



Bexhill 6th Form College

**EQUALITY DIVERSITY &
INCLUSION POLICY**

POLICY NUMBER: PG8

Reviewed & Approved by Personnel Committee: October 2018

EQUALITY DIVERSITY, & INCLUSION POLICY



1. Introduction

The College is committed to promoting equality of opportunity in every aspect of its activities. The College will ensure equality of opportunity both as an employer and as a provider of education and training.

In accordance with the Equality Act 2010, the College promotes a society in which:

- an individual's ability to achieve their potential is not limited by prejudice or discrimination in relation to any of the protected characteristics listed below;
- 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; and
- there is mutual respect between groups based on understanding and valuing of diversity and on shared respect for equality and human rights.

The College has a statutory duty, as a public sector provider to have due regard to achieve the objectives set out under s149 of the Equality Act 2010 to:

- eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by or under the Equality Act 2010;
- advance equality of opportunities between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

2. Purpose and scope of this Policy

To ensure that no students, members of staff, visitors or others who come into contact with the college receive less favourable treatment on the grounds of any protected characteristic as defined by the Equality Act 2010. These are age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, gender or sexual orientation.

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3. Key principles

In order to fulfil this policy the College is committed to the following key principles:

- Promoting an organisation where people are treated with respect and dignity and where no form of intimidation or harassment is or will be tolerated;
- Creating a positive inclusive ethos with a shared commitment to respecting diversity and difference and to encouraging good relations between people of different groups;
- Taking reasonable steps to prevent any form of harassment, direct or indirect discrimination or victimisation;

- Taking reasonable steps to make sure that no student, staff member or job applicant is placed at a disadvantage by stipulated requirements or conditions that are unreasonable or irrelevant;
- Consulting with staff, students, governors and partners on issues relating to Equality and Diversity;
- Actively working to raise the awareness of learners to the importance of equality and diversity issues; and the College's expectations of them to contribute to a safe and inclusive environment;
- Developing a curriculum offer that meets the needs of our wider community and supports underrepresented groups
- The collection, analysis and reporting on a range of data that will identify areas of inequality and the development of appropriate strategies and actions that will address those inequalities;
- Assessment of all potential learners or job applicants based on their individual merits and their ability to undertake employment, training and education successfully;
- Making reasonable adjustments to ensure learners and staff are supported to participate and achieve. This includes those with physical or mental impairments
- Carrying out impact assessments, where appropriate on policies, practices and procedures to assess potential or actual negative impact on specific groups;
- Providing suitable training and support for staff so that they have the skills, knowledge and confidence to promote and embed Equality, Diversity and Inclusion throughout their work;

4. Equality Principles specific to employment

The College aims to employ a workforce which reflects at every level the community which it serves. In seeking to achieve a balanced workforce at all levels, the College 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 employees or potential employees who fall under the provisions of the Equality Act 2010 in relation to disability.

In order to ensure equality and fairness at all stages of employment, the College will ensure that equality issues are embedded into all of its recruitment and employment policies and procedures.

5. Equality Principles specific to students

The College will treat all students as individuals and with dignity and respect in the provision of access to facilities, learning opportunities and support. The curriculum will be devised to positively promote all aspects of Equality, Diversity and Inclusion

6. Contractors and Service Providers

The College has contracts with many organisations and individuals other than staff or students. Examples include: suppliers, contractors engaged to carry out work for the College and employers offering work experience to students (this list is not exhaustive). The College will ensure that those suppliers, contractors, employers or others who provide a service to the College are made aware of this policy and can access a copy as relevant. All contractors will be required to comply, in full, with this policy. Failure to do so will result in an investigation which could result in the termination of their contract or service provision.

7. Discrimination and Victimisation

The College will ensure that support and assistance is provided to students, staff, contractors or other service users who are considered to have been a victim of discrimination or victimisation.

All acts of unlawful discrimination or victimisation by staff or students shall be treated as disciplinary offences under the student and staff disciplinary procedures which, in serious cases, may lead to dismissal for staff or exclusion for students. Individuals can potentially be held personally liable for acts of discrimination and/or victimisation which they commit, authorise, contribute to or condone.

