

## EQUALITY DIVERSITY AND INCLUSION POLICY

### **POLICY / DOCUMENT PURPOSE STATEMENT**

This policy sets out how we will promote equality of opportunity regardless of race, sex, gender reassignment, maternity and pregnancy, disability, age, faith, or sexual orientation, in both the delivery of our services and the employment of our staff.

### **APPLICATION**

The policy applies to all the College's stakeholders including students, staff, volunteers, governors, and partners.

### **INTERPRETATION**

Further guidance on the use or interpretation of this policy may be obtained from the Student Services Team.

### **LINKS WITH OTHER POLICIES / DOCUMENTS**

- Student Charter
- Safeguarding Policy
- Preventing Radicalisation Guidance
- E-mail, Internet, and Social Media Policy
- Public Interest (Whistle-blower) Disclosure
- Recruitment and Leaving Policy
- Staff and Student Grievance and Disciplinary Procedures
- Policy Statement on the Employment of Ex-offenders

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## EQUALITY DIVERSITY AND INCLUSION POLICY

### 1. Introduction

We believe that Equality, Diversity, and Inclusion is central to making our mission Statement a reality for all members of the Fircroft community. Our mission is:

***"To promote social justice by providing adults with an excellent learning environment for personal, professional and political development."***

This is the College's Equality, Diversity, and Inclusion Policy. It sets out how we will promote equality of opportunity regardless of race, sex, gender reassignment, maternity and pregnancy, disability, age, faith, or sexual orientation, in both the delivery of our services and the employment of our staff.

We will work to:

- ensure equality of access and resources for all regardless of, for instance, gender, ethnic or national origin, physical, sensory or learning abilities, age, socio-economic status, religion, politics, sexuality, trans gender status, marital status, trade union membership, HIV status and responsibility for dependants.
- provide an environment where every individual is recognised and valued so that equality is promoted, and individuals are free from unlawful discrimination, harassment, or victimisation of any kind.
- manage policies, procedures and the environment in ways that will seek to maintain every individual's dignity and rights.
- educate people for life and work in a multi-cultural and multi-faith society.
- monitor and evaluate equality, diversity, and Inclusion effectively.
- comply with all current equalities and data protection legislation.

### 2. General Principles

The following general operating principles will be applied to the Equality, Diversity, and Inclusion Policy as a whole and to its individual components.

The College is proud of its contribution to Widening Participation, social inclusion, lifelong learning and celebrating diversity throughout its long history since 1909. It will always seek to enhance this contribution by responding positively and proactively to the emerging and changing social and educational needs of its learners. The College will not ignore the need also to create an inclusive, fair, and hospitable working environment for its staff where their adult learning needs are met, and diversity is positively embraced

The Equality, Diversity and Inclusion Policy will be published to all learners, staff, Governors, and visitors. Copies will be publicly displayed and included in all induction programmes; reference will be made to the Policy in all bids and proposals to secure external funding.

In some cases, concerns or complaints made by individuals or groups about a breach of the policy may be resolved through informal methods and the College will encourage this if appropriate. The College recognises, however, that many equality issues may need a formal response and addressing through formal procedures. The College will utilise its existing procedures for staff and learners to deal with breaches of the policy. If, through the monitoring of the policy, any gap or inadequacy is identified in existing procedures, action will be taken to address this.

The College will provide a programme of staff, management, and Governor development to support the implementation of this policy. In parallel, awareness-raising will form part of student recruitment and induction programmes. If specific equality issues arise during an academic year, awareness-raising activities will be provided at the earliest opportunity for the College community.

### **3. Responsibility for Equality, Diversity, and Inclusion**

- It is unlawful to discriminate on the ground of age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex, sexual orientation, as well as all forms of disability.
- Under legislation and this policy, every member of the Fircroft community has a responsibility to:
- Listen to what others say and respect their point of view.
- Speak out or report if they witness or are aware of bullying, vindictiveness, verbal, or physical aggression. Reporting and prevention is everyone's responsibility.
- Constantly question their own prejudices and assumptions.
- Be familiar with their responsibilities that legislation places upon them and ensure that they are sensitive to issues of cultural diversity in their work.
- Ensure that their behaviour towards others does not cause personal distress or impede personal development, mutual respect, and learning.

