



## **EQUALITY AND DIVERSITY POLICY**

### **PRIMARY PERSON RESPONSIBLE FOR IMPLEMENTATION AND MONITORING OF THIS POLICY**

JAMES EYTLE, BEVERLEY MELLON (PRINCIPALS)

**CONTACT DETAILS: 020 7409 7273**

**JAMES@ALBEMARLE.ORG.UK**

**BEVERLEY@ALBEMARLE.ORG.UK**

### **LAST REVIEW DATE**

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### **NEXT REVIEW**

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## Equality and Diversity Policy

### 1. Introduction

This policy is drafted in accordance with the requirements of *The Equality Act 2010*, the *Public Sector Equality Duty 2011*, *Race and Relations Act 1976*, *Race Relations Amendment Act 2000*, *Sex Discrimination Act 1986*, *Children's Act 1989*, the *Special Educational Needs and Disability Act 2001* and the *Education (Independent College Standards) (England) (Amendment) Regulations 2014*.

This policy subsumes the policies in the following areas: Disability, Race Equality, Equal Opportunities, and Equality and Diversity.

This policy should be read in conjunction with the following College policies:

- **Disability and Special Educational Needs (SEND) Policy**
- **Exams Policy**
- **Admissions Policy**
- **Safeguarding and Child Protection Policy**
- **Behaviour and Conduct of Students Policy**
- **Complaints Policy**
- **Grievance Policy (Staff)**

### 2. Aims and Objectives

The policy exists in order to ensure that the provisions of relevant equality laws, and the recommendations of associated codes of practice, are fully observed throughout the College, including throughout the Admissions process. Under *The Equality Act 2010*, the College's duties include dealing with issues related to students with special educational needs/disabilities and making reasonable adjustments for such individuals.

The College aims to create and protect a learning environment free from any forms of discrimination, victimisation or harassment. Every individual is celebrated and supported to meet their full potential, regardless of age, gender, social or ethnic



background, nationality, colour, religious affiliation, disability or sexual orientation.

The Principals' key objective is to reduce and eliminate barriers to accessing the curriculum and to enable full participation in the College community for students, prospective students and staff. The College has a duty to regard and promote the following:

- continually aim to improve the inclusivity of the curriculum;
- equality of opportunity between Disabled people and non-Disabled people;
- eliminate discrimination that is unlawful under the *Disability Discrimination Act 1995*;
- eliminate impairment-related harassment of Disabled people;
- promote positive attitudes towards Disabled people;
- encourage participation by Disabled people in public life;
- a supportive College community which respects the rights of disabled students to have equal access to the curriculum, extra-curricular and other services;
- equal value and encouragement of all students;
- fostering positive attitudes towards disability within our community;
- measures to meet disabled people's needs, even if this requires more favourable treatment.

### **3. Definition of Disability**

Under *The Equality Act 2010*, a person has a disability if he/she “has a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on his/her ability to carry out normal daily activities.”

The Principals proactively ensure that there is no discrimination against disabled students and prospective students in the provision of education and associated services, with respect to both admissions and exclusions. Improving access to education and academic achievement for disabled students is essential to the College policy in ensuring equal opportunity and full participation in society.

The College is committed to Disability Equality and understands the need to embrace the ethos of the Disability Equality Duty detailed in the *Disability Discrimination Act 2006*, *The Equality Act 2010* and the *Public Sector Equality Duty 2011*. The college-wide

approach actively works towards disability equality among our students, parents/guardians and staff.

#### **4. Equality and Diversity**

Equality relates to ensuring that everyone has equal opportunities, regardless of their abilities, background or lifestyle. Diversity refers to the appreciation of the differences between people and treating the values, beliefs, cultures and lifestyles of others with respect. Equality and Diversity are not interchangeable but rather interdependent. Equality of opportunity cannot exist if difference is not valued, harnessed or embraced.

The College is committed to promoting equality and diversity, and promotes an environment in which differences are valued and celebrated. It is important that each student feels respected and appreciated for their contributions, not only for them as an individual, but also for the College itself. The College culture actively recognises that people from different backgrounds and experiences provide valuable insight into the way we learn.

The Principals are committed to ensuring that their students are treated fairly in an environment which is free from any form of discrimination with regard to relevant characteristics, including: disability, race (including colour, nationality and ethnic origin), religion and sexual orientation. In this respect, the College aims to proactively tackle discrimination or disadvantage and aims to ensure that no individual or group is directly or indirectly discriminated against for any reason with regard to employment or accessing its services.

#### **5. Gender Reassignment**

Under *The Equality Act 2010*, “a person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.” Consequently, a student is protected even if they have not yet undertaken a medical procedure but are taking (or proposing to take) steps to live in the opposite gender. No persons within the college community

should treat students less favourably because of their gender reassignment.

## 6. Discrimination

Under *The Equality Act 2010*, the four main types of discrimination are defined as follows:

- **Direct discrimination**

Treating one person worse than another person because of a 'protected characteristic' (see section 7).

- **Indirect discrimination**

Happens when an organisation puts a rule, policy or way of doing things in place which has a worse impact on someone with a protected characteristic than someone without one.

- **Harassment**

People cannot treat you in a way that violates your dignity or creates a hostile, degrading, humiliating or offensive environment.

- **Victimisation**

People cannot treat you unfairly if you are taking action under *The Equality Act 2010* (like making a complaint of discrimination), or if you are supporting someone else who is doing so.

Discrimination can occur in various ways; as both persistent or isolated incidents and may also include behaviour which induces: anger, stress, anxiety, fear or sickness on the part of the victim. Discrimination can also include, but is not limited to: physical, verbal, direct or indirect behaviours and can include gestures, intimidation, unwelcome remarks, suggestions, propositions, malicious gossip, jokes and 'banter'.

