

1 Vision/Mission Statement

- 1.1 To make a difference and change lives. To create opportunities for students to believe, achieve, succeed.

2 Guiding Principles

- 2.1 This policy is written in the context of our values
Respect
Integrity
Truth
Generosity
Kindness

- 2.2 *We will provide a range of individual learning opportunities within our education and training provision that:*

- *ensure appropriate access*
- *reflect the views of students*
- *are inspiring, engaging and fun*
- *value and celebrate diversity and student success*
- *are delivered in a safe learning and working environment.*

The context of this policy supports the following: -

2.3 Safeguarding Statement

The Centre recognises its responsibilities and duties under the Working Together to Safeguard Children 2013 requirements, which defines safeguarding as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children grow up on circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children to have the best outcomes.

PLUS believes that safeguarding students is our paramount concern and therefore safeguarding issues take priority in relation to any other policies and/or procedures.

2.4 H&S Statement

Skills Centre PLUS recognises its responsibilities and duties under the Health and Safety at Work Act 1974, to provide a healthy and safe working and learning environment so far as is reasonably practicable. This duty extends to cover employees, students, contractors, Visitors and members of the public and covers all its related activities and undertakings.

2.5 Equality & Diversity Statement

Skills Centre PLUS strives to promote beliefs and image that positively reflects its commitment to advancing equality of opportunity and celebrating diversity. The Centre does not tolerate any prejudicial behaviour by any member of its

Community and has a zero-tolerance policy to bullying, harassment and victimisation. Every step is taken to eliminate unlawful discrimination and foster good relations among all social groups. The Centre is committed to ensuring that it does not discriminate either directly or indirectly against individuals on the grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and maternity and pregnancy.

3 Our Commitment

- 3.1 The Centre is committed to providing equal opportunities and celebrating diversity in all aspects of its work and to avoiding unlawful discrimination, harassment and victimisation to staff, students and customers. The Centre is committed to advancing equality of opportunity between people from different groups. This involves considering the need to:
- Equality means ensuring that everyone is treated equally i.e. that all students have the same right of access to resources. Consequently to ensure equality of opportunity, individuals / groups may be treated differently.
 - Diversity is recognising that individuals and groups of people are different and that it is important to value and celebrate difference.
 - Direct Discrimination is treating someone less favourably than he/she would treat others because of a protected characteristic.
[The individual does not need to possess the protected characteristic]
 - Indirect Discrimination is where an employer/provider has a condition, rule, policy or practice that applies to everyone but particularly disadvantages people who have a protected characteristic. [It can be justified if it is proportionate means of achieving legitimate reason]
 - Associative Discrimination is discrimination directed against someone who associates with another person that possesses a protected characteristic.
 - Perceptive Discrimination is direct discrimination against someone because they are thought (wrongly) to possess a protected characteristic.
 - Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of violating an employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
 - Victimisation is where an individual is subjected to a detriment because they make, or are suspected of making, or supporting a complaint or grievance under the Equality Act 2010. [No protection if a complaint has been maliciously made or supported an untrue complaint].
 - Third Party Discrimination protects employees who are harassed by clients, contractors of the employer/provider. An employer is liable if the conduct has occurred on at least two previous occasions, is aware it had taken place and had not taken reasonable steps to prevent it occurring.
- 3.2 The policy is intended to assist the Centre to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.
- 3.3 The Centre strives to ensure that the work and learning environment is free of harassment and bullying and that everyone is treated with dignity and respect. The Centre has a separate Anti Harassment and Anti Bullying Policy for staff and students which deal with these issues.
- 3.4 Wherever possible the Centre will use Association of Colleges (AoC) good practice guidelines.

4 Guiding Principles

- 4.1 PLUS has a set of core values which informs its culture and ethos. The core values are:
- o Respect
 - o Integrity
 - o Truth
 - o Generosity
 - o Kindness

