Objective 1	To create, sustain and celebrate an inspiring working and learning environment which advances equality of opportunity for everyone and fosters good relations
Equality Objective 2	To eliminate inequality, harassment and victimization by removing or reducing disadvantages felt by people of different groups
Equality Objective 3	To identify learner, student and apprentice groups with lower achievement, retention and pass rates and put processes in place to narrow gaps and exceed benchmarks
Equality Objective 4	To be representative of our community and seek to promote harmony and community cohesion and to work with other organisations across Greater Peterborough with respect to equality, diversity and inclusion
Equality Objective 5	To treat all learners, students, apprentices, staff, stakeholders and visitors with dignity and respect and to build a positive reputation in equality, diversity and inclusion

Equality Objectives Guidance Notes

Under the general Equality Duty, which is set out in section 149 of the Equality Act 2010, Colleges have a legal duty to have due regard to the need to:

- d) eliminate discrimination, harassment and victimisation (e.g. remove or reduce disadvantages felt by people from different groups;
- e) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (e.g. meet the needs of people from different groups and encourage involvement in public life or other activities where participation is low); and
- f) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (e.g. deal with prejudice and promote understanding between people from different groups).

This applies in relation to all the College's activities relating to employees, learners and service users.

In addition, under Regulation 3 of the Equality Act 2010 (Specific Duties) Regulations 2011 requires Colleges to:

- Publish information to demonstrate compliance with the general duty at least annually³ and
- Prepare and publish equality objectives at least every four years. The objectives should focus on what the College believes it should reasonably achieve to further one or more of the aims of the general Equality Duty, and must be specific and measurable. These Equality Objectives are monitored the EDI Implementation plan and EDIMs which are set and managed annually and monitored by the Colledge EDI Group, Main Shackleton Group and a report also goes to Governors at the Curriculum and Quality Committee on an annual basis.

² With effect from 2012

The Protected Characteristics – Our Commitments

Set out below is the definition of each protected characteristic and the College’s commitments to ensure equality of opportunity and freedom from discrimination, harassment and victimisation for each characteristic

Age
<p>Reference in the act to a person who has the protected characteristic of age is a reference to a person of a particular age group or a person who shares a particular age group. An ‘age group’ is a group of persons defined by reference to age, whether to a particular age or a range of ages.</p>
<p>Commitments: The College will not discriminate against any learner, student, apprentice or employee because of the age group to which they belong.</p> <p>The College provides education and training for a wide range of age groups and is committed to ensuring educational opportunities are available for all people within the community regardless of age.</p> <p>As an education provider it is our duty to eliminate discrimination and foster an appreciation of people of different ages. As such we will celebrate the success of learners, students, apprentices and staff regardless of age.</p> <p>The College’s HR policies will reflect this commitment and will not discriminate on the grounds of age in our recruitment and selection or progression processes. We will encourage the full commitment and contribution of all staff regardless of age.</p>
Disability
<p>A person is defined as disabled under the act if he/she has a physical or mental impairment which has a long term and substantial adverse effect on his/her ability to carry out normal day to day activities. Physical or mental impairment includes sensory impairments. Non-disabled employees who are (wrongly) perceived to be disabled will also be protected from direct disability discrimination and harassment.</p>
<p>Commitments: The College has adopted the social model of disability which promotes the right of an individual with disabilities to belong, to be valued, to choose and to make decisions. In turn removing barriers created by attitudes, systems and practices that prevent participation by those with disabilities. The College supports all learners, students and apprentices with disabilities and is responsible for providing the support they need.</p> <p>Learners, students, apprentices and staff with learning difficulties and/or disabilities (LDD) are provided with appropriate support, including adaptive equipment and special examination arrangements and in no way feel isolated from College life on account of their LDD. The College has a number of measures in place to ensure that all LDD are given the chance to realise their potential and succeed within the College.</p> <p>The College actively recruits staff with disabilities, makes reasonable adjustments and seeks the advice of specialists to ensure that staff are appropriately supported to be</p>

