

Single Equality Policy

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Foreword

Cirencester College is committed to all aspects of Equality, ensuring the elimination of discrimination, creating opportunities for all and viewing difference as an opportunity for celebration. We aim to be an inclusive College where everyone, students and staff, have the opportunity to fulfil their full potential.

Our Single Equality Policy builds on the previously separate disability, gender and 'race' equality policies and, following the introduction of the Equality Act 2010, has been extended and developed. The policy has recently been updated and users of the College services, our staff and stakeholders have helped to shape the policy.

The Policy highlights the actions we are taking to comply with and exceed our legal obligations and clearly demonstrates our commitment to advancing and promoting equality and celebrating diversity.

1. Introduction

The College's Single Equality Policy sets out how Cirencester College complies with their legal duties to:

- Eliminate unlawful discrimination
- Advance equality of opportunity and
- Foster good relations between different groups

The Single Equality Policy encompasses our commitment to promoting equality and inclusion across all equality groupings, i.e. in relation to the nine 'Protected Characteristics' of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, 'race', religion and belief, and sexual orientation. It also addresses specifically the college's obligations and legal duties under the Equality Act 2010.

The Policy is reviewed annually, subject to the need for further revision and consultation as a result of legislative changes, national guidance and/or feedback from College users. The College's equality objectives will be monitored and regularly reviewed and updated by Senior Management / Governors.

The policy is published on the College website, CCO and student and parent portals. Equality objectives and progress towards these are promoted throughout the college and monitored via the annual Self-Assessment Report & Quality improvement Plan.

2. Aims

This policy aims to:

- Define how the College meets its requirements under the Equality Act 2010
- Develop and publicise equality objectives designed to eliminate discrimination, harassment and victimisation
- Actively promote equality with regard to all of the protected characteristics
- Reinforce the commitment to and celebration of equality within the College culture.

3. Who this Policy is for

This Policy is for all our students, staff, partners, stakeholders and members of the community. It applies to all of the educational provision delivered by or on behalf of the college and all supporting services.

The College will ensure that all concerned parties including governors, staff, students, visitors, agents and educational sub-contractors are aware of the Policy's existence and of their rights and responsibilities.

4. College Mission and Equality Commitments

Our Mission is to *'be an outstanding Sixth Form College, serving our community of stakeholders, enabling learners of all abilities to realise their full potential'*. Within the corporate aims of the College the following detail specific commitments to Equality:

- We put the learning experience and student achievement at the heart of everything that we do
- Be an inclusive College that demonstrates commitment to equality of opportunity and diversity.

Cirencester College is committed to:

- Achieving equality of opportunity for all staff and students
- Making every effort to meet the needs of learners who require additional support to overcome barriers to achievement
- Responding to the needs of the community we serve
- Celebrating diversity and valuing the benefits it brings to the college and its environment
- Understanding the nature and impact of prejudice and stereotyping and recognising how this can lead to discrimination, harassment and victimisation
- Understanding the nature and impact of social and economic disadvantage and exclusion and working to reduce any such barriers, including working with partners to explore new ways to make our provision more accessible and relevant to those who are disadvantaged

The College will not tolerate any discrimination, harassment or victimisation related to any of the nine protected characteristics and will work actively to eliminate discrimination and disadvantage, whether overt, covert or by omission. The College will make available appropriate support to all students and staff, regardless of protected characteristics, to ensure that retention; success and student / staff experiences are commensurate with an individual's full potential and are not disproportionate to others.

5. Legislative Overview

The College is defined as a public authority under equality legislation. This means that we have a legal duty to comply with equality laws. The Equality Act 2010 came into effect in October 2010 and replaced all previous equality and anti-discrimination legislation in a single Act aimed at streamlining, strengthening and harmonising the previous legislation.

The Act incorporates a wider range of 'protected characteristics'; covering age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, 'race' religion and belief, and sexual orientation. The legislation is in place to protect and promote fair treatment / equality for everyone and applies to all staff, students and visitors to the college. This is realised through the Public Sector Equality Duty which includes a general and specific duty.

The Public Sector Equality Duty (PSED)

The aim of the Equality Duty is to embed equality considerations into the day to day work of public bodies, so that they tackle discrimination and inequality and contribute to making society fairer across all of the protected characteristics.

