

Single Equality Policy

Burnley College Single Equality Policy

Introduction

- 1 Burnley College is committed to providing a high quality educational experience and to promoting, maintaining and supporting equality, diversity and inclusion in all aspects of its work.
- 2 The College aims to create an environment where individuals feel confident and respected and have the opportunity to achieve their full potential. The College expresses its opposition to all forms of prejudice, inequality and discrimination

Purpose

- 3 The College will actively seek to ensure that students and staff experience equality of opportunity and are free from harassment, discrimination or victimisation of any kind, regardless of age, gender, disability, learning difficulty, sexual orientation, sex gender reassignment, religion or belief, race, pregnancy, maternity, marital status, membership of a trade union, or for any other identifiable cause protected by law.
- 4 As a responsible body, the College recognises and accepts its vicarious liability for the actions of staff, students, contractors and subcontractors. The College will comply with all legislation, regulations, statutory and non-statutory codes of practice and its contractual requirements relating to equality, diversity and inclusion.
- 5 The College will challenge all forms of inequality, discrimination and harassment, and actively promote opportunities for the groups mentioned. This work is regarded as the responsibility of all staff in the College.
- 6 Any action by an individual employed by the College, or by a student or students and which contravenes this policy renders them liable for disciplinary action. Evidence of discrimination or harassment may be considered as gross misconduct. Clients or contractors who contravene the policy can expect appropriate action.
- 7 We are keen to develop a culture that goes beyond compliance with the law i.e. one that is fully inclusive, promotes equality and embraces diversity. This policy describes how we will fulfil our statutory duties and also how we will develop our practices.
- 8 The policy is intended to meet our duties under the Equality Act 2010.

Legislative Framework

- 9 The College's Single Equality Policy is based on the Equality Act 2010, and the Equality Act 2010 (Statutory Duties) Regulations 2011.
- 10 The Equality Duty has three general aims:
 - To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act;
 - To advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - To foster good relations between people who share a protected characteristic and those who do not.

Scope

- 11 The Board of Governors has the ultimate role in approving, championing, promoting and monitoring the Single Equality Policy.
- 12 The following groups and post holders have responsibilities for the development and implementation of policies relating to equality and diversity for staff and students:

The Principal is responsible for leading the College's committees and boards to ensure compliance with legislation.

The College Management Team are responsible for ensuring that the Single Equality Policy is implemented in all aspects of its work.

Every staff member has a duty under their contract of employment to comply with the requirements of this policy.

Every student has a duty under the Student Charter and Code of Conduct to comply with the requirements of this policy.

Any individuals or organisations contracted within the College have an implied duty under their contract of employment to comply with the requirements of this policy.

Any students and staff working on placement outside the College have an obligation to understand the policy requirements of that organisation, whilst ensuring they comply with the policy of Burnley College.

The College will check that organisations who have students and staff on extended work placement at their premises seek to comply with the Single Equality policy.

Intent

- 13 The College will seek to embed equality in all aspects of its work.
- 14 The College will seek to ensure that recruitment, selection and admission procedures support equality, diversity and inclusion in all aspects of education and employment so that the student body and workforce reflect the diversity of the communities it serves.
- 15 The College is committed to achieving equality for all students and to support diverse circumstances and needs in all aspects of teaching, learning and support.
- 16 The College is committed to achieving equality for all staff in training, career development, promotion and reward.
- 17 The College will seek to ensure that diversity is taught through the range of topics and content within the curriculum.

Implementation

- 18 Implementing Equality, Diversity and Inclusion is an ongoing process that will be regularly reviewed by the College's Management Team.
- 19 All staff will be made aware of the Single Equality Policy during the induction process. Additional training will also be conducted for staff during whole College training days.

