

Draft Comprehensive Equality, Diversity and Inclusion
Policy



Introduction

South Nottingham College (SNC) is committed to advancing Equality, Diversity and Inclusion (EDI) by:

- eliminating discrimination, harassment, victimisation and fostering good relations
- ensuring EDI is holistically embedded into the culture of SNC
- ensuring strategic planning, direction and policy formulation is informed by EDI via Equality Analysis (EA)
- advancing social cohesion and building community links
- respecting the dignity of all people who visit, study and work at SNC
- ensuring conditions encourage all learners to participate, progress and achieve in their learning
- ensuring conditions encourage all staff to participate, progress and achieve in their career
- actively challenging and resolving unacceptable actions and behaviours such as harassment or bullying
- advancing a culture of non-discrimination and respect in order to promote equality and to enable fair treatment of actual or potential employees, learners and visitors (College community)

Context

This policy sets out the requirements and responsibilities of SNC for ensuring and advancing equity and fairness to all members of SNC community. The policy also establishes clear College guidance; principles; structures and monitoring arrangements with regard to EDI. The content and guidance should be applied to all SNC community including: visitors; contractors; employers; parents and other third parties. SNC is proud of its diversity and values the way in which this diversity enriches the life of SNC and the experience of all its community.

Legislative Requirements This college policy statement affirms its commitment to the Equality Act 2010 which has strengthened and harmonised the current and previous equality legislation.

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| Equal Pay Act 1970 (and 1983 Amendments) | Special Educational Needs Act 2001 |
| Rehabilitation of Offenders Act 1974 | European Equal Treatment Directive 1976 |
| Sex Discrimination Act 1975 & 1986 | Sex Discrimination (Gender Reassignment) Regulations 1999 Gender Equality Duty 2007 |
| Race Relations Act 1976 Race Relations Amendment Act 2000 | Part Time Workers Regulations 2000 |
| Disability Discrimination Act 1995 Disability Discrimination Act 2005 | Employment Equality (Sexual Orientation) Regulations 2003 Employment Equality (Religion or Belief) Regulations 2003 |
| Employment Rights Act 1996 | Education and Skills Act 2006 |
| Protection from Harassment Act 1997 | Equality Act 2006 Equality Act 2010 |
| Data Protection Act 1998 Human Rights Act 1998 | Learning and Skills Act 2000 Employment Equality (Age) Regs 2006 |
| Review Cycle | |
| Next Review | |
| Author | |
| Distribution | |
| Availability | |
| College Success Areas | |
| Approving Body | |
| Monitoring | |
| E & D Impact Assessment | |

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Executive Summary

The commitment to EDI is endorsed and led by the Equality, Diversity and Inclusion Group (EDI Group) which reports directly to the Excellence Team. The Group is made up of: Vice Principles; Senior Managers across the 4 key Success areas; cross College staff and student representation. All College staff and learners have responsibilities in relation to EDI and are encouraged to advance awareness of equality and actively challenge all instances of inequality, thus helping remove barriers to access, achievement and progression.

SNC is committed to equality of opportunity and will not tolerate unfair discrimination, harassment or victimisation relating to any of the 9 protected characteristics in the Equality Act 2010:

- Age
- Disability
- Gender
- Gender Reassignment
- Marriage & Civil Partnership (in employment practices only)
- Pregnancy & Maternity
- Race – (this includes ethnic or national origins, colour and nationality)
- Religion or Belief
- Sexual Orientation

SNC respects the dignity and diversity of all our learners and employees, regardless of personal characteristics and differences. It is our aim to give everyone the greatest opportunity, even if this means that we employ positive action, to develop and fulfil individuals' potential. We value the contribution each person can make to SNC. We believe that treating people fairly is right and makes good business sense.