#### **Named responsibilities**

- The College's Governing Body is responsible for approving the Equality, Diversity and Inclusion policy and monitoring its implementation.
- The Principal has overall responsibility for the operation of the Policy.
- The Management Team are responsible for ensuring that the College works to widen participation in education and meet the learning needs of learners.

**The Equality, Diversity, and Inclusion (EDI) team** is chaired by the College's Equality Champion and includes staff and student representatives.

**The purpose of the EDI team is:**

- To promote the College's Mission, values, and achievement of its Strategic Plan through policies and practices that ensure a College environment exists in which equality flourishes, diversity is celebrated, and inclusion is actively promoted.
- To ensure the College complies with its legislative duties relating to Equality and Diversity and Inclusion.
- To ensure staff and students across the College are involved and engaged in an on-going debate about aspects of Equality, Diversity, and Inclusion.

**The functions of the EDI team are:**

- To review the College's Equality, Diversity and Inclusion Policy and related Policies and to monitor and evaluate their implementation.
- To monitor and evaluate the achievement of equality targets and to develop action plans if required.
- To provide a forum for staff and students, through their representatives, to raise and discuss issues of equality, diversity, and inclusion, in addition to other communication and consultative processes.
- To facilitate periodic audits of College practices as they relate to staff, students and/or the curriculum.
- To advise the Management Team on a programme of staff development and training to help raise awareness of and to promote good practice in equality, diversity, and inclusion.
- To receive progress reports from any sub-groups set up to promote aspects of equality, diversity, and inclusion.
- To invite and reflect on external perspectives on College equality, diversity, and inclusion practices and on external good practice and to disseminate these across the College

**4. The Equality Act 2010**

The Equality Act 2010 replaces previous anti-discrimination laws with a single Act. It simplifies the law and strengthens it in important ways. It covers employment, facilities, goods and services, and education, including the admission and treatment of students.

**The 2010 Equality Act defines unlawful discrimination as:**

- Direct discrimination (including discrimination based on perception or association).
- Combined discrimination.
- Indirect discrimination.
- Discrimination arising from disability.

There is also a revised Public Sector Equality Duty which requires public authorities to:

- Eliminate discrimination, harassment, and victimisation.

- Advance equality of opportunity.
- Foster good relations between specific groups

The new public duty is designed to ensure that:

- “public bodies consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people’s needs”.

These duties apply across all the protected characteristics, which are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual Orientation

The 2010 Act also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate unlawful discrimination in employment.

Overall, the new public duty is designed to ensure that:

“public bodies consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people’s needs”.

The Equality Act’s Public Equality Duty is supported by Specific Duties, set out in Regulations which came into force on 10 September 2011.

**The Specific Duties require public bodies to:**

- publish relevant, proportionate information demonstrating their compliance with the Equality Duty.
- set themselves specific, measurable equality objectives.

This is intended to ensure that: “public bodies (are) transparent about their decision-making processes, and accountable to their service users. It will give the public the information they need to hold public bodies to account for their performance on equality. “

More specifically, public bodies such as Fircroft must:

- publish information to show their compliance with the Equality Duty,
- at least annually

- set and publish equality objectives, at least every four years.

All information must be published in a way which makes it easy for people to access it, and it must be provided without charge. Fircroft will publish this information on its website, and in other forms or media as appropriate.

### **Setting Equality Objectives.**

The Specific Duties require public bodies to prepare and publish one or more specific and measurable equality objectives which will help them to further the three aims of the Equality Duty.

According to the 2010 Act, "It is for each public body to decide what equality objectives it should set and how many there should be. The number of objectives set should be proportionate to the public body's size (and) the extent to which its functions affect equality".

### **Harassment and Victimisation.**

The Equality Act 2010 extends and strengthens the scope of previous anti-harassment and anti-victimisation legislation.

