

Equality, Diversity and Inclusion Policy

1. Introduction

- 1.1 Chichester College is committed to providing equal opportunities for staff, students and service users and to eliminating discrimination (see [Annex A](#) for definitions of discrimination). As detailed in the Strategic Plan, the College's mission is achieved, in part, by 'providing teaching and learning in a community where diversity and internationalism are positively welcomed'. In addition, 'respecting and valuing all individuals' forms one of the College's core values. The College understands and appreciates the benefits of a diverse workforce/College community and strives to create and maintain an inclusive environment.
- 1.2 The purpose of the College's policies is to provide equality and fairness in all activities. This is achieved by responding to peoples' individual needs in order to ensure they have an equal chance to contribute and achieve their potential. It is not about treating everyone in the same way.
- 1.3 Diversity is concerned with respecting the differences within minority groups and not expecting everyone to conform to the ways of the majority groups.
- 1.4 The College aims to eliminate discrimination on the grounds of age, disability, gender, race, religion or belief, ethnic or national origin, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership or socio-economic status.
- 1.5 This policy is supported by a number of other policies and procedures with which it should be cross referenced including:-
- Chichester College Admissions and Guidance policy, Recruitment and Selection policy, Recruitment of Ex-offenders policy;

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- Disciplinary policy and procedure, Managing Student Behaviour policy, Referral process, Complaints procedure, Grievance (including Bullying and Harassment) procedure and the Disability Disclosure process;
- Equality & Diversity Annual Report (including action plan)
- Safeguarding Children & Adults at Risk policy, Health & Safety policy
- Ofsted criteria for personal development, behaviour and welfare (PDBW);
- British (Chichester) Values information.

2. Scope

- 2.1 This policy and associated policies and schemes are applicable to all staff (both permanent and temporary), Governors, applicants, students, customers, employers, volunteers, workers supplied by agencies, contractors, support workers, teaching assistants accompanying learners and any other procured bodies. The policy applies to all processes relating to employment, education and training and interactions with staff, students, customers and contractors.
- 2.2 The purpose of this policy is to make clear the College's position on equality and diversity and to establish key principles, structures and monitoring arrangements for the College.
- 2.3 All staff, students, Governors, volunteers, customers, employers, workers supplied by agencies, contractors, support workers, teaching assistants accompanying learners and any other procured bodies are responsible for the promotion and advancement of this policy. Behaviour, actions or words that transgress this policy will not be tolerated and will be dealt with in line with the College's Disciplinary policy (staff), Managing Student Behaviour policy (students) or relevant College procedure.

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3. Statutory responsibilities

3.1 The Equality Act 2010 forms the basis of this Equality and Diversity policy, which defines the protected characteristics as:

- Age
- Disability
- Gender
- Race
- Religion and belief
- Sexual Orientation
- Gender Reassignment
- Pregnancy and maternity
- Marriage & Civil Partnerships

Whilst all nine characteristics apply in the employment duties of the Act, the characteristic of marriage and civil partnerships is not included in the education duties of the Act.

3.2 Other aspects of a person's identity, background or circumstances can cause them to experience discrimination, for example a person's class, background, appearance, parental status, employment status or alternative lifestyle. The College is committed to advancing equality and eliminating discrimination on these and other grounds.

3.3 The College produces an Equality & Diversity Annual Report which is published on the College website. As well as explaining what has been achieved from an equality and diversity perspective, the report sets out the College's equality and diversity objectives and contains information about staff, students and applicants by the protected characteristics we gather data on. Consultation with stakeholders

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has taken place to agree the equality objectives.

4. Aims

4.1 In line with the Public Sector Equality Duty, the College is committed to ensuring that:

- Discrimination, harassment and victimisation are eliminated, to make the College environment as safe and inclusive as possible;
- equality of opportunity is advanced between people who share a protected characteristic and those who do not, e.g. by encouraging involvement in College life or other activities;
- any achievement gaps are narrowed and closed;
- good relations are fostered between people who share protected characteristics and those who do not, e.g. by promoting understanding;
- equality and diversity data for staff, students and applicants is analysed (for those protected characteristics we collect) and the results of the monitoring are published annually.

