



DERBY COLLEGE GROUP POLICY

Equality, Diversity and Inclusion Policy

Policy Number:	CUR-006
Executive Owner:	Deputy CEO
Owning Strategy / Department:	Student Experience and Pastoral Support
Approval Board / Committee / Group:	Standards Committee Corporation
User Group:	Employees, Students / Apprentices, Parents/Guardian/Carers
Relevant To:	As above
Implementation Date:	December 2011
Approval Date:	December 2022
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Expiry Date:	January 2025

Date:	December 2023
Ref:	AD
Originator:	Director of Student Experience and Pastoral Support
Area:	Student Experience and Pastoral Support

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POLICY - PROCEDURES - GUIDELINES - RELATED DOCUMENTS

Policy Accountability and Implementation

Policy Title:	Equality, Diversity and Inclusion Policy
Policy Author / Reviewers:	Director of Student Experience & Pastoral Support
Policy Implementation:	Director of Student Experience & Pastoral Support
Policy Monitoring and Compliance:	Equality, Diversity and Inclusion Steering Group, Heads, Directors, Assistant Principals, Team Managers
Policy Review Timeline:	Annual

Synopsis:

We aspire to excellence and are committed that our employees integrate and enhance equality, diversity and inclusion in processes and practices across the organisation ensuring we are compliant to the Equality Act 2010.

Policy Classification and Publication

Classification

1. Essential Authority (EA)

Publication

- Intranet – Policy portal
- Student VLE (Moodle)

Empowering/related legislative and/or authoritative references:

Equality Act 2010

Impact Assessment reference: IA13 2014

Periodic Policy Review / Change History

Note: Please make it clear if change/review relates to procedures, guidelines and associated documents only or it is a rational for a new or substantive policy review

Version	Reviewed / Modified by:	Change History	Advisory committee / groups or specialists	Review / Meeting Date/s
V2	Aaron Denton	Reviewed with minor amendments	Matt Bromley	
V3	Aaron Denton / Karen Tucker	Deleted elements which are repetitive. Included reference to the Transgender Policy (staff and learners). Reviewed and amended 'implementation arrangements'.	DP Education & Learner Experience	
V4	Aaron Denton,	Amended the name from Equality and Diversity Policy to Equality, Diversity and Inclusion	Kate Martin / Heather Simcox	
V4.1	Tony McIlroy	Extra bullet point added under 'Quality of Provision' as recommended following a JCQ examination inspection; this element was missing from our policy and is a requirement as part of the JCQ general regulations.		
V5	Head of Behaviour for Learning	Updated job roles / department titles	Standards Committee Corporation	20/11/18 17/12/18

V6	Head of Behaviour for Learning	Added under guidelines <ul style="list-style-type: none"> • Trans* Guidelines • Looked After Young People and Care Leavers Guidelines 	Standards Committee Corporation	October 2019
V7	Head of BfL	Reviewed, no changes	Standards Committee Corporation	December 2020
V8	Director of Student Experience & Pastoral Support	Minor Amends Definitions <ul style="list-style-type: none"> • Included a definition for Equality, Equity, Diversity, Inclusion and Belonging. • Included: Unlawful discrimination, harassment and victimisation • Free speech, hate speech and hate crime Scope and Limitations <ul style="list-style-type: none"> • Paragraph included about complaints. Guidelines <ul style="list-style-type: none"> • Looked After Young People and Carer Leavers – added a section on Young Carers 	SLT DIB	09/12.2021
V9	Director of Student Experience & Pastoral Support	Amends to Job titles	SLT DIB Ratified by Corporation	December 2022 12.12.22
V10	Director of Student Experience & Pastoral Support		SLT DIB	December 2023

• **Policy Statement**

Derby College Group is passionate about inclusion, respect and enabling all students, employees and stakeholders to reach their full potential. We strive to ensure the Group's working and learning environment is free of harassment and bullying.

We aspire to excellence and are committed that our employees integrate and enhance equality, diversity and inclusion in processes and practices across the organisation.