<p>successful in their roles. As part of this, the College has been awarded Disability Confident Employer status.</p>
<p>Gender reassignment</p>
<p>References to transsexual people under the act covers employees who are proposing to undergo, or are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex, i.e. gender reassignment. There is no requirement that the process of gender reassignment includes medical supervision. It recognises that there may be a difference between physical sex and gender identity. This policy relates not only to the protected characteristic of gender reassignment but also to the wider trans community.</p>
<p>Commitments:</p> <p>The College is committed to ensuring we promote and protect the dignity and confidentiality of those staff and learners, students and apprentices who may be gender reassigned or undergoing gender reassignment therapy. We will:</p> <ul style="list-style-type: none"> • Provide access to toilet and other facilities and services appropriate to the gender reassignment. • Provide time off for employees or learners, students and apprentices needing to attend medical or therapeutic sessions within work or College time • If appropriate establish support groups within the College or refer individuals to support groups outside of the College environment. • Provide confidential advice and guidance to both learners, students, apprentices and staff as and when required. <p>The College is committed to preventing discrimination and harassment, in addition to advancing and promoting equality for trans persons. This commitment extends to individuals that are perceived to be Trans when in fact they are not (discrimination by perception), and to individuals that are associated with a trans person (discrimination by association).</p>
<p>Marriage and civil partnership</p>
<p>Protection from unlawful discrimination against people because they are married or in a civil partnership (only people who are married or in a civil partnership [under the Civil Partnership Act 2004] are protected against discrimination on this ground under the act).</p>
<p>Commitments:</p> <p>The College will eliminate all forms of direct and indirect discrimination against married persons and civil partners and also ensures that the same special leave arrangements apply to all employees regardless of marital or civil partnership status.</p>
<p>Pregnancy and maternity</p>
<p>Includes women who are pregnant and or on maternity leave</p>
<p>Commitments:</p> <p>The College will not treat a woman unfavourably because of her pregnancy or related illness, or because she is on maternity leave or seeking to take maternity leave. The college will also not discriminate against any employee because of his/her association with a woman who is pregnant or has recently given birth.</p>

The College will not discriminate on the grounds of maternity including in its recruitment and selection and promotion, promotion, training and development and performance management processes.

The College will offer support for learners, students and apprentices who are pregnant during their time at College, this includes additional learning support and flexible study arrangements to support achievement and progression.

The College has policies on maternity leave and pay in place to support employees wishing to take maternity leave, in addition to policies on adoption, parental, paternity and shared parental leave, special leave, flexible working and on-site nursery provision.

Race

Includes a person's race, nationality, ethnic or national origins.

Commitments:

The College will not discriminate against any employee, learner, student or apprentice because of his or her race, which includes nationality, ethnic or national origins. The College has a number of ways in which it currently promotes race equality within the College. The methodologies ensure that the College complies with the positive duties in relation to the promotion of racial equality and good relations between people of different racial groups:

- The use of positive action as appropriate to encourage a wide range of applicants for both employment positions and courses/ apprenticeships.
- The use of non-stereotypical images in all materials it produces for learners, students, apprentices and staff and the use of images that promote a positive understanding of different cultures and racial groups.
- Embedding equality and diversity within the curriculum and also in learner, student and apprentice and staff induction sessions
- The use of enrichment activities including learner/ student and apprentice trips and visits.

Religion or belief

Covers any religion or belief or lack of a religion or belief. Ultimately it is up to the courts and tribunals to determine which belief are covered under the legislation, however the EHRC provides the following guidance on the definition of a 'philosophical belief' as being:

- genuinely held;
- a belief and not an opinion or view point based on the present state of information available;
- 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 by a democratic society, not incompatible with human dignity and not conflict with the fundamental rights of others.

Commitments:

The College will not discriminate against any employee, learner, student or apprentice because of this/her religion or philosophical belief, or because of his/her lack of religion or belief

The College will seek to promote equality of opportunity between all learners, students, apprentices and staff regardless of their religion or belief.

The College celebrates religious, cultural and other festivals throughout the year and will ensure that learners, students, apprentices and staff are provided with an understanding and appreciation of different religions and their contribution to our society.

The College provides a multi faith chaplaincy service and facilities for prayer and contemplation.

Sex or Gender

Discrimination against a person because they are male or because they are female

Commitments:

The College will not discriminate against any learner, student, apprentice or employee because of their sex.

The College will seek not only to eliminate sex discrimination, but also to create a working and a learning environment based on good relations between females and males. The College undertakes to provide diverse, non-stereotypical images of women and men in any material which it produces for learners, students, apprentices and staff.

Fostering a positive, inclusive ethos where issues of gender discrimination and stereotyping can be discussed openly, with a shared commitment to challenging and preventing sexism and sex discrimination, to respecting diversity and difference and to encouraging good relations between men and women.

Sexual orientation

Discrimination against a person because of their sexual orientation, whether they are heterosexual, gay, lesbian or bisexual

Commitments:

The College will not discriminate against learners, students, apprentices or employees because of their sexual orientation and will seek to actively promote equality of opportunity between all learners, students, apprentices and staff regardless of their sexual orientation. Mechanisms to challenge and remove homophobic behaviour and language are embedded in cross College practice and action planning.

