

Equality and Diversity Policy

| Document History | |
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| Area | Quality |
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1: Policy Statement

Wigan and Leigh College is committed to creating an environment where students, staff, governors, visitors and other stakeholders actively promote equality and diversity, tackle bullying and discrimination and narrow the achievement gap. The college wants to ensure students have excellent experiences that ensure they are well equipped for the next stage of their education, training and/or employment.

The College is committed to:

- Upholding its values including FREDIE values introduced in the academic year 2022-23
- Focusing on learning which encourages high aspirations and success
- Applying excellence and integrity in all we do
- Respecting all students and staff
- Ensuring staff are appropriately trained, supported and valued
- Maintaining financial stability for the benefit of students
- Being responsive to individuals, employers, the community and the Government

The College seeks to provide a safe, supportive environment for all its staff and students in which everyone is treated with dignity and respect, regardless of disability, race; age; gender reassignment; religion or belief; sex; sexual orientation, marriage and civil partnership and pregnancy and maternity / paternity. The College welcomes individuals and groups from local, regional and international communities. The promotion of equality and diversity enables students to reach their potential. The College will value difference and diversity and will strive to create positive working relationships so that everyone can work and study to the best of their abilities, free from discrimination, harassment or victimisation

2: Scope

This Equality and Diversity Policy provides a framework and the overarching principles for the development and promotion of a learning environment that is accessible to all and that promotes equality of opportunity within the learning environment and employment.

This Policy will apply to both internal and external customers who come into contact with and work for Wigan and Leigh College. This includes Governors, full time, part time and temporary staff and students, visitors and contractors; additionally it will set the standards we require of subcontracted learning providers.

3: Policy Content

In line with the Equality Act (2010), the College will work actively to meet the requirements set out within the Public Sector Equality Duty. We aim to:

- advance the equality of opportunity between people who share a protected characteristic.*
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.**
- foster good relations between people who share a protected characteristic and those who do not.
- publish Equality Objectives at least every 4 years on the College web site;
- publish annual equality information on the College web site that provides sufficient information to demonstrate compliance with the general duties.

*With regards to Protected Characteristics, the College aims to ensure that no one receives less favourable treatment for reasons relating to all recognised protected characteristics. These are:

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

Although not a recognised Protected Characteristic, the College also aims to reduce socio-economic inequalities through access to education and in reducing gaps in performance.

**The College will strive to eliminate the following forms of discrimination, harassment, victimisation and bullying. These are outlined below.

Direct Discrimination:

- A person is treated less favourably than someone else in comparable circumstances.
- The less favourable treatment is for a reason relating to a person's protected characteristic.
- The less favourable treatment cannot be justified.

Indirect Discrimination:

This can occur when a condition, rule, policy or even a practice that applies to everyone particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be demonstrated fully that the organisation acted reasonably in managing the business need, i.e. that it is 'a proportionate means of achieving a legitimate aim'

Discrimination by Association:

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For example, a carer of a disabled child or adult or someone that has a gay or transsexual friend/relative.

Discrimination by Perception:

This is discrimination against someone because the other person thinks or perceives that they possess a particular protected characteristic. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Discrimination Arising from Disability:

Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected to their disability and such treatment cannot be justified. Discrimination arising from disability is different from

direct discrimination. Discrimination arising from disability will occur if the following three conditions are met:

- A disabled person is treated unfavourably, that is putting them at a disadvantage, even if this was not the intention.
- This treatment is because of something connected with the disabled person's disability (which could be the result, effect or outcome of that disability) such as an inability to walk unaided or disability-related behaviour.
- The treatment cannot be justified by showing that it is 'a proportionate means of achieving a legitimate aim'.

Discrimination Arising from Subconscious Bias:

Subconscious bias is when people favour others or treat others differently to someone who looks like them and/or share their values. Discrimination may not be inherent in the act complained of but may be discriminatory because of "the motivation, conscious or unconscious of the alleged discriminator. Employees are able to make a complaint of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant protected characteristic themselves. A first response may be to understand and educate.

Harassment:

Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual". Employees are able to make a complaint of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant protected characteristic themselves. Employees are also protected from harassment because of perception and association.

Victimisation:

Victimisation can occur when an employee is being treated badly because they have made or supported a complaint or raised a grievance under the Equality Act, or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Bullying:

Bullying is usually persistent behaviour, directed against an individual or group, which is intimidating, offensive or malicious and which undermines the confidence and self-esteem of the individual.

Free Speech:

Freedom of expression and academic freedoms are essential and underpin education. The principles of free speech and academic freedoms when embedded in a respectful and tolerant way are fundamental to this. The College is obliged to take reasonably practicable steps to secure freedom of speech within the law. Speech that is not lawful is not protected and there is no obligation to secure it. Therefore speech that amounts to unlawful harassment or unlawful discrimination under the Equality Act is not protected.

To meet these priorities, the college will invest in its employees by:

- Having a swift, robust response in terms of challenging and eliminating bullying or harassment.

- Ensuring that all new staff undertake a robust and supportive induction that includes the college equality and diversity ethos.
- Training staff in equality and diversity issues to enable them to carry out their role that reflects the ethos of the organisation whilst empowering them to have a positive influence on the college culture and the future of their students.
- Regularly reviewing and reporting on workforce monitoring for equality and diversity and take action where needed.
- Using a variety of recruitment methods to ensure that we attract and retain staff from a wide range of backgrounds reflective of our local community and ensuring parity in terms of opportunities to progress within the organisation.
- Complying with all equalities related employment legislation.
- Making reasonable adjustments and the offer of support for staff with particular needs.
- Being consistently vigilant in terms of overt and covert behaviour.

We will aim to provide our students with an outstanding environment for teaching and learning, ensuring equality of access by:

- Using marketing strategies that target underrepresented groups to attract students from a variety of backgrounds.
- Providing guidance for students that is sensitive to equality and diversity issues.
- Ensuring that the college offers a wide range of programmes that cater for all potential students.
- Delivering a curriculum that meets the needs and reflects the diversity of our student body and community.
- Acting in a robust manner to challenge and eliminate prejudice, discrimination, bullying or harassment.
- Making reasonable adjustments for students with particular needs.
- Complying with all equalities related legislation.
- Providing accommodation that creates an accessible, safe and secure environment for all students.
- Providing a wide range of forums for students to ensure that their voice is heard and issues raised are acted on.
- Encouraging open and frank discussions around issues that support learning, educational attainment, aspiration, mental health and any form of subconscious bias or discrimination.
- Take steps to ensure a culture grounded in freedom of speech. That includes freedom of speech for students, for those who teach or supervise them and for visiting speakers.

We will also ensure all students have access to appropriate assessment opportunities by:

- Using the Additional Learning Support Team to carry out assessments and/or collate a comprehensive and compelling body of evidence to demonstrate the appropriateness of any arrangement so as not to place a student at a substantial disadvantage on account of their disability or learning difficulty.
- Agreeing all access arrangement prior to an assessment to allow candidates with disabilities, learning difficulties or temporary injuries to access the assessment and show what they know and can do without changing the demands of the assessment.
- Providing access arrangements as listed in JCQ regulations (chapter 5 and 6 of the adjustments for candidates with disabilities and learning difficulties).

- Meeting a range of access arrangements for candidates who are likely to have a number of required adjustments as outlined in JCQ regulations (chapter 4 of the adjustments for candidates with disabilities and learning difficulties).
- Making reasonable adjustments that may be unique to an individual and may not be included on any prescribed list of available access arrangements. Whether an adjustment will be considered reasonable will depend on a number of factors which will include, but are not limited to, the needs of the disabled candidate, the effectiveness of the adjustment, the cost of the adjustment and the likely impact of the adjustment upon the candidate and other candidates.

4: Roles and Responsibilities

All staff will comply with the general duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Particular responsibilities in the organisation are listed below.

The Board of Governors:

The Board is responsible for ensuring that Equality and Diversity is incorporated into the strategic direction and commitment of the College. It is responsible for the scrutiny of equality monitoring data and the progress being made in relation to the Public Sector Equality Duty.

The Principal:

The Principal has overall responsibility for providing direction and leadership in advancing and monitoring Equality and Diversity and ensuring the College meets its legal responsibilities.

Vice Principal Curriculum:

The Vice Principal Curriculum is responsible for giving a consistent and high profile lead, and ensuring the Equality Objectives are set in relation to the strategic objectives, devising and implementing the annual action plan. The role is also responsible for ensuring that action plans are monitored and are embedded within the college's self-assessment and strategic planning processes, and providing reports to the Executive team and the Board of Governors.

Head of Quality:

The Head of Quality is responsible for ensuring that the Equality Objectives are embedded with the Teaching, Learning and Assessment strategy and monitored through the cross college quality processes. The role is also responsible for assisting the Vice Principal Curriculum to ensure the action plans are monitored and are embedded within the college's self-assessment and strategic planning processes, and providing reports to the Executive team and the Board of Governors. Complaints are also monitored in relation to protected characteristics.

Head of Higher Education:

The Head of Higher Education is responsible for ensuring that Office for Students Regulatory Advice is considered and acted upon as part of the College's Equality and Diversity Group (e.g. in line with the College's Access and Participation Plan and guidance in relation to Freedom of Speech)

Assistant Principal MIS & IT:

The Assistant Principal MIS & IT is responsible for ensuring curriculum data is recorded and reported effectively to identify any areas of under achievement relating to protected characteristics so that appropriate and effective interventions can be made.

The Equality and Diversity Group:

The Equality and Diversity Group is responsible for adopting a proactive and participative approach to the promotion and implementation of Equality and Diversity and ensure that the principles of Equality pervade all of our work and are embedded into our culture. The Equality and Diversity group is supported by sub groups and task and finish groups, that work towards the targets set within the Equality Objectives. The group is also responsible for completing annual reports on the progress made on equality practice in line with the specific equality duty. An infrastructure and systematically approach which ensures we are consistently self-assessing, consider all aspects and that we prioritise impact over intent.

All managers:

All managers are responsible for creating a positive, inclusive culture that challenges discriminatory attitudes and behaviour amongst colleagues, staff and students. Managers need to ensure that identified objectives, where appropriate, are embedded within their functional or curriculum action plans and for putting the related policies and procedures into practice. They are also responsible for ensuring that their staff know and understand their responsibilities with regard to this.

All teaching and learning staff:

All Teaching and Learning Staff are responsible for embedding the principles of Equality and Diversity into their professional practice and using naturally occurring opportunities to promote and develop our students understanding of equality and diversity issues. They need to ensure that their students are aware of their responsibilities associated with legislation in this area.

All staff:

All college staff are responsible for ensuring that equality of opportunity and respect for diversity is at the heart of all we do. They are also responsible for working to eliminate discrimination and promoting the right of every individual to be treated with respect and dignity. They need to ensure that they challenge prejudicial attitudes and discriminatory behaviours of colleagues, students, visitors and outside contractors as appropriate.

All Students:

Students need to ensure that they are aware of their responsibilities associated with legislation in this area. They must not use discriminatory language and behaviour and should challenge discriminatory language and behaviour as not appropriate where it is observed amongst peers. The benefits of education in terms of Equality and Diversity can be transformative in terms of their long term success and personal development.

All contractors and service providers:

All contractors and service providers are required to be aware of our Equality and Diversity Policy and to follow this in any contracts or agreements.

5: Associated Documentation

- Equality and Diversity Objectives 2024-28
- Annual Equality and Diversity Report

6: Related Policies and Procedures

- Fitness to Study Policy
- Examination related policies
- Human Resources related policies including the Grievance procedure, Discipline Procedure and Whistleblowing procedure
- Anti-Slavery and Human Trafficking statement
- Complaints policy and procedure
- Anti-Bullying Policy
- Safeguarding policy
- Office for Students Regulatory Advice 2024 – Guidance related to freedom of speech

7: Review

The College will review the Equality and Diversity Policy every two years (or whenever new legislation comes into force, whichever is sooner) with the Policy and associated equality related documents reviewed at the Board of Governors