

# Equality Policy

Effective From: December 2016  
Review schedule: Annual  
Latest review: Approved by the Board of Governors on 19 December 2018



## Policy Summary

- 1.1 This policy sets out how we deliver equality and meet our legal requirements. It establishes clear responsibilities for governors, staff, students and other stakeholders to ensure that all are aware of their collective and individual duties under legislation. We will build on this legal compliance to achieve excellence for our students and staff.

## Policy Statement

- 2.1 National College Creative Industries aims to be a welcoming, inclusive college for all who learn, work or use our services. We believe in respect for everyone; we want to develop our community by valuing diversity, advancing equality and combatting discrimination.
- 2.2 Our aim is to ensure that everyone who works and learns at National College Creative Industries achieves their full potential in an inclusive environment free from discrimination. This is regardless of age, race, gender, disability, sexual orientation, marriage and civil partnership, gender reassignment, pregnancy and maternity, religion and belief, family circumstances, economic and social background, union activity, and employment status.
- 2.3 We expect all members of the College community to work together to create an environment where everybody feels safe and respected.

## Scope

- 3.1 This policy applies to all members of National College Creative Industries, including governors, staff, students and people using our services. The policy is also binding on our external contractors, employers and other partners with whom the College collaborates. Unless otherwise stated, all references to staff include potential employees, former employees, full-time and part-time employees, as well as sessional workers, agency workers, temporary workers and contractors.

## Policy Details

- 4.1 This policy responds to the Equality Act 2010, including the public sector equality duty and accompanying specific duties. It also responds to the Special Educational Needs and Disabilities (SEND) Reforms of the Children and Families Act 2014.

The nine protected characteristics established in the Act are age, race, gender, disability, sexual orientation, marriage and civil partnerships, gender reassignment, pregnancy and maternity and religion and belief.

- 4.2 The public sector equality duty means that in the exercise of our functions, National College Creative Industries must have due regard to the need to: eliminate discrimination, harassment and victimisation; advance equality of opportunity between people who share a protected characteristic and those who do not; foster good relations between people who share a protected characteristic and those who do not.

- 4.3 We recognise that discrimination may occur for other characteristics, such as socioeconomic status, which are not explicitly protected by the Equality Act 2010. We will challenge inequality for all members of our college community
- 4.4 Definitions of types of discrimination, as set out within the Equality Act 2010, are provided in Appendix 1
- 4.5 In the case of marriage and civil partnership, public authorities need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. However, the other aims (advancing equality and fostering good relations) do not apply to this characteristic.
- 4.6 National College Creative Industries will publish information to demonstrate our commitment and compliance with the specific equality duties across our functions on an annual basis at the end of each academic year. Alongside our Strategic Objectives, to be published in February 2017 and renewed at least every four years, we will also prepare and publish equality objectives and details of engagement undertaken to achieve these objectives.

## **5 Equality & Diversity General Principles**

### **We will:**

- Ensure that the achievement of equality and diversity is the collective responsibility of every member of our College community.
- Create a positive, inclusive ethos with a shared commitment to respecting diversity and difference
- Value the achievements of all students and support them to realise their full potential.
- Ensure that equality and diversity issues are considered within College planning processes (including trips, visiting speakers and work experience)
- Encourage all students to have high expectations and high aspirations for their future progression.
- Promote positive images of student and staff to celebrate success from all backgrounds.
- Develop a curriculum offer that meets the needs of the whole community and supports under-represented groups.
- Collect, analyse and report on a range of data that will identify areas of inequality, and develop appropriate strategies and actions that will address those inequalities.
- Make reasonable adjustments to ensure that students and staff are supported to fully participate and achieve their potential.

- Encourage applications from potential students and potential employees into nontraditional areas of work or study to address areas of underrepresentation.

## 6 Equality Principles within Employment

6.1 The College aims to employ a workforce which reflects, at every level, the community that it serves.

6.2 In seeking to achieve a balanced workforce at all levels, the College will ensure that no employee, job applicant or candidate for promotion will be disadvantaged or treated less favourably because of conditions or requirements that are not related to the job.

6.3 Reasonable adjustments will be made to arrangements and premises to ensure equal access for employees or potential employees with disabilities. The College is an accredited Disability Confident Employer and is committed to the following:

- To interview all applicants with disabilities who meet the minimum criteria for a job vacancy
- To ensure that there are mechanisms in place for regular discussions with employees with disabilities to discuss what can be done to make sure they can develop and use their abilities
- To make every effort when employees become disabled to make sure they stay in employment
- To take action to ensure that all employees develop the appropriate level of disability awareness needed to make these commitments work
- To annually review the College's commitment and what has been achieved, plan ways to improve on them and let employees and Jobcentre Plus know about progress and future plans.

## 7 Policy implementation

7.1 **Legal Compliance:** The College will provide all information about its policy to learners, staff, governors, partner organisations/employers and volunteers. All members of the College community will be expected to conduct themselves in accordance with this policy.

7.2 **Promotion:** The College will promote equality of opportunity, positive attitudes and good relations between all members of the College community. All staff and students are responsible for the promotion of equality.

7.3 **Impact Assessment:** Our Equalities Impact Assessments monitor the impact of College policies or strategic decisions on race, gender, disability and age and will be extended to all protected characteristics. The College has a public duty to assess the effect of the equality policy on staff and learners from different groups. It will do this by setting and monitoring equality and diversity targets as set out in the College Quality Improvement Plan. Each curriculum area is required to comment on equality and diversity issues within its area in the annual Self-Assessment Report.

7.4 **Staff:** All teaching staff are required to highlight equality and diversity positively in their delivery. Evidence of the promotion of equality and diversity in teaching and learning is also assessed during lesson observations.

7.5 **Balancing Rights and Responsibilities:** All members should exercise their right to freedom of expression in a way that is compatible with the rights and beliefs of others. The College will take necessary steps to balance the rights of individuals with divergent views that seem to be in conflict with common views, as sensitively as possible.

7.6 **Positive Action:** The College takes positive action to narrow gaps in achievement and address under-representation of groups in the provision of employment, education and training. It monitors data on race, gender, age, and disability among the staff and learners. There is an action plan to re-address any gaps revealed in its monitoring which is reviewed regularly by the Senior Leadership Team.

7.7 **Teaching and Learning:** The College will ensure that its teaching and learning strategy actively promotes equality of opportunity and meets the needs of individual learners by ensuring effective and appropriate learning support is in place and teaching and assessment methods, approaches and materials are varied and relevant.

7.8 **Assessments and Examinations:** The College will comply with the Single Equality Act in fully supporting assessments and examinations for disabled candidates, including accessible information on their qualifications, initial assessment of support needs and correct application of awarding body standards for assessment and examinations.

7.9 **Discriminating Behaviour:** All members of the College community, including all learners, staff and subcontractors have a duty to report any act of discriminating behaviour, harassment and victimisation relating to protected characteristics.

7.10 **External Organisations:** The College will actively promote equal opportunity with its partners, employers and work experience providers. The Apprenticeship Team requires that employers sign to confirm they have their own equality and diversity policy or will work within the College policy. Quality Assurance visits to partners and subcontractors are undertaken to monitor compliance and good practice.

7.11 **Staff Development:** The College is responsible for providing training on equality and diversity for its employees. This includes initial training at induction and further sessions at different levels to promote awareness, including new requirements such as meeting the needs of students with Special Educational Needs and Disabilities, Safeguarding and the Government's Counter Terrorism Strategy (PREVENT). Training is designed to enable all staff to carry out their role in promoting equality, fostering good relations between different groups and eliminating discrimination.

7.12 **Contribution to Community Cohesion:** We are committed to building strong relationships with community groups and local organisations, contributing to community cohesion.

7.13 **Monitoring and Review:** The College assesses the success of policy and procedure through a variety of means. Equality Impact Assessment is a process of systematically checking policies and practices for any adverse impact that they may have on staff, students or the wider community.

**7.14 Recruitment Practices:** Process and guidance relating to student admissions and staff recruitment will be regularly reviewed to ensure they comply with Equality and Diversity related legislation and the College's Equality & Diversity Policy. The College's Admissions process supports non-discriminatory access. Every effort is made to ensure equality of opportunity for all students and will provide suitable support in order for all students to access all services and facilities at the College.

**7.15 Disclosures:** Every opportunity will be given throughout each academic year for students and staff to disclose any disabilities, learning difficulties or other needs relating to protected characteristics that they may have. The College will promote an environment in which people feel confident to disclose. The College will also provide reasonable adjustments in response to disclosure and will not disadvantage a student or member of staff on the basis of such needs.

**7.16 Quality Improvement Process:** Each year as part of the self-assessment process, the College sets itself a College Improvement Plan (CIP). In addition, there is a monthly HR report which analyses staffing, including recruitment from an Equality and Diversity perspective and plans to address any areas of concern. These are shared with the Executive Team and the governors who monitor targets within the CIP.