This policy describes Derby College Group's:

- Vision and commitment to Equality, Diversity and Inclusion
- Legal duties under the requirements of the Equality Act 2010 in employment, facilities, goods, services, admission and treatment of students.
- General and specific equality duties.
- Practical steps for implementation of the policy

• **Definitions**

The Equality Act 2010 makes it unlawful for employees to discriminate directly or indirectly or harass customers or clients because of the protected characteristics of age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation in the provision of goods and services.

Equality means:

Giving people (students, employees and stakeholders) and the groups they belong to, the same rights and respect, care and consideration – in access, treatment and facilities/services - that most others benefit from

- Not allowing preconceptions, about an individual's abilities, stifle their development
- Eliminating discrimination and intolerance including inappropriate 'banter'

Diversity means:

Using the diversity and social background of our community (students, employees and stakeholders) 'to think independently together' in order to make better decisions and enrich what we do and how we do it

- Ensuring students and staff see people like themselves, that they can relate to, creates a sustained sense of belonging
- Celebrating that our students and staff are from a wide range of social and unique backgrounds – valuing difference and respecting characteristics
- Consulting, whenever possible, and listening to different viewpoints to improve how we work

Inclusion means:

Engagement within a community, where the equal worth and inherent dignity of each person is honoured, and the behaviours and cultural norms are embedded making people feel welcome

- Promoting an inclusive community will sustain a sense of belonging
- Encouraging our students and staff to express themselves in their own way whilst respecting our British Values

Equity means:

Providing students and staff with what they need to succeed

- Creating fair access, opportunities and advancement for all
- Making sure those equal opportunities are adjusted to make room for students and employees who might need further support or reasonable adjustment

Belonging means:

Providing an environment whereby students and employees feel they belong, are empowered, engaged and can develop to their full potential.

- Experiencing appreciation, validation and fair treatment creating a sense of individual acceptance

Reasonable adjustments will be provided for employees, students and customers who may be experiencing barriers due to disability, including alternative formats for other relevant 'protected characteristics'

The '**social model**' of disability sees disability as the result of the way society is organised, rather than a person's impairment or difference, and looks at ways of removing barriers. We endorse the social model and encourage participation in learning where the programme or course and progression route are meaningful and purposeful.

Unlawful discrimination It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics". Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct. Students or employees can complain of harassment even if they do not possess the protected characteristic or if the harassment is not directed at them. Harassment may take many forms. It may be unwanted remarks, inappropriate jokes or ridicule, unwanted physical contact or segregation. It may be an isolated incident or a series of incidents.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so. However, an employee is not protected from victimisation if he or she acted maliciously or made or supported an untrue complaint.

Free Speech

Under Article 10 of the Human Rights Act 1998, "everyone has the right to freedom of expression" in the UK. But the law states that this freedom "may be subject to formalities, conditions, restrictions or penalties as are prescribed by law and are necessary for a democratic society".

Those restrictions may be "in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary".

Hate Speech

A number of different UK laws outlaw hate speech. Among them is Section 4 of the Public Order Act 1986 (POA), which makes it an offence for a person to use "threatening, abusive or insulting words or behaviour that causes, or is likely to cause, another person harassment, alarm or distress". This law has been revised over the years to include language that is deemed to incite "racial and religious hatred", as well as "hatred on the grounds of sexual

orientation” and language that “encourages terrorism”.

In the UK we use this definition of **hate crime** in general:

'Hate crimes and incidents are taken to mean any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people a factor in is determining who is victimised.'

The Protected Characteristics:

Age	Someone of a particular age or in a range of ages.
Disability	Someone who has, or has had, a physical or mental impairment with a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
Gender Reassignment	Someone who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex. There is no requirement for this person to require medical supervision in order for this person to have this protected characteristic.
Marriage and Civil Partnership	Someone who is married or is a civil partner
Pregnancy and maternity	Someone who is pregnant or within 26 weeks following the date of giving birth or taking maternity leave.
Race	Someone of a particular racial group defined by colour, nationality, caste, ethnic or national origins.
Religion or belief	Someone of any religion or philosophical belief, including a lack of religion or belief
Sex	Whether someone is a man or a woman
Sexual Orientation	Someone's sexual orientation towards persons of the same sex, opposite sex or either sex

• Principles

The Derby College Group Strategic Ambitions for 2020-2025 affirms our commitment to championing equality, diversity and inclusion in all our activities, including employment opportunities and advancement.