8. Responsibilities and Monitoring

The College Corporation has responsibility for ensuring that the College adheres to the law in relation to Equality, Diversity and Inclusion

The Principal has overall management responsibility for ensuring that the College adheres to the law in relation to Equality, Diversity and Inclusion and for promoting the associated College's policies. . The Principal is therefore responsible for giving a high profile lead on Equality Diversity and Inclusion issues and integrating equality objectives into strategic plans. It is the responsibility of all employees and learners to uphold the College policies on Equality Diversity, and Inclusion.

The Equality Diversity and Inclusion Statement (Appendix 3) clearly sets out the responsibilities and expectations of all parties involved in promoting Equality Diversity and Inclusion at the College.

The Colleges Equality Diversity and Inclusion (EDI) Group includes members of the College management and representation from the Corporation to guide the Equality Diversity and Inclusion work across the college. This is supported by the College Management Team (CQLT) which includes middle and senior managers who have a remit for embedding Equality and Diversity across all College areas. They meet on a regular basis.

The EDI Group will champion and steer the College's strategy on all matters relating to equality and diversity. The CQLT will support by promoting and embedding the equality diversity and inclusion agenda as well as instigating, advising on, developing and monitoring equality, diversity and inclusion policies and procedures within the College.

The College will publish and analyse performance data, linked to the protected characteristics, for example in results analysis, section self-assessment reports, the

College Self-Assessment Report and monitoring of recruitment and employment data in or to seek to reduce and gaps in attainment and minimise disadvantage in all areas of the Colleges work. This will also be reported to the College Corporation through the Strategic Planning and Personnel Committees

The EDI Group, with the support of the CQLT, will use data to review progress made against the Colleges Equality, Diversity and Inclusion annual action plan which is linked to the Single Equality Scheme action plan. The annual Equality and Diversity report will be published on the College website.

11. Publication

This policy places a contractual obligation on staff and students to treat everyone with dignity and respect. The College Senior Leadership Team is responsible for ensuring that all College students, staff, employers and service providers are aware of their rights and responsibilities with regard to equality and that they are made aware of the existence of this policy.

The existence of this policy will be made known thorough a variety of channels including the student charter, the student handbook, staff and student induction and student tutorial work. It will also be available on the College website. Support accessing the document will be made available on request.

12. Review

This policy will be reviewed on a three yearly basis or earlier if needed, in accordance with legislative developments and the need for good practice.

13. Complaints

The College is committed to providing a means of redress to anyone who believes that the College, either collectively or through individual action, has not adhered to any aspect of this policy. In order to achieve this, the college will:

- Publish and follow a College complaints procedure for students, members of the public, contractors and suppliers.
- Publish and follow a Grievance procedure for staff.
- Ensure that allegations of bullying or harassment by staff are fully investigated under the College Dignity at Work Policy and Procedures

Appendix 1

Equality and Diversity Legislation

Equality legislation has existed in the UK since 1965. However in October 2010, the Equality Act came into force.

The Act consolidated all previous anti-discrimination legislation including the Race Relations Act, the Sex Discrimination Act and the Disability Discrimination Act, into one large Act.

Who does the Act protect?

The grounds on which someone can be discriminated against are referred to as 'protected characteristics'. The Equality Act recognises 9 protected characteristics which are:

Protected Characteristic	Brief Description
Age	People of all ages are protected by the Equality Act
Disability	People who have a physical or mental impairment which has a substantial and long term effect on their ability to carry out normal day to day activity are protected by the Equality Act
Gender Reassignment	This is the process of transitioning from one gender to another.
Marriage and Civil Partnership	Civil partnerships for same-sex couples have the same legal protection against discrimination as marriage. Same-sex marriages became legally recognised in England and Wales on 29/03/2014.
Pregnancy and Maternity	Pregnancy refers to being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in an employment context.
Race	Refers to a group of people defined by their race, colour, nationality, ethnic or national origins
Religion and Belief	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs. Protection also extends to a lack of religion or belief.
Gender	This refers to the biological characteristics that make us male or female
Sexual orientation	Whether a person is attracted to their own gender, the opposite gender or both genders. A person's sexuality can change over time.