- 4.2 Skills Centre PLUS does not tolerate any prejudicial behaviour by any member of the Centre. The Centre is committed to ensuring that it does not discriminate either directly or indirectly in the provision of goods, facilities or services to students, staff or customers on grounds of the protected characteristics as outlined in the Equality Act 2010 and Public Sector Duty 2011.
- 4.3 Discrimination affects the ability of groups and individuals to take part on an equal basis with others, at work, in education and training, and in all aspects of everyday life. Such discrimination dismisses the opportunity available to these groups and goes against the principles of the Centre's Mission.
- 4.4 The Centre is totally opposed to any form of victimisation, bullying and discrimination and if any member of the Centre community considers that they have been treated unfairly, they may have grounds for a complaint which will be dealt with through the complaints procedure. Any form of discrimination may be treated as a disciplinary offence resulting, if appropriate, in disciplinary action under the Centre's Disciplinary Procedure for staff and Learning and Behaviour Policy for students.
- 4.5 The Centre strongly believes that the diversity of our local communities is one of our greatest strengths and our most valuable asset. The Centre is fully committed to equality of opportunity and the Centre believes that all individuals have an equal right to develop and achieve their full potential. Our strategic aims reflect this, taking full account of the Government priorities for the UK economy and the skilled workforce needed to deliver future prosperity at local and regional level.
- 4.6 Equality of opportunity and freedom from discrimination are fundamental rights and Skills Centre PLUS has a legal and moral duty to exercise leadership in the promotion of equality of opportunity and diversity. The Centre will promote equality and diversity and challenge all forms of discrimination through our role as a service provider, community leader and local employer.
- 4.7 Our goal is to foster an environment that offers people inclusivity and in which they feel safe and secure, achieving an improvement in the quality of life for all who learn or work at the Centre. Our commitment to equality and diversity is intrinsic to the way the Centre thinks and is therefore central to everything that the Centre does.
- 4.8 The Centre firmly believes that our work within the Centre, with local communities, partners and other agencies, will assist in pulling together a means to promote a culture that celebrates and welcomes diversity.
- 4.9 The Centre will follow best practice in all of the equality areas and work towards:
- Eliminating unlawful discrimination
 - Eliminating bullying and harassment
 - Promoting equality of opportunity
 - Promoting good relations between different groups in the community
 - Celebrating and taking account of people's differences.

5 Definition

- 5.1 Equality of opportunity means more than embracing differences such as gender/sex, disability, ethnicity, sexuality, age, religion or belief, marriage and civil partnership, maternity and pregnancy and gender reassignment (Protected Characteristics). It means ensuring that different people receive services, consultation and employment opportunities in a fair and equal way. This means recognising, accommodating and valuing diversity across the Centre and the community with which the Centre works.

6 Scope

6.1 This policy covers all aspects of Centre business and relates to both staff and student activity including:

- Employment and selection procedures for staff;
- Induction and probation for staff
- Staff Appraisal;
- Staff Remuneration;
- Staff Promotion and Training;
- Staff Disciplinaries and Grievances.
- Recruitment, selection and enrolment of students;
- Curriculum content and development;
- Course delivery and assessment;
- Teaching and learning materials and methods;
- External contracts;
- Self Assessment;
- Student Disciplinaries.

6.2 This Policy will set out how Skills Centre PLUS will work towards the promotion of equality of opportunity in all of its service delivery. It sets out how Skills Centre PLUS will ensure that discrimination is challenged and eliminated through compliance with legislation and positive action. This Policy will also set out the responsibilities of Governors, staff members and others, and actions that the organisation will take to ensure full compliance with this policy.

6.3 All of these documents outline the Centre's commitment to promoting equality of opportunity and celebrating diversity. They recognise, accommodate and value diversity across the Centre. They are designed to address any inequalities identified within service delivery and eradicate any such inequality. There are numerous links between these policies, strategy and plans and this Comprehensive Equality and Diversity Policy as they form the basis of the equality framework enabling us to deliver our commitment to equality and diversity with an emphasis on the elimination of any forms of harassment or unlawful discrimination.

7 Policy

7.1 The Centre's Equality and Diversity Strategy, Equality and Diversity Action Plan and Inclusion Report translate this policy into key strategic objectives:

1. To actively promote an ethos and culture that advances educational and social inclusion and equality of opportunity
2. To ensure that all external partnership and employer engagement complies with the provision legislations and within curriculum delivery to close the equality gap
3. To take proactive steps to eliminate unlawful discrimination, bullying, harassment and victimisation and to promote good relations for and between all social groups
4. To ensure that the Centre's Quality Assurance Framework is underpinned by and reflects the Centre's commitment to equality and diversity thereby promoting inclusion
5. To ensure there is effective monitoring of all aspects of the student journey to close the equality gap and actively promote equality of opportunity
6. To ensure there is effective monitoring in all aspects of the Centre's staff reporting mechanisms to address any inequality and actively promote equality of opportunity.

