



Weston College **Group**

## EQUALITY, DIVERSITY and INCLUSION POLICY

# EQUALITY, DIVERSITY AND INCLUSION POLICY

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## Change Control

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Version	Type	Date	History
1.0	Replacement	04/02/21	N/a – New replacement policy
1.1	Review	09/03/22	Minor mods – linkage to modern slavery policy and FREDIE. Section 5 added to reinforce guidance on Social Value.
1.2	Review	10/07/23	Minor mods only to reflect organisational changes

This policy applies to Weston College Group and all wholly owned subsidiary companies of the Weston College Corporation which include Prison Education, Forward Futures, SOMAX, Releasing New Potential, West of England Institute.

# EQUALITY, DIVERSITY AND INCLUSION POLICY

## 1 PURPOSE

- 1.1 This Equality, Diversity and Inclusion (EDI) Policy sets out the values and strategic aims of Weston College Group with regard to Equality, Diversity and Inclusion. It outlines the commitments and responsibilities of all College members and how the College will further improve the service it offers to all to be truly inclusive.
- 1.2 The Weston College Group is committed to providing a learning environment which respects all individuals and celebrates diversity. Our mission statement 'Creating Brighter Futures' demonstrates our College values and our commitment to ensuring that we transform the life chances for all. As a college, we value social and cultural diversity and seek to promote equality of opportunity and respect amongst all learners, staff, governors, visitors, partners and other stakeholders.

This policy describes the Weston College Group's:

- Vision, commitment, values and approach to British Values in relation to Equality and Diversity;
- General and Specific Duties regarding the Equality Act 2010 and how these inform practice;
- Strategies and objectives for generating a positive and fair environment;
- The actions and strategies the College will employ to generate a positive and inclusive environment (*please refer to our Single Equalities Scheme*)

This policy was developed in consultation with staff, learners, and stakeholders who are representative of the local community.

## 2 SCOPE

- 2.1 This policy applies to all individuals working for or on behalf of Weston College Group, including all colleagues at all locations and at all levels including members of the Board, the CLB, Staff, external contractors, agency workers, partners, suppliers, centres, customers, any associates, any subsidiaries or their employees or any other person associated with us (collectively referred to in this document as 'individuals').
- 2.2 This Equality, Diversity and Inclusion Policy covers all members of the College community and describes Weston College's commitment in creating an inclusive college, where people are treated with dignity and respect and where we anticipate and respond positively to different needs and circumstances so that everyone can achieve their potential. Governors have a significant role in creating and maintaining an inclusive organisation where all can work, learn and reach their full potential.
- 2.3 All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and best practice in recruitment and selection. They are also given guidance on how to ensure they observe as far as possible the Commission for Race Equality's Code of Practice for Employment.
- 2.4 The commitment of all members of the College's community is required to make the policy a success. Failure to comply with this Policy by staff or learners, which results in victimisation, discrimination and harassment will be investigated under the College's disciplinary procedure for staff and students.

## 3 POLICY STATEMENT

- 3.1 We are committed to promoting and advancing equality of opportunity, not only because it is an important part of the mission, vision and values of the College, but also because, by attracting and retaining the most diverse range of talented people as learners, staff and partners, we will ensure the College's future success. This extends to taking a pro-active approach to seeking opportunities supporting the College's Equality,

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Diversity and Inclusion ethos. We also ensure that we adhere to the principles of improving Fairness, Respect, Equality, Diversity, Inclusion and Engagement (FREDIE) practices throughout the organisation

- 3.2 We welcome students, staff and Governors from all backgrounds and value and actively celebrate the benefits that diversity and difference bring to the College and our society.
- 3.3 The College raises awareness of equality and human rights, promotes diversity and combats all forms of inequality, disadvantage, prejudice, unfair discrimination, harassment and mistreatment within its communities. We have a clear and robust modern slavery policy and the College believes that all forms of prejudice and unfair discrimination are unacceptable. The College is committed to creating a safe environment for all students and staff.
- 3.4 Weston College strives to be an outstanding inclusive college where all staff and learners feel valued and respected, having a fair and equal chance to reach their potential. We aim to respond to the diverse profile of needs expressed by our learners, staff and stakeholders and celebrate the diversity of the College community. We aim to go beyond statutory requirements to ensure our learners, staff and partners have the best experience possible. Through our Single Equalities Scheme, we will work with the College community and beyond to make the College a truly inclusive organisation. We believe that Equality, Diversity and Inclusion is an essential ingredient for overall quality improvement.
- 3.5 **The College ethos to Equality, Diversity and Inclusion will include the:**
- **Data gathering for analysis and monitoring** - to establish what different groups experience in terms of recruitment, retention and success as a student or as a member of staff. Any significant differentials will be further explored, and actions agreed accordingly.
  - **Raising awareness** - through staff and learner induction, bespoke training and by having thematic weeks to celebrate diversity and inclusion.
  - **Single Equalities Scheme** - The College will set equality objectives at least every 4 years through the Single Equalities Scheme. These objectives will be translated into action plan which will be agreed every year and monitored on a regular basis.
  - **Publicise the scheme** - to ensure transparency in our approach and practice regarding Equality, Diversity and Inclusion. This will enable learners, staff and the College's community to be informed of progress and give stakeholders the opportunity to respond.

