



EQUALITY AND DIVERSITY POLICY

This policy and material referenced in it is available in audio, Braille, and other languages and formats as requested. Please ask for assistance from a member of the Student Services team.

1. Purpose

The purpose of this Policy is to ensure that no individual student or member of staff at Mid Cheshire College is disadvantaged in realising their goals by factors such as race, religion, gender, gender reassignment, sexual orientation, age, caring responsibilities, religion or belief, socio-economic background or disability.

This Policy describes Mid Cheshire College's

- Vision and commitment to Equality and Diversity
- Legal Duties under the requirements of The Equality Act 2010 in employment, facilities, goods and services and admission and treatment of students.
- General equality duty to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010; advance equality of opportunity between people from different groups; and foster good relations between people from different groups.
- Practical steps for implementation of the Policy.

2. Scope

Every employee, student and visitor to the College is required to support and uphold the Policy so that we can truly and honestly say that equality of opportunity genuinely exists at Mid Cheshire College.

This Policy applies to all employees, students, visitors and workplace providers of the College; it is the responsibility of all to comply with the Equality and Diversity Policy.

The Governors have a significant role in creating and maintaining an inclusive organisation where individuals can work, learn and reach their full potential. (LSIS. Brief Guide to E&D for Governors pg. 3).

The Governing body requires the College to:

- Ensure that relevant policies are in place, up to date and effectively implemented
- Promote equality of opportunity and celebrate diversity
- Not discriminate on the grounds of any protected characteristic in any aspect of its work
- Listen to the voice of its learners and use it to make improvements which support inclusion and drive equality forward
- Ensure that all in our College community are protected from bullying, and discrimination wherever they may be learning or working

3. Objectives and Intended Outcomes

Staff

Employees who feel they have received unfair treatment under the terms of this Policy should raise the matter through the Grievance Procedure. If, for any reason, this route is not appropriate, the matter may be referred directly to the HR Business Partner. External applicants for employment who feel they have received unfair treatment under the terms of this Policy will be referred to the HR Business Partner for the matter to be investigated.

Recruitment and Selection

The HR Business Partner will be responsible for the development of appropriate monitoring systems to ensure the effective application of the Policy and the provision of management reports when required.

The recruitment and selection procedures have been determined in order to ensure that selection decisions are based on criteria relevant to the job and that arbitrary discrimination is eliminated.

Harassment

Harassment of any nature against employees of Mid Cheshire College will be treated seriously as a disciplinary offence. Any employee who believes they are a victim of harassment should refer to the College Policy for Harassment and Bullying.

Learners

Learners and potential learners who feel they have received unfair treatment under the terms of this Policy should raise the matter through the Complaints Procedure. If, for any reason, this route is not appropriate, the matter may be referred directly to the Deputy Principal.

Recruitment, Guidance and Support

The admission procedures will be open, non-discriminatory and learner friendly.

The College will develop services which are welcoming, safe and designed to address the unique needs of individuals, e.g. learning support and classroom support.

Guidance, assessment, support and counselling will be available to all learners to promote their opportunity to follow courses of their choice.

All learners and potential learners will receive impartial guidance to enable learners to study at a level appropriate to them.

Marketing and Publicity and School Liaison

The College will research the needs of prospective learners in our partner schools and wider community and the needs of under-represented groups in order to ensure appropriate course provision and support.

The College's commitment to equality will be clearly stated in all College publications and publicity material will be provided in appropriate languages and media as required.

Curriculum, Teaching and Learning

The College will seek to provide a range of learning programmes delivered in ways to suit all learners, including those who have not previously succeeded in education.

The curriculum, its delivery and resources used will be free from bias, stereotyping, discrimination and harassment and will seek to foster good relations between people who share protected characteristics and those who do not.

The lesson observation procedure will identify good practice or areas for development.

The College will seek to give credit for prior learning and experience and identify opportunities for progression.

The College will deliver learning through flexible means which cater for a wide range of learning styles and will take account of the learner's perceived needs.

Financial

The allocation of Learner Support Funds should be targeted at the most financially disadvantaged learners with specific support provided for those categorised as vulnerable, also taking into account the equality and diversity key characteristics.

Environment

The College will continue to develop a physical environment which is welcoming, safe and designed to address the unique needs of individuals.

The College will continually improve physical access to the College and to its services.