- 7.2 Protected characteristics include:
- Gender
 - Disability
 - Ethnicity
 - Sexuality
 - Age
 - Religion or Belief
 - Marriage and Civil Partnership
 - Maternity and Pregnancy
 - Gender Reassignment.

7.3 The Strategic Equality and Diversity objectives are owned at a strategic level by members of the Centre Directors and updated yearly.

7.4 PLUS as a Service Provider

PLUS will:

- Ensure that all our services are accessible
- Provide clear, meaningful information about Centre services in ways that are fully accessible and meet the community's diverse needs
- Monitor take-up and evaluate services to ensure that they do not discriminate or exclude
- Ensure our buildings are as accessible as possible by making all necessary reasonable adjustments
- Ensure equal access to the Centre's complaints procedure
- Ensure that all publicity materials present appropriate, positive and inclusive
- Encourage (and, where legally possible, require) others to adopt this Policy and associated action plans including those who provide goods and services on behalf of the Centre.

8 PLUS as an Employer

PLUS will:

- Follow its approved recruitment and selection specification and procedure
- Provide training on equality and diversity issues to all employees involved in recruitment and selection
- Review job descriptions regularly and remove any requirements that are unnecessarily restrictive or which might exclude particular groups
- Use only selection criteria that are relevant to the job and do not contain unjustifiable elements, including those relating to, gender, race, disability, age or personal circumstances
- Advertise all vacancies externally (except in exceptional circumstances to be agreed by the Company Director) and make sure that advertisements do not contain any wording or conditions which might be discriminatory in the context of this Policy
- Encourage applications from underrepresented groups, including using ethnic or special groups press for job advertisements where appropriate
- Ensure full job details, employment information and the Equality and Diversity Policy are available to all applicants, and make arrangements to have information available in alternative formats
- Ask interview candidates if they require special facilities at interview because of any disability they may have
- Keep full details of decisions about each applicant at each stage of the selection process.
- Promote equality and diversity through induction, probation and in-service training.

8.2 PLUS as a Community Leader

PLUS will:

- Listen and respond to the views of our learners and staff through appropriate consultation and participation
- Celebrate, respect and make known the variety of sexual orientations identities, lifestyles, culture and religions within our communities
- Work with others to provide an environment that is free from discrimination, harassment and violence
- Encourage and support local people to be active in public and community life

8.3 Consequently, the Centre is committed to ensuring that it does not discriminate either directly or indirectly in the provision of goods and facilities, services or employment in line with the protected characteristics.

9 Legal Responsibilities

9.1 The Centre operates within the legislative framework of the Equality Act 2010 and the Public Sector Duty 2011 and other relevant legislation i.e. The EU Framework for Equal Treatment in Employment Directive 2000 and The Work and Families Act.

Equality Act 2010

9.2 In keeping with the Centre's commitment to equality and diversity for all, and the requirements of the Equality Act 2010, this Centre will ensure that no individual or group is discriminated against, or receives less favourable treatment and thereby provide protection to the following groups:

- Age
- Gender Reassignment
- Disability
- Sex
- Religion or Belief
- Sexual Orientation
- Pregnancy and Maternity
- Race
- Marriage and Civil Partnership.

9.3 The Equality Act 2010 has general and specific duties. The General Duties requires public authorities to have due regards for the need to:

- Take proactive steps to eliminate unlawful discrimination, harassment and victimisation in relation to the protected characteristics
- Promote positive steps to promote good relations for and between all social groups
- Advance equality of opportunity.

The Specific Duties Regulation 2011 obliges the Centre to:

- Publish information to demonstrate the compliance with Equality Duty at least annually
- Set equality objectives at least every four years.

Other Legal Responsibilities

9.4 The Human Rights Act 1998 makes it unlawful for public authorities to act in a way that is incompatible with a Convention Right. There are 14 Articles in the HRA covering Convention Rights. Article 14 - Prohibition of the Convention Rights

- states that a person has the right not to be treated differently because of their race, religion, sex, political views or any other personal status, unless this can be objectively justified. Everyone must have equal access to convention rights, whatever their status. The principal effect of the HRA is to enable

people to enforce their human rights in the domestic courts. This should mean that people across society are treated with respect for their human rights, promoting values such as dignity, fairness, equality and respect. The Skills Centre PLUS Equality and Diversity Policy embraces these values and ensures that every member of staff and students` human rights are protected and promoted.