This means that SNC will:

- Not tolerate any form of victimisation, discrimination or harassment on any grounds
- Provide appropriate, sensitive and accessible services to everyone
- Work with communities to eradicate prejudice, discrimination, harassment and negative stereotyping
- Support campaigns for fair laws which treat people equally and protect groups from discrimination
- Ensure that everybody who studies or works at SNC is respected and valued
- Make reasonable adjustments for disabled learners and staff to ensure fair and equal access to services and opportunities
- Promote and support the use of a range of flexible working patterns to enable those working for us to balance home and work responsibilities
- Support people in a phased return to work after extended periods of absence
- Treat people fairly, irrespective of their working arrangements and develop staff and learners so that they are able to reach their full potential

The Equality Act 2010 protects people at work as employees, or people using a service from discrimination, harassment and victimisation. Our commitment to advancing equality of opportunities as an employer and education provider, goes beyond legislative compliance to promoting positive relationships with all stakeholders, partners and the local community. We are also committed to the fair and non discriminatory treatment of people with:

- Different socio – economic backgrounds;
- Trade union activities;
- Caring responsibilities
- Unrelated criminal convictions.

Our aim is to create an environment where people give of their best, allowing them to develop and grow and achieve their full potential. We aim to achieve this commitment by treating all SNC community equitably, and by

removing barriers to advancing a cohesive community and a culture of fairness. This policy details our position with regard to all aspects of equality in SNC, and it is supported by a suite of more detailed policies and documentation.

How will SNC ensure that equality, diversity and inclusion is at the heart of all activity?

- By requiring senior staff to lead by example in treating all staff and learners with respect and being fair and reasonable.
- By expecting all staff and learners to behave in a way that others will see is respectful and fair to them.
- By continuing to review systems by which any behaviour that is intimidating, discriminatory or otherwise contrary to the EDI policy, can be dealt with rapidly and effectively, in an environment which positively supports those who challenge such behaviours.

1. Definitions

1.1 EDI means more than disregarding differences. It means ensuring that different people receive services, consultation and employment opportunities in a fair non discriminatory way. This means recognising, accommodating and valuing diversity across SNC and the community with which we work. EDI describes an approach that embraces difference, treats each individual fairly, with dignity and respect, free from discrimination, harassment, victimisation and bullying.

- **Equality** is a revised term for 'equal opportunities'. It is based on the legal obligation to comply with anti-discrimination legislation. Equality protects people from being discriminated against and gives people fair access to opportunities - i.e. that all learners have the same right of access to services and resources to meet their specific needs. Consequently to ensure equality of opportunity, some individuals and / or groups may be treated differently in order to meet their different needs.
- **Diversity** describes the range of visible and non-visible differences that exist between people. Managing diversity harnesses and celebrates these differences to create a productive environment in which everybody feels valued, where talents are fully utilised and in which organisational objectives and targets are met.
- **Inclusion** the overarching strand encompassing equality, diversity and human rights that focuses positively on individuals and/or groups who may feel, or are, excluded services for whatever reason.
- **Direct discrimination** - treating a person less favourably than another in comparable circumstances because of a protected characteristic. In the case of pregnancy & maternity direct discrimination, this can occur if a person has the protected characteristic without needing to compare treatment to someone else.
- **Associative discrimination** is direct discrimination against someone because they are associated with another person with a protected characteristic. (This includes carers of disabled people and elderly relatives, who can claim they were treated unfairly because of duties that they had to carry out at home relating to their care work. It also covers discrimination against someone because, for example, their partner is from another country). This does not apply to marriage and civil partnerships and pregnancy and maternity leave.
- **Discrimination by perception** is direct discrimination against someone because others think they have a protected characteristic (even if they don't).

- **Indirect discrimination** - putting in place a policy or practice that has a differential (positive or negative) impact on someone with a protected characteristic than someone without one, when this cannot be objectively and legitimately justified.
- **Discrimination arising from disability** - treating a disabled person unfavourably because of something connected with their disability when this cannot be objectively justified. For example, prohibiting an employee from taking time off or breaks for medical treatment.
- **Failing to make reasonable adjustments** – Employers and service providers have a duty to make reasonable adjustments for disabled employees and service users to enable fair access. This duty is anticipatory and must be reviewed on a regular basis to ensure adjustments made are appropriate. Failing to do so is direct disability discrimination.
- **Harassment** - unwanted conduct which has the purpose or effect of violating someone’s dignity, or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic or in a way that is sexual in nature. The Act also offers protection to people who do not have a “protected characteristic” but find behaviour offensive, even if not directed at them.
- **Victimisation** - treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting someone who is doing so.

