

**EQUALITY, DIVERSITY  
& INCLUSION POLICY  
2022/25**

## Equality, Diversity & Inclusion Policy 2022/25

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| <b>Policy Owner:</b>              | Board                                      |
| <b>Date Approved:</b>             | 15 December 2022                           |
| <b>Next Review:</b>               | December 2025                              |
| <b>Responsibility for Review:</b> | Lead for Equality, Diversity and Inclusion |
| <b>Policy Review Frequency:</b>   | Every three years (as a minimum)           |

|                             |     |
|-----------------------------|-----|
| Applicable to staff:        | Yes |
| Applicable to learners:     | Yes |
| Publish on College website: | Yes |

### Consultation:

| Undertaken with:       | Yes/No:            | Date:                                |
|------------------------|--------------------|--------------------------------------|
| Board/Committee        | Board<br>Resources | 15 December 2022<br>24 November 2022 |
| ELT                    | Yes                | 30 September 2022                    |
| CMT                    |                    |                                      |
| Unions                 |                    |                                      |
| Learners               |                    |                                      |
| Employees              |                    |                                      |
| Employers/Stakeholders |                    |                                      |

### Any Associated Documentation, for Reference:

Anti-bullying Policy, Safeguarding and Prevent Policy, Special Educational Needs and Disability (SEND) Policy, Learner Positive Behaviour Framework, Fitness to Study and Practice Procedures, Employee Disciplinary Policy and Procedure, Resolution of Grievance Policy and Procedure, Speaking Out: Whistleblowing Policy and Procedure, Maternity, Paternity, Shared Parental Leave, Adoption, Flexible Working, Hybrid Working, Management of Attendance, Recruitment of Employees and Casual Workers, Policy for the Appointment and Re-appointment of Governors and Procedure for the Appointment and Re-appointment of Independent Governors

**ELT SIGN-OFF:** Simon Nixon, Interim Principal & Chief Executive



## **Equality, Diversity & Inclusion Policy 2022/25**

### **1. Introduction**

- 1.1. Preston College is fully committed to the promotion of Equality, Diversity and Inclusion to ensure the rights and responsibilities of staff, learners, visitors, suppliers, clients and customers are upheld at all times. The College not only fulfils its legal position in relation to current equality legislation, but additionally goes beyond compliance by inspiring excellence and enabling staff and learners to fulfil their potential in an inclusive environment which is free from any aspect of discrimination, harassment or victimisation.
- 1.2. Preston College is a diverse and inclusive organisation which seeks to raise standards of education and training, supports the skills needs of employers and acts as a positive force for inclusion through equality of opportunity within the Preston community.
- 1.3. We respect our colleagues and learners as individuals and celebrate diversity in the rich mix of backgrounds and experiences they bring to the College.
- 1.4. The College champions its commitment to treating all learners and staff with the respect that they deserve as a unique human being, and to maximising the potential of all learners and staff through the power of high quality education and training. This means that there should be no barriers in the College for learners and staff to achieve their potential.
- 1.5. The purpose of this policy is to provide clear guidance regarding equality, diversity and inclusion to enable the College to meet and go beyond the legal requirements and duties imposed on it by the Equality Act 2010, and to assist the College in achieving its strategic objectives.
- 1.6. The Equality Act 2010 imposes a specific duty known as the Public Sector Equality Duty contained in section 149(1) which the College is required to meet. This duty encompasses three broad aims summarised as follows:
  - To eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
  - To advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - To foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 1.7. The Equality Act 2010 (Specific Duties) Regulations 2011 specifies that a public sector body must also:
  - Publish, at least annually, information to demonstrate its compliance with the duty imposed on it by section 149(1) of the Equalities Act and;
  - Prepare and publish, at least once every four years, one or more objectives which it must achieve to meet the aims of the duty.

1.8. For the purposes of these Specific Duties, the College falls within the definition of a public sector body contained in the Regulations.

## **2. Policy Statement**

2.1. The College embraces the Universal Declaration of Human Rights that “all human beings are born with equal and inalienable rights and fundamental freedoms”, as adopted by the General Assembly of the United Nations in 1948. These freedoms include the right to life, freedom from torture, inhuman or degrading treatment.

2.2. The College will ensure that these rights and freedoms are underpinned in its Equality, Diversity and Inclusion Policy by embedding the related values of dignity, fairness, equality, respect and independence within the policy. In addition the Equality, Diversity and Inclusion Policy reflects the College commitment for compliance with the Human Rights Act 1998 and the Modern Slavery Act 2015.

