

SINGLE EQUALITY POLICY

1. PURPOSE

1.1 Blackburn College is committed to valuing diversity and the promotion of equality of opportunity for all its users. We are also committed to working with Blackburn with Darwen Borough Council, and all partners to promote community harmony and social cohesion. The College will challenge all forms of inequality, discrimination and harassment, and actively promote opportunities for the protected groups mentioned in Appendix A of this policy. This work is regarded as the responsibility of all staff, learners, governors and partner organisations of the College.

1.2 The purpose of this policy is to provide equality of opportunity to all who study with and work for and with Blackburn College including those who are defined as having any protected characteristic as listed in Appendix A. The College expresses its opposition to all forms of prejudice, inequality and discrimination. Discrimination can take many forms and a comprehensive list covered by this policy is attached as Appendix B.

1.3 The College will seek positively to remove conditions and barriers which place people at a disadvantage and will actively promote equality for all and celebrate diversity. To do this, the College will monitor our performance against targets set for Workplace diversity and to narrow the achievement gaps of our learners. An annual single equality annual report will be published to highlight progress made against these targets and highlight further gaps identified. We will ensure all our procedures for both staff and learners are open and easily accessible.

1.4 All learners and staff will be supported to develop their full potential within an ethos reflecting the equal status of all members of the College.

2. SCOPE

2.1 This policy applies to all our learners, wherever they learn or work as part of their program of study or place of work, and staff respectively and operates within the framework of the College's mission statement and policy suite. As a responsible body, the College recognises and accepts its vicarious liability for the actions of staff, learners, contractors and subcontractors. The College will comply with all legislation, regulations, statutory and non-statutory codes of practice and its contractual requirements relating to equality and diversity.

2.2 Any action by an individual employed by the College, or by a learner or learners which contravene this policy renders them liable for disciplinary action. Evidence of discrimination or harassment may be considered as gross misconduct and this will be actioned via the appropriate policy for staff and for students. Clients or external contractors will receive a copy of the Single Equality Policy to ensure all stakeholders are aware of the Colleges stance on Corporate Social Responsibility.

2.3 The College is keen to develop a culture that goes beyond compliance with the law i.e. one that is fully inclusive, promotes equality and embraces diversity. This policy describes how the College will fulfill its statutory duties and also how it will develop its practices.

2.4 The College's Single Equality Policy is based on the Equality Act 2010, and the Equality Act 2010 (Statutory Duties) Regulations 2011. These two legal duties also overarch the College's statutory duty under the Children and Family Act 2014 as specified in the Special Educational Needs and Disability (SEND) Code of Practice for 0-25 year olds which came into force on the 1st September 2014. This SEND Code of Practice relates to children and young people with special educational needs (SEN) and disabled children and young people less than 25 years of age and provides guidance on the statutory duties which apply to Further Education Colleges to identify, assess and provide support for young people with SEN.

2.5 Also Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on certain bodies (including FE/HE institutions), in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". The College has developed shared values that satisfy the Inspectorate expectations for embedding fundamental British Values and at the same time make them relevant and reflective of our local community. These are:

- Democracy: student and staff voice – engagement and participation with College life
- Individual Liberty: Freedom of speech
- The Rule of Law: No-one is above the law - innocent until proved guilty
- Respect & Tolerance: all backgrounds & cultures, all ages, all genders & sexualities and all religions and beliefs

This policy will ensure these values are embedded into the college practice for staff and students.

2.6 The Equality Duty has three general aims:

- To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act;
- To advance equality of opportunity between people who share a protected characteristic and those who do not; and
- To foster good relations between people who share a protected characteristic and those who do not.

For Blackburn College this will mean:

3 ACCESSIBILITY

3.1 All key materials used to market learning and employment opportunities will explicitly convey our positive attitude to equality and diversity and be made accessible in alternative formats on request. Means of distribution will be kept under review to ensure information reaches those who do not traditionally respond to learning and employment opportunities within the College.