Discrimination recognised by the Equality Act 2010

Discrimination takes place when an individual or group of people is treated less favourably than others because of factors unrelated to their merit, ability or potential. It is unlawful to discriminate against someone on grounds of their gender (including gender reassignment), sexual orientation, marital status, race, nationality, ethnic origin, religion, beliefs, disability, pregnancy or childbirth.

The British law (Equality Act 2010) recognises eight types of discrimination:

Type of discrimination	Definition
Direct Discrimination	Occurs when factors unrelated to the merit, ability or potential of a person or group are used as an explicit reason for discriminating against them. An example would be recruiting to a male applicant to a position rather than a more appropriately qualified woman because of irrational, prejudicial or stereotypical views, or not promoting someone because they have a disability.
Indirect Discrimination	Occurs when there are rules, regulations or procedures operating, which have the effect of discriminating against certain groups of people. This may happen in subtle ways.
Discrimination arising from disability	Occurs when somebody is treated unfavourably because of something arising in consequence of a disability (there may be instances where such treatment may be justifiable).
Discrimination by Association	This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
Discrimination by Perception:	This is direct discrimination against an individual because others think that they possess a particular protected characteristic. It applies even if the person does not actually possess the characteristic.
Harassment:	Harassment occurs when an individual is subjected to unwanted conduct which has the purpose (intentional) or effect (unintentional) of <ul style="list-style-type: none"> • violating a person's dignity, or • creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. <p>Moreover, harassment is unlawful when it is on the grounds of gender, gender reassignment, race, ethnic or national origin, sexual orientation, age, religion/belief, or for a reason relating to a person's disability. It is also unlawful to subject an individual to sexual harassment.</p>
Third Party Harassment	Such harassment is deemed to occur where a third party (e.g. a partner organisation) harasses an employee three or more times in the course of them carrying out their job and the employer is aware but fails to take reasonable steps to prevent it. It doesn't matter whether the third party is the same or a different person on each occasion.
Victimisation	A person is victimised if they are punished or treated unfairly because they have made a complaint, or are believed to have made a complaint, or to have supported someone who has made a complaint. A person or group of people can also be victimised or singled out for discriminatory or even criminal treatment because of, for example, their race, gender, disability age etc. This could be workplace discrimination with regard to such things as recruitment and selection or promotion. Students could be similarly victimised e.g. refusal of application or unfair marking.

Appendix 2: Equality Diversity and Inclusions Terms

The below provides definitions of some of the words and phrases most commonly used when talking about equality and diversity:

Diversity:

Diversity describes the range of visible and non-visible differences that exist between people. Managing diversity harnesses these differences to create a productive environment in which everybody feels valued, where talents are fully utilised and in which organisational goals are met.

Equal Opportunities:

Equal opportunities, or equality of opportunity, may be defined as ensuring that everyone is entitled to freedom from discrimination. There are two main types of equality encompassed in equal opportunities:

1. *Equality of treatment* is concerned with treating everyone the same. Thus, in an organisational context it recognises that institutional discrimination may exist in the form of unfair practices or procedures that favour those with some personal attributes over others without them. Equal opportunities is therefore concerned with the elimination of these barriers.
2. *Equality of outcome* focuses on policies that either have an equal impact on different groups or intend the same outcomes for different groups.

Bullying:

Bullying, although not defined legally, can be described as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Hate crime or incident:

A hate crime is any crime committed against a person, a group or the property of a person or group where the motivation for the crime is hatred of, or prejudice against, their gender, sexual orientation, race, religion or disability. The most common forms of hate crime are racial, homophobic or sectarian.

Positive Action:

The Equality Act 2010 enables employers/service providers to encourage applications/participation from a particular gender (sex) or racial group because they are under-represented in specific occupations or activity.

Legislation also enables organisations to seek or establish training courses exclusively for existing employees from under represented groups. These measures are known as 'Positive Action'. Positive Action is very different from positive discrimination.

Positive Discrimination:

Positive discrimination occurs when one person or group of people is treated more favourably than another person, or group, would be treated in the same situation, based on a defining characteristic. This characteristic might be race, gender, sexual orientation, or religion or belief. It is illegal to recruit someone purely on that basis, unless there is a genuine occupational requirement. However, as the law relating to

disability is fundamentally different from other equalities legislation, it is lawful for employers to advertise certain posts as only being available to disabled people. Positive discrimination is sometimes confused with positive action, which is lawful.