## 3.6 British Values

- 3.6.1 These are of paramount importance to the Weston College Group. We see British Values as underpinning what it is to be a citizen in a modern, diverse and inclusive community.
- 3.6.2 Ofsted evaluate how well colleges actively promote British Values and prepare learners for life in modern Britain. This requirement is reiterated within draft guidance on the Prevent Duty, a statutory duty on colleges to have due regard to prevent people being drawn into terrorism and to challenge extremist ideas.
- 3.6.3 British values relate to four aspects; democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

## 4 MEETING OUR LEGAL DUTIES

- 4.1 The Equality Act 2010 imposes both general and specific duties upon the College. The legislation applies not only to the College as an organisation but also to anyone working or studying with us and any partners, contractors and stakeholders.

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- 4.2 Under the Equality Act 2010 individuals are entitled to protection from discrimination arising from any 'protected characteristic'. The protected characteristics are age, disability, race, religion or belief, sex, sexual orientation, gender reassignment, marriage and civil partnership, and pregnancy and maternity.
- 4.3 Legal protection is also available in respect of less favourable treatment on grounds of part-time or fixed-term workers status.
- 4.4 The College will publish information relating to our employees (including agency workers) and others affected by our policies and practices. The information will be published in the areas of recruitment and promotion, pay and remuneration, training, appraisals, disciplinary actions, dismissals and other reasons for leaving.
- 4.5 The College will publish Gender Pay Gap information as required by law.
- 4.6 Partner organisations that exercise the College's functions will also have due regard to this specific equality duty.
- 4.7 **Employment**
- 4.7.1 It is unlawful to discriminate directly or indirectly in recruitment or employment because of any of the nine protected characteristics in the Equality Act 2010. No member of staff, or prospective member of staff, should receive unfair or unlawful treatment due to their protected characteristic or characteristics. The College will seek to identify and act upon any unfair or unlawful discrimination which denies individual opportunities due to the criteria mentioned above. In addition, it is unlawful not to make 'reasonable adjustments' to assist a disabled worker or student where there is a legal duty to do so. For more details on types of unfair and unlawful treatment go to Annex A.
- 4.8 **Equal Pay**
- 4.8.1 The College complies with the Equal Pay Act 1970 will have a structured pay system and we will carry out pay audits following the Equal Pay Code, as well as complying fully with Gender Pay Gap reporting obligations. Any inequalities in the area of equal pay will be tackled through equal pay action plans.
- 4.8.2 The College also makes a commitment to ensure it meets all key legislation, which links to equality and diversity through its policies and procedures so that anyone who comes into contact with the College, external or internal customers, uphold these statutory requirements.
- 4.9 All members of our College – staff and learners are required to follow and uphold the below legislation:
- Sex Discrimination Act 1975
  - Race Relations Act 1976
  - Disability Discrimination Act 1995
  - EU Employment Directives 2003 (Religion, Sexuality)
  - Gender Recognition Act 2004
  - EU Employment Directives 2006 (Age)
  - Equality Act 2010
- 4.10 The College specifically commits to observing as far as reasonably possible, the recommendations of the Codes of Practice on employment of the Equality and Human Rights Commission.
- 4.11 **Quality of Provision**
- 4.11.1 All teaching and training resources and curriculum will ensure that they reflect and promote Equality, Diversity and Inclusion where appropriate.
- 4.11.2 Departments will take systematic steps to ensure that learners have access to all opportunities irrespective of protected characteristic
- 4.11.3 Enrolment processes and initial assessment prior to courses beginning will be used to personalise support for learners, including those with additional support needs.