The Equality Duty consists of a **general duty**, with three main aims set out in Section 149 of the Equality Act 2010; and **specific duties** set out in secondary legislation accompanying the Act. The specific duties are designed to help public bodies meet the general duty.

The General Duty places a legal responsibility on the College to have due regard to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups; and
- Foster good relations between different groups of people

This applies to all activities in education, employment and training such as teaching and learning, employing people and providing services. The responsibility of meeting the legislative requirements sits ultimately with the College Governors, however all students, staff and visitors have responsibilities to ensure the duty is met.

The general duty is underpinned by a specific duty which provides a framework to help public bodies meet the general duty.

The **Specific Duty** requires public bodies to set specific, measurable equality objectives and to publish information about their performance on equality, so that the public can hold them accountable. All information must be published in such a way which makes it easy for people to access it.

The purpose of the Specific Duty is to help public bodies to comply with the general equality duty by improving the focus and transparency of its activities to meet the duty. The Equality Act 2010 (Statutory Duties) Regulations 2011 outlined how public bodies need to address the specific duties.

A public body is required to:

- **Publish information** to demonstrate their compliance with the equality duty, at least annually. This will need to include, in particular, information relating to their employees for organisations with 150 or more staff, and others affected by their policies and practices, such as service users / stakeholders.
- **Prepare and publish Equality Objectives** at least every four years.
- The publication of this information will ensure that public authorities are transparent about their performance on the equality duty. As a public authority the College is required to publish relevant information demonstrating compliance annually.

6. Responsibilities under this Policy

All staff, learners and visitors must treat everyone with respect and dignity at all times, promote an environment that does not allow or tolerate any discrimination, harassment or victimisation and challenge and if necessary report, any unacceptable behavior following the relevant policies and procedures. All teachers should plan activities, and take naturally occurring opportunities, to promote and develop equality and celebrate diversity. Teachers, tutors and relevant support staff will monitor the progress of their students and seek to minimise any potential achievement gaps.

7. Prohibited Conduct

The Equality Act 2010 extends the scope of what conduct is prohibited in relation to the protected characteristics. The following provides an overview of what is included within the scope of the legislation.

Direct Discrimination: Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

- A) **Associate Discrimination:** is direct discrimination against someone because they associate with another person who possesses a protected characteristic. Associate discrimination already applied to 'race', religion and belief and sexual orientation. It has now been extended to cover disability, gender reassignment and sex.
- B) **Perceptive Discrimination:** 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. It already applied to age, 'race', religion and belief and sexual orientation and is now extended to cover disability, gender reassignment and sex.
- C) **Discrimination arising from disability:** is if a disabled person is treated unfavourably because of something arising in consequence of their disability and it cannot be shown to be proportionate to achieving a legitimate aim.

Indirect Discrimination: can occur when you have a condition, rule policy or even a practice that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination already applied to age, 'race', religion and belief, sex, sexual orientation and marriage and civil partnership and is now extended to cover disability and gender reassignment.

Indirect discrimination can be justified if you can show that you acted reasonably in managing your business,

i.e. that it is a 'proportionate means of achieving a legitimate aim'. A *legitimate aim* might be any lawful decision you make in running the 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've looked at 'less discriminatory' alternatives to any decision you make.

Harassment: is "unwanted conduct relating 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".

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. 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.

Third Party Harassment: The Equality Act makes an organisation potentially liable for harassment of their employees by people (third parties) who are not employees of the company, such as customers or clients. The organisation will only be liable when harassment has occurred on at least two occasions, and they are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again. This already applies to sex and is now extended to cover age, disability, gender reassignment 'race', religion and belief and sexual orientation.

Victimisation: occurs when a person 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. A person is not protected from victimisation if they have maliciously 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.

Positive Action: The Equality Act allows an organisation to take positive action in limited circumstances if they think that employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low. The Act does not allow for positive discrimination.

Genuine Occupational Requirement: in certain circumstances it is legal to recruit someone purely on the basis of their characteristic. This is where it is legal to recruit someone purely on the basis of age, 'race', gender, sexual orientation, and religion and belief, where this is a genuine occupation requirement for the job.