Socio – economic background

Although not a protected characteristic under the act, the College commits not to discriminate against anyone due to their socio-economic background

Commitments:

The external environment in which the College works makes meeting the needs of individuals from socio-economically deprived areas essential.

The College's vision is rooted in the belief that the College has a role to play in addressing socio-economic disadvantage and in so doing improving the life chances of individuals and the prosperity of the whole community.

The College provides a number of support mechanisms including financial support mechanisms for learners, students and apprentices suffering socio-economic disadvantage, these support mechanisms are intended to support the retention of learners by enabling financial support for travel and course materials.

Definitions

Appendix 3

Discrimination	Discrimination occurs when a person (or group) is treated less favourably than others. It can take different forms and this section describes the different types of discrimination under the act. However the College does not tolerate unwanted harassment or discrimination of any kind, even where the protected characteristic is not specifically covered by the act. This is further explained below.
Direct discrimination	Less favourable treatment because of a protected characteristic. Direct discrimination occurs if a person has the characteristic is perceived to have the characteristic or because they associate with someone who has a protected characteristic. Direct discrimination to age can be objectively justified.
Indirect discrimination	May occur when an apparently neutral provision, criterion or practice is applied to everyone, but which puts employees who share a protected characteristic at a particular disadvantage; and this cannot be justified as a proportionate means of achieving a legitimate aim. This does not cover pregnancy and maternity.
Discrimination arising from disability	Where a disabled employee is treated unfavourably not because of his/her disability itself but because of something arising from, or in consequence of it, and that treatment cannot be justified as a proportionate means of achieving a legitimate aim.
Discrimination by association	Direct discrimination because of an employee's association with a person who has a protected characteristic (not including marital or civil partnership status, pregnancy or maternity ⁴). This applies regardless of whether the employee has the protected characteristic personally.
Discrimination by perception	Direct discrimination against an employee because he/she is mistakenly believed to have a protected characteristic (not including marriage or civil partnership status, pregnancy or maternity).

³ Discrimination by association for pregnancy or maternity is not specifically included in the act, however an employee could complaint of unfair sex discrimination by association if their partner is treated less favourably because their partner is pregnant or on maternity leave

Harassment:	Unwanted conduct relating to a protected characteristic (excluding marriage and civil partnership, pregnancy and maternity), which as the effect of violating an employee's dignity or creating an intimidating, hostile degrading, humiliating or offensive environment for that employee.
Harassment by a third party	Employers are potentially liable for harassment of their employees by a third party/ i.e. people they do not employ (excluding marriage and civil partnership, pregnancy and maternity).
Victimisation	Occurs when an employee is treated less favourably because he/she has, in good faith, done a protected act (e.g. made or supported a complaint, or raised a grievance) regarding a protected characteristic.
Reasonable adjustments	Those adjustments made to remove barriers preventing people from integrating into the workplace. The duty to provide reasonable adjustments is a positive duty to remove any barriers or provide extra support to disabled employees in the workplace and for applicants during the recruitment process. Failure to make reasonable adjustments may amount to discrimination.
Objective justification	<p>The process by which an employer may be able to objectively justify discrimination as being a proportionate means of achieving a legitimate aim. If challenged it is for the employer to justify the provision, criterion or practice. The question of whether the provision, criterion or practice is a proportionate means of achieving a legitimate aim should be approached in two stages:</p> <ul style="list-style-type: none"> • Is the aim of the provision, criterion or practice legal and non-discriminatory, and one that represents a real, objective consideration? • If the aim is legitimate, is the means of achieving it proportionate – that is appropriate and necessary in all circumstances?

EQUALITY & DIVERSITY CHARTER

This charter sets out for you our approach to ensuring inclusion and success for all employees and learners.

The College will seek to ensure that:

- It fulfils all its legal requirements placed on it under Equality Legislation
- It fulfils its duty to eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act; to advance equality of opportunity and foster good relations
- The College will continue to:
 - make reasonable adjustments as far as reasonably practicable to enable employees, learners, students and apprentices to have access to carry out their work and studies
 - ensure employees, learners, students and apprentices and their sponsors are aware of the value placed upon equal opportunity and that
 - formal investigations and disciplinary action may be taken in the event of any breach of policy including harassment
 - ensure marketing and publicity materials present appropriate messages and are designed to respect all community groups
 - provide all partners and associates with a copy of the College Equality & Diversity Policy and ensure that they understand their responsibilities and agree adherence to them whilst working with / for the College
 - have inclusive and open recruitment and selection, progression and development processes to encourage our diverse learner, student, apprentice and employee groups to develop and progress