2.3. The College recognises its responsibility to ensure that all learners and staff are treated with dignity and respect and that equality, diversity and inclusion are promoted throughout the organisation. Our College values and behaviours embed these expectations. In addition to the nine protected characteristics in the Equality Act 2010, the College also respects and values the social and cultural diversity of its learners, staff and community which it serves. The College is committed to equality and inclusion, including and beyond the following ‘protected characteristics’:

- Age
- Sex
- Disability
- Gender reassignment
- Being Married or in a civil partnership
- Being Pregnant or on maternity leave
- Race
- Religion or belief
- Sexual Orientation

2.4. In addition to meeting its legal obligations and as part of its inclusion work, Preston College recognises where appropriate, social status and deprivation, homelessness, unemployment, asylum and refugee status or membership of a trade union, or for any identifiable cause protected by law.

2.5. As an example of our commitment to drive race equality and tackle discrimination, the College has adopted the following working definition of antisemitism published by the International Holocaust Remembrance Alliance (IHRA): ‘Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities’. Other examples can be found on the College’s Equality, Diversity and Inclusion webpage.

2.6 The College has agreed a set of values and behaviours for both staff and learners. It is expected that these standards are adhered to at all times. The application of these values and behaviours will enable the College to deliver on its responsibilities.

### **3. Scope**

- 3.1. This policy applies to all current and potential governors, employees, workers and learners. This policy applies to all conduct in the College (education and the workplace) and also to conduct outside of the College that is related to College or work (e.g. at meetings, social events and social interactions with colleagues or other learners) or which may impact on Preston College's reputation (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be linked to the College).
- 3.2. It covers all aspects of employment including, but not limited to, job adverts, recruitment, induction, pay and benefits, terms and conditions of service, training and development, promotion, change management and also grievance and disciplinary issues.
- 3.3. It also applies to all education and training provision including pastoral and enrichment activities delivered by the College or on its behalf through third party contractors.
- 3.4. The policy will impact on the way we manage relationships with other stakeholders including clients, agencies, customers, members of the community, suppliers and contractors. Any partner employers are expected to accept and comply with the principles of this policy.

### **4. Aims of this policy**

- 4.1. The College seeks to provide equality of opportunity for all. This policy aims to ensure everyone receives treatment that is fair, equitable and consistent with their skills and abilities. The College also wishes to provide the best opportunities to all of our employees and learners, based on their abilities and potential.
- 4.2. The College aims to make its curriculum and services as accessible and responsive as possible to all existing and potential employees, workers, customers and learners, and to provide products and services to them which recognise and respect their differences.
- 4.3. At Preston College we are committed to the development of a balanced, inclusive and diverse College community which is open and accessible to all learners, staff, visitors and members of the public. Preston College aspires to excellence and a positive attention to values and behaviours is an essential part of that process, including:
  - Committed to Learning

- Respect and Consideration
- Customer Focussed
- Integrity and Honesty
- Make it Enjoyable

4.4 Whilst the College accepts its responsibilities under current legislation, it aims to go beyond this and, where possible, make the College a place:

- where all who learn and work here have the opportunity to participate fully and achieve their full potential;
- where physical, social and economic barriers to access are minimised;
- which is welcoming and supportive;
- which is inclusive and everyone feels valued and respected as an individual;
- where everyone accepts their responsibility to uphold equality and show respect to others.

4.5 To make sure this happens, Preston College will:

- take a zero tolerance approach to discrimination;
- actively promote equality by valuing and respecting differences between people;
- ensure staff are equipped to recognise diversity and challenge discrimination;
- investigate all allegations of discrimination sensitively;
- monitor the curriculum and learning to ensure they are free from discrimination and reflect the needs of the wider community;
- implement effective processes for monitoring policies, procedures and practices to ensure they are free from discrimination and responds to the needs of the wider community;
- reflect the contributions of all members of the community in promoting its activities;
- strive towards becoming an outstanding equality organisation which listens to and cares for all its learners and staff;
- actively promote the importance and value of inclusion.

## **5 Legal Context**

5.1 The Equality Act 2010 is the key legislation that simplifies, strengthens and streamlines the law, replacing previous discrimination law and extending legal protection to nine protected groups (the protected characteristics).

5.2 Other legislation is also relevant to this policy and includes:

- The Rehabilitation of Offenders Act 1974
- The Protection from Harassment Act 1997
- The Human Rights Act 1998
- The Public Interest Disclosure Act 1999 as amended by Enterprise and Regulatory Reform Act 2013 (ERRA)

- The Sex Discrimination (Gender Reassignment) Regulations 1999
- The Racial and Religious Hatred Act 2006
- The Enterprise and Regulatory Reform Act 2013
- The Modern Slavery Act 2015
- Special Education Needs and Disability Act 2001
- Gender Pay Gap Reporting
- Trade Union Facilities Time Reporting
- Any Codes of Practice issued by the Equality and Human Rights Commission
- Plus any amendments to the above legislation.

