

# Equality and Diversity Policy (For Students)

POLICY	EQUALITY AND DIVERSITY POLICY (FOR STUDENTS)	APPROVED BY	ESCG Board
VERSION	ESCG1_VERSION1	EFFECTIVE FROM	22/10/2019

## **Equality and Diversity policy for Students**

### **Purpose of the policy**

- 1 **College Group's position:** The College Group's values supports the principle of equal opportunities and opposes discrimination on the basis of age, sex, marriage and civil partnership, gender reassignment, race, disability, sexual orientation, religion or belief, pregnancy and maternity and part-time or fixed-term employment (defined as **Protected Characteristics**). The College Group will take every possible step to ensure that students and prospective students are treated equally and fairly. All policies and practices will conform with the principle of equal opportunities particularly in terms of recruitment, admission, selection and discipline.

### **Other Policies**

- 2 This policy should be read in conjunction with the College Group's:
  - 2.1 Gender Reassignment Statement
  - 2.2 Learner Bullying and Harassment Policy and Procedure
  - 2.3 Internal Assessment and Appeals, Student Malpractice Policy
  - 2.4 Student Disciplinary Policy and Procedure
  - 2.5 Teaching and Learning Strategy
  - 2.6 Compliments, Concerns and Complaints Policy and Procedure
  - 2.7 Admissions Policy
  - 2.8 Single Equality Scheme and Plan
  - 2.9 E-Safety Policy
  - 2.10 Student Charter
  - 2.11 Access and participation plan
  - 2.12 Safeguarding and Prevent Policy
  - 2.13 SEND Policy
  - 2.14 GDPR Policy

### **To whom does this policy apply?**

- 3 **Application:** Although this policy is focused specifically on students, its application applies to whole of the College Group's community. This includes all employees, agency staff, consultants, volunteers, governors, students, prospective students and other College users.
- 4 **Duties of members of the College Group Community:** All members of the College Group's community have a duty to act in accordance with this policy, to treat students and other members of the College Group community with dignity at all times, and not to discriminate against, harass or victimise students and other members of the College Group community. In some situations, the College Group may be at risk of being

held responsible for the acts of individual members of the College Group Community and will not tolerate any discriminatory practices or behaviour.

### Internal Responsibilities

- 5 **Board of Governors:** The Chief Executive and Board of Governors are responsible for ensuring that the College meets its legislative responsibilities in respect of equality and diversity and for receiving and responding to monitoring information.
- 6 **Leadership Team:** The Executive and Senior Leadership Team is responsible for ensuring that team members are familiar with their roles and responsibilities and the content of this policy. It is committed to providing support and equality and diversity training to promote a positive and inclusive culture for learning and work. The Executive is responsible for monitoring student profiles in respect of Protected Characteristics.
- 7 **Management:** Heads of department and others at a management level all have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the College Group with regard to equal opportunities. This includes promoting equal opportunities for students with respect to curriculum planning, materials and resources, assessment, role models, teaching and learning methods, management of the environment and social and economic aspects of learning. To facilitate this process, managers will be given training on equal opportunities awareness and equal opportunities recruitment and selection best practice.
- 8 **Quality Improvement:** The Quality Improvement Department is responsible for leading on and reporting on all aspects of equality and diversity surrounding students. It will ensure that the College Group meets the needs and interests of our students by ensuring that we monitor performance, champion excellence and monitor how effective we are at promoting equality and diversity and tackling discrimination. It is also responsible for implementing improvements, in order to identify and narrow any achievement gaps.
- 9 **Members of the College Group community :** All members of the College Group community, including staff and students are responsible for the success of this policy and their own conduct. All staff should challenge discriminatory behaviour by other members of the College Group community. Bullying, discrimination or any other form of discriminatory behaviour will not be tolerated and must be reported to a College Manager.

### Forms of discrimination

- 10 **Types:** Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 11 **Direct discrimination:** Direct discrimination occurs where:
  - 11.1 Someone is treated less favourably because of one or more Protected Characteristics. For example, rejecting an applicant because they would not "fit in" because of their race or sexual orientation would be direct discrimination.
  - 11.2 Someone is less favourably treated because of their association with someone who has a Protected Characteristic. For example, a student may be treated less favourably because they have a disabled relative .