**7.17 Feedback:** A range of activities such as student and staff surveys, student engagement and enhancement activities and staff focus groups will be used to identify staff and student perceptions of the College environment and the quality of their experience.

## 8 Responsibilities

8.1 Governors are responsible for:

- Ensuring that the strategic direction of National College Creative Industries supports advancing equality and diversity.
- Ensuring National College Creative Industries meets all its legislative duties, including the general and the specific duties of the Equality Act 2010, the SEND reforms of the Children and Families Act 2014 and all subsequent legislation.
- Holding National College Creative Industries Management Team accountable for the implementation of this policy.
- Striving to ensure that the membership of the body of governors and advisors reflects the diversity of the student community at National College Creative Industries.

8.2 The Senior Leadership Team is responsible for:

- Promoting a welcoming, inclusive college for all, showing respect for everyone, valuing diversity and advancing equality.
- Implementing the Equality Act 2010, including the general and specific duties, the SEND reforms of the Children and Families Act 2014, and all subsequent legislation, and the Equality and Diversity Policy.
- Ensuring staff and students understand their responsibilities and are given appropriate support and training to enable them to carry out their duties.
- Ensuring equality and diversity monitoring is integrated into quality assurance processes.
- Impact assessing policies, major plans and procedures, to identify areas for improvement and then to make changes to ensure we are implementing our values as well as complying with the law.

### 8.3 All staff are responsible for:

- Promoting a welcoming, inclusive college for all, showing respect for everyone, valuing diversity and advancing equality.
- Behaving in a way which does not discriminate against, victimise, bully or harass any individual or group (as above); this includes on social media.
- Challenging inappropriate or discriminatory behaviour.
- Reporting incidents of discrimination, victimisation, bullying and harassment.
- Contributing to self-assessment reporting on how equality and diversity are advancing in their areas.
- Participating in equality and diversity training.
- Fully integrating and embedding equality and diversity in their delivery of services.
- Fully integrating and embedding equality and diversity within curriculum planning and teaching, learning and assessment.
- Regularly reviewing the promotion of equality and diversity in individual subject areas and improving the opportunities identified in schemes of work.
- Developing schemes of work, lesson content and resources which recognise and promote inclusion.

### 8.4 Students are responsible for:

- Promoting a welcome, inclusive college for all, showing respect for everyone, valuing diversity and advancing equality.
- Behaving in a way which does not discriminate against, victimise, bully or harass any individual or group (as above); this includes on social media.
- Reporting incidents of discrimination, victimisation, bullying and harassment to their tutor or other member of staff.

### 8.5 Our expectations are that all who work in partnership with us in any capacity (for example, parents/carers, contractors, work experience employers, hirers of our premises, external speakers and trainers) agree to:

- Show respect for everyone, valuing diversity and advancing equality.
- Behave in a way which does not discriminate against, victimise, bully or harass any individual or group.
- Behave in a way that does not contravene The National College's Equality Policy or the law.

## **Supporting Policies and Procedures**

The principles and aims of this policy complement and are supported by other policies and procedures, including:

### 9.1 **Student Related policies**

- Admissions Policy
- Safeguarding Policy
- Behaviour Management Procedures

### 9.2 **Staff related Policies:**

- Staff Code of Conduct, grievance and disciplinary procedures
- Dignity at Work
- Recruitment Policy and Procedure

## **Complaints**

10.1 The College's Complaints Procedure has details of the informal and formal processes that National College Creative Industries operates to deal with complaints.

## **Breaches of this policy**

- <sup>10</sup>
- 11.1 Any student who is found to have breached this policy may be dealt with under the College's Creative Industry Standards policy and procedure.
- <sup>11</sup> 11.2 Any member of staff who is found to have breached this policy may be dealt with under the College's Staff Disciplinary Policy.
- 11.3 National College Creative Industries will also take seriously any malicious, or in our opinion, unwarranted allegations of discrimination, victimisation, bullying and harassment and will take appropriate disciplinary action where necessary.

## **Policy Monitoring and Review**

- <sup>12</sup> 12.1 The effectiveness of the policy will be monitored by the lead for equality and diversity in the Senior Leadership Team
- 12.2 This policy will be reviewed annually. Where necessary, the review will be more frequent to ensure compliance with current legislation.

## **Appendix 1**

### 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 direct discrimination against someone because they associate with another person who possesses a protected characteristic (for example, the 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.

#### **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.

#### **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. 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.