- 20 All staff will be involved in support and continuous improvement development of the Single Equality Policy. Action Plans will be produced and monitored via Divisions and Cross College teams.
- 21 All College marketing and support materials will encourage applications and enquiries from staff and students from all areas of the community, reflecting the ethos of this policy. The College aims to provide core information in a range of languages and formats on request where necessary.
- 22 The College aims to provide support services during enrolment and on programme to help in the identification of additional student support needs where necessary.
- 23 Training, advice and guidance and support will be provided to ensure that all staff, students and contractors understand their duties and obligations in law. Training will take place on College training days if required. This includes awareness raising of EDI issues and priorities, and training to upskill staff to deliver sessions to students and embed EDI in their curriculum and practice.
- 24 The College facilities will continue to provide for all with gender neutral toilets, lifts, wheelchair access, hearing loops and other facilities.
- 25 Application forms and documents for both staff and students will reflect latest guidance on questions around gender, age, sexuality, religion and other characteristics. Applications are also actively encouraged from minority groups.
- 26 The College will protect the confidentiality of disclosed sensitive matters related to equality and diversity, where this does not affect the health and safety of others or does not have criminal implications.
- 27 The College will neither promote, nor permit to be promoted, any one religious faith or culture. All individuals will be expected to adhere to College policies, rules and regulations, regardless of their personal faith or religion. Whilst the College resources exist primarily for the delivery of learning activities, arrangements will be made, where this is practicable, for staff or students to carry out essential religious observance.
- 28 Students who believe they have not been treated in accordance with the Single Equality Policy may also wish to make a complaint. This must be made in accordance with the College's Complaints Policy. The College Management Team and Heads of Division are responsible for dealing with complaints under this policy. While it may be appropriate to deal with a complaint informally, it must be noted that any breach of the Single Equality Policy may be grounds for disciplinary action under the Student Code of Conduct and Student Disciplinary Policy.

Engaging with stakeholders

- 29 The College will continue to involve all learners, employees, and representatives from external organisations and the local community in its action planning. The purpose of this is to:
 - increase participation
 - identify barriers in our organisation so that changes can be made
 - increase our effectiveness in identifying and prioritising equality initiatives
 - improve staff and student satisfaction and morale

- 30 The College promote themed centred events such as culture days, Pride awareness and LGBTQ+ day.
- 31 Feedback will be provided on the outcomes of engagement with stakeholders through a variety of media including the College intranet. Responsibility for ensuring that this takes place rests with each Division and Cross College Team.

Monitoring

- 32 The College will conduct comprehensive and effective monitoring of all aspects of the policy through appropriate groups.
- 33 The College is committed to the collection of statistics, analysis of data and presentation of data, as well as monitoring on an ongoing basis to ensure that education and employment policies and practices are relevant and appropriate. The College will obtain benchmarking data for the purpose of monitoring where such data is available.
- 34 The Senior Management Team will receive data which will inform the planning process and where appropriate result in interventions to ensure the ethos of the policy is met.
- 35 Monitoring will be undertaken in accordance with best practice recommendations.

Documentation

- 36 The College operates a number of other policies which must be read in conjunction with this document.

Review

- 37 This policy will be reviewed on a regular basis in accordance with legislative and educational developments.

Owned by	Stuart Arnfield, Director of Finance and Resources
Originated	March 2012 Note: It was agreed at the Full Governing Board that the College's Equality and Diversity Self Assessment Report (SAR) would be replaced by the Single Equality Policy and the main College SAR
Last reviewed	June 2022
On College website	July 2022
Review Date	Annually





I Protected characteristics

I.1 The protected characteristics contained in the Equality Act are:

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

Each protected characteristic is defined below.

I.2 **Age:** A reference in the act to a person who has the protected characteristic of age is a reference to a person of a particular age group or a person who shares a particular age group. An 'age group' is a group of persons defined by reference to age, whether to a particular age or a range of ages. The College must not discriminate against any employee because of his/her age or to the age group they belong to.

I.3 **Disability:** A person is defined as disabled under the act if he/she has a physical or mental impairment which has a long-term and substantial adverse effect on his/her ability to carry out normal day-to-day activities. Physical or mental impairment includes sensory impairments.