Reasonable Adjustments: As well as making it unlawful to treat a disabled person less favourably because of a reason relating to their disability, it is also discrimination if an organisation fails to make 'reasonable adjustments'. Reasonable adjustments aim to remove the disadvantage that a disabled person experiences because of their disability. Making reasonable adjustments means changing policies, practices or procedures and/or providing auxiliary aids or services.

8. How the College monitors Equality

The college has developed an infrastructure to ensure that the actions required to eliminate discrimination and to celebrate and promote equality across all of its functions, are embedded throughout the college. For example we monitor the profile of the governors, staff and student population, and the quality of experience and success rates of different groups. Also all policies are impact assessed.

Opportunities to explore equality themes and the challenging of stereotyping are monitored in teaching and learning through a supportive programme of good practice mentoring, internal thematic audits of the teaching & pastoral provision, a comprehensive enrichment offer and lesson/tutorial observations.

Student surveys and focus groups provide regular student feedback.

Since the original single equality policy was produced the college have included Safeguarding agenda items and safeguarding specialist meeting reps, recognising the synergies which exist between these two areas. The College works to address any performance gaps via equality objectives and quality improvement plans and this is monitored by the Safeguarding, Equality Groups, Course and Pastoral teams, the Senior Management Team and Governors.

9. Evidence Base

The sources of evidence used by the College to assess how well it is delivering equality include:

- Data on outcomes for student's attainment, participation and progression destinations (Retention, Achievement, Success, value added and progression data)
- The views of service users and other stakeholders gathered through student, staff, employer and other surveys plus ongoing student and staff focus groups.
- The outcomes of equality impact assessments on College policies and procedures
- Reports/reviews from external bodies including Ofsted, Investors in People and Matrix
- The College's annual employment equality monitoring report which provides an update on our equality duties as an employer
- Records on observations of teaching, learning and pastoral sessions and thematic inspection reports

10. Key Equality Priorities

The following key equality priorities have been identified:

- Monitoring the success and progression of different groups of students by E&D categories in order to identify any achievement gaps and working to reduce these and to ensure provision matches need
- Seeking the views of students and other key stakeholders to help narrow any achievement gaps, for example forming specific focus groups Improving engagement with stakeholders and service users from diverse backgrounds
- Promoting E&D through teaching, learning, assessment, the tutorial programme and enrichment
- Training and supporting all staff to understand equality and its importance to achieving our priorities
- Monitoring the diversity of the students, workforce and Governing Body within the context of the College's local and regional community
- Conducting and regularly reviewing equality impact assessments on College policies and procedures
- Reviewing college curriculum provision, communications, marketing, facilities and procedures to ensure they are inclusive and support the widest possible access to provision
- Monitoring the results of staff/student surveys and customer complaints/compliments in order to identify and address any differences in experiences by E&D categories
- Remaining open to scrutiny and challenge from external reviews conducted by Ofsted and other bodies and by self-assessment / QIP planning that help us continually to improve as an organisation
- Monitoring the overall effectiveness of the Policy through review of progress against the College's Equality Objectives with outcomes annually reported to Governors and is published via the website

11. Equality Impact Assessment

The purpose of equality impact assessment is to ensure that all college functions, policies, practices, procedures, provision and criteria are fair to all groups of people. Assessment is made in order to identify and remove any negative impacts or barriers to equality and by seeking opportunities actively to promote greater equality within the college.

The college require that Equality Impact Assessment (EIAs) are conducted for all existing and new policies and procedures. The aim is to reduce the risk of developing policies/procedures that might lead to discrimination or unfavourable treatment and to help ensure the promotion and of equality and fair treatment.

Equality Impact Assessment Reviews are the responsibility of the person writing/reviewing the policy.