- Further details on The Human Rights Act 1998 can be found at www.hmso.gov.uk/acts/acts1998/19980042.htm

10 Responsibility

- 10.1 Under legislation and this Policy all members of staff and service users have a responsibility to listen to what others say and respect different points of view. All staff must also report all incidents of bullying and harassment and discrimination.
- 10.2 The overall responsibility for the development of a culture and policies to actively promote equality and diversity, tackling discrimination and narrowing the achievement gap is vested in the Board. The members of the Board are responsible for agreeing the policy content and monitoring, at least twice a year, its implementation.
- 10.3 The Company Directors are responsible for the strategic ownership and delivery of this Policy and associated equality schemes.
- 10.4 The Senior Management Team are responsible for the design and delivery of equality and diversity training.
- 10.5 Managers have responsibility for the day-to-day operation of this Policy and associated equality targets. They are also responsible for ensuring that all staff are aware of their legal responsibilities under equal opportunity legislation, reviewing and monitoring the operation of this Policy and associated equality schemes.
- 10.6 Line managers are responsible for ensuring that their staff understands equal opportunities and that they report all incidents of harassment and discrimination. They are also responsible for ensuring that all staff have equality of access and resources.
- 10.7 The overall responsibility for the monitoring of the effectiveness of this policy and for the implementation of action to make the policy fully operational is vested in the Senior Management Team.
- 10.8 The Directors and Senior Management Team are responsible for monitoring the effectiveness of this policy in relation to recruitment, selection and employment.
- 10.9 The Advisory Board has the responsibility to approve the Strategic Equality and Diversity Action Plan.

Your Responsibilities

- 10.10 All members of staff are responsible for demonstrating that the equality of opportunity is promoted. They should ensure an ongoing dialogue about equality of opportunity issues and priorities take place with learners, partners and organisations, contractors and other service users.
- 10.11 Every employee is required to assist the Centre to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.
- 10.12 Under the legislation of this policy every member of staff and every student has a responsibility to:
 - Listen to what others say and respect this point of view;
 - Speak out, or report it, if they witness or are aware of bullying, harassment, verbal or physical aggressions;
 - Question their own prejudices and assumptions;

- Familiarise themselves with the responsibilities that equalities legislation places on them and ensure that they are sensitive to the issues of cultural diversity
- 10.13 Employees can be held personally liable as well as, or instead of, the Centre for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.
- 10.14 Acts of discrimination, harassment, bullying or victimisation against employees, students or customers are disciplinary offences and will be dealt with under the Company's disciplinary procedure.
- 10.15 Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

11 Monitoring, Review and Dissemination

- 11.1 This Equality and Diversity Policy will be published on our staff shared drive. The Centre will also provide paper copies and other alternate formats upon request.
- 11.2 The Centre will report annually on the progress the Centre has made towards promoting equality in accordance with the Centre's equality objectives. To help us do this effectively, the Centre will ask all members of our learner community for their feedback. As part of these reviews, the Centre will consider the information the Centre collects on how our communities, learners and staff are accessing our services and employment opportunities to ensure that the Centre is making progress.
- 11.3 This Equality and Diversity Policy will be subject to annual review.
- 11.4 An Annual Report will be provided by the Director to Board.
- 11.5 The Equality and Diversity Statement, Policy, and Procedures will be reviewed yearly by the Directors and approved by the Board.
- 11.6 The Centre will collect equality and diversity data at all stages of a student's and employee's Centre career and where appropriate establish targets for improvement (equality impact assessments):

Students – Data relating to:

- applications
- take-up of guidance and additional support service
- retention
- suspensions and exclusions
- admissions
- achievement/success
- complaints

Staff – Data relating to:

- job applications
- appointments
- type of employment (grade)
- take-up of staff development and training opportunities
- use of disciplinary and grievance procedures
- staff promotion
- staff absences

12 Due Regard

12.1 In line with the Equality Act 2010 and Public Sector Duty 2011 the Centre supports good decision making by encouraging staff to understand how different people will be affected by their activities so that our policies and services are appropriate and accessible to all and meet the needs of different people. In line with legislation the Centre has to demonstrate 'due regard' in relation to the need to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity between people from different groups - this involves considering the need to:
- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low
- foster good relations between people from different groups - this involves tackling prejudice and promoting understanding between people from different groups.