2. The Scope

2.1 This EDI Policy statement covers all members of SNC community including learners, staff, visitors, contractors and suppliers. This policy covers all aspects of College business and relates to both staff and student activity including:

- Employment and selection and promotion procedures
- Recruitment, selection and enrolment of learners
- Curriculum content and development
- Course delivery and assessment
- Learning and teaching materials and methods
- External contracts
- All employment practices

2.2 We will follow best practice in all of the equality areas and work towards:

- Eliminating unlawful discrimination
- Eliminating bullying, harassment and victimisation
- Promoting equality of opportunity
- Promoting good relations between different groups in the community
- Recognising and taking account of people’s differences

2.3 This Policy will set out how SNC will work towards the promotion of EDI in all of its service delivery. It sets out how we will ensure that discrimination is challenged and eliminated through legislative compliance and positive action. This Policy will also set out the responsibilities of Governors, staff members and others, and actions that the organisation will take to ensure full compliance with this policy.

2.4 The following documents which work in conjunction with this Comprehensive EDI include:

- Disability Policy
- Race Equality Policy
- Gender Equality Policy
- Religion and/or Belief Equality Policy
- Sexual Orientation Equality Policy and
- Gender Reassignment Equality Policy
- Harassment and Bullying Policy;
- All relevant employment and learner policies
- EDI strategies, framework and Action Plans
- Equality Analyses (EAs)

2.5 All of these documents outline SNC's commitment to advancing EDI. They recognise, accommodate and value diversity across SNC. They are designed to address any inequalities identified within service delivery and employment and eradicate any such inequality. There are numerous links between these policies, strategy and plans and this EDI Policy, as together, they form the basis of the equality framework enabling us to deliver our commitment to EDI with an emphasis on the elimination of any forms of unlawful discrimination, harassment or victimisation.

3. Responsibilities & Structures

3.1 *Everyone* in SNC community has a responsibility to give full and active support for the EDI policy by ensuring:

- the policy is known, understood and implemented
- their behaviour at all times takes into account the sensibilities of others
- everyone is treated with respect and dignity
- behaviour not in accordance with the EDI policy is challenged and acted upon.

3.2 Within this general responsibility, there are some specific responsibilities:

- The Principal; EDI Group; Senior Management Team and all other College managers for the effective implementation, embedding and championing of EDI policies, actions and strategies.
- EDI Group for the co-ordination across SNC of policy development; implementation; monitoring and review of progress in reference to the EDI Action Plan and SES.
- EDI Manager for provision of reports and relevant documents; ensuring SNC awareness of statutory equality duties; links with regional and national equality bodies; achievement of EDI actions and delivery of agreed training.

3.3 The Corporation designates the Vice Principle for Organisation and Development as having overall responsibility for EDI. The designated person will ensure regular reports are made to the Corporation.

3.4 In recognition of the fact that implementation of robust equality measures requires time and expertise, SNC will dedicate appropriate time to staff specialising in this work and publicise these appointments throughout SNC.

3.5 There will be an EDI Group chaired by the Vice Principle for Organisation and Development. The membership of the Group will include senior management, any staff with time allocated to EDI work,

representatives of each trade union recognised by SNC, student representatives and where possible representatives of community groups.

3.6 The remit of the Group will be to promote policies and practices that ensure a College environment in which equality flourishes. To this end, it will develop policies related to the curriculum, student intake, the built environment, student services etc, which seek to ensure the removal of prejudice and discrimination and advance inclusion. It is the responsibility of all members of SNC community to uphold SNC policy on EDI.

3.7 Employment policies and procedures will continue to be dealt with through existing consultation and negotiation arrangements, as appropriate.

3.8 The Group will periodically conduct equality audits of relevant College policies and practices to include, for example: recruitment; selection; training and promotion practices; pay; grading and termination procedures. The monitoring of staff will be undertaken in co-operation with the recognised trade unions as will the drawing up of a programme of equality training for staff.

3.9 The Group will set equality targets for all aspects of College life; develop actions; analyse statistics produced by monitoring and propose positive action where necessary with a view to objective setting.

4. Key Principles and Commitments

4.1 SNC strongly believes that the diversity of the local communities is one of our greatest strengths and our most valuable asset. SNC is fully committed to EDI and believes that all individuals have an equal right to develop and achieve their full potential. Our strategic aims reflect this, taking full account of funding agencies' priorities for the UK economy and the skilled workforce needed to deliver future prosperity at local and regional level. We firmly believe that our work within SNC, with local communities, partners and other agencies, will assist in pulling together a means to promote a culture and a community that celebrates and welcomes diversity.

4.2 In accordance with the Equality Act 2010, SNC supports the development of a society in which:

- People's ability to achieve their potential is not limited by prejudice or discrimination
- There is respect for and protection of each individual's human rights
- There is respect for the dignity and worth of each individual
- Each individual has an equal opportunity to participate in society
- There is mutual respect between groups based on understanding and valuing of diversity and on shared respect for equality and human rights

4.3 SNC believes that all forms of prejudice and discrimination are unacceptable. In recognition of the fact that they can take a variety of forms, depending on the group against whom they are directed, SNC should adapt/develop policies embodying the issues specific to discrimination.

4.4 SNC recognises its obligations and responsibilities as an employer and as a major provider of education. SNC will seek to reflect its commitment to EDI in its dealings with members of the public, other agencies and suppliers of services and supplies.

4.5 SNC will seek to challenge inequality, prejudice and discrimination whether direct, indirect, associative or by perception.

4.6 SNC embraces diversity in all its aspects, and aims to employ a diverse workforce.

4.7 SNC will treat all members of its community with respect and dignity, and seek to provide a culture and environment free from discrimination, harassment and victimisation. SNC will not tolerate any form of prejudice or discriminatory behaviour against members of its community, from either inside or from out.

4.8 In seeking to achieve a balanced workforce at all levels, SNC will ensure that no employee, job applicant or candidate for promotion will be disadvantaged, or treated less favourably because of conditions or requirements that are not related to the job. Reasonable adjustments will be made to arrangements and premises to ensure equal access for disabled members of SNC community, or potential members.

4.9 In order to ensure that all members, or potential members of SNC community, are treated with equality and fairness at all stages of employment and enrolment and that their treatment is based solely on open, fair and objective criteria, SNC will ensure that equality issues are embedded into all its policies and procedures through the effective implementation of Equality Analyses.

4.10 SNC is committed to the social model of disability in that we will recognise and remove the barriers that prevent or make it difficult for disabled people to use our services or to be employed by us. These barriers include those not just in the physical environment but the attitudes and behaviour of staff, our policies, systems and processes that govern how we carry out our functions. SNC continues to be a Two Ticks employer and is positive about employing, and enrolling people, with disabilities and/or learning difficulties.

4.11 In ensuring that this policy is fully effective, and that all members of SNC community are committed to it, SNC undertakes to work locally in partnership with the recognised trade unions; community groups; the Student Council; staff, learners and third parties (such as employers) in its design, development and implementation.

5. Monitoring and Evaluation

5.1 SNC will continue to conduct comprehensive and effective monitoring of all aspects of staffing and the student body. SNC is committed to the collection of statistics, analysis of data and presentation of data, as well as monitoring on an ongoing basis and as employment policy and practices change. SNC will continue to monitor and act upon areas of concern and/or disparity with regard to EDI in respect of: learner success; withdrawal; achievement; involvement and all aspects of the “learner voice”.

5.2 SNC will use the two main forms of monitoring, i.e. of the composition of the existing workforce and the recruitment process, looking at the workforce with reference to age, ethnicity, disability and gender, sexuality and belief/belief in particular. SNC will carry out the same monitoring with reference to the student population.

5.3 SNC will also categorise employees according to grade; contract type, i.e. whether full-time or part-time, permanent or temporary; age; length of time in post; place of work, salary etc. Records should also be kept of training, appraisals, promotions, regradings and discretionary pay awards.

5.4 After the employment relationship has ended, SNC may retain statistics; data about the composition of the workforce, including appraisal and promotion records on an anonymous basis for the purpose of carrying out equal opportunities monitoring, and may also look at reasons for resignation and resignation rates.

5.5 Monitoring will be undertaken in accordance with best practice recommendations, particularly from bodies such as the Equality and Human Rights Commission, the Association of Colleges, Trade Unions, LSIS etc and with regard to data protection principles.

6. Positive Action

6.1 SNC undertakes to follow positive action measures allowed by law to rectify disadvantages in employment and education revealed by monitoring.

Positive action, allows SNC to:

- provide facilities or services (in the form of training, education, or welfare etc) to meet the special needs of people from particular under-represented groups
- target job training and/or educational opportunities at particular groups that are under-represented in a particular area of work/study and encourage applications from such groups.

6.2 Positive action strategies are intended to be temporary measures only. They are under regular review, and they cannot be used once the special needs have been met, or if under-representation no longer exists. SNC will ensure that when using positive action as a strategy, it falls within the law.

7. Review and Action Planning

7.1 SNC's EDI Group will monitor and evaluate achievement in respect of equality and diversity by taking the following actions:

- gathering statistical data in relation to staff and learners, analysing the statistics, identify any issues arising and working with individuals and/or groups to make proposals for specific actions to address inequalities identified
- obtaining feedback from staff, learners and community partners through surveys, meetings, focus groups, quality audits, analysis of complaints and correspondence
- preparing and delivering an agreed action plan and annual report
- ensuring marketing, recruitment and selection procedures and training conform to EDI commitments and requirements
- ensuring marketing and enrolment practices and processes conform to EDI commitments and requirements
- ensuring curriculum and course design takes account of equality issues in terms of access, content and delivery
- reporting regularly on equality to Governors and Success Committees

7.2 This policy will be reviewed on a regular basis in accordance with legislative developments and the need for good practice, using the local consultation/negotiating arrangements within SNC.

8. Actions to implement and develop policy

8.1 Actions to implement and develop policy are incorporated into an Equality Improvement Framework for SNC. This will set out how SNC will:

- put learners at the heart of all activity
- demonstrate our commitment to advancing EDI
- involve staff and learners in celebrating EDI and in identifying areas for improvement
- evidence how we are fulfilling our statutory duties
- impact assess our key decisions, policy, practice and processes

8.2 The Equality Improvement Framework will build upon the work of the previous EDI Action Plan and will widen responsibilities to incorporate actions to address the new duties specified in the Equality Act 2010.

8.3 Key actions identified in the Equality Improvement Framework will include:

- Annual College EDI health check to inform the EDI improvement framework and annual equality report
- Rollout and evaluate the impact of EDI training packages
- Improving the visibility to EDI in learning and teaching materials
- Impact assessment of all College policies, practices and processes
- Collation and analysis of staff and student statistics to provide information and inform strategic actions
- Action on equal pay and job evaluation
- Defining the work of SNC EDI Group and other relevant Sub/Task Groups in supporting strategic outcomes.

9. Consultation and Involvement

9.1 SNC is committed to obtaining and listening to the experiences of different groups within SNC community. Indeed this is an essential part of the impact assessment process and the Learner Involvement Strategy which aims to remove any inadvertent discrimination. Refer to 4.11 and to SNC Learner Involvement Strategy.

10. Equality Analyses (EA)

10.1 SNC is committed to carrying out Equality Analyses (EAs) on all reviewed, new and proposed policies and key decisions which impact on all the College community and service users. An EIA is a way of systematically and thoroughly assessing and consulting on the effects that a policy is likely to have on people. For example, it can assess the effects on gender, racial group or disability.

10.2 The assessment process will consider:

- Whether or not the policy is 'relevant' to the equality duty
- What is the likely impact upon the equality strands
- Whether the policy is likely to discriminate in any way
- The results of any service reviews
- The results of staff consultations
- Monitoring and other profiling data

- Other relevant considerations.

10.3 An EA will be carried out when reviewing and developing any relevant new or existing policy or key decision that could impact on service users or potential service users. If a policy is 'relevant' to the equality duty, it will need to be assessed fully, to see if it could have any adverse effects on people from different groups, and to make changes or consider supplementary measures to mitigate any negative effects.

10.4 The EA process may involve consultation with people who are likely to be affected by any proposed policy, or who have an interest in it. In order to assist with this, members of the EDI Group will be consulted. An EA will consider any potential conflict with other legislation affecting staff, student (or service user) safety.

11. Equality, Diversity and Inclusion Training

11.1 SNC will continue to provide, and assess the impact, of a range of EDI training packages for our learners (via the tutorial programme and induction) and mandatory training for staff at induction, and as part of a rolling programme. All managers will receive training on advancing and managing EDI. Bullying and harassment training, as with other associated EDI policies, will also be delivered on a rolling programme. We will continue to raise awareness of equality issues through training plans for equality, and through individual development through e.g. the lesson observation process and appraisal.

12. Procurement and Partnerships

12.1 SNC acknowledges that our 'General' Duty to promote for example: disability, race and gender equality extends into those situations where any of our functions or services are contracted, or sub-contracted, to other companies, organisations, groups or individuals, as well as direct works such as building works and repairs.

12.2 SNC will continue to impact assess our procurement, tendering and contract management processes as an early measure to ensure that meeting the equality duty is built into the procurement process. This will ensure that services are provided in ways which promote EDI, eliminate discrimination and harassment, and promote positive inclusive attitudes. We will monitor any outsourced service providers to ensure they are fully aware of this policy and comply with our organisational requirements when acting on our behalf.

12.3 In addition to the above, SNC recognises that if there is partnership working with other organisations, our responsibility to promote EDI in our work continues to apply.

12.4 SNC will continue to ensure that all our partners support us in meeting the 'General' and, where relevant, the 'Specific' elements of the equality duty, as appropriate to the precise form of partnership. We will also ensure that our partners receive a copy of this EDI policy and that EDI is considered at an early stage in our entering into partnership agreements. We will also review our current list of partners to ensure inclusion of organisations representing the interests of all diversity groups.

13. Breaches of Policy and Complaints

13.1 Proven acts of discrimination, harassment, abuse or victimisation will be treated as a serious disciplinary offence. Staff and learners who feel they are being discriminated against should seek resolution through the complaints procedure outlined below if unable to resolve through informal means. Disciplinary action could include dismissal in the case of staff and expulsion in the case of learners.

13.2 Staff or learners who feel that they have experienced discrimination from third party members will receive support from SNC and SNC will take appropriate action where discrimination has been found.

13.3 Prospective staff who are dissatisfied with any aspect of the recruitment and selection procedure should write giving details to the Manager for Human Resources. Prospective learners who consider that they have been unfairly treated with respect to their application should write giving details to the Head of Learner Services. All complaints will be investigated and the complainant informed of any action taken.

13.4 No member of the SNC community shall be victimized as a result of giving information about any act by a person who contravenes this Policy. Persons making allegations, which are proved to be false, will be dealt with in accordance with SNC grievance, harassment and disciplinary procedures, as will any person who bullies or harasses another person who they believe has made an accusation against them, whether it be proved or not. All members of SNC will be able to report matters detailed in the Public Interest Disclosure Act 1998 without fear, in accordance with Corporation policy.

13.5 Employees who wish to make a formal complaint can find further details in the Corporation harassment and bullying policy or the Corporation grievance procedure which are available at (insert web links)

How to make a comment, compliment or complaint about this policy or any aspects or experiences of SNC:

Learners should pursue this in accordance with the Complaints and Commendations Procedure and contact their Personal Tutor and/or the EDI Rep on the Student Council and/or the EDI Manager. They may also raise the issue with any of the following: Academic Team Leader, Head of school, Head of Learner Services.

Employees who wish to make a formal complaint can find further details in the Corporation harassment and bullying policy or the Corporation grievance procedure which are available at (insert web links).

Parents and Members of the Public.

Parents/Carers should feel free to approach their son's or daughter's personal tutor or academic leader. Other third parties and members of the community can address their concerns by writing to: The Principal, South Nottingham College, Maid Marian Way, Nottingham, NG1 6AB.

