

Worcester Sixth Form College

Equality Policy

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1. Principles

Worcester Sixth Form College is an open access College which will provide a wide range of high quality courses to support individual students in achieving their full potential in learning. In particular, the College will meet the needs of learners from Worcestershire and adjacent areas aged 16-19, 14-16 year olds in partnership with local schools and adults returning to education.

1.1 Worcester Sixth Form College actively **promotes** equality in both the delivery of its services and the employment of its staff.

1.2 We are proud to be an **inclusive** organisation where individual differences are accepted and valued and where everyone is able to fulfil their potential in a welcoming, safe and non-threatening environment.

1.3 The College upholds its **legal duty** to ensure that unlawful discrimination does not take place.

1.4 The College will continue to develop, implement and publicise **policies** and procedures which promote equality and diversity for all members of the College and to foster good relationships between groups.

Note: This policy is **available** via the College website and for staff via the repository.

Note: The Policy needs to be read in **conjunction** with the College's Strategic Plan, Conduct the Staff Protection from Harassment and Bullying Policy, the Quality Assurance Policy and the Student Conduct Policy including guidance on bullying.

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2. Purpose and Aims

The Purpose of the Equality Policy is to set out the College's response to the Equality Act 2010.

The aims of the Policy are to

- Demonstrate the College's commitment to equality.
- Draw attention to the breadth of the responsibility.
- Provide access to key definitions.
- Outline how the duties shall be met.
- Outline the monitoring that exists
- Inform all members of the College community about their rights and responsibilities.
- Promote a welcoming, safe and non-threatening working environment.

3. Scope

3.1 This Policy **applies** to the following:

- All students
- All employees and governors
- All volunteers
- All trainees
- All contractors and service providers working for and in the College
- All visitors

3.2 The main **legislation** which the Equality Policy responds to is the Equality Act 2010.

3.3 The Act, and therefore our policy, protects people from discrimination on the basis of “**protected characteristics**”. Definitions can be found in appendix 11.1. These are the following distinguishing qualities of individuals:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation.

3.4 The Act, and therefore our policy, defines “**prohibited conduct**”. Definitions can be found in appendix 11.2. These are the following prohibited types of behaviour:

- Direct discrimination including discrimination by perception or by association
- Indirect discrimination
- Harassment
- Victimisation

3.5 The Act also makes provision for **positive action**. Details are in appendix 11.3.

3.6 The Staff Protection from Harassment and Bullying Policy outlines examples of the kinds of acts which might occur in incidents of **harassment**.

4. The Equality Duty

4.1 The Equality Duty consists of general duties in the Act and specific duties which will be imposed through regulation.

4.2 The **general duty** on the College is that we must have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between different groups: and
- foster good relations between different groups

4.3 **Specific duties** for the College as a public body are that we are required to:

- prepare and publish one or more equality objectives
- publish information which demonstrates compliance with the general duty.

5. Roles and Responsibilities

The following responsibilities are held:

5.1 The Governing Body is responsible for ensuring the College stays within the law and meets all its duties and for ensuring there is a commitment to equality.

5.2 The Governing Body designates the Principal as having overall responsibility for equality issues. The Principal gives a high profile lead on equality issues, promotes the Equality Policy and ensures it is implemented and reported on.

5.3 The Equality Group is led by the Equality Co-ordinator. The membership includes the Principal who attends the meetings and to whom the Equality Co-ordinator reports, the Personnel Manager, and representatives from across support and academic departments, as well as Student Council representation.

5.4 The implementation of this Policy will be monitored and evaluated by Senior Management.

5.5 An Equality Annual Report is produced and reported to the College's Governing Body.

5.6 Managers and Senior Managers are responsible for ensuring that they, and their staff, are familiar with the Equality Policy and that review and monitoring of their work takes full regard of our duties.

5.7 Equality and diversity form an integral part of the annual review and self-assessment cycle and reports for both Departments and the College as a whole. The Equality Group monitors the Equality Quality Improvement Plan.

5.8 It is the responsibility of all staff and students to uphold the policy and to participate in training/awareness raising as required.