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- 4.11.4 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.
- 4.11.5 All those contracting with the College will be made aware of the College Equality, Diversity and Inclusion Policy and related policies and will be expected to comply with them. Equality, Diversity and Inclusion issues will be raised in College visits to employers and with learners on work based learning.
- 4.11.6 Work based learners will be empowered and supported to challenge practices and behaviours in the workplace which they feel contravene College policy in relation to Equality, Diversity and Inclusion.
- 4.12 The College has an Equality, Diversity and Inclusion Annual Training plan which is updated annually. Training is undertaken by all staff during induction and regular updating training is delivered throughout the year to raise awareness and knowledge of equality of opportunity.
- 4.13 The specific duties of the Equality Act 2010 are to:
- **Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010** - The act introduces the concept of “protected characteristics” of which there are nine (*please refer to appendices for further information*). The definition of discrimination has been extended to include associative and perceptive discrimination (*please refer to appendices for further information*).
  - **Protected characteristic and persons who do not share it** - Reasonable adjustments will be provided for learners, staff and customers who may be experiencing barriers due to their disability. The recruitment, retention and achievement of learners will be monitored by protected characteristics to identify any trends enabling the College to respond effectively.
  - **Foster good relations between persons who share a relevant protected characteristic and persons who do not share it** - The College will ensure that Equality, Diversity and Inclusion is a natural part of the curriculum to raise awareness and understanding. All College processes will be continually reviewed to ensure that the College is accessible and fair in all of its functions. Our customer service will be unbiased and welcoming to all.
  - **Publish information to demonstrate compliance with the general equality duty** - This will include information relating to learners, employees, and other individuals who share a relevant protected characteristic who will be affected by our policies and practices. A report for Equality, Diversity and Inclusion is published annually to inform our College community of our progress and to celebrate our diversity.
  - **Prepare and publish equality objectives at least every four years which are accessible to the public** - The objectives will form the basis of the Single Equalities Scheme which can be found on our website.

## 5 SOCIAL VALUE MODEL (Social Value Act 2013) – Theme 4 Equal Opportunity

- 5.1 The College is committed to ensuring that it supports the policy of supporting Equal Opportunity for all as stated in the Social Value Model. It is committed to tackling inequality and giving everyone the opportunity to fulfil their potential, all work should be fair and decent and everyone should be able to benefit from high quality jobs. This ethos also translates to curriculum, all courses are developed to enable learners to develop high quality standards of knowledge, skills and behaviours in their chosen routes so they can become the workforce of the future, no matter their starting points.
- 5.2 The College is committed to increasing the representation of disabled people in its student, staff and governing body through removing barriers to access, championing inclusive and accessible recruitment

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activities, having transparent pay and reward processes, offering quality opportunities with routes of progression for students and staff, having working conditions which promote an inclusive working environment, which promote retention and progression.

- 5.3 The College activities supports all students, staff and governors to develop new skills, ensuring the health and wellbeing of all is paramount. We operate through an inclusive culture supporting those who may have previous had significant barriers to education or employment to succeed in their chosen career routes.
- 5.4 The College has a robust Modern Slavery Policy which identifies, manages and mitigates the risks of modern slavery with clear additional policies and practices which are embedded throughout.

## 6 RESPONSIBILITIES

### Compliance, monitoring and review

- 6.1 All Weston College Group staff, governors, customers and contractors are expected to comply with this policy.

### Reporting

- 6.2 No additional reporting is required, unless this policy has been breached.

### Records management

- 6.3 Staff must maintain all records relevant to administering this policy and procedure using the Weston College (ISO) recordkeeping system.

## 7 DEFINITIONS

### 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 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 (for example, directing homophobic taunts towards someone who is not gay).

#### 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 can 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 (see above). Harassment of employees is dealt with in the College’s Anti-Bullying and Harassment Policy and reference should be made to that Policy as appropriate. [You may also wish to refer to an equivalent learner policy if there is one].

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## Victimisation

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 an untrue complaint.

## 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.

## Discrimination arising from disability

Treating disabled people unfavourably for a reason connected with disability (for example, where someone is dismissed due to taking lengthy sick leave, and the reason for the sick leave is connected to their disability). Discrimination arising from disability will not be unlawful if it is objectively justified.

## Combined discrimination: dual characteristics (prospective)

A person (A) discriminates against another (B) if, because of a combination of two relevant protected characteristics, A treats B less favourably than A treats or would treat a person who does not share either of those characteristics.

## The relevant protected characteristics are:

- a) Age;
- b) Disability;
- c) Gender reassignment;
- d) Race;
- e) Religion or belief;
- f) Sex;
- g) Sexual Orientation.

## Sexual Orientation

The College makes every effort to welcome students and staff regardless of their sexual orientation. Everyone is regarded as an individual and the College encourages the contributions that they bring to the College.

There is no information gathered on students regarding their sexual orientation. However, the College strives to achieve an inclusive culture providing opportunities for all individuals to contribute to College life.

## Religion/belief

The College will not discriminate against any individual on the basis of their religion, beliefs or non-belief. Quiet rooms are available for people to pray or reflect on some campuses. There is no information collected regarding a person's religion, but the College does strive to ensure that all religions are respected, and individuals are able to practice their religion within College. Leave to celebrate religious festivals for staff is covered in the special leave policy. Leave for a student is entirely at the discretion of the Dean of Faculty.