
PINC COLLEGE MIDLANDS – EQUALITY DIVERSITY & INCLUSION POLICY



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INTRODUCTION

Pinc College Midlands (the College) is an Independent Specialist College for young people aged 16-25 with autism and/or mental ill-health and anxiety.

The College is committed to creating a stimulating, supportive and inclusive learning environment for all, free from discrimination, harassment, and bullying. We also aim to foster an organisational culture of mutual respect and support for diversity where all students, our team and volunteers are able to achieve their full potential.

We are committed to the fair treatment of all students, our team, visitors, and volunteers, regardless of age, disability, family or caring responsibilities, gender identity, marital status, pregnancy or maternity, race, religion or belief (including non-belief) sex, sexual orientation and work or study patterns.

We are also committed to helping our students to recognise, accept and celebrate their similarities and differences.

In line with our admissions policy we have particular regard for supporting neurodiversity across our learning environment through clear communication, use of quiet zones and sensory spaces and a management and tutoring style that recognises individual student needs. We also acknowledge the duty of post-16 education in promoting equality of opportunity and furtherance of social inclusion. We recognise the link between equality and excellence in learning and we understand that ensuring equality of opportunity is essential for the successful development of our learning institution and the wider community.

All team members, students and volunteers have personal responsibility for owning and implementing this policy.

SCOPE

The College has several campuses that provide appropriate, challenging, and meaningful study programmes, to increase employability skills. This policy relates to accessibility across all aspects

Any reference to the College 'team' in this policy means all staff and volunteers working at each of its campuses.

This policy applies to all members of the College community (including the College team, students, parents/carers, and visitors).

OUR VALUES

To be Respectful, Responsible, Safe and Kind, are at the core of our values. They are reflective of expected behaviours and set the foundation upon which the College builds its culture

LEGAL FRAMEWORK

Our Equality, Diversity and Inclusion Policy is underpinned by the Equality Act 2010, and the public sector Equality Duty from 5th April 2005.

The Equality Act consolidated and brought together previous anti-discrimination law into one piece of legislation, and aims to eliminate discrimination, advance equality of opportunity and foster good relations in relation to protected characteristics.

The Act establishes nine 'protected characteristics', on the grounds of which it is unlawful to discriminate against a person. These are:

- Age (all ages and age groups).
- Disability (physical and mental impairments).
- Gender reassignment (people who are proposing to undergo, are undergoing or have undergone gender reassignment).
- Marriage and civil partnership.
- Pregnancy and maternity.
- Race (including ethnic or national origin, colour and nationality).
- Religion or belief (including an organised religion or a lack of religion, a religious or philosophical belief or a lack of belief).
- Gender (women and men).
- Sexual orientation (gay, lesbian, bisexual and heterosexual orientation) or the perceived sexual orientation or the sexual orientation or perceived sexual orientation of a family member, friend or associate for example.

As a public body, the College has additional duties to promote equality – The Equality Duty 1. The Equality Duty requires the College to have 'due regard' to the need to:

- a) Eliminate unlawful discrimination, harassment, and victimisation on the grounds of a protected characteristic;
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- c) Foster good relations between people who share a protected characteristic and people who do not.

This requires the College to consciously consider and embed the three duties into its activities.

ELIMINATE UNLAWFUL DISCRIMINATION

Direct Discrimination occurs when an individual is treated less favourably than another person because of a protected characteristic, for example, refusing to employ an individual because of their race or sexual orientation.

The law also protects people from being discriminated against:

By someone who wrongly perceives them to have one of the protected characteristics:

- Direct discrimination can occur when a staff member is treated less favourably because an individual mistakenly thinks that they have a protected characteristic (other than marriage and civil partnership and pregnancy and maternity).

Because they are associated with someone who has a protected characteristic:

- Direct discrimination might occur when a member of staff, student or visitor is treated less favourably because of their association with another person who has a protected characteristic (other than marriage and civil partnership and pregnancy and maternity). For example this might occur when a student or client is treated less favourably because their sibling, parent, carer or friend has a protected characteristic, such as disability. This would therefore include the parent of a disabled child or adult or someone else who is caring for a disabled person.

Because of pregnancy and maternity:

- It is discrimination to treat a woman unfavourably (including a female student, or client of any age) because of a pregnancy of hers, at any point during her pregnancy or within 26 weeks of her having given birth. This includes unfavourable treatment because of breastfeeding during this period.
- It may not be direct discrimination against a male student to offer a female student more favourable treatment as a result of her pregnancy.

Indirect Discrimination:

Indirect discrimination is also covered by the Equality Act. Indirect discrimination would occur if the College were to apply a provision, criteria or practice to all staff or students which had the effect of putting a person with a protected characteristic at a disadvantage. For example, if the College were to refuse all requests for flexible working, this may have the effect of putting women at a disadvantage because women often take on greater care responsibilities. A provision, criteria or practice will not be unlawful where it is a proportionate means of achieving a legitimate aim.

Victimisation:

Victimisation occurs when an individual is treated detrimentally because they have made a complaint or intend to make a complaint about discrimination or harassment or have given evidence or intend to give evidence relating to a complaint about discrimination or harassment.