It also forms part of our commitment to *Priority two: Champion Social Mobility*.

We believe that everyone at Derby College Group has a duty to ensure equality and diversity legislation is followed and implemented. Recognising, embracing and valuing difference leads to improvements for all, including:

- A more vibrant student and employee population.
- A better working and studying environment.
- Attracting and retaining the very best employees and students.
- Improving the image of our College.

Public Sector Equality Duty

The General Equality Duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

1. Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act 2010.

2. Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
3. Foster good relations between people who share a relevant protected characteristic and those who do not share it.

Derby College Group desires to be recognised as an organisation that 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. The Group does not tolerate any prejudicial behaviour by any member of the Group.

The Quality of Provision

- Effective Learning, Teaching and Assessment
- All teaching and assessment resources and curriculum will ensure that they reflect and promote Equality, Diversity and Inclusion where appropriate.
- Departments will take systematic steps to ensure that students have access to all opportunities irrespective of protected characteristic.
- English for Speakers of Other Languages (ESOL) support will be available to those students who need it (where funding is available) to maximise learning outcomes and opportunities in the UK economy.
- Admissions processes and initial assessment prior to courses beginning will be used to personalise support for students, including those with additional support needs.
- Every opportunity will be given throughout each academic year for students/employees to share any disabilities or learning difficulties or other needs relating to 'protected characteristics' that they may have. The Group 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 Group will seek to provide reasonable adjustments in response to disclosure.
- All providers of work-based learning under contract to the Group and those contracting with the Group will be made aware of the Group Equality and Diversity and related policies and will be expected to comply with them. Equality, Diversity and Inclusion issues will be raised in visits to employers and with students on work-based learning.
- Work based students will be empowered and supported to challenge practices and behaviours in the workplace which they feel contravene Group policy in relation to Equality, Diversity and Inclusion.
- The Group will ensure reasonable adjustments for examinations and assessments for those students who disclose a disability, learning difficulty or other need related to 'protected characteristics' that they may have.

Meeting the Needs and Interests of Students

- In valuing and taking the prior attainment and experience of students into account the Group will promote activity and experience undertaken within ethnic, religious or other cultural communities.
- The Group will support the development of community cohesion and community development through partnership with other organisations including statutory and community/voluntary organisations.
- Opportunities to celebrate diversity and to share experiences and knowledge will be offered via curriculum and cross Group activity. Based on consultation and need the Group will support development of students' networks e.g. Lesbian Gay Bisexual Transgender (LGBT+) group and Student Inclusion Forum, to further equality objectives relating to protected characteristics.

Services for Students and Support

- Information, advice and guidance will be delivered in ways accessible to different groups with protected characteristics and in ways that challenge stereotypes and equip students to defend their rights to fair treatment.

- Support services will meet the needs of students from diverse backgrounds and communities.

HR: Learning and Development

- In conjunction with this policy, Equality, Diversity and Inclusion training will be updated and offered to all employees, students and other relevant stakeholders to raise knowledge of equality legislation, develop Equality and Diversity competencies and tackle discriminatory practice and behaviours.
- Employees will be required to undergo refresher training every three years as a minimum.

Recruitment

- Derby College Group is keen to ensure that all applications are treated fairly, with respect and without bias. No applicant will be treated less favourably than another because they have any of the nine protected characteristics.
- Derby College Group will advertise posts outlining the relevant skills, qualifications, knowledge, competencies and experience necessary for the job in order to attract the best applicants. We may, on occasion, decide to take positive action to welcome applications from groups which do not usually apply, or are underrepresented in the workforce. The recruitment team will ensure all published job advertisements comply with current equality legislation.
- All employees who are involved in short-listing or interviewing, or involved in other selection processes, will be aware of the Group's policies on equality, diversity and inclusion and will have undertaken safer recruitment training.

• Scope and Limitations

This policy has direct implications for all other Group policies. We believe that delivering Equality, Diversity and Inclusion is one crucial strand of our approach to overall quality improvement and we place it at the very heart of everything we do.

Anyone who comes into contact with the Group, external or internal customers, will benefit from this policy. All members of our Group – employees, students and volunteers are subject to this policy. The policy is also binding on our external contractors, employers and other partners that the Group collaborates with.

The policy applies to all campuses and breaches of this policy will be regarded as misconduct and will therefore be subject to the student and employee disciplinary policies.

Complaints

Complaints of bullying, harassment and victimisation should be pursued through the grievance procedure for employees and the complaints procedure for students.

• Responsibilities

All individuals within Derby College Group, including employees, students, customers and governors are responsible to ensure the suitable observation of the principles of the Equality, Diversity and Inclusion Policy is applied. In particular, this relates to the treatment of others so that the environment in which we operate is, as much as possible, free from prejudice and discrimination.

The board of Governors is responsible for compliance with equality legislation in its own

processes, overseeing the response by the Executive to equality legislation and overseeing progress.

The Chief Executive, supported by the Executive, is responsible for ensuring the organisation take action to comply with equality legislation.

The Director of Student Experience and Pastoral Support and Vice Principal – Quality of Education are responsible for implementing and monitoring to ensure compliance with equal opportunities legislation. Leading on ensuring equality, diversity and inclusion are actively embedded and enhanced within all aspects of teaching, training and learning preparation.

To ensure embedding of equality and diversity throughout the students experience and to support managers in addressing any differential performance between students of particular groups.

Assistant Principals, Heads of Academies, and Directors, supported by their employees, are responsible for the implementation of Derby College Group's equality aims and objectives at the operational level.

All Managers are responsible to ensure the effectiveness of the Equality, Diversity and Inclusion Policy by supporting their teams and ensuring employees, students and customers in their area understand the Group's expectations for each individual. Human Resources will advise managers on their responsibility, particularly regarding employment matters.

• **Implementation Arrangements**

The Group will ensure that:

- Meetings are held which introduce the concept, the policy and procedures eg Team Managers, Heads and Directorate monthly management meetings, curriculum team meetings where the concept, specific instructions and any special responsibilities are discussed.
- The Chief Executive, Corporation and all employees working with or on behalf of the Group, whether employed directly or indirectly, and including volunteers and external contractors, will receive a level of training appropriate to their role and level which will familiarise them with equality and diversity, clarify roles and responsibilities and the Group policies and procedures, with refresher training at least every three years.
- Work based apprentices and students on work placement are placed where the employer is fully aware of their duties in terms of equality and diversity and all students are given guidance prior to their employment or placement on equality and diversity and the support available from the Group.
- There are procedures in place to identify and support all College users. All teaching and learning observations and quality assurance processes and student journey quality audits include the opportunity to report on equality and diversity and will be included in the lesson observation and quality briefings/training.
- Performance is reviewed monthly to identify and address any potential gaps in achievement.

• **Monitoring and Review**

The effectiveness of this Policy will be monitored through student and employee data, Equality and Diversity Impact Measures (EDIMS), culminating in the Equality, Diversity and inclusion Annual Report.

• **Guidelines**

- Trans* Guidelines – attached to the Transgender Policy
- Looked After Young People, Care Leavers and Young Carers Guidelines

- **Procedures**
 - Inclusion and Support Policy

- **Templates / Forms**

There are no specific templates or forms relating to this policy.

- **Related Documents**

This policy also needs to be read in conjunction with the following policies:

- Transgender Policy
- Bullying and Harassment Policy
- Disciplinary Policy
- Grievance Policy
- Recruitment Policy
- Health Safety and Welfare at Work Policy
- Safeguarding Policy
- E-safety Policy
- Student Admissions Policy
- Student Bullying and Harassment Policy
- Positive Behaviour Policy
- Inclusion & Support Policy