3.2 Guidance and admissions procedures will be clear and transparent and free

from unfair discrimination. The College will ensure that vocational stereotyping is challenged and access facilitated.

3.3 Effective plans are in place to make the learning environment safe, welcoming and accessible for all groups of learners and staff in terms of timing and location of provision, physical access, amenities and services including off campus activities and this is regularly monitored and reviewed.

4 CURRICULUM

4.1 A dynamic portfolio of relevant study programmes will be offered which are responsive to learner need and enables learners to study at the appropriate level with good prospects for success and progression. Progression routes will be clearly published and advice given impartially. A range of delivery locations and methods inclusive by design will be used to minimise barriers to learning. we will continue to offer impartial information, advice and careers guidance to ensure the best approach for the learner.

4.2 Induction procedures which familiarise learners with the College's policy and commitment to equality and diversity will be delivered to all learners, fulltime and part-time, and off site via the tutorial programmes and cross College activities.

4.3 Inclusive learning practices which acknowledge individual learner's starting points and preferred learning styles and which offer a variety of assessment strategies will permeate the delivery of provision.

4.4 Learning materials which are free from bias, which celebrate diversity and challenge stereotyping will be used throughout the curriculum.

4.5 Cultural awareness and the fostering of good relations and equality for all protected groups will be integrated into the curriculum, as will literacy, numeracy and language skills.

4.6 Equality of Opportunity in the work place will be promoted and monitored for workplace learners and work placements will be assessed and monitored to ensure they promote and adhere to equality practices.

4.7 The provision of additional learning support will be determined based on the assessment of the each individual student's support requirements and will have due consideration to the application of reasonable adjustments and the college's anticipatory duties. The funding/cost of additional learning support will be determined by whom is funding the course I.e Education Funding Agency, Skills Funding Agency or Higher Education Funding Council for England (the Disabled Students Allowances).

4.8 We aim to support learners into sustainable careers, including facilitating opportunities for work placements and experience as appropriate to their programme.

5 EMPLOYMENT AND PROFESSIONAL DEVELOPMENT

5.1 Equality of opportunity will exist for all existing and potential staff in relation to recruitment, development opportunities and promotion. All recruitment policies are subject to Equality Impact Assessments (EIA's)

5.2 Monitoring data is gathered, analysed and actions taken to improve processes and equality as part of the recruitment process. Data in relation to staffing profile, recruitment and selection processes, staff training opportunities and staff promotion is published annually and reported on through the governance structure.

5.3 Any allegation of discrimination will be investigated thoroughly and action taken if necessary.

5.4 The College will be proactive in offering staff the opportunity to disclose a disability and supporting them to do so. Staff can update any details on protected characteristics confidentially via the HR system Select. As a 'two-ticks' accredited organization we proactively adhere to the principles pertaining to this kite mark.

5.5 Reasonable adjustments will be made for staff who are or who become disabled during their period of employment.

5.6 The College will take advantage of national initiatives and programmes which provide opportunities for staff and managers with protected characteristics to develop their careers and will collaborate wherever possible to develop local positive action programmes.

6 STAKEHOLDER CONSULTATION

6.1 This policy has not been subject to stakeholder consultation as it is a matter of fulfilling legal responsibilities under the Equality Act.

7 MONITORING AND REVIEWING

7.1 The policy will be monitored through the Single Equality Committee.

7.2 The Committee will be chaired by the Director of Higher Education Quality who has responsibility for the review of the policy, monitoring its effectiveness and measuring its impact.

7.3 Regular reports assessing progress in meeting annual targets and legal responsibilities will be received by the Governing Body, the Executive and Curriculum Leadership Team (CLT) and the Academic Board.

