



## EQUALITY AND DIVERSITY POLICY AND PROCEDURE

|                        |                      |                            |             |
|------------------------|----------------------|----------------------------|-------------|
| <b>DATE CREATED</b>    | November 2019        | <b>DATE OF NEXT REVIEW</b> | August 2025 |
| <b>POLICY OWNER(S)</b> | Director of Learning |                            |             |
| <b>DESIGNATION</b>     | College              |                            |             |

|                                |  |
|--------------------------------|--|
| <b>Purpose of policy</b>       | This policy sets out the College's commitment to Equality and Diversity, together with monitoring arrangements in respect of staff, learners and service users   |
| <b>Intended audience</b>       | All College staff  |
| <b>Links to other policies</b> | <p>SEN 0 – 25 Code of Practice 2015</p> <p>Care Act 2014</p> <p>Civil Partnership Act 2004 – under review by December 2019</p> <p>Equal Pay Act 2019</p> <p>Human Rights Act 1998</p> <p>The Equality Act 2010 including:</p> <p>Schedule 19 of the Equality Act 2010</p> <p>Employment Equality (Age) Regulation 2006</p> <p>Employment Equality (Religion and Belief) Regulation 2003</p> <p>Employment Equality (Sex Discrimination) Regulations 2005</p> <p>Employment Equality (Sexual Orientation) Regulations 2003</p> <p>Equality Act 2006</p> <p>Gender Recognition Act 2004 – currently under Government review</p> <p>Protection from Harassment Act 2019</p> <p>Racial and Religious Hatred Act 2006</p> <p>Sex Discrimination (Gender reassignment) Regulations 1999</p> <p>Special Educational Needs and Disability Regulations 2014</p> |

| <b>Contents</b>                         | <b>Page</b> |
|---|-------------|
| 1. Our Commitment                       | 4           |
| 2. Commitment – Values Statement        | 5           |
| 3. Monitoring                           | 6           |
| 4. Publicity                            | 6           |
| 5. Environment                          | 6           |
| 6. Employment Practices                 | 6           |
| 7. Admissions                           | 6-7         |
| 8. The Curriculum                       | 7-8         |
| 9. Complaints                           | 8           |
| 10. Staff Development                   | 8           |
| 11. Equalities monitoring               | 8-9         |
| 12. Publicising our policy and progress | 9           |
| 13. Roles and responsibilities          | 9-10        |
| 14. Non-adherence                       | 10          |

## St. Elizabeth's College Equality and Diversity Policy and Procedures

This policy sets out the College's commitment to Equality and Diversity, together with monitoring arrangements in respect of staff, learners and service users. The College is committed to Equality and Diversity, by taking positive action to promote dignity and respect of all those engaged with the service and tackling discrimination in any form.

### 1. Our Commitment

Equality and Diversity are central to the St Elizabeth's Centre's mission and the College's Governing Body is responsible for ensuring that non-discriminatory policies and practices as they relate to employees\* and learners are in place and monitored with particular regard to protected characteristics as referred to in the Equality Act 2010:

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

This policy should be read alongside:

- SEN 0 – 25 Code of Practice 2015
- Care Act 2014
- Civil Partnership Act 2004 – under review by December 2019
- Equal Pay Act 2019
- Human Rights Act 1998
- The Equality Act 2010 including:
  - Schedule 19 of the Equality Act 2010
  - Employment Equality (Age) Regulation 2006
  - Employment Equality (Religion and Belief) Regulation 2003
  - Employment Equality (Sex Discrimination) Regulations 2005
  - Employment Equality (Sexual Orientation) Regulations 2003
  - Equality Act 2006
  - Gender Recognition Act 2004 – currently under Government review
  - Protection from Harassment Act 2019
  - Racial and Religious Hatred Act 2006
  - Sex Discrimination (Gender reassignment) Regulations 1999
  - Special Educational Needs and Disability Regulations 2014

and St. Elizabeth's related policy documents.

## 2. Commitment – Values Statement.

- 2.1. St Elizabeth's Centre believes in the dignity of all people and their right to respect and equality of opportunity. We value the strength that comes with difference and the positive contribution that diversity brings to our organisation. St. Elizabeth's recognises that it is in its best interest, as well as the interest of its employees and clients/residents, to utilise the skills of the total workforce. Tackling discrimination and promoting diversity at work helps to attract, motivate and retain staff and enhances our organisation's reputation as a service provider and as an employer. Eliminating discrimination helps everyone to access services and employment and to develop their skills.
- 2.2. We recognise and accept that discrimination means some people may not have equal access to services or employment or fair chances in life. Therefore, we support the view that it may be necessary to adapt or create some services or opportunities to meet different needs.
- 2.3. We understand that discrimination can be institutionalised. We are committed to combating any unintended institutional discrimination by developing an anti-discriminatory organisational culture, placing equality at the centre of all our activities and key agendas, and celebrating diversity in its many forms.
- 2.4. We work to the following principles:
- We recognise the equality strands (protected characteristics) as recognised in UK law, giving all equal importance. These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation<sup>1</sup>.
  - We aim to eliminate unlawful discrimination and to promote equality of opportunity.
  - We are committed to developing and promoting an anti-discriminatory environment within the Centre and its services as a whole and will reflect this in our policies and practices.
  - We are committed to promoting high standards of equality practice at corporate, departmental, service and individual levels throughout the Centre and intend to maintain a positive and inclusive workplace culture that values all equally
  - We aim to identify and eliminate barriers in our systems and procedures, training staff and managers to help achieve this
- 2.5. We will comply with all our legal obligations and follow best practice guidance.
- 