6. Meeting our General Duties as Employers - Principles, Practices, Monitoring

Outlined below are the most significant outcomes we aim to achieve in a variety of functions relating to staff. There is reference in parenthesis to how these are monitored in addition to the Equality Annual Report and Staffing data which goes to Governors Resources Committee. Detail on the self-assessment process and the cycle of review is contained in The Quality Assurance Policy

- Equality matters inform strategic planning. The impact of new policies and practices will be assessed during their development
(Senior Management Team meeting minutes and impact assessments)
- Recruitment procedures are fair and free from discrimination
(Recruitment and selection policy and guidance, application form/adverts/ job details/person specification monitoring and equality monitoring sheets)
- Selection processes are fair and free from discrimination
(Recruitment and selection policy and guidance, interview notes)
- Employment practices are fair and free from discrimination
(Data collection analysis and reports to SMT and Resources Committee, Leavers questionnaire analysis, staff satisfaction survey analysis, induction as below)
- Staff have equality and diversity as part of their induction pack and training
(Induction checklist, initial PDR)
- Regular training is offered in issues related to equality
(Staff Development report)
- Staff are supported in teaching students with particular needs
(LS Report)
- Staff respect diversity and are aware of the College's Code of Conduct
(Staff satisfaction analysis, support staff questionnaire)
- The staff profile is monitored in equality terms
(Data analysis and monitoring of staff reports to SMT and Resources Committee)
- The College is committed to supporting staff with a disability in their employment.
(Personnel files)
- The site is accessible –Browsealoud has been added to the College website.
(WCC Assessment)
- Physical and electronic resources are accessible to all staff via Cloud and Moodle
(PDRs)

7. Meeting our General Duties as Providers - Principles, Practices, Monitoring

Outlined below are the most significant outcomes we aim to achieve in a variety of functions relating to students. There is reference in parenthesis to how these are monitored in addition to the Equality Annual Report which goes to Governors' Resources Committee. Detail on the self-assessment process and the cycle of review is contained in the Quality Assurance Policy

- Equality matters inform strategic planning. The impact of new policies and practices will be assessed during their development (senior management team meeting minutes and impact assessments)
- Equality matters are embedded into self-assessment procedures as in SAR
- Pre-enrolment activities should be accessible to all students (questionnaire).
- Application procedures aim to allow access for all students (application analysis).
- Allocation procedures aim to allow access for all students to appropriate courses (enrolment analysis).
- The student equality profile is monitored (data to senior management quality)
- Academic departments have equality and diversity focused lessons in Induction and at relevant points of the course. (SAR and Student questionnaire and SoW).
- The Learning support team are alerted to disclosures on applications (admissions/LS records, assessment on individual student records).
- Lessons meet individual needs (lesson plans, learning walks, lesson observations and class individual needs planning sheets).
- Accessible resources are provided in lessons(questionnaire and observations)
- *Active engagement is promoted to encourage students from diverse backgrounds to more fully participate in a range of college programmes and activities as part of following on from the Prevent training.*
- Promote Fundamental British Values throughout College to help create an inclusive environment.
- Bullying is monitored (report to senior management team).
- Achievement of different groups of students is closely examined (value added and success rate analysis, SAR).
- Students feel equality is assured (questionnaires).

- Learning support is appropriate and has impact (SAR and success rate analysis).
- Student Services provides high quality service to all students (SAR).
- The building has good accessibility (WCC Assessment).
- Concerns and complaints are monitored (senior management meetings).

8. Meeting our Specific Duties

The Act gives us as a College, specific duties to do two things. These are outlined below:

8.1 “To prepare and publish at least one equality objective”

In order to meet this duty, the College will establish priorities via self-assessment processes and will ensure that at least one equality objective is contained within the College’s Strategic aims which are available via the college website.

To ensure that actions are planned and monitored and outcomes reviewed, this objective will also form part of the whole college Quality and Development Plan.

There is also a separate Equality Improvement Plan.

8.2 “To publish information which demonstrates compliance with the general duty.”

Detail from the Equality Report to Governors mentioned earlier in the policy will be made available on the College website.

In addition, details from the College’s self-assessment will be made available via the College website.

9. Monitor and Review

9.1 The Equality Policy is monitored throughout college by;

- Governors through an annual report in the Summer Term to the Resources Committee.
- SMT at SMT Meetings.
- SMT through frequent monitoring of the College Quality and Development Plan.
- SMT through on going, annual Quality Assurance processes.
- The Equality Team through their regular meetings and monitoring of the Equality Improvement Plan.
- Heads of Departments via the self-assessment process.
- Students through questionnaires and Student Voice activities.

9.2 In addition to the monitoring outlined above and in previous sections, the Policy itself will be reviewed annually by the Equality Co-ordinator, the Personnel Manager, the Assistant Principal and SMT

- Students may be consulted on elements of the policy as part of the review.
- Amendments and changes will be agreed firstly by SMT and then referred to the Governing Body.