Someone is treated less favourably because they are perceived to have a Protected Characteristic. For example, a student may be treated less favourably because they are believed to be (but may not actually be) homosexual.
- 12 **Indirect discrimination:** Indirect discrimination occurs where an individual is subject to a provision, criterion or practice, applied to a group of people, which puts them at a particular disadvantage because of a Protected Characteristic, and it cannot be objectively justified. An example might be a minimum height

requirement. This is likely to eliminate proportionately more women than men. If this criterion cannot be objectively justified, because it is not a proportionate means of achieving a legitimate aim, then it will be indirectly discriminatory on the ground of sex.

- 13 **Victimisation and harassment:** Discrimination also includes victimisation (suffering a detriment because of action the student has taken or may take to assert legal rights against discrimination or to assist another student in that regard (called a **Protected Act**)) and harassment (see the College Group's Learner Bullying and Harassment Policy and Procedure for a more detailed explanation of "harassment").
- 14 **Discrimination arising from disability:** discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim. For example, where a student with cerebral palsy who is a wheelchair user is told they will be unable to attend a college trip because there is no wheelchair access available and other options are not investigated.

## Admission

- 15 **College Group's position:** The College Group aims to ensure that no applicant receives less favourable treatment because of a Protected Characteristic. Admission and selection procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits within the college's criteria for selection on grounds of the student's ability and aptitude and in accordance with the College Group's Access and Participation statement. Selection criteria are reviewed from time to time to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job. See the College Group's Admissions Policy for more information.

## Marketing and access to learning

- 16 College Group publicity and student recruitment procedures will be designed to encourage applications from all sections of the community and from all levels of ability and will be available in a range of formats.
- 17 The College Group will ensure that admission procedures are user friendly and avoid unnecessary barriers to access for prospective students.
- 18 The College Group will continue to identify and respond to learning needs within the student body and will encourage widening participation from the underrepresented, disadvantaged or excluded groups.
- 19 Make clear our expectations and commitments to equality and diversity in our marketing materials and events, during the student admissions process and again during induction.
- 20 Equal opportunities data will be collected, analysed and used to inform the planning and decision-making process of our Admissions and Marketing policies.

## Education and associated services

- 21 **College Group's position:** all students will be afforded equal access to all benefits, services, facilities, classes and subjects including all sport, subject to overriding considerations of safety and welfare. Efforts are made to recognise and be aware of the possibility of bias (for example, on the grounds of sex or race), so that this can be eliminated in both the College Group's teaching and learning materials and teaching styles.
- 22 **Positive action:** the College Group may afford students of a particular racial group, or students with a disability, access to additional education or training to meet the special needs of the students in that group, for example, special language training for groups whose first language is not English.

- 23 **Student interaction:** all students are encouraged to work and interact freely with, and have respect for, all other students. Positive attitudes are fostered towards all groups in society through the curriculum and College Group ethos, and students will be encouraged to question assumptions and stereotypes.
- 24 **Bullying and harassment:** the College Group will not tolerate bullying or cyberbullying for any reason. Specific types of bullying include:
- 24.1 bullying relating to race, religion, belief or culture;
  - 24.2 bullying related to SEN, learning difficulties or disabilities;
  - 24.3 bullying related to appearance or health conditions;
  - 24.4 bullying relating to sexual orientation;
  - 24.5 bullying of young carers or looked after children or otherwise related to home circumstances;
  - 24.6 sexist or sexual bullying or bullying related to gender reassignment.

See the College Group's Learner Bullying and Harassment Policy and Procedure for further information.

### **The learning environment**

- 25 The College group is committed to the development of learning environments that are welcoming and safe for all students.
- 26 The College Group will continue to develop its facilities and accommodation to improve access for students with learning difficulties and/or disabilities.
- 27 Through a multi-agency approach, the College will meet the targets surrounding the Every Child Matters Strategy:
- 27.1 Be healthy;
  - 27.2 Stay Safe;
  - 27.3 Enjoy and achieve;
  - 27.4 Make a positive contribution; and  
Achieve economic well-being.
- 28 **Student Agreement:** Our conditions of service, benefits and facilities will be reviewed from time to time to ensure that they are available to all students who should have access to them and that there are no unlawful obstacles to accessing them.