12.2 Due regard comprises two linked elements, proportionality and relevance. To demonstrate due regard as employers, education and service providers, the Centre needs to consider the relevance of the three aims of the equality duty when:

- developing, evaluating and reviewing policies (including, for example, those relating to recruitment and selection)
- designing, delivering and evaluating services, including education provisions
- commissioning and procuring services from others.

12.3 To consider proportionality, the Centre should determine:

- the relevance of the policy to protected groups
- the relevance of the policy to the public sector equality duty
- any concern previously raised about policy or practice
- any information indicating an adverse impact on a protected group.

12.4 Consequently, the Centre needs a process/procedure to identify where a policy or procedure:

- is likely to result in discrimination against a protected group
- needs development to ensure that it adequately caters for the requirements of different protected groups
- positively contributes to the participation of underrepresented groups in the Centre activities.

12.5 The Centre will operate a strategic approach to assessing due regard in relation to requirements of the Equality Act 2010, as opposed to reviewing the operational detail of each policy in isolation from its strategic context. An operational approach limits the opportunity for managers to understand the strategic importance of equality and diversity in relation to their scope of responsibility.

Appendix 1 outlines the approach used to review E&D in policy development.

In producing a policy/procedure the author will evaluate how in the context of Equality and Diversity is 'due regard' impacts upon:

- eliminating discrimination, harassment and victimisation
- advancing equality of opportunity between different groups
- fostering good relations between people of different groups.

The process will be underpinned by the two linked elements of proportionality and relevance.

13 Monitoring, Review and Dissemination

- 13.1 This Equality and Diversity Policy will be published on shared drive. The Centre will also provide paper copies and other alternate formats upon request.
- 13.2 The Centres will review the progress made towards promoting Disability, Gender, Race and Age equality at team meetings.
- 13.3 The Senior Management Team will meet at least six monthly to review the Centre's progress on promoting and achieving race, sexual orientation, disability, gender and age equality. Progress will also be monitored and managed across the organisation through our performance management framework.
- 13.4 This Equality and Diversity Policy will be reviewed yearly.

Appendix 1

Equal Opportunities and Diversity Impact Assessment and Due Regard Monitoring

The policy/procedure author will consider the following:

The purpose of an Equality Impact Assessment (EQIA) is to improve the work of the Centre by making sure it does not discriminate against a protected group and that, where possible, it promotes equality. It is a way to make sure individuals and teams think carefully about the likely impact of their work on protected groups i.e. protected characteristics: Age, Disability, Race, Sex, Sexual Orientation, Religion or Belief, Marriage and Civil Partnership, Maternity and Pregnancy or Gender Reassignment and take action to improve policies, services, strategies, procedures and functions. It involves anticipating the consequences of policies and projects on the target groups and making sure that, as far as possible, any negative consequences are eliminated or minimised and opportunities for promoting equality are maximised.

Where does an EQIA come from?

In line with the Equality Act 2010 and Public Sector Duty 2011 the Centre has to demonstrate 'due regard' in relation to the need to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity between people from different groups - this involves considering the need to:
 - remove or minimise disadvantages suffered by people due to their protected characteristics
 - meet the needs of people with protected characteristics
 - encourage people with protected characteristics to participate in public life or in other activities where their participation is low
- foster good relations between people from different groups - this involves tackling prejudice and promoting understanding between people from different groups.

Due regard comprises two linked elements, proportionality and relevance. To demonstrate due regard as employers, education and service providers, the Centre needs to consider the relevance of the three aims of the equality duty when:

- developing, evaluating and reviewing policies (including, for example, those relating to recruitment and selection)
- designing, delivering and evaluating services, including education provisions
- commissioning and procuring services from others.

To consider proportionality, the Centre should determine:

- the relevance of the policy to protected groups
- the relevance of the policy to the public sector equality duty
- any concern previously raised about policy or practice
- any information indicating an adverse impact on a protected group.

Consequently, when policies and procedures are created the author ensures that consideration is given to the following:

- is it likely to result in discrimination against a protected group
- does it require development to ensure that it adequately caters for the requirements of different protected groups
- will it positively contribute to the participation of underrepresented groups in the Centre activities.

Where a particular policy or practice is found to have a discriminatory impact on a protected group, the author will explore alternative policies or practices or justify their actions within the constraints of the law. PLUS would need to be able to justify this decision and any subsequent actions to demonstrate due regard. Such justifications will be required if a legal challenge is made. To demonstrate due regard, it would where appropriate, be necessary to involve staff, students and other stakeholders in the process.