



Equality and Diversity Policy

Owning Strategy: Quality Assurance and Compliance Strategy	Linked Strategies: Inclusion Strategy Curriculum Development and Design Strategy
Relevant to: All staff employed by Derby College.	

Office Use only:

Policy/Procedure No.	Board/Date of Approval:	Implementation Date:	Next Review Date:	Impact Assessed:
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1. POLICY STATEMENT

This policy demonstrates how Derby College celebrates and values the diversity of its learners and employees and is committed to equality of opportunity for all. This policy intends to provide general guidance and advice to team members, learners, managers and employers.

We want to ensure that people with diverse characteristics and backgrounds consider Derby College to be a learning provider and employer of choice. We want everyone that works or learns with Derby College to reach their full potential; in an environment which is respectful and that accepts individual difference.

At Derby College, we celebrate and value diversity and we are committed to advancing equality of opportunity, regardless of age, disability, gender or gender identity, race, religion or belief, sexual orientation, or social background and family responsibilities. This includes people from socially disadvantaged families as well as from deprived or remote geographical areas.

In particular, Derby College strives to:

- Encourage the participation of learners of all abilities
- Provide a safe and welcoming physical and learning environment
- Develop its facilities and courses to improve access and widen participation
- Offer support to meet individual learner and employee needs
- Ensure its recruitment process are fair and transparent
- Ensure that the College is an environment that is free from discrimination, bullying or harassment

This policy should be viewed in the context of the Equality Act 2010 and the extent of protection it provides.

This policy needs to be read in conjunction with the College's:

- Equality Act 2010
- Gender Reassignment Policy
- Bullying and Harassment Procedure and Policy (Staff)
- Disciplinary Policy and Procedure (Staff)
- Grievance Policy and Procedure (Staff)
- Recruitment Policy (Staff)
- Single Equality Scheme and Action Plan
- Health Safety and Welfare at Work Policy
- Safeguarding Policy
- E-safety Policy
- Learner Admissions Policy
- Learner Bullying and Harassment Procedure and Policy
- Managing Learner Behaviour and Discipline Policy and Procedure
- Teaching and Learning Strategy
- The Public Sector Equality Duty 2011

2. PRINCIPLES

Derby College celebrates and values the diversity of its learners and team members and is committed to equality of opportunity for all. The College resolves to eliminate discrimination or other unfair treatment against any of its team members, potential team members, learners or users.

Derby College wishes to be recognised as an organisation which provides excellent employment and educational opportunities. We are committed to complying with the relevant legislation and where possible will endeavour to exceed this creating a culture of inclusivity where everyone is treated with respect and dignity. Derby College does not tolerate any prejudicial behaviour by any member of the College.

Our commitment:

Marketing and Access to learning

- College publicity and learner recruitment procedures will be designed to encourage applications from all sections of the community and from all levels of ability and will be available in a range of formats.
- The College will ensure that admission procedures are user friendly and avoid unnecessary barriers to access for intending learners.
- The College will continue to identify and respond to learning needs within the community and will encourage widening participation from under represented, disadvantaged or excluded groups.
- Make clear our expectations and commitments to equality and diversity in our marketing materials and events, during the learner admissions process and again during induction.
- Equal opportunities data will be collected, analysed and used to inform the planning and decision-making process of our Admissions and Marketing policies.

The learning Environment

- The College is committed to the development of learning environments that are welcoming and safe for all learners.
- The College will continue to develop its facilities and accommodation to improve access for learners with learning difficulties and or disabilities.
- Through a multi-agency approach, the College will meet the targets surrounding the Every Child Matters Strategy:
 - Be healthy
 - Stay safe
 - Enjoy and achieve
 - Make a positive contribution and
 - Achieve economic well-being

Teaching, Learning and Assessment

- Curriculum teams will ensure that teaching and learning materials and delivery methods are free from bias, avoid stereotyping and discrimination.
- Curriculum teams and tutorial team members will encourage learners to explore equality and diversity issues.

- Awareness raising of equality and diversity issues will be part of the general induction and tutorial programme for learners.
- The College will ensure that learners with learning difficulties and/or disabilities receive appropriate additional support to meet individual learner needs to reach their potential.
- Provide a range of support services and facilities which will enable learners with particular physical, social and cultural needs to participate fully in college life, including:
 - tutorial support
 - additional support with learning
 - financial and welfare advice
 - personal counselling
 - social/recreational/catering facilities
 - multi faith rooms
- Curriculum teams will regularly review course design and delivery to meet the various learning needs to improve access to learning.
- The College will ensure that the views and perceptions of learners are included in the process of curriculum review and self-assessment and also curriculum development.
- Resources are available in formats appropriate to the needs of individual learners, including the use of specialist equipment where appropriate.