## **6 Commitments**

6.1 The Equality Act 2010 explains that having due regard for advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics.
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

6.2 In order to further embed equality, diversity and inclusion within its workforce and promote and advance equality of opportunity the College has established the following commitments:

- ensuring all employment policies, procedures and the design and delivery of services are informed by equality impact assessments;
- ensuring that the College celebrates the diversity of its staff and learners;
- encouraging a culture of empowerment, through open communication, participation and consultation;
- seeking contributions from all members of the community in promotional activities;
- ensuring that decisions on recruitment, access to training and promotion are made only on the basis of objective criteria, applying reasonable adjustments when required;
- providing employees and learners who believe they have been treated in any way contrary to this policy with the opportunity to raise and resolve issues.

6.3 The College endeavours to eliminate discrimination, harassment or victimisation in the way the College operates, by:

- promoting its Equality, Diversity and Inclusion Policy and strategy in relevant literature and on the website, and through staff and learner induction;
- ensuring that all parties understand their rights and responsibilities under this policy;

- Ensuring staff and learners are equipped to challenge discrimination;
  - investigating any staff and learner allegations of discrimination, harassment or victimisation;
  - monitoring the curriculum and learning to ensure that they are free from discrimination and reflect the need of the diverse wider community;
  - promoting positive attitudes and behaviours amongst staff and learners.
- 6.4 To foster good relations between people with protected characteristic(s) and those who do not share that characteristic through:
- ensuring that the learning and working environment is welcoming and supportive;
  - minimising any physical, cultural, social and economic barriers;
  - raising learner and staff awareness of protected characteristics.
- 6.5 These commitments are also evidenced in College policies and procedures, action plans, learner entitlements and promotional literature. The College's Equality Action Plan incorporates actions to achieve these commitments and explains how the College will implement them.
- 6.6 The College is also committed to advancing equality through the FREDIE Principles and being Leaders in Diversity. The College strives to develop an inclusive community culture in which everyone can feel valued and in which everyone received fair and equal treatment regardless of their background. FREDIE is embedded across all college practices, services and behaviours and is threaded into the College strategic values. We actively champion the FREDIE principles in our college and wider community:
- Fairness
  - Respect
  - Equality
  - Diversity
  - Inclusion
  - Engagement
- 6.7 In implementing this policy and associated procedures, the College will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the principles outlined in the Data Protection Regulations and supplementary enacting Data Protection Legislation. The College is committed to being transparent about how it collects and processes the personal data of its learners, employees, visitors and other stakeholders to meet its data protection obligations. The College will ensure all processing is lawful, fair and transparent and individuals are informed of the legal basis for processing their data. Further information relating to the College's compliance of the Data Protection Regulation can be found in the College's Data Protection Policy.

## **7 The College's Equality, Diversity and Inclusion Statement**

- 7.1 Preston College is committed to creating an inclusive environment, where people are treated with dignity and respect and where we anticipate and respond positively to different needs and circumstances so that everyone can achieve their potential.
- 7.2 We celebrate, support and thrive on the differences that our diverse college community brings which in turn enriches the inclusivity of our organisation.
- 7.3 We believe that everyone has the right to be treated fairly and without discrimination, regardless of age, disability, sex, gender identity, race, religion or belief, sexual orientation, circumstances or background. The College community fully embraces the FREDIE principles of Fairness, Respect, Equality, Diversity, Inclusion and Engagement to advance equality.
- 7.4 We:
- actively promote equality by valuing and respecting each other's differences.
  - ensure College staff, governors and stakeholders are equipped to recognise diversity and challenge discrimination.
  - investigate all allegations of discrimination sensitively.
  - monitor the curriculum and learning to ensure they are free from discrimination and reflect the needs of the wider community.
  - implement effective processes for monitoring policies, procedures and practices to ensure they are free from discrimination, are inclusive and respond to the needs of learners, staff, governors and the wider community.
  - reflect the contributions of all members of the community in promoting its activities.
  - strive towards becoming an outstanding equality organisation which listens to and cares for all its learners, staff, stakeholders and the wider community.
- 7.5 This statement is supported by a number of policies and procedures which can be located on the College's website and document management system.

## **8 Equality Monitoring, Analysis and Reporting**

- 8.1 In accordance with its specific duties under the Equality Act 2010, the College will gather, analyse and publish equality information on its website, outlining any College policies, procedures and practices that may impact learners and employees with different protected characteristics. College Equality Objectives will also be developed and reviewed by the Governing Body and College Management.
- 8.2 The College will ensure that we regularly monitor and evaluate mechanisms to ensure that the policy is being consistently applied via the Inclusion Cross-

College Working Group. Where new legislation is introduced, interim reviews will be held. The learner profile, learner journey, staff profile and employment cycle will be monitored by College management to assess the data and identify any issues to be addressed through the Equality Action Plan.