In general terms, harassment, and victimisation they can be described as "unwanted behaviour which an individual or group find intimidating, upsetting, embarrassing, humiliating or offensive." They can be incitement to behave in an unwanted manner or any action which affects a person's comfort, safety, or sense of well being. They can be defined also as bullying.

The College views harassment and victimisation as serious issues in educational institutions and in the workplace. Any incidence of proven harassment or victimisation will not be tolerated.

The following list is indicative of forms of harassment and victimisation and is intended to be illustrative:

- physical assault, abuse, unwelcome contact
- verbal threats, abuse, derogatory name-calling, insults, demeaning jokes, offensive remarks, mimicry
- provocative or inciteful behaviour
- wearing of badges or insignia e.g. which are racist or sexist
- graffiti
- circulating or displaying of offensive material
- trying to recruit people to organisations or groups which are discriminatory
- unwanted sexual attention
- action or threats against a complainant or witness in an investigation

It is essential for staff, learners, and visitors to remember that "it is not the intention of the perpetrator that is the key in deciding whether harassment has occurred but whether the behaviour is unacceptable by normal standards and disadvantageous."

It is also important to remember that by allowing a person to harass another is to collude with that behaviour. All College managers, supervisors and tutors therefore have a responsibility to act if an incident comes to their attention to protect the member of staff or learner or third parties on the college campus being harassed.

**Victimisation** is specifically defined in the Act as:

Treating someone badly because they have done a 'protected act' (or because the institution believes that a person has or is going to do a protected act). A 'protected act' is:

- Making a claim or complaint of discrimination (under the Equality Act).
- Helping someone else to make a claim by giving evidence or information.
- Alleging that the further or higher education institution or someone else has breached the Act.
- Doing anything else in connection with the Act.

These are crucial rights which protect any claimant.

## **5. Teaching and Learning**

In its teaching and learning strategies the College will continue to recognise and celebrate diversity and promote equality and inclusion. For example, it will:

- facilitate our learners' development as autonomous adult learners and active citizens.
- ensure a learner-centred approach, including in the use of assessment methods.
- draw upon our learners' own life, social and cultural experiences to enrich the curriculum and to combat stereotyping and prejudices.
- empower our learners by enabling them to develop a range of cognitive, investigative, analytical, and debating skills to challenge their own and others' preconceived ideas and beliefs.
- offer a range of subjects and courses, on a flexible basis, to meet the needs of, and to reflect the interest and experiences of, the communities it serves.
- ensure ongoing evaluation of the curriculum and the associated learning materials and assessments, not only to monitor for bias but also to maintain a dynamic and diverse content.
- provide opportunities for learners and staff to learn and socialise together.

## **6. Involving people**

It is recognised that the involvement of a variety of people is critical to the successful implementation of this policy. This Equality, Diversity and Inclusion Policy has been developed by the College's Equality, Diversity and Inclusion team and the College's staff, students, and stakeholders. It is expected that this policy will be regularly updated, and all these groups will continue to be consulted on its content.

## **7. The Equality, Diversity, and Inclusion Action Plan**

The Equality, Diversity, and Inclusion Action Plan will be based upon **three key areas** that provide the framework for detailing the objectives that the College will set and the actions it will be taking over the next twelve months.

These key areas and objectives are:

### **1. To eliminate discrimination, harassment, and victimisation.**

To challenge patronising or discriminating attitudes and behaviour on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex, sexual orientation, or socio-economic status.