All signs, communication and instructions will be clear and simple and free from discrimination.

An audit has been carried out to identify the physical changes needed to comply with the Act.

4. Responsibility

The College will publish equality objectives at least every four years as required by the specific duties of the Public Sector Equality Duty. There is nothing to this effect on the website currently

The College will publish information to demonstrate compliance with the specific duties of the Public Sector Equality Duty.

Responsibility for the monitoring of staff compliance lies with the HR Business Partner. The Partner will publish information in the areas of recruitment and promotion, pay and remuneration, training, appraisals, disciplinary actions, dismissals and other reasons for leaving. Our partners will also pay due regard to this specific equality duty.

Operational responsibility for the implementation of the Policy, Procedures and guidelines lies with Directors and Curriculum Managers, supported by the Curriculum Director with responsibility for Equality and Diversity.

Overall responsibility for this Policy lies with the Director of Curriculum and Quality.

5. Our Vision

To achieve its aim, it is essential for the College to achieve excellence through inclusion. Staff and students must be able to flourish at the College and feel that any unfair disadvantage is eradicated. To work towards excellence we need to allow individual talent to be shared and create a motivated and diverse workforce which is able to thrive in a changeable global economy. It is our aim to respond to the wide range of needs expressed by our students and stakeholders and celebrate the benefits which difference can bring to our organisation.

As an inclusive College we will recruit from all sectors of society and develop our workforce and students to work in collaboration to build our sense of community. We aim to create a corporate culture that is inclusive at all levels and in every system and process.

The College seeks to provide positive role models that reflect our local community and student population.

Through our Single Equality Scheme, Equality and Diversity Policy Statement and Equality and Diversity Action, we will work with people from across the College, with our partners and stakeholders and with the local community to deliver and exceed our statutory responsibilities.

6. Procedure

The Equality Act came into force in 2010 which covers specific equality strands or protected characteristics: age, disability, gender, gender identity, race, religion or belief, and sexual orientation, pregnancy and maternity, marriage (including civil partnerships).

The single public sector Equality Duty (April 2011) requires public authorities to eliminate discrimination, harassment and victimisation by:

- Advancing equality of opportunity
- Fostering good relations
- Employment: The College will not discriminate directly or indirectly in recruitment or employment because of any of the nine 'protected' characteristics in the Equality Act 2010 as detailed in the Single Equality Scheme.
- Equal Pay: The College has a structured pay system and will conduct pay audits following the Equal Pay Code. Any equalities in the area of equal pay will be tackled through equal pay action plans.
- Reasonable adjustment will be provided for staff, students and customers who may be experiencing barriers due to disability, including alternative formats for other relevant 'protected characteristics'.
- The recruitment, retention and achievement of learners will be monitored by 'protected characteristics' where possible to determine trends and enable the College to provide focused support where it may be needed to ensure success.
- The Admissions Policy of the College supports equal access and equality of opportunity for all providing suitable support in order for all learners to access all services and facilities at the College.
- For children and young people whose circumstances have made them vulnerable to underachievement, Mid Cheshire College provides support to enhance the participation of vulnerable peoples in learning and improve their achievement.
- All forms of oppressive behaviour/bullying/harassment will be directly and appropriately challenged by staff and students at all times in accordance with the Anti-Bullying Policy and Dignity at Work Policy. Training will be available to staff to support them in this activity.
- A contemplation room will be available for multi-faith worship.
- Learner induction and tutorial programmes will be developed using the recognised consultative frameworks to understand the principles that underpin Equality and Diversity and our approach to respect and what to do if they feel this is not being adhered to.
- A range of activities will be used to identify learner perceptions of the College environment and the quality of their experience.

