

Procedures Manual

01.04.01

EQUALITY AND DIVERSITY POLICY

PURPOSE

To inform staff, students, visitors, contractors and volunteers of the Equality and Diversity Policy for the College as part of the College's statutory duty to eliminate discrimination and promote equality.

SCOPE

This policy applies to the College staff, students, visitors, contractors and volunteers.

RESPONSIBILITY

The Vice Principal Quality and Student Experience has overall responsibility for Equality and Diversity.

COLLEGE AIM, MISSION AND VALUES

Putting learners and their success at the heart of everything we do.

Our mission is to deliver outstanding education that inspires individual excellence and serves our society.

Our values:

Responsibility

Respect

Professionalism

High expectations

High aspirations

Celebration of effort and achievement

Equality and Diversity Policy

Our commitment

West Suffolk College ("the College") is committed to an inclusive approach to the delivery of education and training.

We value all of the different people studying, working and visiting the College and we are continuously working to develop policies and procedures which tackle inequality and exclusion.

This policy is intended to assist the College in putting this commitment into practice.

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We strive to ensure that the College's work environment is free of harassment and bullying. Treating everyone with dignity and respect is an important aspect of ensuring equal opportunities in employment.

The College is also committed to upholding the principle of diversity. This ensures that the differences between peoples and groups is understood, valued and respected. Managing diversity involves improving how people study or work together by recognising and valuing their similarities and differences.

The College will seek to reflect this commitment to equality and diversity in all aspects of teaching and in our dealings with members of the public, other agencies and suppliers of goods and services.

Unlawful discrimination

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Students or staff can complain of harassment even if they do not possess the protected characteristic or if the harassment is not directed at them.

Harassment may take many forms. It may be unwanted remarks, inappropriate jokes or ridicule, unwanted physical contact or segregation. It may be an isolated incident or a series of incidents.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so. However, an employee is not protected from victimisation if he or she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial

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disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Our Public Sector Equality Duty

From April 2011 the College has had a new general equality duty to

- (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- (ii) advance equality of opportunity between people who share a protected characteristic and those who do not
- (iii) foster good relations between people who share a protected characteristic and those who do not

There are specific duties to

- (i) publish sufficient information to demonstrate compliance with the general duty by 31 January in each year (having commenced by 31 January 2012)
- (ii) prepare and publish equality objectives to meet the aims in the Equality Act every four years (having commenced by 6 April 2012)

Equal opportunities in employment

The College will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

The College will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the College considers it has good reasons, unrelated to any protected characteristic, for doing so. The College will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

The College will monitor the composition of the existing workforce and of applicants for jobs (including promotion) in accordance with the protected

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characteristics and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The College cannot lawfully discriminate in the selection of employees for recruitment or promotion, but the College may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group that the College identifies as being under-represented in particular types of job.

Equality for students

The College takes unlawful discrimination and harassment of and by students seriously. Incidents of discrimination and harassment will not be tolerated and will be investigated promptly and thoroughly.

Customers, suppliers and other people not employed by the Company

The College will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the College.

Training and Development

The College is committed to ensuring staff receive information and training to enable them to understand their obligations with regard to equality and diversity.

Roles and responsibilities

Everyone at College has a duty to promote the values and principles set out in this policy.

All members of the College community (staff, students and visitors) are expected to adhere to the standards, principles and duties of this policy.

All staff are required to undertake the training and development needed to help them to do so.

Managers have a duty to act as role models with regard to this policy and to ensure staff adhere to this policy and are given the opportunity to develop the necessary skills and understanding

Senior managers have a duty to monitor the general equality duty among students and the workforce and in the application of relevant policies and practices.

Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

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Employees can be held personally liable as well as, or instead of, the College for any act of unlawful discrimination by such employees. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the College's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievances

If you consider that you may have been a victim of unlawful discrimination, you should use the College's grievance procedure [07.04.02 Grievance Procedure](#) to make a complaint.

The College will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

The College recommends that you use the grievance procedure to highlight issues related to equality and diversity. This will not affect your right to make a complaint to an employment tribunal if, having exhausted the grievance procedure, you are still dissatisfied with the College's response to your complaint. Complaints to an employment tribunal must normally be made within three months of the last stage of the grievance procedure.

Complaints

Complaints of harassment should be pursued through the grievance procedure for staff and the complaints procedure for students [04.31.01 Policy and Procedure for Dealing with Bullying and Harassment](#)

Staff wishing to make a complaint about matters concerning employment are encouraged to speak to their line manager or a member of the HR team

Monitoring and review

This policy will be monitored periodically by the College to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the College will report on the age, ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups. Reports will also be produced on the remaining characteristics so that the College can review its equality and diversity policy in accordance with the results shown by the monitoring. If changes are required, the College will implement them.

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Information provided by job applicants, staff and others for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

Since 31st December, 2011 equality information, and from 6th April, 2012 equality objectives, have been published on the College website

Sources of help and information

All College policies and procedures relevant to Equality and Diversity will be published on our website. Students who are concerned that they may be the subject of discrimination are encouraged to discuss their concerns with their personal tutor or with a member of Student Welfare

Staff who are concerned that they may be subject to discrimination or who are uncertain about their obligations in this respect are encouraged to discuss their concerns with their line manager or with a member of the HR department

Policy Date

This policy was agreed and disseminated in November 2016 and will be reviewed annually, or where there are substantial organisational changes.

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