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| 1 | Policy Statement | <p>This Equality and Diversity 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.</p> <p>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 and Diversity ethos.</p> <p>We welcome students and staff from all backgrounds and value and actively celebrate the benefits that diversity and difference bring to the College and our society.</p> <p>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. 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.</p> |
| 2 | Our Policy Aims | <ul style="list-style-type: none"> ● To prevent discrimination ● To promote equality of opportunity ● To promote good relations between people |
| 3 | Rights and Responsibilities | <p>This policy has direct implications for all other College policies. We believe that delivering Equality and Diversity is one crucial strand of our College approach to overall quality improvement and we place it at the very heart of everything we do.</p> <p>Anyone who comes into contact with the College, external or internal customers, will benefit from this policy. All members of our College – staff and learners are subject to this policy. The policy is also binding on our external contractors, employers and other partners that the College collaborates with, although it should be noted that this policy does not form part of our contracts of employment with staff and is non-contractual in its nature and effect. The policy applies to all sites and premises belonging to the College or used by the College for carrying out its functions. The Principal and Chief</p> |

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| | | <p>Executive and the College Corporate and Senior Management Team take the lead in ensuring they are implemented.</p> <p>The College may amend this Policy without notice and at any time.</p> <p>Governing Body responsibilities:</p> <p>Governors have a significant role in creating and maintaining an inclusive organisation where all can work, learn and reach their full potential.</p> <p>The Equality and Diversity policy is reviewed by the Equality and Diversity Committee and approved by the Corporation on an biennial basis, or earlier if required.</p> <p>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.</p> <p>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.</p> |
| 4 | Specific duties | <ul style="list-style-type: none"> • The College will publish equality objectives every four years as required by the specific duties of the Public Sector Equality Duty. • The College will publish information to demonstrate compliance with the specific duties of the Public Sector Equality Duty. • 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. • The College will publish Gender Pay Gap information as required by law. • Partner organisations that exercise the College's functions will also have due regard to this specific equality duty. • The College will conduct Equality Impact Assessments (EIAs) in relation to policies and other measures where this is an appropriate method of |

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| | | <p>demonstrating due regard for the promotion of equality across our organisation. [Our EIA Template is set out at Annex B].</p> |
| 5 | <p>Meeting Legal Duties</p> | <p>Protected Characteristics the Law 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.</p> <p>Legal protection is also available in respect of less favourable treatment on grounds of part-time or fixed-term workers status.</p> <p>Employment 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.</p> <p>Equal Pay The College complies with the provisions of the Equal Pay Act 1970, as now contained within the Equality Act 2010. We 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.</p> <p>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.</p> <p>All members of our College – staff and learners are required to follow and uphold the Equality Act 2010, which replaces the below legislation:</p> <ul style="list-style-type: none"> • Sex Discrimination Act 1975 • Race Relations Act 1976 • Disability Discrimination Act 1995 |

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| | | <ul style="list-style-type: none"> • EU Employment Directives 2003 (Religion, Sexuality) • Gender Recognition Act 2004 • EU Employment Directives 2006 (Age) <p>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.</p> |
| 6 | Quality of provision | <ul style="list-style-type: none"> • All teaching and training resources and curriculum will ensure that they reflect and promote Equality and Diversity where appropriate. • Departments will take systematic steps to ensure that learners have access to all opportunities irrespective of protected characteristic. • Enrolment 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. • All providers of work based learning under contract to the College and those contracting with the College will be made aware of the College Equality and Diversity and related policies and will be expected to comply with them. Equality and Diversity issues will be raised in College visits to employers and with learners on work based learning. • 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 and Diversity. |
| 7 | Training | <p>The College has an equality and diversity 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.</p> |
| 8 | Complaints | <p>The College has a number of ways in which staff and students can raise concerns in relation to this policy, e.g. through the Anti-Bullying and Harassment Policy, through line managers and tutors and through forums and surveys.</p> |
| 9 | Monitoring | <p>The effectiveness of this policy will be monitored through staff and student data culminating in the Equality and Diversity Annual report. The College has equality objectives as part of the Single Equality Scheme.</p> |

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| 10 | Policy Review | This policy will be reviewed biennially or when there are changes in the workplace such as new tools, systems or conditions. |
| 11 | Approval Dates | This version takes effect from: December 2018 The E&D Impact Assessment will be reviewed on the same date. |
| 12 | Policy Owner | Identify the person that owns this Policy and can be approached in relation to this: Andrea Greer: Vice Principal – Human Resources, Offender Learning and College Reputation |
| 13 | Version Control | This is Version 1.1 of the Equality and Diversity Policy |
| 14 | Chair of Corporation Approval |  <p style="text-align: right;">15/12/2018</p> |

Annex A

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].

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.