5. Outcomes to be achieved to meet these aims

- Fair and equitable procedures operate in relation to recruitment, selection, management and training of staff;
- students receive fair and equitable treatment in relation to admission, administration and assessment procedures;
- policies and procedures are operated fairly and free from discriminatory practices;
- proportionate positive action can be taken where there is evidence that participation is disproportionately low for people who share a protected characteristic, where they experience a disadvantage or in order to meet

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their different needs, e.g. positive promotional images of male students in traditionally female dominated subjects and vice versa;

- governors, staff, students, their sponsors and partner contractors are appropriately trained and have access to comprehensive information which assists them to plan, implement and monitor actions to carry out their responsibilities under the policy;
- governors, staff, students, their sponsors and partner contractors are aware of the value placed upon equal opportunities and that action will be taken in the event of any breach of the policy;
- governors, staff, students and partner contractors are treated with respect and dignity;
- by carrying out equality impact analyses, equality and diversity is incorporated within our policies, procedures, practices, plans and activities;
- inequality, prejudice and discrimination are challenged;
- an inclusive environment is created where equality and diversity are celebrated.

6. Roles and responsibilities

6.1 The Governing Body designates the Principal as having overall responsibility for equality issues. The Deputy Principal supports the Principal and designates the Assistant Principal (Student Success) to chair the 'Be the Best' monitoring group, which meets termly.

6.2 Governors are responsible for ensuring that:

- They are aware of the Governing Body's statutory responsibilities in relation to equality legislation as an employer and a service provider;
- the membership of the Governing Body strives to reflect the diversity of the communities served by the College;

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- they respond to monitoring information on staff, students and applicants and agree a course of action.

6.3 The Senior Management Team is responsible for ensuring that:

- They are aware of the College's statutory duties in relation to equality and diversity legislation;
- all policies and procedures are equality impact analysed;
- procedures for challenging all forms of discrimination, harassment, victimisation and unacceptable behaviour are widely promoted;
- the 'Be the Best' monitoring group effectively carry out their responsibilities;
- a positive, inclusive ethos is created encouraging feedback;
- business communications reinforce the inclusive messages and become incorporated into day-to-day processes;
- members of staff understand the significance of equality and diversity and know how to incorporate this into their work;
- progress is made on the equality and diversity objectives and action plan and Governors are informed and advised of progress via the Resources and Curriculum and Quality Committees.

6.4 Managers are responsible for ensuring that:

- They are aware of the College's statutory duties and the Equality, Diversity & Inclusion policy and associated policies and procedures are implemented fairly in their area of delivery;
- they lead by example and challenge inappropriate language and behaviour by students, staff, Governors, volunteers, visitors, partner contractors, work placement providers, support workers, teaching assistants accompanying learners and other contractors and users of the College's services;

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- student induction programmes and tutorial programmes reflect the College's commitment to promote equality of opportunity;
- curriculum activities actively incorporate equality and diversity issues;
- staff induction, continuous professional development and performance management reflect the College's commitment to equality of opportunity;
- they attend the appropriate equality and diversity training, including more intensive training where a need is highlighted to support their learning;
- they provide teaching, learning and assessment methods, support and resources that meet the individual needs of students.

6.5 Staff are responsible for ensuring that:

- They attend the appropriate equality and diversity training, including more intensive training where a need is highlighted to support their learning;
- they understand, uphold and engage with the College policy on equality, diversity and inclusion by challenging inappropriate behaviour by students, staff, customers, volunteers, employers, partner contractors, work placement providers, support workers, teaching assistants accompanying learners and other contractors and procured bodies and report unacceptable behaviour in accordance with the College's policies;
- they provide teaching, learning and assessment methods, support and resources that meet the individual needs of students.

6.6 Students are responsible for ensuring that:

- They adhere to the College core values and treat all members of the College community with respect;
- they support and promote the Equality, Diversity & Inclusion policy;

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- they create and maintain a learning environment where there is zero tolerance of bullying, harassment, victimisation and discrimination.

6.7 Staff who champion equality, diversity and inclusion are responsible for ensuring that:

- Equality and diversity objectives and the action plan in the Equality & Diversity Annual Report are implemented;
- they encourage and support the development of policies related to the curriculum, student intake, the built environment and student services, which seek to ensure the removal of prejudice and discrimination;
- the content and operation of equal opportunities policies and schemes are monitored and reviewed on an annual basis;
- monitoring information is collected, analysed and published, and an action plan developed;
- appropriate training and development is provided to stakeholders to support the appreciation and understanding of equality and diversity issues.