Campus Leads and team members must not penalise any individuals who make a complaint of discrimination. This applies to all team members and students, including those who are the subject of a complaint, mentioned as a witness, asked to give relevant evidence, or are supportive of the alleged discrimination.

Harassment:

Harassment occurs where a person engages in unwanted conduct which has the purpose or effect of violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. This includes conduct of a sexual nature. Examples of harassment include name-calling and making innuendos. Treating a person less favourably because they have either rejected or submitted to harassment related to sex or gender reassignment will also be harassment.

Team members must not engage in any conduct which could potentially offend another member or a student or make that person feel intimidated, humiliated or degraded.

ADVANCE EQUALITY OF OPPORTUNITY

Having due regard of the need to advance equality of opportunity means actively considering how the College can:

- Remove or minimise disadvantages faced by staff and students due to a protected characteristic;
- Take steps to meet the needs of staff and students with each protected characteristic including where those needs are different from the needs of staff and students who do not share the relevant protected characteristic; and
- Encourage people with each protected characteristic to participate in the public life of the College and in other activities where their participation is low.

FOSTER GOOD RELATIONS

Having due regard of the need to foster good relations means identifying opportunities in our activities to tackle prejudice and promote understanding between people who share a protected characteristic and those who do not.

The Equality Duty can mean treating some people differently to others in order to meet their needs or address under-representation, provided this does not amount to discrimination against others. The Equality Duty also explicitly recognises that disabled people's needs may be different from others, and that public bodies have a duty to consider and take reasonable action to accommodate the needs of disabled people, even if this means treating disabled people differently or more favourably.

RESPONSIBILITIES

Board of Governors

The Board recognise and accept their responsibility to provide a working and learning environment that is free from unfair, unjust and unlawful discrimination. They will also ensure that an environment exists in which all potential employees, employees, potential students, students, potential clients, clients and anyone else who comes into contact with the College feels valued, safe and secure and are treated with respect at all times. In such an environment employees, volunteers, students and clients will feel confident in working to their full potential and enjoy the satisfaction of achievement in a diverse environment.

Executive College Lead

The Executive College Lead is responsible for implementing this policy, for ensuring that all staff are aware of their responsibilities and are given appropriate training and support and for taking appropriate action in any cases of a breach in policy.

Campus Lead

All Campus Leads have particular responsibility to ensure the organisation acts lawfully and that the spirit of the policy is maintained and promoted in all aspects of the business. As managers, they each have responsibility for ensuring that employees and volunteers are aware of this policy on equality of opportunities and diversity and inclusion strategy. They are responsible for monitoring their work area and stopping unacceptable behaviour immediately.

College Team

All staff are expected to:

- promote an inclusive and collaborative ethos in their learning environments
- deal with any prejudice-related incidents that may occur
- plan and deliver curricula and lessons that reflect the principles in paragraph 4 below
- ensure that resource materials used to deliver the curriculum are accessible to a diverse range of students and adjusted to meet specific needs, and that they are free from sexist, racist and other discriminatory assumptions, images and languages, unless they are being studied as examples of such
- support students in their class for whom English is an additional language
- keep up-to-date with equality, diversity and social inclusion legislation relevant to their work.

Students

All students are responsible for ensuring that they understand and apply this policy throughout their day-to-day activities and interactions and will be supported through appropriate training as part of our enrichment programme.

GUIDING PRINCIPLES

Each individual who works for the College or attends as a student is responsible for his/her own actions and is to respect the spirit of equality and diversity. They are equally liable for their actions under anti-discrimination legislation and are expected to treat others with respect and dignity at all times. Any individual whose behaviour causes distress, fear or makes others feel uncomfortable will be subject to an investigation and possible disciplinary action.

It is expected that each individual will commit to and promote the policy of equality and diversity and report any incident(s) of discrimination, harassment or bullying they encounter or observe.

In fulfilling the legal obligations cited above, we are guided by the following principles:

Principle 1: All students are of equal value.

We see all students and potential students, and their parents and carers, as of equal value:

- whether or not they are disabled
- whatever their ethnicity, culture, national origin or national status
- whatever their gender, gender identity, gender fluidity or gender neutrality
- whatever their religious or non-religious affiliation or faith background
- whatever their sexual identity.

Principle 2: We recognise, respect and celebrate difference.

Treating people equally (Principle 1 above) does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate but must nevertheless take account and celebrate differences of life-experience, outlook and background, and in the kinds of barrier and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made
- ethnicity, so that different cultural backgrounds and experiences of prejudice are

recognised

- gender, so that the different needs and experiences of girls and boys, and women and men and those who see themselves as non-binary, gender neutral or gender fluid are recognised and celebrated
- religion, belief or faith background
- sexual identity.

Principle 3: We foster positive attitudes and relationships, and a shared sense of cohesion and belonging.