Stereotyping:

Stereotyping is when characteristics conventionally associated with a particular group are applied to the individuals perceived to be of that group. It happens all the time, whenever generalisations are made about people. Stereotyping can be both positive and negative, and either can be equally ill-informed. Problems can arise when stereotypical views of people based on their group identity lead to prejudgment or assumption-making about particular individuals. This may result in discriminatory behaviour.

Gender:

The overwhelming majority of people have a gender that accords with their anatomical sex. Gender consists of two related aspects: gender identity, which is a person's internal perception and experience of their gender; and gender role, which is the way that the person lives in society and interacts with others, based on their gender identity. Gender is less clearly defined than anatomical sex, and does not necessarily represent a simple 'one of the other' choice. Some people have a gender identity that is neither clearly female nor clearly male.

Gender Dysphoria:

A person with gender dysphoria may feel that they have a gender identity that is different from their anatomical sex. As a result, they may experience anxiety, uncertainty, or persistently uncomfortable feelings about their birth gender.

Gender reassignment:

A process which is undertaken under medical supervision for the purpose of reassigning a person's gender by changing physiological or other characteristics of gender.

Appendix 3: Equality Diversity and Inclusion Statement

Bexhill College is committed to the Equality and Diversity of all its students' and staff. We embrace, celebrate and promote the diversity of all and promote fair treatment, a safe environment, respect and support. We value all of our students and staff and are opposed to any harassment or discrimination arising from race or nationality, gender, sexuality, age, disability, religion, faith or social class. We challenge inappropriate behaviour and attitudes and take positive action to promote good relations and prevent inequality.

This document sets out the expectations Bexhill College has of all parties involved in promoting equality, diversity and inclusion

Governors will:

- Provide leadership and drive for the development and regular review of the Colleges Equality, Diversity and Inclusion Policy and other policies and targets for improvement
- Ensure that the College adheres to equalities legislation
- Ensure that equality and diversity aspects are built into the College's strategic plans
- Provide leadership and ensure the accountability of the Principal and Senior Leadership Team for the communication and implementation of the College Equality and Diversity and Inclusion Policy
- Provide leadership to ensure and promote equality of opportunity, no unlawful discrimination, harassment or bullying
- Provide appropriate role models for all managers, staff and students
- Congratulate examples of good practice from the College Ensure a consistent response to incidents, e.g. bullying cases and racist incidents

Senior Management Team will:

- Initiate and oversee the development and regular review of equality policies and procedures
- Ensure that students, staff and stakeholders are consulted in the development and review of the policies
- Ensure equality and diversity aspects are built into the College's strategic plan
- Ensure that Equality Impact Assessments are completed on all new and existing relevant policies
- Ensure the effective communication of the policies to all students, staff and stakeholders
- Ensure that managers and staff undertake the necessary training to enable them to carry out the policies
- Oversee the effective implementation of the equality and diversity policy
- Hold line managers accountable for effective policy implementation
- Ensure the College publishes and celebrates successful outcomes
- Ensure positive action is taken to tackle unlawful and unfair discrimination, inequality and unfairness
- Provide appropriate role models for all managers, staff and students
- Encourage opportunities for the sharing of good practice and working collaboratively
- Ensure learners and employers offering placements are aware of the actions taken to promote equality and diversity
- Provide mechanisms for the sharing of good practice
- Ensure information informing students and staff of the action that they need to take if they are being bullied or harassed is readily accessible
- Ensure a consistent response to incidents, e.g. bullying cases and racist incidents
- Ensure that the College carries out its statutory duties effectively

Line Managers will:

- Ensure that there are opportunities for staff and students to share their comments, suggestions and feedback
- Act on the feedback provided and inform staff, students, stakeholders of the outcome
- Implement the College's Equality Diversity and Inclusion policy, holding staff accountable for their behaviour and providing support and guidance as necessary
- Ensure discriminatory behaviour is routinely and effectively challenged
- Behave in accordance with the College's policies, leading by example
- Respond appropriately to the behaviour of students and staff (praising/challenging as necessary)
- Ensure that success rates by different groups of learners are monitored and any gaps are targeted
- Ensure that there are explicit references to equality diversity and inclusion in schemes of work and lesson planning
- Monitor progress and review actions plans for all student groups
- Ensure teams/ staff undertake appropriate equality and diversity staff training and other opportunities for Continuous Professional Development (CPD)
- Monitor and assess the impact of CPD to ensure equality and diversity training requirements are met
- Ensure that Equality and Diversity themes are actively promoted where appropriate during lessons
- Ensure the Tutorial process is used effectively to track individuals progress against agreed targets
- Ensure that inclusive risk assessments are carried out and implemented for students with disabilities, including learners with medical conditions, mental health difficulties, physical or sensory impairments,
- Ensure students induction is thorough and covers all aspects of bullying, harassment and equality
- Ensure that all students have access to Equality and Diversity awareness raising activities
- Provide opportunities for students to discuss and reflect upon the Equality and Diversity themes
- Ensure discriminatory behaviour is routinely and effectively challenged
- Actively promote the equality and diversity agenda through the tutorial programme
- Ensure Individual learning plans are informed by curriculum targets

Staff will

- Contribute to the implementation of the College Equality and Diversity policy
- Raise issues with line managers which could contribute to policy review and development
- Ensure discriminatory behaviour is routinely and effectively challenged
- Provide a consistent response to incidents, e.g. bullying cases
- Maintain awareness of the College's current Equality Diversity and Inclusion Policy
- Implement the policy as it applies to staff and students
- Behave with respect and fairness to all colleagues and students
- Undertake appropriate equality diversity and Inclusion training and other opportunities for CPD

Teaching staff will also:

- Ensure opportunities for promoting equality and diversity in lessons are taken
- Ensure that equality gaps are targeted and the impact of actions taken to reduce these gaps monitored
- Ensure that chosen approaches to teaching, learning and assessment are inclusive for all students

- Undertake appropriate equality diversity and inclusion training and reflect on its impact
- Ensure that there opportunities for all students to share their comments, suggestions and feedback
- Challenge inappropriate, rude and offensive language
- Ensure that inclusive risk assessments are carried out when there is a perceived impact on equality for any student ,

Students will:

- Behave with respect and fairness to all students and staff
- Report any incidents of bullying or harassment
- Help to ensure that discriminatory behaviour is routinely and effectively challenged
- Use language carefully and appropriately; avoiding rudeness, disrespect or hurt to others.
- Uphold the Student Code of Conduct

Appendix 4: Transgender Statement

- Bexhill 6th Form College values all its students and staff equally. It will neither practice nor allow any discrimination based on gender identity. We recognise the existence of transphobia in society and the College will ensure the following:
- Staff and students will not be denied fair and equal treatment because of their gender identity.
- Transphobic abuse, harassment and bullying (e.g. name-calling, derogatory jokes, graffiti, unacceptable or unwanted behaviour, and intrusive questions) are serious disciplinary offences and will be dealt with under the appropriate procedure.
- Staff will not be excluded from employment, promotion, or any employee benefit because of their gender identity.
- All areas of the curriculum and resources will be monitored to ensure that they don't rely on gender stereotypes and that they don't contain any transphobic material.
- Staff or students who wish it to be known that they are transgender will be provided with a supportive environment. However it is the right of the individual to choose whether they wish to be open about their gender identity. To 'out' someone, whether staff or student without that person's permission is a form of harassment and will be treated as such.
- Assumptions will not be made that partners are always of the opposite gender.
- Transgender issues will be included in equality training.
- Staff and students will be provided with a confidential procedure for reporting transphobic bullying.
- Complaints of transphobic abuse will be addressed through the Complaints Procedure and/or Dignity at Work Policy .
- Staff undergoing medical and surgical procedures related to gender confirmation will receive positive support from the College to meet their particular needs during that period.
- Transgender staff and students come from diverse backgrounds and the College will strive to ensure that they don't face discrimination either on the grounds of their gender identity or with regard to other aspects of their identity (e.g. race, age, religion, disability, belief or sexuality)
- The College aims to create an environment in which all staff and students, whatever their gender identity, feel equally welcome and valued and one in which transphobic behaviour is not tolerated.