7. The Quality of Provision

Effective Teaching, Training and Learning

- All teaching and training resources and curriculum will ensure that they reflect and promote Equality and Diversity where appropriate.
- Curriculum Areas will take systematic steps to ensure that learners have access to all opportunities irrespective of protected characteristic.
- English for Speakers of Other Languages (ESOL) support will be available to those learners who need it to maximise learning outcomes and opportunities in the UK economy.
- Admissions processes and initial assessment prior to courses beginning will be used to personalise support for learners, including those with additional support needs.
- Every opportunity will be given throughout each academic year for learners/staff to disclose any disabilities or learning difficulties or other needs relating to 'protected characteristics' that they may have. The College will, through a culture of inclusivity, ensure an environment in which people feel able and confident to disclose and to see disclosure as the right course of action. The College will always provide reasonable adjustments in response to disclosure and will never disadvantage a learner/staff on the basis of such needs.
- Opportunities to celebrate diversity and to share experiences and knowledge will be offered via curriculum and cross-College activity. Based on consultation and need the College will support development of learners' networks e.g. Lesbian Gay Bisexual Transgender (LGBT) group and Student Disability Forum, to further equality objectives relating to protected characteristics.
- Opportunities for staff to disclose information about protected characteristics in the form of an annual staff survey. This would lead to celebration of diversity and opportunities for different groups of staff to come together, should they wish to do so. Opportunities for funding for protected characteristics groups for items like external training through Positive Discrimination initiatives would also be circulated.

8. Learner Guidance and Support

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

- Support services will meet the needs of learners from diverse backgrounds and communities.
- Exams will liaise with Additional Learning Support to ensure that individual needs of learners are catered for during exam sessions.

9. Consultation and Participation

The College wishes to provide the highest standard of access in all consultation processes and serve the needs of all existing and potential service users. The College will consult with a range of organisations/individuals including staff, students and other stakeholders such as Cheshire West and Chester Council, Community groups and specific interest groups, such as Cheshire Fire and Rescue (Princes Trust) and other subcontracting partners. Consultation and participation enables the College to better meet and serve the needs of the local community.

10. Training and Development

In conjunction with this policy, Equality and Diversity training will be updated and offered to all staff and other relevant stakeholders to raise knowledge of equality legislation, develop equality and diversity competencies and tackle discriminatory practice and behaviours. This will include the on-line Disabled Go Training, Safeguarding Training, and Professional Learning to include embedding Equality and Diversity in all lesson planning and delivery. Staff will be required to undergo refresher training as required.

11. Complaints

The College has a number of ways in which staff and students can raise concerns in relation to any breach of this Policy, e.g. the Complaints Policy, the Anti-Bullying Policy, the Grievance Policy and the Dignity at Work Policy. The Disciplinary Procedure for staff and the Behaviour Management and Disciplinary Procedure for students will be followed where necessary.

12. Monitoring

The effectiveness of this Policy will be monitored through student and staff and culminate in the Equality & Diversity Annual Report. The College has an Equality Action Plan as part of the Single Equality Scheme.

13. Other Legal Duties

In putting this policy into practice, the College will work to meet all other duties introduced under the following laws and regulations and will be ready to implement future legislation in this area:

- The Equality Act 2010
- Rehabilitation of Offenders Act 1974
- The Protection from Harassment Act 1997
- Human Rights Act 1998

14. Types of Discrimination

Direct Discrimination

This occurs when someone is treated less favourably than another person because of a protected characteristic.

Associative Discrimination

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic (for example, a mother of a disabled child).

Perceptive Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination

Indirect discrimination can occur when an employer has a condition, rule, policy or a practice in the company that applies to everyone but which particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if employers can show they acted reasonably in managing their business.

Harassment

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Third Party Harassment

The Equality Act makes employers potentially liable for harassment of their employees by people (third parties) who are not employees of the company, such as customers or clients. Employers will only be liable when harassment has occurred on at least two previous occasions and they were aware that it has taken place but did not take reasonable steps to prevent it from happening again.

Victimisation

Occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported

victimisation made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

Failure to make reasonable adjustments

The duty to make reasonable adjustments comprises three requirements for service providers and those exercising public functions, these requirements are:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage compared with those who are not disabled, to take reasonable steps to avoid that disadvantage.
- Where a physical feature puts disabled people at a substantial disadvantage compared with people who are not disabled to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function.
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage compared with people who are not disabled, to provide that auxiliary aid.

Disability arising from disability

- Treating disabled people unfavourably when using their services for a reason connected with disability.
- Where a provision, criterion or practice puts disabled people at a substantial disadvantage compared with those who are not disabled, to take reasonable steps to avoid that disadvantage.
- Where a physical feature puts disabled people at a substantial disadvantage compared with people who are not disabled to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function.
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage compared with people who are not disabled, to provide that auxiliary aid.

Rachel Jones
Interim Vice Principal: H.R. & Data
March 2017