

Name of Policy

EQUALITY AND DIVERSITY POLICY

Purposes

To positively encourage and promote a culture in which all individuals are treated fairly and with respect and which values diversity.

Author / Job Title

Director of Human Resources

**Equality Assessment
By Whom**

Director of Human Resources

Date

10/2019

Version

6

**Date of next review
(month and year)**

09/2022

Approved by

	Date
SMT	10/10/2019
Corporation	10/2019

**Related policies or
procedures or parent
policy if applicable**

Flexible Working Policy	Teaching and Learning Policy
Staff Code of Conduct	Professional Practice Policy
Grievance Procedure	Social Media Policy
Staff Development Policy	E-Safety Policy
Complaints Procedure	Safeguarding Policy
Mental Health Policy	Student Disciplinary Policy
Dignity & Respect at Work Policy	Additional Learning Support Policy
Maternity/Paternity Policies	Carer Policy
Information Technology Acceptable Use Policy, Special leave policy	
Student Anti-Bullying & Harassment Policy, Professional Practice	

**Groups/bodies
consulted in the
development of the
policy**

Equality Commission, Association of Colleges, ACAS, Equality and Diversity Management Committee

**To be published on
College website**

YES

EQUALITY AND DIVERSITY POLICY

This policy and the material referenced in it is available in a variety of different formats including audio, Braille, and other languages. Requests should be made to Learner Experience department.

1 Purpose

- 1.1 The College as an employer and as a provider of education and training is committed to promoting the three aims of the Public Sector Duty and has in the performance of its corporate responsibilities due regard to:
 - eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010
 - advancement of equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - fostering of good relations between people who share a 'protected characteristic' and people who do not share it.
- 1.2 The College's specific and measurable equality objectives advance these aims through ensuring that equality and diversity is placed at the heart of all College policies and procedures and is considered as a part of the decision-making process.
- 1.3 This approach positively encourages and promotes a culture where the social and cultural diversity of learners and employees are respected and valued thereby ensuring that all have the opportunity to participate fully and achieve their potential irrespective of any of the Equality Act 2010 'protected characteristics' advised in paragraph 2.2. below.

2 Statement

- 2.1 Within the College it is acknowledged that equality and diversity is about making sure people are treated fairly and with respect and that they are given appropriate chances to succeed. It is not about treating everyone in the same way, but recognising that individual needs may be met, by the College, in different ways.
- 2.2 Equality focuses on those protected characteristics covered by legislation, namely the key areas of race, gender, disability, age, religion or belief, sexual orientation, gender reassignment and pregnancy and maternity. The legislation adds a duty for Colleges to promote positive values of equality and diversity and to actively oppose all forms of discrimination.
- 2.3 The College believes that people must not be unfairly discriminated against. The College will comply with and exceed the legal requirements identified in the Equality Act 2010.

- 2.4 Any direct, or indirect, discrimination applied to any existing or potential future individual member of the College community on grounds of race, gender, disability, age, religion or belief, sexual orientation, or perceived sexual orientation, gender reassignment, marriage, civil partnership and pregnancy and maternity is not acceptable.

3 Scope

- 3.1 The Equality and Diversity Policy applies to all members of the College community including:

- current staff and learners
- future staff and learners
- visitors, contractors, sub-contractors and service providers.

- 3.2 The policy covers equality and diversity in all aspects of the College activities including marketing and publicity, curriculum teaching and learning, staff employment and the environment.

4. Flexible working requests

- 4.1 Macclesfield College recognises that flexible working opportunities can be of benefit to both members of staff and the College by improving work life balance and allowing the organisation to retain skilled staff.

- 4.2 Flexible working can include the following arrangements: part time, flexi-time, annualised hours, compressed hours, staggered hours, home working, term time job sharing and phased retirement.

5 Responsibilities

- 5.1 All staff and learners have a responsibility to provide full and active support for the policy by ensuring that the policy is known, understood and applied at all times. Individual responsibilities are detailed in Appendix 1.

6 Staff

- 6.1 Staff who feel they have been treated unfairly under the terms of this policy should follow the procedure as detailed in paragraph 6.2 – 7.2 below.

6.2 Informal approach

- 6.3 If you feel you are in a position to do so, you should approach the person against whom you have a complaint directly and explain to that person what is concerning you.

- 6.4 If you feel unable to approach the person directly, you should approach your Line Manager for a confidential discussion. Your Line Manager will then contact the person and where both parties are willing to participate in the

informal process seek to resolve the matter through informal discussion. Your Line Manager will keep a note of discussions and agreed actions. Any issues raised informally with a Line Manager that fall within the scope of this policy and on which he/she considers action may be required will be referred by the Line Manager to HR for advice.

- 6.5 Where the complaint concerns your Line Manager you should report the problem to the appropriate Vice Principal (in cases involving one of the Vice Principals, the complaint should be referred to the Principal) who will take advice from HR to determine another manager for you to work with who will seek to resolve the issue in the manner described above.

7 Formal procedure

- 7.1 Employees who feel they have received unfair treatment under the terms of this policy should raise the matter through the Grievance Procedure.
- 7.2 The policy is available on the staff portal and College website.
- 7.3 External applicants for employment who feel they have received unfair treatment under the terms of this policy will be referred to the Director of Human Resources for the matter to be investigated.

8 Recruitment and Selection

- 8.1 The Director of Human Resources will be responsible for the development of appropriate monitoring systems to ensure the effective application of the policy and the provision of management reports when required to the Equality & Diversity Committee and Corporation.
- 8.2 The recruitment and selection procedures have been determined in order to ensure that selection decisions are based on criteria relevant to the job and that arbitrary discrimination is eliminated.
- 8.3 Job descriptions & person specifications are limited to those requirements that are necessary for the effective performance and the job. Candidates for employment will be assessed objectively against the requirements for the role, taking account of any reasonable adjustments that may be required for candidates with a disability.

9 Staff Development and Training

- 9.1 The College Staff Development policy will reflect the College's Equality and Diversity Policy.
- 9.2 Engagement in staff development activities is monitored against groups that share the protected characteristics.
- 9.3 Staff will be selected for, or encouraged to participate in, particular training and development activities on the basis of their abilities, their needs and those of

the College in relation to their current jobs or potential future jobs. All managers involved in identifying training and development needs and opportunities will be required to ensure that there is no discrimination on arbitrary grounds and that selection is based on job related criteria.

- 9.4 Staff training is essential to the success of the Equality and Diversity Policy and will ensure that everyone is aware of their roles and responsibilities in relation to equality and diversity.

10 Harassment

- 10.1 Harassment of any nature against employees of Macclesfield College will be treated seriously as a disciplinary offence.

11 Learners

- 11.1 Learners and potential learners who feel they have received unfair treatment under the terms of this policy should raise the matter through the Complaints Procedure. If, for any reason, this route is not appropriate, the matter may be referred directly to the Assistant Principal.

12 Recruitment, Guidance and Support

- 12.1 The admission procedures will be open, non-discriminatory and learner friendly.
- 12.2 The College will develop services which are welcoming, safe and designed to address the unique needs of individuals, e.g. learning support and classroom support.
- 12.3 Guidance, assessment, support and counselling will be available to all learners to promote their opportunity to follow courses of their choice.
- 12.4 All learners and potential learners will receive impartial guidance to enable learners to study at a level appropriate to them.

13 Marketing and Publicity, and School Liaison

- 13.1 The College will research the needs of prospective learners in our partner schools and wider community and the needs of under-represented groups in order to ensure appropriate course provision and support.
- 13.2 The College's commitment to equality will be clearly stated in all College publications and publicity material will be provided, in appropriate languages and media as required.
- 13.3 The college will publish its Equality and Diversity objectives on its website.
- 13.4 Annually our staff and student Equality and Diversity reports which are each approved by the Equality and Diversity Committee and Corporation will be

published on the college's website to evidence compliance against the Equality Act Public sector duty responsibilities.

14 Curriculum, Teaching and Learning, Examination and Assessment

- 14.1 The College will seek to provide a range of learning programmes delivered in ways to suit all learners, including those who have not previously succeeded in education.
- 14.2 The curriculum, its delivery and resources used will be free from bias, stereotyping, discrimination and harassment and will seek to foster good relations between people who share protected characteristics and those who do not.
- 14.3 The lesson observation procedure will identify good practice or areas for development.
- 14.4 The College will seek to give credit for prior learning and experience and identify opportunities for progression.
- 14.5 The College will deliver learning through flexible means which cater for a wide range of learning styles and will take account of the student's perceived needs.
- 14.6 The College will ensure that where a candidate with a learning difficulty requires an assessment of his/her needs, he/she is assessed by an appropriately qualified specialist assessor as appointed by the Specialist Provision Lead.
- 14.7 The College will assist the awarding bodies in the discharge of their duty to make reasonable adjustments by requesting access arrangements, where required, by the published deadline and effectively implementing those arrangements once approved.

15 Environment

- 15.1 The College will continue to develop a physical environment which is welcoming, safe and designed to address the unique needs of individuals.
- 15.2 The College will continually improve physical access to the College and to its services.
- 15.3 All signs, communication and instructions will be clear and simple and free from discrimination.

16 Monitoring and Evaluation

- 16.1 The College's Equality and Diversity Policy is approved by the Corporation
- 16.2 The annual Equality and Diversity Action Plan is approved by the Corporation who will receive progress reports at each of its meetings.

- 16.3 The Corporation will regularly monitor the College's performance as an employer, receiving an annual staff and student Equality report and making comment on college equality initiatives and selection, analysed by all protected characteristics.
- 16.4 The Executive Leadership Team will monitor the equality and diversity data as part of the performance monitoring data.
- 16.5 The College's disaggregated equality data is published as part of the Student Equality and Diversity Annual Report.
- 16.6 The Executive Leadership Team will review procurement and other contracting services so as to advise on sanctions to be employed against contractors or service providers who do not comply with the Equality legislation and to ensure the college's compliance in accordance with section 54(1) of the Modern Slavery Act 2015
- 16.7 A full record of any complaints relating to equal opportunities is retained by the Assistant Principal Quality . Information is made available to the Corporation, College managers and the Equality & Diversity Committee related policy, procedure and training is reviewed and amended as appropriate in the light of this information.

17. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017

The College will publish as appropriate gender pay gap information as part of the Public Sector Equality Duty, the college will publish its gender pay gap data together with a written statement as the public facing college website and on the Government.

Appendix 1

Roles and Responsibilities

College Governors are responsible for:

- ensuring that the College complies with the general and specific duties of the Equality Act 2010 through:
 - elimination of unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010
 - advancement of equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - fostering good relations between people who share a 'protected characteristic' and people who do not share
- consideration of a termly report from the Equality and Diversity Committee
- ensuring that the College's strategic plan includes a commitment to equality
- ensuring that the provision of equality training is part of the College's strategic plan

The Vice Principal Curriculum and Quality is responsible for:

- chairing the College Equality and Diversity Committee and the College Staff Equality Forum
- Identifying with the College Equality Committee corporate equality objectives at three yearly cycles, monitoring their progress via the College Corporate Equality Action Plan
- reporting each term to the governors on the attainment of the strategic equality and diversity objectives defined within the annual equality and diversity action plan
- working closely with the Principal and Vice Principal: Finance and Resources to ensure that the College's statutory equality and diversity duties as an employer and service provider are implemented
- ensuring all staff with line management responsibilities do not discriminate unfairly in the employment, management and development of staff.
- **All College Managers are responsible for:**
- promoting a culture within the College that promotes 'positive' behaviours by all staff and learners, ensuring that behaviour is appropriate and takes account of the feelings of others
- investigating any staff and learner concerns
- recording performance in relation to equality within Self-Assessment Reports.
- ensuring the effective communication, application and understanding of the Equality & Diversity Policy within the College

Teaching Staff/Student Services are responsible for:

- promoting a culture within the College that promotes 'positive' behaviours by staff and learners, ensuring that behaviour is appropriate and takes account of the feelings of others
- ensuring curriculum and course design embeds equality within its content
- ensuring all learner selection, induction programmes and tutorials reflect the College's commitment to equality

- ensuring that appropriate on-going learner training, development and promotional activities are provided to support the appreciation and understanding of equality and diversity

HR and Management are responsible for:

- making certain that all College activity associated with the recruitment and selection of staff is undertaken in accordance with current statutory legislation and employment best practice standards and that the workforce is representative of the diversity of the communities that we recruit the learner population.
- making sure the collation and handling of all staff equality and diversity information is sensitively handled by staff within the HR Department and is processed with strict adherence to the requirements specified for the handling of 'special category data' as detailed within Article 9(2) the Data Protection Act 2018 and the Employee Privacy Statement
- making sure the collation of equality and diversity information is sourced in accordance with best practice recommendations informed by the Information Commissioner, Equality and Human Rights Commission, and the Association of Colleges.
- Ensuring the provision of appropriate training through which staff and managers are made aware of equality and diversity issues and of their responsibilities in relation to colleagues, learners and the wider College community.
- Promoting equality and diversity in the design of all employment and learners policies and procedures, working towards standards of best practice to ensure all policies & procedures promote equality of opportunity and are not discriminatory in their operation.
- Reporting of the staff equality and diversity monitoring data to the Equality and Diversity Committee and twice yearly to the Corporation to demonstrate compliance with College Equality and Diversity Action Plan, identifying any trends arising which may require specific actions to be introduced to address inequalities
- Preparation by the Director of HR of a Corporate Staffing Annual Equality, Diversity & Inclusion Report which evidences the College's statutory compliance to publish and report on equality issues relating to employment and services as required by the Equality Act 2010 and the Public Sector Duty reporting requirements
- Preparation by the Vice Principal Curriculum & Quality of an Annual Learner Equality & Diversity Report which evidences the College's statutory compliance to publish and report on equality issues relating to learners as required by the Equality Act 2010 and the Public Sector Duty reporting requirements

College Staff are responsible for:

- acting in ways that are in accordance with this policy and with the College's values
- understanding and sensitively applying the principles of the College Equality and Diversity Policy across the College community
- ensuring that they do not discriminate unfairly in the way a service is provided on behalf of the College
- informing their manager if they become aware of any behaviour that undermines equality and diversity and reporting all incidents where it is considered there may be a potential breach of equality and diversity
- Completion of all mandatory equality and safeguarding training.

Learners are responsible for:

- having an awareness of the College Equality and Diversity Policy and the consequence of contravening the policy
- ensuring all members of the College community are treated with dignity and respect

Contractors and Service Providers

- All contractors and services providers agree to demonstrate their commitment to equality and diversity in all dealings and have in place corporate policies and procedures to achieve this which are communicated to the College.