<sup>1</sup> Political opinion or affiliation is not a protected characteristic under the Equality Act 2010; however since 25 June 2013, any employee dismissed for a reason related to political opinion or affiliation may bring a claim for unfair dismissal to tribunal irrespective of his or her length of service.

- *Guidance on types of discrimination is provided at Appendix A.*
- Source: St. Elizabeth's Centre: Equality and Diversity Policy.**

### **3. Monitoring**

The effectiveness of the policy will be monitored through regular collection, reporting and analysis of certain data. Equal Opportunities monitoring (section 12) will guide and determine the data to be collected.

Corporate monitoring of the policy will be the responsibility of the College Governors who will ensure that equality and diversity is fully reflected in all College matters.

### **4. Publicity**

The College publicity will be regularly reviewed to ensure that it is non-discriminatory to any group or individual, by:

- Developing accessible information upon request
- Raising the profile of the organisation through partnership engagement with Local Authorities, the community, voluntary and community sector organisations, employers and other education establishments
- Promoting equality and diversity through the website.

### **5. Environment**

St Elizabeth's will comply with the Equality Act 2010.

Seeking to eliminate all forms of discrimination and institutional barriers, which might disadvantage current or prospective learners or staff.

Any material of a discriminatory nature will not be displayed in any part of the Centre/College. St Elizabeth's and the College communications and publication (internal and external) will not use language or images, which are potentially discriminatory against any group or individual by taking positive action.

The College will seek to celebrate diversity through provision of an enriching environment by embedding equality and diversity in teaching, learning and assessment and by demonstrating and celebrating displays of learner work, progress, success and positive outcomes.

### **6. Employment Practices - Recruitment and selection - Staff**

Refer to: Centre Equality and Diversity Policy.

### **7. Admissions – also refer to the Admissions Policy**

The procedures involved in gaining admission to the College are clearly expressed in the Centre's Admissions Policy.

Prior to admission, information will be taken about learners' ethnic origin, belief and any additional support needs. This information will be used only for the purposes of providing support, for monitoring/review purposes.

Learners and their parents/guardians can expect professional advice throughout. The recruitment and guidance procedures, which in no way discriminates against any group of learners or potential learners.

Learners with additional support needs will be given the opportunity to discuss ways of providing solutions to problems of access and other issues which present a barrier to learning. Recruitment of learners will be formerly reported to Governors.

It must be noted that St Elizabeth's/the College reserves the right to decline a placement if it considers that the physical or emotional wellbeing of other students could be exposed to unreasonable risk or that the learner's needs fall outside of the parameters set within the Admissions Policy.

#### **8. The curriculum – also refer to the Curriculum and Accreditation Policy**

The College is committed to inclusive learning, which recognises that its learners are individuals with individual learning styles and complex support needs. It will, therefore, seek to provide a diverse range of learning opportunities to facilitate access and achievement for its learners by regularly reviewing programme content, delivery, accessibility, support, attendance, retention, achievement, success and progression and procedures for accreditation and assessment. The College will also ensure it promotes positive action through:

- Widening participation to increase engagement through partnership working.
- Ensuring the provision is relevant to individuals and the wider community.
- Developing a curriculum that is responsive to the complex individual needs and educational aspirations of its learners, parents/carers and external organisations.
- Recruitment is open and accessible.
- Using feedback to inform curriculum development and continuous improvement planning.

#### **The College will:**

- Review its curriculum offer annually.
- Continuously review the nature and extent of provision, together with accessibility and use of resources, whether in the form of materials, people and the environment.
- Ensure the facilities, premises and services are accessible to all and where appropriate make reasonable adjustments to meet learner need.
- Identify negative impacts and make recommendations for improvements that are considered and implemented where possible.
- Recruit learners from all equality strands.

- Monitor the quality of teaching, learning and assessment and the effectiveness of additional support.
- Respond to feedback to inform improvement and share the actions undertaken
- Develop a responsive curriculum in accordance with local, regional and national priorities.

## 9. Complaints

Any individual who feels she/he is being discriminated against any protected characteristic, should in the first instance speak with:

### ***Learners***

- Their lecturer or support staff
- Registered Manager
- Deputy Head of College
- Director of Learning

### ***Licence agreements***

- Domiciliary Care Manager
- Registered Care Manager

### ***Staff***

- Their line manager
- Deputy Head of College
- Registered Care Manager
- Director of Learning
- HR Employee Relations

## 10. Staff development

Through the induction and in-service staff development programme, staff are made aware of the organisations Equal Opportunities policy and other relevant/associated policies. Opportunities will be provided to raise awareness of introductions of or changes to relevant legislation.