### **Disability and special educational needs**

- 29 **College Group approach:** we maintain and drive a positive culture towards inclusion of people with disabilities and learning difficulties and those with special educational needs in all the activities of the College Group and will not treat a member of the College Group community less favourably on these grounds without justification. For further information please see our SEND policy.
- 30 **Informing the College Group:** Students (or parents/carers of students if applicable) should notify Student Services if they have a disability or special educational need, or if they become aware of a disability or special educational need while enrolled at the College Group. This is to enable the College Group to support

all students as much as possible and to ensure that they are not treated less favourably because of something related to their disability.

- 31 **Reasonable adjustments:** Students may also wish to advise Student Services of any reasonable adjustments they consider to be necessary, or which would assist the provision of education and associated services to that they are not placed at a substantial disadvantage in comparison with other students. This may include, for example, adjustments to : classroom organisation and timetabling; access to college facilities; clubs and visits; and College Group policies. The College Group will carefully consider any proposals made by students. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate the suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments.
- 32 **Physical features:** The College Group will monitor the physical features of its premises to consider whether it can make any changes to help remove disadvantages which these may create for disabled users. Where possible and proportionate, the College Group will take steps to improve access for disabled users of the premises.

### Breaches of the policy

- 33 **Complaints:** If you believe that you may have been disadvantaged because of a Protected Characteristic, you are encouraged to raise the matter through the College Group's Compliments, Concerns and Complaints Policy and Procedure. If you believe that you may have been harassed because of a Protected Characteristic, you are encouraged to raise the matter through the College Group's Learner Bullying and Harassment Policy and Procedure. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure.
- 34 **False allegations:** Students who make such allegations in good faith will not be victimised or treated less favourably as a result, however, false allegations will be dealt with under the Student Disciplinary Policy and Procedure.
- 35 **Disciplinary action:** If, after investigation, you are proven to have engaged in any unwanted conduct because of a Protected Characteristic, or otherwise acted in breach of this policy, you will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result suspension or permanent exclusion. The College Group will always take a strict approach to serious breaches of this policy.

### Approval monitoring and review

- 36 This policy was presented and approved by the newly merged College Group Corporation Body on [DATE].
- 37 This policy is subject to annual review. The policy and the implementation arrangements which underpin it will be formally reviewed on an annual basis. This review will take into account the views of team members and relevant legislation.
- 38 The College Group monitors the profile of its students by age, gender, disability and ethnicity. Monitoring for students is undertaken by the Quality Improvement team. Data collected for monitoring purposes will be published on our website at least annually and will be reported to the senior leadership team and annually to the Board of Governors. The presentation of such information shall observe the College's legal and contractual responsibilities in respect of individual confidentiality particularly in regard of sensitive data and will not identify individuals.
- 39 Monitoring at course level is integrated into the programme review process. Student analysis is reported in the monthly Quality Performance Reviews and these are reported to :

- 39.1 the College Executive
- 39.2 the local Boards and Quality Committee
- 40 Student enrolment, retention, and achievement, student survey and complaints are annually monitored by ethnic group, gender, age and disability and the findings are used to inform the Self-Assessment Reviews. Students' views are identified by means of satisfaction surveys, student representatives and the equality and diversity groups.
- 41 The following systems are in place to monitor and evaluate the equality and diversity impact of the College policies;
  - 41.1 Annual SAR
  - 41.2 Learner survey and focus group
  - 41.3 Equality analysis
  - 41.4 Equality action plans
  - 41.5 Annual report available on the College website
  - 41.6 Equality and Diversity minutes

### **Information Sharing**

- 42 Records created in accordance with this policy may contain personal data. The College Group has a student privacy notice which explains how it will use personal data. A copy of the privacy notice is published on the College Group's website.
- 43 In addition, staff must ensure that they follow the College Groups data protection policies and procedures when handling personal data created in connection with this policy.
- 44 The College Group collects and processes personal data relating to its students to effectively manage the learning of students and meet its statutory obligations. Information may be collected and shared by the College Group in order to meet its legal obligations. This may include sharing information collected in accordance with this policy with:
  - 44.1 the Higher Education Statistics Agency
  - 44.2 the Education and Skills Funding Agency
  - 44.3 the Office for Students.