8.3 The College has due regard for our responsibility in carrying out its functions. Having due regard means consciously thinking about the aims of the general duty as part of the process of decision making. The College will further have due regard to advance equality involving:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low;
- fostering good relations to tackle prejudice and promoting understanding people who share a protected characteristic and others.

## **9 Roles and Responsibilities**

9.1 The Corporation is responsible for:

- ensuring that the College complies with its legislative duties, including the General and Specific duties;
- ensuring that adequate strategies and systems are in place to implement the Equality Duty;
- approving and reviewing the progress of the College's equality, diversity and inclusion objectives and related strategy development.

9.2 The Principal and Executive Leadership Team are responsible for:

- Chairing the College's Equality, Diversity and Inclusion Group;
- providing a consistent and high profile lead on equality issues including FREDIE principles;
- promoting a general awareness of equality within and outside College;
- requiring managerial action to implement the Duty and related policies ensuring the Equality Duty and its aims are followed.

9.3 Managers are responsible for:

- implementing the Duty and its related aims and strategies;
- ensuring that all staff are aware of their responsibilities and are given appropriate training and support;
- following the relevant procedures in taking appropriate action against staff or learners who carry out discrimination.

9.4 All staff are responsible for:

- ensuring they are aware of the College's statutory duties in relation to equality legislation;
- eliminating unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010;
- promoting positive attitudes towards equality, diversity and inclusion;
- completing staff development mandatory training in order to keep up to date with legislation regarding equality and diversity the College's commitment to best practice initiatives in relation to equality, diversity and inclusion where it is possible to do so

9.5 All staff will be made aware that processes are in place to appropriately deal with any allegations of discrimination, harassment, abuse or victimisation.

9.6 All learners will be expected to adhere to the following:

- The College aims to ensure equality of opportunity for all learners giving them an equal chance to participate in all aspects of provision. The College will take all reasonable steps to ensure that our learning environment does not prevent people from becoming a learner.
- Learners are expected to create and maintain an environment where discrimination, harassment, abuse or victimisation are considered unacceptable and to support the aims of the Equality, Diversity and Inclusion Policy. Awareness and understanding of the College's Equality, Diversity and Inclusion values are shared through the curriculum, induction, learner policies, learner handbook, learner tutorial enrichment programme and learner voice activities.

## **10 Employment policies**

10.1 The College's employment policies and procedures will be continually reviewed to ensure compliance with this policy, to reflect current best practice and to remove barriers experienced by members of disadvantaged social groups in seeking employment with and working for the College.

## **11 Learner policies**

11.1 The College's learner policies and procedures will be continually reviewed to ensure compliance with this policy, to reflect current best practice and to minimise barriers experienced by learners with protected characteristics and members of disadvantaged social groups when seeking education and training at the College.

## **12 Breach of this policy**

12.1 Any employee who feels they have been treated in a way which is contrary to this policy should raise this either formally through the grievance procedure, the or informally with a senior manager, or a member of Human Resources.

12.2 Any breaches of this policy by employees will be fully investigated and may lead to disciplinary action.

- 12.3 Any breaches of this policy by learners, for example acts of discrimination, harassment, abuse or victimisation, will be treated as a serious disciplinary offence.
- 12.4 Learners or prospective learners who consider that they have been unfairly treated have access to the learner complaints procedure.
- 12.5 An employee or prospective employee can also make a disclosure of a wrongdoing to the Clerk to the Board as outlined in the College's Whistleblowing Policy and Procedure. Disclosures must be in the public interest.
- 12.6 A governor or prospective governor can raise a complaint with the Governing Body.

## Glossary of terms

### Discrimination

The Equality Act 2010 provides protection from discrimination for those with a protected characteristic however there is a variance of the level of legal protection within the legislation, depending on the particular protected characteristic. There are various types of discrimination included in the Equality Act 2010:

**Direct discrimination:** where an individual is treated less favourable than another because of a protected characteristic.

**Associative Discrimination:** where a person is directly discriminated against or harassed for association with another person who has a protected characteristic where a person is directly discriminated against or harassed for association with another person who has a protected characteristic.

**Perceptive Discrimination:** where someone is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic.

**Indirect Discrimination:** where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a protected characteristic such that it would be to the detriment of people who share that characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**Harassment:** where there is unwanted conduct, related to a protected characteristic 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 this effect was intended.

**Victimisation:** where an employee is subjected to a detriment because he/she has supported a complaint or raised a grievance under the Equality Act 2010 or because he/she is suspected of doing so. It is important to remember that it is not the intention of the harasser but how the recipient perceives their behaviour, which determines whether harassment has occurred. Please see the College's Human Resources and learner related policies for further details of how the College will deal with bullying and harassment.