The College does not tolerate any form of discrimination, harassment or bullying and such behaviour is absolutely unacceptable. Any member of the college community will be supported in any case of discrimination. The College strives to provide a safe and inclusive environment in which no-one feels threatened or intimidated.

In the event that a student, parent/guardian or member of staff feels that they have been discriminated against, harassed or victimised; an action that is in breach of the principle

of equal opportunities set out within this policy, they are entitled to complain using the procedures detailed within the College's Complaints Policy.

## 7. 'Protected Characteristics'

It is against the law to discriminate against anyone because of their 'protected characteristics'. These are as follows:

- age
- gender reassignment
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation
- being married or in a civil partnership
- being pregnant or on maternity leave

## 8. Addressing Discriminatory Behaviour (Procedures)

Stage 1: Speak or write to the individual concerned informing him/her that their behaviour is unwelcome.

Stage 2: If the unwanted behaviour continues, speak directly with the Principals/Curriculum Managers to enable their assistance and intervention. If the person concerned is one of the two Principals, speak with the other Principal and/or Welfare Officer.

Stage 3: If the unwanted behaviour persists thereafter, consider taking formal action as set out in the College's Complaints Policy / Grievance Policy (Staff).

## 9. Roles and Responsibilities

All staff should recognise that they have a specific role and responsibility in their day-to-day work to:

- promote equality, inclusion and good community relations;

- challenge inappropriate language and behaviour;
- tackle bias and stereotyping;
- work to promote anti-bullying strategies;
- respond appropriately to incidents of discrimination and take appropriate action to report as necessary;
- highlight to the Principals any staff training or development that they require to carry out the above role and responsibilities.

### **Staff Responsibilities**

- Every employee is required to assist the Principals and the College to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.
- Employees should be aware that they can be held personally liable as well as, or instead of, the Principals for any act of unlawful discrimination. Employees who commit serious acts of discrimination or harassment may also be guilty of a criminal offence.
- Acts of discrimination, harassment, bullying or victimisation against employees or parents and their families are disciplinary offences and will be dealt with under the procedures of the College's Disciplinary Policy (Staff). Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

### **The Role of the Principal**

The Principals will:

- implement the College's equal opportunities and anti-racist procedures;
- ensure that all staff are aware of the College policy on equal opportunities, and that teachers apply these guidelines fairly in all situations;
- ensure that all recruitment and selection processes give due regard to this policy to prevent discrimination against when seeking employment;
- promote equal opportunity when developing the curriculum and promote respect for others in all aspects of College life;
- treat all incidents of unfair treatment and any racist incidents with due seriousness.

## **The Role of Teachers and Support Staff**

All staff will ensure that all students are treated fairly, equally and with respect. The College does not discriminate against any child. When selecting classroom material, subject teachers should pay due regard to the sensitivities of all members of the class and should not provide material that is racist or sexist in nature. Teachers strive to provide material that gives positive images of ethnic minorities and that challenges stereotypical images of minority groups.

Schemes of work should be designed in conjunction with this policy in order to guide, both in choice of topics to study and in how to approach sensitive issues. All staff are expected to challenge any incidents of discrimination, prejudice or racism.

## **10. Employment Code of Practice**

Albemarle College is an equal opportunities employer and aims to implement best practice in this area.

### **Recruitment**

Posts for available roles will be advertised externally via TES, Indeed, on social media, and/or in local press, as appropriate to the available position in question. This approach aims to encourage suitable applicants from a wide range of backgrounds.

### **Safer Recruitment**

The College carries out all the required checks on staff in line with guidance laid out in *Keeping Children Safe in Education (2024)* and *Working Together to Safeguard Children (2023)*.

### **Selection of Candidates**

As part of the employment application process, the College will clearly define the requirements for selection within the job description of the advertisement. Selection criteria for employment will be objective, job-specific and carefully assessed as necessary to the fulfilment of the position.





Shortlisting and interview processes will be carried out in a consistent and fair manner across all positions and departments within the College in order to ensure equitable and non-discriminatory practice. Selection methods for shortlisting and interviewing will be objective and directly relevant to the nature of the available position. The interviewing process will only be carried out by suitably qualified and appropriate staff.

### **Candidates Who Are Ex-offenders**

The College will not unfairly discriminate against such applicants, but rather makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record, this will not automatically bar them from employment with the college.

A failure to disclose a previous conviction may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is a criminal offence for any person who is barred from working with children to apply for a position at the college and it is unlawful for the college to employ anyone who is barred from working with children.

The college will make a report to the police and/or the DBS if:

- it receives an application from a barred person;
- it is provided with false information in, or in support of an applicant's application;  
or
- it has serious concerns about an applicant's suitability to work with children.

### **Existing Workforce**

The College will monitor the composition of the existing workforce and of applicants for jobs (including promotions) in respect of its diversity and inclusion, and will consider and address any challenges which may be identified as a result of the monitoring process.

### **Job Applicants Equality Profile**

The College will regularly monitor the diversity and inclusion profile of job applicants



applying to the college throughout the main stages of recruitment (application, short-listing, and interview), using the information voluntarily provided by applicants in the personal information section of the job application form.

### **Employee Training and Development**

The College is committed to equal opportunity in terms of access to Continuing Professional Development (CPD) and training to increase employees' knowledge, skills and professional awareness; this forms the belief that staff are consequently more readily able to fulfil their professional potential.

### **Grievances Following Termination of Employment**

Should a member of staff wish to raise a grievance following the termination of their employment, they should follow the relevant procedures of the College's Grievance Policy (Staff).