7.4 The effectiveness of the policy will be reviewed through:

- Regular analysis of learner participation, retention, achievement, success and progression by reported protected characteristics .
- Regular analysis of the staffing profile in relation to recruitment; levels of responsibility.
- Regular analysis of access to professional development opportunities and to promotion for all staff including those with protected characteristics
- Self assessment and quality improvement structures for all curriculum centres and service areas.

8 RELATED POLICIES AND PROCEDURES

- Single Equality Scheme
- Admissions Policy
- Tutorial and Induction Policy
- Bullying and Harassment Policies
- All relevant HR Policies, namely:
 - Code of Conduct
 - Code of Ethics
 - Flexible Working
- The Behaviour Management Policy for students
- Data Protection and Freedom of Information Policy
- Procedure for gathering Staff, Learner and Customer Satisfaction Levels
- Special Educational Needs and Disability Policy for Further Eductaion
- The Prevent Duty guidance for Further Education
- QAA Quality Code

9 RESPONSIBILITIES

9.1 All individuals within Blackburn College, including staff, learners, customers and governors are responsible to ensure the observation of the principles of this policy. In particular, this relates to the treatment of others so that the environment in which we operate is free from prejudice and discrimination.

9.2 The Governing Body will received regular reports assessing progress and measuring impacts. They will also receive training in relation to the relevant legislation.

9.3 This policy will be overseen by the Director of Higher Education Quality and will be monitored by the Principal and the Governing Body.

9.4 The Principal supported by the Executive Team will take responsibility for ensuring that the principles outlined in this policy will be integrated throughout their strategic and operational decision making process ensuring full compliance with equality legislation.

9.5 The Director of Human Resources and Organisational Development supported by the Organisational Development and Equalities Manager is responsible for:

- policy development, implementation and monitoring to ensure compliance with legal obligations
- ensuring the formal monitoring and review of this policy in line with relevant good practice
- monitoring the single equality action plan to ensure progress in meeting the equality objectives outlines in the plan.

9.6 The Assistant Principals, Executive Dean of Higher Education and Service Area Managers will monitor their performance against the standards set out in this policy and according to the relevant legislation. They will set agreed annual targets for improvement via the Equality & Diversity Impact Measures (EDIMs) which will be monitored by the Single Equality Committee.

9.7 All staff employed by the College will have access to regular mandatory training opportunities to ensure that they understand the principles implicit in this policy and the relevant legislation. The induction programme for new staff will include such training.

9.8 All users of the College and contractors will be expected to adhere to the central tenets of this policy.

9.9 Breaches of the policy by staff or learners will be regarded as misconduct and could lead to disciplinary proceedings.

9.10 The Single Equality Committee will include wide representation of staff and learners from across the college.

9.11 The policy will be reviewed on a triennial basis unless legal or procedural changes warrant a review.

10 **EQUALITY IMPACT ASSESSMENT**

Blackburn College is committed to the promotion of equality and diversity and to providing a supportive environment for all members of our community. Our commitment means that this policy has been reviewed to ensure that it does not discriminate (either intentionally or unintentionally) against any of the protected characteristics of age, disability, gender (including gender identity), race, religion, marriage and civil partnership (Being married or in a civil partnership is **NOT** a protected characteristic for the further and higher education provisions and so does not extend to cover students), pregnancy and maternity or sexual orientation and meets our obligations under the Equality Act 2010. Therefore, this policy has no adverse impact on any of the above protected groups.

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Appendix A

Protected characteristics

1.1 The protected characteristics contained in the Equality Act are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Each protected characteristic is defined below.

1.2 *Age*: A reference in the act to a person who has the protected characteristic of age is a reference to a person of a particular age group or a person who shares a particular age group. An 'age group' is a group of persons defined by reference to age, whether to a particular age or a range of ages. The College must not discriminate against any employee because of his/her age or to the age group they belong to.

1.3 *Disability*: A person is defined as disabled under the act if he/she has a physical or mental impairment which has a long-term and substantial adverse effect on his/her ability to carry out normal day-to-day activities. Physical or mental impairment includes sensory impairments.