10. Complaints and Breaches of the Policy

10.1 A complaints procedure exists for the use and protection of all members of the College community and is an appropriate way of raising and dealing with complaints relating to any breach of this Policy.

10.2 Breaches of this Policy, including direct and indirect acts of discrimination, harassment, victimisation, bullying and abuse will be treated as serious disciplinary offence.

10.3 For staff, the College's disciplinary; grievance and harassment procedures will apply.

10.4 For students, the students' disciplinary procedures will apply.

10.5 We will make sure that staff and students know the procedures for dealing with incidents relating to discrimination.

10.6 In addition, the College will not work with contractors or service providers who fail to comply with its Equality Policy.

10.7 The College will seek to create a positive and open culture that challenges inappropriate behaviour

10.8 The college will investigate claims of discrimination or harassment promptly in order to take appropriate action.

10.9 The College will provide a supportive environment for those who make claims of discrimination or harassment.

11. Appendices

11.1 Protected characteristics – definitions

11.2 Prohibited conduct – definitions

11.3 Positive action – circumstances

Appendix 11.1: Protected characteristics - definitions

Age

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment

The process of transitioning from one gender to another.

Marriage and civil partnership

Marriage is defined as a 'union between two people'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

A man or a woman.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Appendix 11.2: Prohibited conduct - definitions

Direct discrimination

less favourable treatment of a person compared with another person because of a protected characteristic

by association

Where a victim of discrimination does not have a protected characteristic but is discriminated against because of their association with someone who does e.g. the parent of a disabled child.

By perception

Under the Act, the belief that someone has a protected characteristic, whether or not they do have it.

Indirect discrimination

The use of an apparently neutral provision, criterion or practice which puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic, and applying the provision, criterion or practice cannot be objectively justified.

Harassment

Unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.

Victimisation

Subjecting a person to a detriment because they have carried out a protected act or there is a belief that they have carried out a protected act i.e. bringing proceedings under the Act; giving evidence or information in connection with proceedings under the Act; doing any other thing for the purposes or in connection with the Act; making an allegation that a person has contravened the Act.

Appendix 11.3: Positive action – circumstances

Positive action

Refers to a range of lawful actions that seek to overcome or minimise disadvantages (e.g. in employment opportunities) that people who share a protected characteristic have experienced, or to meet their different needs.

In employment (taken from SFCA Employer’s bulleting 02/11) Positive Action provision makes it lawful for employers on a case by case basis to select a candidate from a disadvantaged or under- represented group, where two candidates are both “as qualified” for the relevant role.

Positive action can be used as a tie breaker between candidates of equal merit. (Government Equalities office).

In education

Students with protected characteristics may be disadvantaged for social or economic reasons or for reasons to do with past or present discrimination. The Act contains provisions which enable the College to take action to tackle the particular disadvantage, different needs or disproportionately low participation of a particular student group, provided certain conditions are met.

These are known as the positive action provisions and allow (but do not require) colleges to take proportionate action to address the disadvantage faced by particular groups of students. Such action could include targeted provision, resources or putting in place additional or bespoke provision to benefit a particular disadvantaged student group.

Positive action is intended to be a measure that will allow colleges to provide additional benefits to some students to address disadvantage and is not the same as positive discrimination. Positive discrimination would be providing preferential treatment for a particular disadvantaged student group that exceeded the positive action conditions.

It is never unlawful to treat disabled students (or applicants) more favourably than non-disabled students (or applicants). That is, a college is permitted to positively discriminate in favour of disabled students (applicants).

Making reasonable adjustments

In most circumstances, service providers must make reasonable adjustments to remove any barriers – physical or otherwise – that could make it difficult or impossible for disabled customers to use their services

In employment (taken from Direct.Gov) the employer has a duty to make reasonable adjustments for disabled applicants and employee. Adjustments should be made to avoid a disabled member of staff being put at a disadvantage compared to a non-disabled member of staff. Reasonable adjustments can apply to the working arrangements or any physical aspect of the workplace or necessary equipment.

Duty to make reasonable adjustments

Where a disabled person is at a substantial disadvantage in comparison with people who are not disabled, there is a duty to take reasonable steps to remove that disadvantage by (i) changing provisions, criteria or practices, (ii) altering, removing or providing a reasonable alternative means of avoiding physical features and (iii) providing auxiliary aids.

***Definitions taken from the Equality and Human Rights Commission
unless in italics and other source stated.***