For instance, to:

- To eliminate any potential discrimination against people who intend to undergo, are undergoing or have undergone gender reassignment
- To eliminate harassment and the fear of harassment on the grounds of sexual orientation, religion, or socio-economic status
- To make the College environment as safe as possible for all individuals

### **2. To advance equality of opportunity.**

For instance, to:

- To promote positive images of gender role diversity, disabled people, trans students and staff, people from different ethnic minorities, people from different faith and religious groups, as well as people from all age groups and with gay, lesbian, bi-sexual and heterosexual orientations. The College will also bear in mind the importance of providing positive images of people from our more disadvantaged communities, such as those with learning disabilities.
- To remove all barriers to accessibility, particularly in relation to employment and to the College's services, information, and buildings.
- With respect to age, disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex, sexual orientation, or socio-economic status to ensure that clear and accurate information regarding the College's staff and student profile is, where appropriate, collected, and analysed.
- To set targets for the recruitment of students and staff with any of the protected characteristics, as appropriate.
- To ensure that College policies and procedures do not impose barriers specific to people from any of the protected characteristics.
- To identify disparities in student or staff success or representation and implement strategies to promote equality.
- To ensure that the College's curriculum and teaching and learning strategies are sensitive to the needs of individuals and that they consistently promote equality, diversity, and Inclusion.
- To take positive action to meet the needs of individuals including disabled staff, students, and service users.

### **3. To foster good relations between specific groups.**

For instance, to:

- To improve understanding of the needs of students and staff with a learning disability, so that they are fully integrated into all the formal and informal aspects of life at Fircroft.
- To raise awareness of the issue of mental health within Fircroft and the wider community.
- To encourage inter-action with, and understanding of, the needs of those students who may have been in prison.
- To improve awareness and understanding of the needs of students who have may have mis-used substances such as alcohol.



## **8. Family Friendly**

The College is committed to providing a family friendly working environment and to developing a range of policies and procedures for staff which are supportive of parents and carers.

- Address the needs of working parents and carers through its Human Resource Policies which will be updated to reflect changes in legislation and employment best practice as they occur.
- Recognise the need to be a flexible, compassionate employer and educational institution when domestic crises arise, particularly, but not solely, for single parents or carers.

## **9. Monitoring and Reporting Progress**

Progress against the Action Plan will be reviewed at least yearly by the governing body.

Every year the Policy will be reviewed and revised to build upon the experiences of previous years and to develop the College's promotion of equality, Diversity, and Inclusion. The review will tie in with the process every three years to develop a new College Strategic Plan.

## **10. Procedures for Dealing with Complaints and Breaches of the Equality, Diversity, and Inclusion Policy**

If a member of the College community has an issue of concern or complaint relating to any aspect of the Policy or if they feel the Policy has been breached, the following procedures will operate.

1. In the first instance, the person should raise their concern with:
  - Their line manager if they are a member of staff. If their concern relates to their manager, they should approach their manager's line manager. If senior postholders have a concern relating to the Principal, they should approach the Chair of the Governing Body.
  - A Student Union Officer, if they are a learner.
  - A Student Services Team Leader if they are a visitor to the College.
  - The person can, alternatively, raise their concern directly with the College's ED&I Champion. The Officer would be an impartial listener, not acting in the interests of the College.
2. At this initial stage, the person will have the opportunity to discuss their concern in confidence and to seek advice as to the most appropriate step to take next. S/he will be given information about the College's procedures relating to grievances and complaints. No notes will be taken or made about this initial stage. This stage will not be taken into formal procedures unless it is a situation set out in step 4 below.

3. In some cases, it may be possible for the named contact in step 1 above to help the person and/or the College resolve the concern and, if appropriate, act as a mediator without invoking a formal procedure.
4. In situations where such a resolution is not possible, either because attempts have been unsuccessful or the concern/complaint is too serious to be addressed informally, one or more the College's formal procedures relating to complaints, grievance and disciplinary issues may come into operation. At this stage, meetings and discussions will be formally recorded.
5. In recognition of the distress and stress which can be caused by breaches of the Equality, Diversity and Inclusion Policy, particularly in cases relating to harassment and victimisation, staff or learner complainants and alleged perpetrators will be offered access to confidential counselling and support, off-site if necessary. This support, including development and training, may continue after the situation has been resolved.
6. Serious breaches of this Policy, i.e. a legal offence or gross misconduct as defined in the College's Procedures and Codes of Conduct, by a member of staff or a learner, may lead to suspension, dismissal (for staff) or expulsion (for learners).