Recruitment, Training and Development

- The College will treat all team members with respect and dignity, and seek to provide a working environment free from harassment, discrimination and victimisation. The College will not tolerate any form of discriminatory behaviour against its team members, either from other team members, learners or members of the public.
- Individual training and development needs will be identified through the Appraisal process.
- Work towards the achievement of a workforce that is representative of the diversity of the communities from which we recruit and the learner population.
- Ensure progression opportunities are available to all team members
- Ensure all policies and procedures promote equality of opportunity and are not unlawfully discriminatory in their operation.
- Applicants are not treated less favourably because of disability, age, gender (sex), race, religion or belief, pregnancy or maternity, marriage or civil partnership, gender reassignment and sexual orientation.

The College will abide by its current statutory duties for learners and team members, in line with its obligations under the Equality Act 2010 and resulting duty to:

- Eliminate discrimination, harassment and victimisation (harassment and victimisation and any other conduct prohibited by the Act).
- Advance equality of opportunity (between people who share a protected characteristic and people who do not share it) and
- Foster good relations between different groups (between people who share a protected characteristic and people who do not share it).

3. SCOPE AND LIMITATIONS

This is an overarching policy on equality and diversity that applies across all areas of the College, including employment, teaching and learning, procurement and marketing and admissions. This policy should not be read in isolation but cross referenced with all associated policies, procedures and practices, as listed above.

The College will operate within the legislative framework of the Equality Act 2010. This policy applies to all team members, temporary staff from employment agencies, contractors, visitors, employers and learners. The procedures set out in this policy are intended for implementation across all Derby College sites. The College views discrimination against any learner or team member on any grounds as a serious disciplinary offence.

The College will not tolerate any forms of discrimination based upon:

- Direct discrimination
- Indirect discrimination
- Associative discrimination
- Perceptive discrimination
- Harassment
- Victimisation
- Third party harassment

The College will not tolerate any form of discrimination, bullying or harassment on the grounds of:

- Age, disability, gender; gender reassignment, maternity and pregnancy, race, religion or belief, sexual orientation, marital or civil partnership or socio –economic status.

Breaches of this policy will be regarded as misconduct and will therefore be subject to the learner and team member Disciplinary policies.

4. RESPONSIBILITIES

This policy applies to all team members, including agency staff, learners, employers, work placement providers, visitors, and contractors working on campus and sub-contractors.

Board of Governors

It is the responsibility of the Principal and Chief Executive and governors to ensure that the College meets its legislative responsibilities in respect of equality and diversity and for receiving and responding to monitoring information.

Senior Leadership Team

They are responsible for ensuring that team members and learners are familiar with their roles and responsibilities and the content of this policy. It is committed to providing support and equality and diversity training to promote a positive and inclusive culture for learning and for work. The Executive is responsible for monitoring the profile of the learner and team member profiles by age, gender, race and disability.

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Heads of Faculty/Team Managers

They are responsible for the promotion of equal opportunities for learners with respect to curriculum planning; materials and resources, assessment, role models, teaching and learning methods, the management of the environment, and social and economic aspects of learning.

Human Resource Team

It is responsible for ensuring that the recruitment and selection policy does not discriminate in any way and that job advertisements are fully inclusive. This will include advertising through recognised minority group's publications. The College will ensure that recruitment and selection procedures are open, consistently applied and free from bias, stereotyping and discrimination. Additionally, the College will endeavour to ensure that reasonable adjustments are made to arrangements and premises to ensure both current and potential team members with a disability have equality of access.

The Equality and Diversity Operation Group

The purpose of the Equality and Diversity Operation Focus Group is to support all aspects of the equality, diversity and inclusion environment, ensuring that we meet the needs and interests of our learners and team members. We will support and monitor performance and champion excellence, support the implementation of improvements, in order to "promote diversity and social mobility".

The Quality Improvement Group- Teaching and Learning

The purpose of the QIG – Teaching and Learning meeting is to strategically lead all aspects of equality and diversity, ensuring that we meet the needs and interests of our team members and learners, that we monitor performance and champion excellence, implementing improvements, in order to identify and where required to effectively narrow any achievement gaps and to monitor how effective we are at promoting equality, diversity and tackling discrimination.

Team Members and Learners

All team members and learners are responsible for ensuring the implementation of this policy, and for their own conduct. All team members should challenge discriminatory behaviour by learners, placement providers, outside contractors and other team members. It is the duty of all team members and learners to avoid unfair discriminatory practices.