We intend that our policies, procedures and activities should promote:

- positive attitudes towards disabled people, good relations between disabled and non-disabled people, and an absence of harassment of disabled people
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or national status, and an absence of prejudice-related bullying and incidents
- mutual respect and good relations between boys and girls, women and men and for individuals identifying as gender neutral/fluid/non-binary and an absence of sexual and homophobic harassment.

Principle 4: We observe good equalities practice in staff recruitment, retention and development

We ensure that policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, gender, national origin or national status.

Principle 5: We aim to reduce and remove inequalities and barriers that already exist

In addition to avoiding or minimising possible negative impacts of our policies, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- whatever their gender and sexual identity, and with full respect for legal rights relating to pregnancy and maternity.
- disabled and non-disabled people
- people of different ethnic, cultural and religious backgrounds
- people of all gender identities.

Principle 6: We consult and involve widely

We engage with a range of groups and individuals to ensure that those who are affected by a policy or activity are consulted and involved in the design of new policies, and in the review of existing ones. We consult and involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious backgrounds
- people of all gender identities

- With people whatever their sexual identity

Principle 7: Society as a whole should benefit

We intend that our policies and activities should benefit society as a whole by fostering greater social cohesion, and greater participation in public life of:

- disabled people as well as non-disabled
- people of a wide range of ethnic, cultural and religious backgrounds
- people of all gender identities
- people, whatever their sexual identity.

THE CURRICULUM

We keep each curriculum subject or area under review in order to ensure that teaching and learning reflect the principles set out above.

ETHOS AND ORGANISATION

We ensure the principles listed above apply to the full range of our policies and practices, including those that are concerned with:

- students' progress, attainment and achievement
- students' personal development, welfare and well-being
- teaching styles and strategies
- admissions and attendance
- staff recruitment, retention and professional development
- care, guidance and support
- behaviour, discipline and exclusions
- working in partnership with parents, carers and guardians
- working with the wider community.

Addressing prejudice and prejudice-related bullying

The College is opposed to all forms of prejudice that stand in the way of fulfilling the legal duties referred to above:

- prejudices around disability and special educational needs
- prejudices around racism and xenophobia, including those that are directed towards religious groups and communities, for example antisemitism and Islamophobia, and those that are directed against Travellers, migrants, refugees and people seeking asylum
- prejudices reflecting sexism and homophobia.

INFORMATION AND RESOURCES

We ensure that the content of this policy is known to all of our team and governors and, as appropriate, to all students and their parents and carers.

All of our team and governors have access to a selection of resources that discuss and explain concepts of equality, diversity and inclusion in appropriate detail.

RELIGIOUS OBSERVANCE

We respect the religious beliefs and practice of all of our team, students and parents, and comply with reasonable requests relating to religious observance and practice.

STAFF DEVELOPMENT AND TRAINING

We ensure that all staff, including support and administrative staff, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

BREACHES OF POLICY

Breaches of this policy will be dealt with in the same ways that breaches of other College policies are dealt with, as determined by the Executive College Lead and Board of Governors.

COMPLAINTS OF DISCRIMINATION, HARASSMENT AND BULLYING

The college is committed to preventing discrimination, harassment and bullying but unfortunately despite the best intentions such action or behaviour can occur.

The College has in place an Anti-Bullying and Student Behaviour Policy, as well as grievance procedures. The College offers advice to anyone who has been accused of such behaviour.

The College records and monitors external complaints and complaints from students and the team, including analysis of survey results

MONITORING AND REVIEW

We collect, study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate.

The College will collect and evaluate comprehensive data, at both College and Campus level, to assist in evaluating its performance. This will include the following broken down in gender, race (including colour, ethnic or national origin), disability, religion or belief, sexual orientation, age, gender reassignment, marriage or civil partnership and maternity and pregnancy:

For students:

- Admissions (Applications, Initial Assessments and Enrolments)
- Retention rates
- Achievement rates
- Success rates • Outcomes
- Satisfaction surveys
- Punctuality and attendance

For team members:

- Grade and category of work
- Job Applications • Job appointments
- Types of contract (permanent, temporary, full time, fractional)
- Training and staff development applications, attendance and outcomes • Promotion applications
- Promotion appointments
- Disciplinary, grievance and capability proceedings

- Satisfaction surveys

For volunteers:

- Category of work
- Job Applications
- Job appointments
- Training and development applications, attendance and outcomes
- Promotion applications
- Promotion appointments
- Disciplinary, grievance and capability proceedings
- Satisfaction surveys
- Monitoring of the area of governance

All of the above will inform the annual evaluation of the College’s Equality, Diversity and Inclusion Policy for statutory purposes and its Strategic Plan. All data will be captured in line with the Data Protection Act requirements. Monitoring reports will inform future Action Plans, target setting and staff development. Training will be provided for those responsible for, and involved in, collating monitoring data.

The outcome of the annual monitoring exercise will be provided in reports to funding partners where required. Exception reports may be required on an ad hoc basis for specific purposes. Where requested, the College will ensure that information and material is accessible in user-friendly formats.

Where monitoring shows that people are not accessing services, or where policies or procedures are not working effectively, the College will take action to attempt to improve such situations.

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