1.4 *Gender reassignment*: References to transsexual people under the act covers employees who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex, i.e. gender reassignment. There is no requirement that the process of gender reassignment includes medical supervision. It is recognised that there may be differences between physical sex and gender identity.

1.5 *Marriage and civil partnership*: The College must not discriminate against any employees because they are married or are in a civil partnership. Marriage will cover any formal union of a man and woman which is legally recognised in the UK as a marriage. A civil partnership refers to a registered civil partnership of a same sex couple under the Civil Partnership Act 2004, including those registered outside the UK. Only people who are married or in a civil partnership are protected against discrimination on this ground.

1.6 *Pregnancy and maternity*: The College must not treat a woman unfavourably because of her pregnancy or related illness, or because she is on maternity leave or

seeking to take maternity leave. The College must also not discriminate against an employee because of his/her association with a woman who is pregnant or who has recently given birth.

1.7 *Race*: The College must not discriminate against any employee because of his/her colour, nationality or ethnic or national origins.

1.8 *Religion or belief*: The College must not discriminate against any employee because of his/her religion or philosophical belief, or because of his/her lack of religion or belief.

1.9 *Gender*: The College must not discriminate against any employee because of his/her gender.

1.10 *Sexual orientation*: Employees must not be discriminated against because of their sexual orientation, whether that be towards:

- people of the same gender (i.e. the employee is a gay man or a lesbian);
- people of the opposite gender (i.e. the employee is heterosexual);
- people of both genders (i.e. the employee is bisexual).

Appendix B

Types of discrimination

Discrimination occurs when a person (or group) is treated less favourably than others. It can take different forms and this section describes the different types of discrimination, or 'prohibited conduct', under the act.

1.1 *Direct discrimination*: is less favourable treatment because of a protected characteristic. Direct discrimination occurs if a person has the characteristic, is perceived to have the characteristic or because they associate with someone who has a protected characteristic. Direct discrimination in relation to age must be objectively justified.

1.2 *Indirect discrimination*: may occur when an apparently neutral provision, criterion or practice is applied to everyone, but which puts employees who share a protected characteristic at a particular disadvantage; and this cannot be justified as a proportionate means of achieving a legitimate aim.

1.3 *Discrimination arising from disability*: is where a disabled employee is treated unfavourably not because of his/her disability itself but because of something arising from, or in consequence of it, and that treatment cannot be justified as a proportionate means of achieving a legitimate aim.

1.4 *Discrimination by association*: is direct discrimination because of an employee's association with a person who has a protected characteristic (not including marital or civil partnership status). This applies regardless of whether the employee has the protected characteristic personally.

1.5 *Discrimination by perception*: is direct discrimination against an employee because he/she is mistakenly believed to have a protected characteristic (not including marital or civil partnership status).

1.6 *Harassment*: is unwanted conduct relating to a protected characteristic, which has the effect of violating an employee's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that employee. An individual does not necessarily have to be the victim of the unwanted behaviour in order to feel harassed by it.

1.7 *Victimisation*: occurs when an employee is treated less favourably because he/she has, in good faith, done a protected act (e.g. made or supported a complaint, or raised a grievance) regarding a protected characteristic.

1.8 *Giving 'due regard' to reasonable adjustments*: reasonable adjustments are made to remove barriers preventing people from integrating into the workplace. The duty to provide reasonable adjustments is a positive duty to remove any barriers or provide extra support to disabled employees in the workplace and for applicants during the recruitment process. Failure to make that adjustment may amount to discrimination.

1.9 *Objective Justification*: is the process by which an employer may be able to objectively justify discrimination as being a proportionate means of achieving a legitimate aim. If challenged it is for the employer to justify the provision, criterion or practice so evidence should be produced to support any assertion that the discrimination

is justified. Considerations should be made for justification on the merits of each individual case.