We will promote Equality and Diversity by:

- Advancing equality of opportunity and good relations between all sections of the College's community
- Embedding equality and diversity throughout all operational activities
- Positively encouraging applications from underrepresented groups through alternative media use and forming links with local community groups
- Ensuring our schemes of work, lesson content, teaching resources, planning activities, communication, actions demonstrate sensitivity to issues of equality & diversity and are adapted where necessary
- Ensuring that everyone has access to the College and its courses
- Holding accreditations to support equal opportunity standards
- Delivering an inclusive approach to celebrating success at award ceremonies and similar events

- Reinforcing the College's commitment to equality and diversity in College publicity material

As an employee or learner, student or apprentice of the College you are responsible for ensuring that:

- You are aware of your own and the College's statutory duties in relation to equality legislation that are outlined in our Equality and Diversity Policy
- You refrain from and challenge inappropriate behaviour, whether deliberate or not by students, learners, apprentices and colleagues, College partnerships, work placement providers and outside contractors
- You respond positively to the equality and diversity needs of colleagues and fellow learners, students and apprentices and make reasonable adjustments where necessary
- You endorse and fully support the College's "Respect" campaign

As an employer the College monitors and reviews the effectiveness of its Equality and Diversity policies:

- Through regular Equality, Diversity and Safeguarding Committee meetings
- With the involvement and consultation of appropriate groups and stakeholders in its review and on-going development
- Through the publication and implementation of a single equality and diversity action plan covering all protected characteristics
- Reviewing and implementing best practice observed in other organisations

It is important that all employees and learners, students, and apprentices understand that the College will not tolerate any form of behaviour or activity that discriminates, without proper justification, on the grounds of sex, marriage or civil partnership, religion or belief, race, gender re-assignment, disability, sexual orientation, age, family responsibilities, nationality or pregnancy and maternity. If an employee or learner, student or apprentice is alleged to have discriminated against someone, including harassment, a full investigation will be carried out which may result in summary dismissal or exclusion.

Joint Council for Qualifications - General Regulations for Approved Centres - Section 5.4 - Access arrangements and reasonable adjustments

The head of centre (Director of MIS and Exams) /senior leadership team agrees to:

- ensure that it will recruit with integrity with regard to both general and vocational qualifications;
- ensure that learners will have the correct information and advice on their selected qualification(s) in an accessible format and that the qualification(s) will meet their needs. The recruitment process must include the centre assessing each potential learner and making justifiable and professional judgements about the learner's potential to successfully complete the examinations/assessments and achieve the qualification(s). The centre's assessment must identify, where appropriate, the support that will be made available to the learner to facilitate access to examinations/assessments;
- recognise its duties towards disabled candidates as defined under the terms of the Equality Act 2010¹. This must include a duty to explore and provide access to suitable courses, submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to disabled candidates. A written disability policy setting out how the centre seeks to comply with the Equality Act 2010 and fully supporting disabled candidates must be available for inspection purposes.
- undertake the necessary and appropriate steps to gather an appropriate picture of need and demonstrate normal way of working for a private candidate. This includes distance learners and home educated students. The centre, where required, must lead on the assessment process. The candidate must be assessed by the centre's appointed assessor. In some instances, depending on his/her needs, the candidate may have to be assessed away from the centre, for example at home. The centre must comply with the obligation to identify the need for, request and implement access arrangements;
- ensure that where a candidate with a learning difficulty requires an assessment of his/her needs, he/she is assessed by an appropriately qualified assessor as appointed by the head of centre;
- have a written process in place to not only check the qualification(s) of their assessor(s) but that the assessment process is administered correctly;
- assist the awarding bodies in the discharge of their duty to make reasonable adjustments by requesting access arrangements, where required, and fully supports the SENCo in effectively implementing those arrangements once approved;
- submit any applications for access arrangements or reasonable adjustments by the published deadline ensuring that appropriate documentary evidence is held on file to substantiate such an arrangement and is open to inspection. For GCE and GCSE qualifications, a JCQ Centre Inspector will sample a centre's applications;
- ensure that for GCE and GCSE qualifications, a file is presented by the SENCo which must contain for each application the downloaded approval for the respective arrangement(s), supporting evidence of need (where required) and a signed data protection notice. This information must be readily available for inspection at the venue where the candidate is taking the examination;
- submit requests for modified papers by the published deadline;
- The arrangements **must** be carried out in accordance with the JCQ publication

¹ or any legislation in relevant jurisdiction other than England & Wales with equivalent purpose/ effect
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 Approved: (SLT) Review date: October 2021