## 11. Equalities monitoring.

To inform the setting of targets and measuring our progress in achieving them, the College will collect and monitor the following data, which will be shared with the Governing Body and used to create reports to the Governing Body, and informing the Self-Assessment Report and Quality Improvement Plan.

### ***For learners***

Equality and Diversity Impact Measures:

- Gender, Disability/and or Learning need, Ethnicity, Religion
- Enrolments compared to ethnic population size/education data;



- Retention rates and trend data over 3 years;
- Success rates and trend data over 3 years;
- The Learner Voice,
- Observation of Teaching, learning and assessment (Quality of Education)
- Curriculum planning
- Compliments, comments and complaints by learners or their parents/guardians/sponsors.

## 12. Publicising our policy and progress

### ***To the public:***

- Our commitment to equality and diversity will be highlighted in publicity and on the St Elizabeth's website and in all College documentation including advertisements and marketing.
- A summary of the results of our monitoring information will be included in our reports to Governors.

***To our learners:*** The curriculum programme for learners will highlight the College's commitment to equality and diversity.

***To our contractors:*** Refer to the Centres Equality and Diversity Policy

***To our staff:*** Refer to the Centres Equality and Diversity Policy

## 13. Roles and responsibilities

### ***The College Governors are responsible for ensuring that:***

- The Self-Assessment and Quality Improvement Plan are scrutinised and ratified.
- They are aware of the Governing body's statutory responsibilities in relation to discriminatory legislation and ensure that the College complies with the relevant legislation;
- They receive and respond to the monitoring information on staff learners/service users.

### ***The Head of College/Director of Learning or nominated person is responsible for ensuring that:***

- The policy, related procedures and strategies are implemented;
- Appropriate action is taken against staff or learners who breach the policy;
- The action planning framework includes clear reference to equality and diversity.
- Preparing the monitoring (staff) of reports and advising on any follow up action required;
- The Learning and Development Manager, an appropriate staff development programme designed to meet the needs of the staff and the organisation;
- Regularly reviewing the Equality and Diversity Policy.
- Good practice in relation to equality and diversity is embedded in all teaching and learning programmes including induction programmes;

- Internal verification procedures, teaching observation and self-assessment reports include scrutiny of equality and diversity;
- Preparing the monitoring of learning reports and advising on any follow up action to be taken.

***College staff are responsible for ensuring that:***

- They are aware of St Elizabeth's' statutory duties in relation to equality legislation and keep themselves up to date attending training and information events as required;
- They are aware of and support the Equality and Diversity Policy;
- All aspects of St Elizabeth's policy and activity under their control are sensitive to equality and diversity issues;
- They challenge inappropriate behaviour by learners, contractors or other members of staff;
- Equality and diversity is valued and promoted.

***Learners are responsible for ensuring that:***

- They are aware/supported to understand the Equality and Diversity Policy;
- Equality and diversity is valued and promoted;
- They challenge or report inappropriate behaviour by learners or staff.

#### **14. Non-adherence**

Refer to: Centre Disciplinary Policy and Procedure.

#### **Monitoring, Evaluating and Effectiveness of Policy.**

In order to monitor the effectiveness of our systems St Elizabeth's College will undertake a quality improvement evaluation on an annual basis.

The quality improvement of this document will be carried out by:

- Deputy Head of College
- The Director of Learning

and presented to the Governors at the first meeting following the renewal date.

### Effectiveness Measures

Monitoring the % take up of learners:

- Age
- Disclosed Disability/Learning Difficulty
- Ethnicity
- Gender
- Religion
- Attendance
- Retention
- Achievement
- Success
- Progression
- Satisfaction survey results
- Learner Voice
- Local Authority
- Transition/destinations

### External Quality Monitoring

External quality monitoring of this document is carried out via inspection visits from the Education Funding Agency (EFA), Care Quality Commission (CQC), Ofsted and Awarding Organisations in line with their inspection framework and cycles.

## Appendix A

### Examples of Types of Discrimination

- **Direct discrimination** occurs where an employer treats an individual less favourably than someone else was or would have been treated because of one of the protected characteristics.
- **Indirect discrimination** occurs where the employer's actions have disproportionate adverse effects on people who have a particular protected characteristic and the employer cannot justify their actions.
- Behaviour will be unlawful **harassment** if it is related to a protected characteristic and either offends an employee's dignity or creates a working environment that is offensive to him or her
- **Associative discrimination** is direct discrimination against someone because they associate with another person who possesses a particular protected characteristic. If, for example, you learn that a candidate has a disabled child and reject his or her application because of this, this will be unlawful associative discrimination.
- **Perceptive discrimination** is direct discrimination against an individual because you think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. If, for example, you are interviewing a woman and think she might be pregnant, and decide not to consider her application further because of this, this will be perceptive discrimination whether she is pregnant or not.