The College is committed to the general health and wellbeing of its learners and team members, and encourages them to develop positive relationships, to respect others and to celebrate diversity. Bullying or discrimination or any other form of discriminatory behaviour will not be tolerated. Safeguarding procedures are in place to ensure that learners have a safe and secure environment.

The College will seek to provide a supportive environment for those who make claims of discrimination or harassment according to the policies listed in this document.

5. IMPLEMENTATION ARRANGEMENTS

New team members are made aware of the policy and procedure during the formal College induction process. Updated and amended procedures are disseminated and reinforced in training sessions and team meetings. Team members and parents have access to this policy on the College website and via the College intranet. A copy of this policy will be available to all learners on Moodle.

6. MONITORING AND REVIEW

The Equality and Diversity Policy is subject to regular review. The policy and the implementation arrangements which underpin it will be formally reviewed on an annual basis. This review will take into account the views of team members and learners and relevant legislation.

The College monitors the profile of its learners and team members by age, gender, disability and ethnicity. Monitoring for learners is undertaken by the Quality Improvement team and, for team members, by the HR team. Data collected for monitoring purposes will be published on our website at least annually and will be reported to the senior leadership team in respect of staff data, and annually to the Board of Governors. The presentation of such information shall observe the College's legal and contractual responsibilities in respect of individual confidentiality particularly in regard of sensitive data and will not unnecessarily identify individuals.

Monitoring at course level is integrated into the programme review process. Learner analysis is reported in the monthly Quality Performance Reviews (QPR) these are reported to:

- the College Executive
- the HR Committee (team members)
- the College Governors annually

Learner enrolment, retention, and achievement, learner survey and complaints are annually monitored by ethnic group, gender, age and disability and the findings are used to inform the Self-Assessment Reviews. Learners' views are identified by means of satisfaction surveys, learner representatives and the equality and diversity groups.

Complaints made to the College on grounds associated with equality and diversity are actioned and analysed to establish any trends.

The following systems are in place to monitor and evaluate the equality and diversity impact of the College policies;

- Annual SAR;
- Learner survey and focus groups;
- Equality analysis;
- Equality action plans;
- Annual report available on the College website;
- Equality and Diversity minutes
- Trades Unions

7. DEFINITIONS

Protected characteristics are the grounds upon which discrimination is unlawful.

Direct Discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have.

Associative Discrimination already applies to race, religion or belief and sexual orientation. This is now extended to cover age, disability, gender reassignment and sex. It occurs when you treat people less favourably because they are associated with someone who has a protected characteristic (other than pregnancy and maternity).

Perceptive Discrimination already applies to age, race, religion or belief and sexual orientation. This is now extended to cover disability, gender reassignment and sex. It means direct discrimination occurs against an individual because others think they have a particular protected characteristic. It applies even if the person doesn't actually possess that characteristic.

Indirect Discrimination already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership. This is now extended to cover disability and gender reassignment.

Indirect discrimination can occur when the College has a condition, criteria rule, or policy that applies to everyone but particularly disadvantages people who share a protected characteristic. It doesn't matter if it was unintentional, it matters if your action disadvantages a person compared with a person who does not share that characteristic.

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'. Harassment applies to all protected characteristics except for pregnancy, maternity, marriage and civil partnership. Team members will be able to complain of behaviour they find offensive – even if it is not directed at them. Team members do not need to possess the relevant characteristic themselves and are also protected from harassment because of perception and association.

Third Party Harassment occurs already applies to sex and is now extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation. The Equality Act makes the College potentially liable for harassment of team members and learners by people (third parties) such as clients or customer and contractors of the employer/provider.

For an employer to be liable:

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

Victimisation occurs when a team member 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. If you treat a person less favourable, because of this then this will be classed as unlawful victimisation.

A 'protected act' is:

- *Making a claim or complaint of discrimination (under the Equality Act).*

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- *Helping someone else to make a claim by giving evidence or information.*
- *Making an allegation that you or someone else has breached the Act.*
- *Doing anything else in connection with the Act.*

(Source: The Equality and Human Rights Commission (EHRC) 2012)

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

8. SUPPORTING/RELATED INFORMATION

Complaints

All complaints relating to harassment and bullying will be dealt with using the Harassment Policy and Procedure and for learners, the Learner Bullying and Harassment Policy and Procedure.

If you have any concerns you can email the confidential email address equalityanddiversity@derby-college.ac.uk.

Further useful sources of information are listed below:

www.ucu.org.uk

www.equalityhumanrights.com

www.equalities.gov.uk

www.acas.org.uk

Please contact equalityndiversity@derby-college.ac.uk if you would like this policy to be made available in an alternative format