12. Equality promotion, training and development

The college recognises that training and development of staff and students is a key element in ensuring that:

- There is a good awareness and understanding of equality issues across the college and an appreciation of the college's values and commitment to equality and inclusion
- Unlawful discrimination and harassment are eliminated and safeguarding is protected
- Every opportunity to advance equality and promote good relations between different groups is taken
- All staff are aware of the potential barriers to equality inclusion and the need to address these within their own remit

The college provides a range of training opportunities for staff. These include:

- Comprehensive E&D and Prevent training which are mandatory training activities for all staff
- Safeguarding training which is also mandatory for all staff and is updated regularly
- Specific high level safeguarding training for specialist safeguarding staff and managers
- Equality calendar, planner and other teaching resources for teaching staff
- Regular cross-college thematic E&D events throughout the year
- Promotional activity through enrichment, marketing, poster campaigns etc.
- Specific equality staff development sessions for teaching staff throughout the year

13. Equality Action Plan and Objectives

Equality monitoring data (both qualitative and quantitative) is collected for students and staff and reported in the annual Equality Report and the college annual Self-Assessment Report(SAR). The resulting Quality Improvement Plan (QIP) informs our Equality Action Plan and the college's Equality Objectives. This system is a fundamental aspect of our quality assurance process.

The data collected and analysed by the college is published so that it is publicly available to help us achieve the aims of the general equality duty and the specific duty to publish equality information.

15. Data Protection

When managing an employee's personal data information will be collected in accordance with the College's data protection policy. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of information relating to this policy. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the College's disciplinary procedure.

The Protected Characteristics (The Equality Act 2010)

Age

The Equality Act 2010 makes it illegal to discriminate against people on the basis of their age or age group. An age group can:

- mean people of the same age or a range of ages
- be wide such as 'people under 50'
- be narrow such as 'people in their mid-50s' or people born in a particular year
- be relative, such as 'older than me' or 'older than us'
- be linked to actual or assumed physical appearance which may bear little relation to chronological age such as 'the grey workforce'

Disability

The Equality Act 2010 has strengthened the rights of people with disabilities. A person is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'. Such impairments can include restrictions to mobility, mental ill-health, sensory impairment and long-term debilitating illnesses. There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause.

Gender reassignment

Gender reassignment is a personal rather than medical process which involves a person expressing their gender in a way that differs from, or is inconsistent with, the physical sex they were assigned at birth. Gender reassignment may involve undergoing medical procedures or simply choosing to dress in a different way as part of the personal process of change.

A person will be protected because of gender reassignment where they make their intention known to someone. This does not have to be an irrevocable decision and the individual is protected whether they complete, part complete or stop the process. Individuals are also protected when they have received gender recognition under the Gender Recognition Act 2004. To find out more about gender reassignment, see www.equalityhumanrights.com

Marriage and Civil Partnership

Marriage is defined as a 'union between a man and a woman', however The Marriage (same sex couples) Act 2013 now extends marriage to same sex couples in England and Wales. The Act enables same sex couples to solemnize marriages in accordance with civil marriage laws. It allows for solemnization of the marriage of same sex couples to be carried out in register offices and on approved premises (such as hotels).

Religious organisations that wish to can opt in to conduct religious marriages of same sex couples. It is not legally possible for a same sex couple to marry according to the rites of the Church of England and Church in Wales.

Marriages of same sex couples can be held in places of worship which have been registered for that purpose with the consent of the religious organisation's governing authority.

Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and Maternity

The Equality Act and areas of employment law ensure that women are protected against discrimination on the grounds of pregnancy and maternity (which is defined as the period after the birth, and is linked to maternity leave in the employment context). In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavorably because she is breastfeeding.

'Race'

The protected characteristic of 'race' refers to a group of people defined by their 'race', colour, and nationality (including citizenship, ethnic or national origins).

A 'racial' group is composed of people who have or share a skin colour, nationality or ethnic/national origins, e.g. 'British people', 'Asian people'. Racial groups can combine two or more racial groups such as 'British Asians'.

Religion and Belief

The protected characteristic of religion and belief refers to any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief. To gain protection, a religion need not be mainstream but must be identifiable and have a clear structure and belief system. Denominations or sects within religions, and cults and new religious movements, may also be considered religions or beliefs. For further information about the definition of religion or belief in the Equality Act 2010 please see www.equalityhumanrights.com

Sex

A person's sex refers to whether they are female or male. In relation to a group of people, it refers to either women or men or to either girls or boys.

Sexual Orientation

Sexual orientation means the attraction a person feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to. The law protects everyone from being discriminated against because of their sexual orientation, whether they are bisexual, gay, lesbian or heterosexual. Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation.