



EQUALITY, DIVERSITY & INCLUSION POLICY

1. Policy Statement

- 1.1 Herefordshire, Ludlow and North Shropshire College (HLNSC) is defined by its people. Every individual within the College is unique, bringing different backgrounds, personal characteristics, experiences, skills and motivations. The College values these differences and recognises that diversity is a strength.

Fostering an inclusive culture enables individuals to benefit from a wider range of perspectives, experiences and skills. The College believes that this creates a positive, respectful and productive environment for all.

This policy:

- outlines our commitment to Equality, Diversity and Inclusion (ED&I) and sets out how this commitment is put into practice;
 - explains the behaviours expected of all individuals in support of this commitment;
 - describes the measures taken to promote inclusion, including the College's diversity and inclusion framework and how equality of opportunity throughout the employment lifecycle is ensured.
- 1.2 The College is committed to promoting and advancing equality of opportunity, not only because it is an important part of the mission, vision and values of the College, but also because, by attracting and retaining the most diverse range of talented people as learners, staff and partners, we will ensure the College's future success.
- 1.3 HLNSC is committed to promoting fairness and eliminating unlawful discrimination, harassment and victimisation on the grounds of the protected characteristics set out in the Equality Act 2010.

The College also recognises that people may experience unfair treatment or disadvantage for reasons beyond the statutory protected characteristics. We therefore seek to prevent unfair treatment based on irrelevant or inappropriate criteria, including, where applicable, caring responsibilities, socio-economic background, culture, nationality, trade union activity or other personal circumstances.

We aim to recognise and value the contribution made by everyone to our learning and working environment.

This policy does not form part of a staff member's contract of employment, and the College reserves the right to amend or withdraw it where appropriate.



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- 1.4 The College strives to ensure that all staff and learners, whether existing or potential, receive fair treatment:

- when making an application;
- throughout recruitment and admission;
- in terms of access, participation and inclusion;
- in terms of retention, achievement and progression;
- in employment, development and career progression;
- in relation to employability and other opportunities.

The College will pay particular attention to the experiences and outcomes of under-represented groups and groups who may experience disadvantage or barriers.

For further information about the procedures of Disabled Students' Allowance, visit <https://www.gov.uk/disabled-students-allowance-dsa>.

2. Purpose and Aims

The College is committed to achieving its public sector general equality duty, which is set out in the Equality Act 2010 by having due regard to the need to:

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

- 2.1. The College will, through its commitment to ED&I ensure that all individuals are able to achieve their full potential and realise their personal goals and will not discriminate on grounds of any protected characteristic, as defined by the Equality Act 2010. These are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

- 2.2 This Policy seeks to ensure that the College is fully committed to ensuring equality of opportunity and fairness in all areas of employment and education, and in recognising and celebrating the value of diversity and inclusion.

- 2.3. HLNSC aims to appoint, develop and motivate people and create a working environment which encourages high performance, trust and co-operation between individuals and teams. ED&I are fundamental to the achievement of this aim.



- 2.4. The College will, both as an employer and as a provider of education and training, work towards eliminating unlawful discrimination, harassment or victimisation in the relation to the protected characteristics outlined in the Equality Act 2010 and eliminating discrimination on the grounds of a perceived or associative protected characteristic; thereby promoting an environment where all individuals feel valued, safe, included and respected.
- 2.5. The College will continually strive to create an inclusive environment by recognising, valuing and celebrating difference and appreciating that people with different backgrounds, experience, skills and attitudes introduce new ideas and develop increased awareness, understanding and harmony within the College community.
- 2.6. The College staff recruitment and selection process, policies and practice are designed to ensure that when employment decisions are made, they are based solely on the skills and qualities required for the position and comply with all relevant employment legislation and best practice standards.

All members of the College community and everyone associated with the College is accountable for their own compliance with this Policy.

3. What the College expects from you

- 3.1 We expects everyone to take personal responsibility for observing, upholding, promoting and applying this, Policy. Our culture is made in the day-to-day interactions between us so creating the right environment is a responsibility that we all share.
- 3.2 Cultivating this culture does not happen by accident but requires ongoing commitment and nurturing. The reality is that we live in a world where areas of difference (whether gender, sexual orientation, ethnicity or others) often translate to biases, challenges and barriers that may not be faced by others. And the more areas of difference a person brings, the more this effect can be compounded. In this way, the experiences of a black woman with a disability may be very different to the experiences of a black woman without a disability and very different from the experiences of a white woman. This way of looking at diversity and inclusion is known as "intersectionality".
- 3.3 We expect you to treat your colleagues, learners and third parties, including customers, suppliers, contractors, agency staff, employers and consultants, fairly and with dignity, trust and respect.

Sometimes this may mean allowing for different views and viewpoints and making space for others to contribute.

By embedding these values and constructively challenging inappropriate comments, behaviour or ways of working, you can help us achieve and maintain a truly inclusive culture.

- 3.4 Any dealings that you have with colleagues, learners or third parties must be free from unlawful discrimination, harassment, sexual harassment, victimisation and bullying.



- 3.5 If any of our people is found to have committed, authorised or condoned an act of discrimination, harassment, sexual harassment, victimisation or bullying, we will take appropriate action, including, where applicable, under the Disciplinary Procedure.
- 3.6 You should be aware that individuals may have personal liability for acts of unlawful discrimination, harassment or victimisation in addition to any liability that may arise for the College.

4. Rights and Responsibilities

- 4.1 Learners, staff, governors, agency workers, visitors and contractors are required to support and uphold the principles set out in the policy. Partners and Employers are expected to maintain these standards when working with Learners, through their own ED&I Policies or by adhering to college policies.
- 4.2 HLNSC is responsible for ensuring appropriate equality policies, procedures and structures are in place and that such policies and procedures are effectively monitored and implemented. The equality and diversity policy is reviewed by the College Management Team and approved by the Corporation on a biannual basis, or earlier where required, for example, to respond to legislative changes.
- 4.3 The Corporation, the College's governing body, has overall responsibility for ED&I.
- 4.4 The commitment of all members of the College's community is required to make the policy a success. Failure to comply with this policy by staff or learners will be investigated and may result in action under the relevant staff disciplinary, learner disciplinary, complaints, grievance, bullying and anti-harassment, safeguarding or other applicable procedure.
- 4.5 If you experience or witness any harassment, discrimination, sexual harassment, victimisation or bullying, please report it as soon as possible, even if it is not directed at you personally.

Reporting procedures are detailed in Appendix A.

No individual is expected to confront another person where doing so would be unsafe or inappropriate.

- 4.6 The policy is developed within the framework of UK and European legislation, listed at Appendix B.

5. Promoting the policy and equality of opportunity

- 5.1 HLNSC will seek to ensure that equality and inclusion are embedded throughout the learner and employment lifecycle and will promote equality of opportunity by:



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- ensuring that all employees and governors understand their responsibilities and accountabilities for promoting equality of opportunity;
- consulting with students and employees, using the outcomes to guide future action;
- making the College welcoming to all, irrespective of age, disability, race, ethnicity, gender, religion or belief, marital status, pregnancy or maternity status, sex, gender reassignment, sexual orientation or social background;
- identifying and removing barriers, within the College's control, which hinder or prevent students or employees from achieving their full potential;
- taking positive action to create an environment that is welcoming to students and employees from ethnic minority cultures;
- ensuring that all curriculum teams actively seek opportunities within their programmes to celebrate diversity, widen students' cultural understanding and prepare them to be effective citizens;
- training and developing all employees to ensure that they have the skills needed to promote equality of opportunity;
- monitoring relevant equality information to identify potential inequalities and barriers;
- reviewing policies and practices for potential discriminatory impact;
- taking appropriate action where monitoring or other evidence identifies inequality or disadvantage.

6. Implementation and training

- 6.1 The Policy is implemented through training staff and through the whole of the College's activities, which is underpinned by an extensive plan of staff training and development via the annual Continuous Development Plan (CPD).

CPD are used to help embed ED&I into the curriculum.

Course teams take account of individual and group needs, and plan to take full advantage of learning opportunities to promote equality and diversity in the classroom.

Self-assessment and other quality-assurance processes will be used to identify areas of strength and areas for improvement against the protected characteristics and wider equality objectives of the College.

- 6.2 The College's ED&I strategy, equality objectives and action plans will detail how the College is continuously improving its equality practice and how it meets its legal and regulatory requirements.

These arrangements will be reviewed and updated as required.

- 6.3 The College will monitor and review equality impact through appropriate equality analysis or equality impact assessment processes for relevant policies, decisions, processes or situations, such as significant organisational change, mergers, restructures or changes to services.



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Equality considerations will be integrated into decision-making rather than treated as a separate exercise.

- 6.4 Teaching and Learning strategies and implementation will embrace the ED&I agenda. The College will seek to ensure that curriculum design, teaching, learning resources, assessment and learner support are inclusive and accessible.
- 6.5 The whole College community and its partners are represented, where appropriate, through the College's ED&I Committee or equivalent governance arrangements. Staff and learners will be given appropriate opportunities to contribute to the development and review of equality-related policies and initiatives.
- 6.6 A Governor will have specific responsibilities for equality and diversity and will help ensure that the Corporation is fully informed of significant developments and receives appropriate assurance in this area.
- 6.7 We protect children and vulnerable adults through processes set out in our Safeguarding and Child Protection Policy, including the Prevent Duty. ED&I concerns will be managed through the appropriate policy or procedure. Where a concern also raises a safeguarding issue, the safeguarding procedures will apply.

7. **Provision of facilities**

The College provides private facilities for staff, learners, Governors and visitors to use for purposes such as prayer, religious observance, breastfeeding, reflection and other appropriate private needs.

Each campus has an allocated room for these purposes, subject to availability and the arrangements applicable at that campus.

The College will seek to ensure that such facilities are accessible and provided in a way that respects the dignity, privacy and needs of users.

8. **Definition of terms**

8.1 **Equality**

Equality means treating all groups of people fairly, providing equality of opportunity and removing barriers to success. It is not about treating everybody the same because different people have different needs. For example, making reasonable adjustments for disabled people (like providing additional time in exams for dyslexic learners) removes barriers to equality of opportunity and helps prevent discrimination. Increasing our understanding of the needs of different groups of people promotes good relations between people.

8.2 **Equality protected characteristics**

Equality laws exist to protect the groups of people who have traditionally faced discrimination. These groups of people share equality protected characteristics such as age, disability (including physical, mental and learning impairments), race, sex,



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pregnancy, maternity and breastfeeding, gender reassignment, marriage or civil partnership, religion or belief and sexual orientation. Everyone has several of these protected characteristics therefore everyone is protected by equality legislation from discrimination in education, at work and in other situations.

8.3 Diversity

Valuing diversity means we consider visible and non-visible individual differences, which include personal characteristics such as background, culture and personality in addition to the equality protected characteristics. The aim of managing diversity is to realise the potential of every individual learner and staff member.

8.4 Harassment and sexual harassment

- 8.4.1 Harassment is defined as unwanted conduct related to a relevant protected characteristic that has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Harassment may include unwanted behaviour that makes you feel uncomfortable, even if it was not intended to do so, and even if it was not directed at you personally.

- 8.4.2 Sexual harassment is a conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

You should refer to our Bullying and anti-harassment policy for further information on our procedure for reporting harassment.

8.5 Discrimination

There are different types of discrimination:

- 8.5.1 Direct discrimination treats a person less favourably than another because of an equality protected characteristic. For example, a college only shortlists male applicants for interview because they assume women will not fit in.

A person can experience direct discrimination because of a protected characteristic, even if the person does not have the characteristic themselves.

- 8.5.2 Indirect discrimination is when the same rule is applied to everyone, but it has a worse impact on people with a particular protected characteristic and cannot be justified. For example, an employer who requires staff to commit to working from 8pm to 11pm every evening indirectly discriminates against women, who are more likely to be primary carers of children.



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8.5.3 Associative discrimination: Treating someone less favourably because they are associated with someone who has a protected characteristic, for example because their partner is transgender.

8.5.4 Discrimination by perception: Treating someone less favourably because you perceive them to have a protected characteristic even if they do not, for example choosing not to promote someone because you mistakenly perceive them to be gay.

7.5.5 Discrimination arising from disability: Treating someone unfavourably because of something connected with that person's disability and where such treatment is not justified. Examples include:

- dismissing or failing to pay a bonus to someone because of their disability-related absence; or
- disciplining someone for losing their temper where such loss of temper was out of character and was due to severe pain caused by them having cancer.

8.5.6 Failing to make reasonable adjustments: Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage. Failing to comply with this duty is unlawful. Examples of reasonable adjustments might include:

- allocating some of the disabled person's duties to a colleague;
- changing their working hours or place of work;
- adjusting procedures for assessing job candidates;
- modifying disciplinary and grievance procedures.

8.6 Disability-related discrimination or discrimination arising from disability and failure to make reasonable adjustments are forms of discrimination unique to disability, that involve treating a disabled person in a particular way that, because of their disability, amounts to treating them unfavourably. For example, a student with diabetes, carrying medication related to their condition, is refused entry by the college to an event with a no drugs policy.

8.7 **Victimisation**

Victimisation means treating someone worse than another because they have asserted their legal rights in line with equality legislation or helped someone else to do so. For example, a learner alleges that they have encountered racism from a tutor, and as a result they are ignored by other staff members.

8.8 **Bullying**

Bullying is a form of abuse involving persistent, offensive, abusive, intimidating or insulting behaviour, abuse of power or unfair penal sanctions which makes the recipient feel upset, threatened, humiliated or vulnerable. Bullying may be emotional, verbal or physical and it



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is not always obvious or apparent to others. It can be between two individuals, or it may involve groups of people.

Bullying, harassment and discrimination can occur in any media, not just face-to-face actions. For example, it may take the form of written communications, by phone, email, social networking sites, by SMS (texting), screensavers or posters.

The College's Bullying and Anti-harassment Policy provides further information on the procedure for reporting bullying.

- 8.9 Safeguarding is about the protection of children and vulnerable adults, and our approach is detailed in our Safeguarding and Child Protection Policy (including the Prevent Duty).

9. Equality of Opportunity

9.1 Recruitment

We take reasonable and appropriate steps to encourage job applications from as diverse a range of people as possible.

Anyone deciding about recruitment must not discriminate in any way and must have received appropriate ED&I and recruitment training.

Every decision-maker should challenge themselves, and other members of the recruitment selection panel, to make sure that stereotypes, unconscious bias or prejudice do not play an inappropriate part in recruitment decisions.

Recruitment decisions must be based on objective, relevant and proportionate criteria relating to the requirements of the role.

The College will consider reasonable adjustments for disabled applicants and will seek to ensure that recruitment processes are accessible and inclusive.

Questions about an applicant's health or disability will only be asked where permitted by law, including where necessary to identify reasonable adjustments or establish whether the applicant can undertake an intrinsic function of the role.

9.2 Career Development

Any decision relating to a person's promotion, development or career progression must be free from unlawful discrimination.

We ensure that selection criteria and processes for recruitment and promotion are reviewed regularly so that unnecessary or discriminatory barriers are identified and addressed.

The College will monitor workforce information where appropriate to identify potential disparities in recruitment, progression, development and retention.

Where appropriate and lawful, the College may take positive action to address disadvantage, meet different needs or encourage participation by groups who are disproportionately under-represented.



9.3 Disability Inclusion

9.3.1 Recruiting People with a Disability

The recruitment team will consider disability in advance of a recruitment campaign so that advertising, application forms and assessments, arrangements for interviews, job descriptions and person specifications, and selection criteria are appropriate and as inclusive as possible.

Applicants will be asked whether they require reasonable adjustments to be made to the recruitment process.

These may include, depending on individual needs:

- ensuring appropriate access to premises;
- adapting assessment arrangements;
- providing information in an accessible format;
- providing an alternative method of interview or communication;
- allowing additional time where appropriate; or
- making other reasonable adjustments identified with the applicant.

9.3.2 Talking About Disability

It is recognised that some people find it difficult to discuss their disabilities and that disability can be invisible or non-apparent.

Psychological safety, where people feel able to speak up about their experiences without fear of negative consequences, is important to ensuring disability inclusion.

However, this is only possible if people are treated with dignity, trust and respect, and we expect everyone to uphold these values.

Ableist language or behaviour will not be tolerated. This includes language or behaviour that is negative, inappropriate, discriminatory or offensive towards people with a disability and may take the form of jokes, stereotypes or "banter".

Where such behaviour occurs, the College will take appropriate action, including, where applicable, under the Disciplinary Procedure.

9.3.3 Reasonable Adjustments for you

If you have a disability, you do not have to tell us unless there is a specific legal or operational reason for disclosure.

However, we will encourage you to let us know if you require support so that we can consider reasonable adjustments to our premises, your role, your working arrangements, learning arrangements or our working and learning practices.



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If you are experiencing difficulties at work or in learning because of your disability, please contact your line manager, tutor, Learner Services, Human Resources or another appropriate member of staff to discuss potential reasonable adjustments.

We may need to discuss your needs with you and, where necessary and proportionate, seek advice from Occupational Health or an appropriate medical or specialist professional to help us identify appropriate support.

Where a person returns from a period of disability-related absence, the College will consider appropriate return-to-work support and reasonable adjustments.

9.3.4 Employee Assistance Programme

The College offers an Employee Assistance Programme (EAP) to provide confidential support to employees who may be experiencing personal, emotional, family, financial or work-related difficulties.

The EAP provides access to information, advice and support and may include counselling or other specialist assistance, depending on the circumstances. Employees can access the service directly and do not need to discuss their circumstances with their line manager before contacting the EAP.

The College encourages employees to make use of the EAP where they feel it may be helpful. Further information about the EAP, including how to access the service and the support available, can be obtained from Staff Portal or Human Resources Team.

9.3.5 Accessibility

The College will seek to ensure that its buildings, facilities, digital services, communications, learning materials and activities are accessible.

Where a person experiences accessibility difficulties because of a disability, they should contact an appropriate member of staff so that the issue can be considered and, where reasonably practicable, addressed.

9.3.6 Training

It is mandatory for all staff members who are involved in making decisions about a person's employment, recruitment, promotion or development, to undertake appropriate ED&I training.

All new starters will receive appropriate ED&I information as part of their onboarding programme.

The College will provide regular ED&I training and awareness activity, including training relating to sexual harassment prevention.

Everyone is expected to support ED&I initiatives by participating, where appropriate, in events, training and workshops designed to improve awareness and understanding of the



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challenges faced by others and how to help alleviate barriers in the workplace and learning environment.

10. Policy Review

This policy will be reviewed on an annual basis via the College Management Team, the Safeguarding and ED&I Committee, the Curriculum and Quality Committee and the full Board meeting.

**Appendix A:****Reporting Discrimination, Harassment or Bullying**

All staff are responsible for recognising and dealing informally with any incident of bias, stereotyping or discrimination. Where a learner wishes to report an incident of bias or stereotyping or discrimination the personal tutor or a member of the teaching team will be happy to discuss the matter (Stage 1 of the College Complaints Procedure).

Should staff feel that an incident of bias or stereotyping or discrimination has occurred they should report it to their Line Manager and/or through use of the College Grievance Procedure.

Staff

Please report incidents to your Line Manager, a member of the College Management Team, a member of HR or a Union Representative.

Formal cases will be dealt with through the Bullying and Anti-Harassment policy, Grievance Policy and/or the Disciplinary Policy as appropriate to each individual case.

Learners

Please report incidents to your Tutor, your Team Leader, your Assistant Principal, or a member of Learner Services.

The formal process is detailed in the bullying policy.

Reporting Hate Incidents

A hate incident is any type of incident perceived to be racist, homophobic or driven by other prejudice by the victim or any other person. If you experience or witness a hate incident, please report it to Student Support Services.



Appendix B:

Legal Framework

This Policy reflects, but is not limited to, legislation from the following Acts:

Equality Act 2010

Equality Duty 2011

Human Rights Act 1998

[Protection from Harassment Act 1997](#)

[Rehabilitation of Offenders Act 1974](#)

[Special Educational Needs and Disability Act 2001](#)

[Data Protection Act 2018](#)