7. Monitoring

7.1 Monitoring will be used to ensure that staff, students and service users are treated in accordance with this policy.

7.2 Monitoring will be undertaken in accordance with best practice recommendations, particularly from the Commission for Equality and Human Rights, and with regard to data protection principles.

7.3 The College's Equality and Diversity annual report will summarise the outcomes of the monitoring activities and highlight progress and performance in equality, diversity and inclusion.

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8. Complaints

8.1 The College will seek to provide a supportive environment for those who make claims of discrimination, harassment or victimisation, definitions of which are detailed in full in the staff Grievance (including Bullying and Harassment) policy and the Complaints procedure for students, employers and visitors and Annex A of this policy.

9. Status of this Policy

9.1 The policy was approved by the Human Resources Committee in June 2007 and reviewed in December 2013. The operation of this policy will be kept under review by the Head of Human Resources in conjunction with SMT. It may be reviewed and varied from time to time by the Resources Committee.

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|-------------------|---------------------------|
| Date Approved: | June 2007 |
| Approved by: | Human Resources Committee |
| Review date: | December 2016 |
| Next review date: | December 2017 |

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Types of discrimination: definition amendments under the Equality Act 2010

Protected characteristics are the grounds upon which discrimination is unlawful

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic (age, disability, gender, race, religion or belief, sexual orientation and gender reassignment) they have or are thought to have (see perceptive discrimination below).

Associative discrimination

Applies to age, disability, gender, race, religion or belief, sexual orientation and gender reassignment. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive discrimination

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

Indirect discrimination

Applies to age, disability, gender, race, religion or belief, sexual orientation, gender reassignment and marriage and civil partnership. Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be shown that the organisation acted reasonably, i.e. that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision that is made in running a business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including showing that you have looked at 'less discriminatory' alternatives to any decision made.

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Failure to make reasonable adjustments

This occurs when an establishment fails to consider whether reasonable adjustments can be made to allow someone with a disability to use services/facilities or undertake employment.

Harassment

Harassment occurs when someone engages in 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 and where such conduct could reasonably be considered as having that effect.

Harassment is not dependent on an intention to cause distress or hurt but is assessed by the impact the behaviour has on the recipient (even if it is not directed at that individual); provided that it is reasonable in the circumstances to consider that the conduct in question constitutes harassment. As a result, it is possible that behaviour that is acceptable to some members of staff will cause embarrassment, distress or anxiety to others.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Members of staff 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. Members of staff are also protected from harassment because of perception and association. Unlawful discrimination on the grounds of the equality protected characteristics will not be tolerated in any form.

Harassment can take many forms, which may include, but is not limited to:

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- Unnecessary or unwanted physical conduct ranging from touching to serious sexual or physical assault.
- Verbal conduct such as sexist, racist or homophobic comments or innuendo, derogatory remarks about protected characteristics, comments of a personal nature, suggestive remarks, inappropriate jokes or language.
- Display, storage or circulation of offensive material (including information held on computer).

Harassment is normally characterised by more than one incident of unacceptable behaviour, particularly if it reoccurs once it has been made clear by the victim that they consider it offensive. A single incident may constitute harassment however, if it is sufficiently serious.

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.

Bullying

Bullying is not dependent on an intention to cause distress or hurt but is assessed by the impact the behaviour has on the recipient (even if it is not directed at that individual); provided that it is reasonable in the circumstances to consider that the conduct in question constitutes bullying. As a result, it is possible that behaviour that is acceptable to some members of staff will cause embarrassment, distress or anxiety to others.

It is usually persistent, offensive, abusive, intimidating, malicious or insulting behaviour or unfair use of sanctions by one person towards another, which has the purpose, or effect, of intimidating, belittling or humiliating the recipient, leading to a loss of self-esteem.

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Bullying is recognised as a serious management issue and is often unreported. People affected by bullying often feel the matter appears trivial or that they may have difficulty in describing it. Examples of bullying may include, but are not limited to:

- Persistent unnecessary criticism
- shouting at colleagues in public or private
- deliberate isolation by ignoring or excluding a person
- withholding information or removing areas of responsibility without justification
- spreading malicious rumours
- making inappropriate personal comments
- undermining a person's self-respect by condescending or threatening treatment that humiliates or intimidates the individual
- cyber bullying (e.g. by email, text or through social networking sites)
- picking on one person when there is a common problem
- setting unrealistic targets or excessive workloads
- setting an individual up to fail (e.g. by giving inadequate instructions or unreasonable deadlines).

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