I.4 **Gender reassignment:** References to transsexual people under the act covers employees who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex, i.e. gender reassignment. There is no requirement that the process of gender reassignment includes medical supervision. It is recognised that there may be differences between physical sex and gender identity.

I.5 **Marriage and civil partnership:** The College must not discriminate against any employees because they are married or are in a civil partnership. Marriage will cover any formal union of a man and woman which is legally recognised in the UK as a marriage. A civil partnership refers to a registered civil partnership of a same sex couple under the Civil Partnership Act 2004, including those registered outside the UK. Only people who are married or in a civil partnership are protected against discrimination on this ground.

- 1.6 **Pregnancy, Maternity, Paternity and Adoption:** The College will not treat anyone unfavourably because of pregnancy, a pregnancy related illness, because of a period of Maternity, Paternity, Adoption or Shared Parental Leave or because they seek to take any such leave. The College will not discriminate against an employee because of any association with a woman who is pregnant or who has recently given birth.
- 1.7 **Race:** The College must not discriminate against any employee because of his/her colour, nationality or ethnic or national origins.
- 1.8 **Religion or belief:** The College must not discriminate against any employee because of his/her religion or philosophical belief, or because of his/her lack of religion or belief.
- 1.9 **Sex:** The College must not discriminate against any employee because of his/her sex.
- 1.10 **Sexual orientation:** Employees must not be discriminated against because of their sexual orientation, whether that be towards:
- people of the same sex (i.e. the employee is a gay man or a lesbian);
 - people of the opposite sex (i.e. the employee is heterosexual);
 - people of both sexes (i.e. the employee is bisexual).

I Types of discrimination

- 1.1 Discrimination occurs when a person (or group) is treated less favourably than others. It can take different forms and this section describes the different types of discrimination, or 'prohibited conduct', under the act.
- 1.2 **Direct discrimination:** is less favourable treatment because of a protected characteristic. Direct discrimination occurs if a person has the characteristic, is perceived to have the characteristic or because they associate with someone who has a protected characteristic. Direct discrimination in relation to age can be objectively justified.
- 1.3 **Indirect discrimination:** may occur when an apparently neutral provision, criterion or practice is applied to everyone, but which puts employees who share a protected characteristic at a particular disadvantage; and this cannot be justified as a proportionate means of achieving a legitimate aim.
- 1.4 **Discrimination arising from disability:** is where a disabled employee is treated unfavourably not because of his/her disability itself but because of something arising from, or in consequence of it, and that treatment cannot be justified as a proportionate means of achieving a legitimate aim.
- 1.5 **Discrimination by association:** is direct discrimination because of an employee's association with a person who has a protected characteristic (not including marital or civil partnership status). This applies regardless of whether the employee has the protected characteristic personally.
- 1.6 **Discrimination by perception:** is direct discrimination against an employee because he/she is mistakenly believed to have a protected characteristic not including marital or civil partnership status.
- 1.7 **Harassment:** is unwanted conduct relating to a protected characteristic, which has the effect of violating an employee's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that employee.
- 1.8 **Victimisation:** occurs when an employee is treated less favourably because he/she has, in good faith, done a protected act (e.g. made or supported a complaint, or raised a grievance) regarding a protected characteristic.
- 1.9 **Reasonable adjustments:** are those adjustments made to remove barriers preventing people from integrating into the workplace. The duty to provide reasonable adjustments is a positive duty to remove any barriers or provide extra support to disabled employees in the workplace and for applicants during the recruitment process. Failure to make that adjustment may amount to discrimination.
- 1.10 **Objective Justification:** is the process by which an employer may be able to objectively justify discrimination as being a proportionate means of achieving a legitimate aim. If challenged it is for the employer to justify the provision, criterion or practice so evidence should be produced to support any assertion that the discrimination is justified. Considerations should be made for justification on the merits of each individual case.