

Learning Institute Equality and Diversity Policy

1. Statement of Intent

The Learning Institute operates as an outreach arm of the Westcountry Organisations Trust (WeST) and its policies adhere to those of WeST but include points specific to adult education and training. The objective of this policy is to attain and maintain high standards of equality and diversity throughout the work of the Learning Institute. All persons conducting activities under the name of the Learning Institute will adhere to this policy.

The Learning Institute is committed to creating an inclusive environment for work and study, where people are treated with dignity and respect and where we anticipate and respond positively to different needs and circumstances so that everyone can achieve their potential. We are committed to promoting and advancing equality of opportunity, not only because it is an important part of the mission, vision and values of the organisation, but also because, by attracting and retaining the most diverse range of talented people as learners, staff and partners, we will ensure the organisation's future success.

Disability Statement

The Learning Institute is committed to promoting the practice of fairness and to eliminating inequality based on the grounds of age, disability, learning needs, family responsibility, marital status, culture, ethnicity, nationality, religious beliefs, gender, sexual orientation, trade union activity, unrelated criminal convictions or other irrelevant criteria. We aim to recognise and value the contribution made by each individual to our learning environment. We strive to ensure that all staff and learners, whether existing or potential, receive fair treatment when making application; and in terms of their retention, achievements and employability, not least in relation to under-represented groups within the community.

For further information about the procedures of Disability Support Allowance and step-by-step guidance taking you from application to receiving support please view the www.yourdsa.com website.

Policy Aims

- To prevent discrimination
- To promote equality of opportunity
- To promote good relations between people

2. Rights & Responsibilities

2.1 Scope

- Employees and learners 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 Equality and Diversity Policies or by adhering to Learning Institute policies.

- The Learning Institute 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 on an annual basis, or earlier where required, for example to respond to legislative changes.
- The Trust Board of WeST has overall responsibility for equality and diversity.
- The commitment of all members of the organisation 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 disciplinary action.
- If you experience or witness any harassment, discrimination or bullying, please report it as soon as possible, even if it is not directed at you personally.
- The policy is developed within the framework of UK and European legislation, listed at Appendix B.

2.2 Implementation

- The Policy is implemented through the whole of the organisation's activities, which is underpinned by an plan of staff training and development through the annual Continuous Development Plan (CPD) which all staff complete. Development plans are used to help embed equality and diversity 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 is used to identify areas of strength and areas for improvement against the nine protected characteristics. Quantitative information is used to compare performance of various groups and quality improvement plans are used to help narrow gaps in success rates where they occur.
- A Single Equality Scheme and Action Plan details how we are continuously improving our equality practice and how we meet our legal requirements under the general and specific equality duties.
- We monitor and review equality impact through our Equality Risk Assessment process.
- Teaching and Learning strategies and implementation embrace the Equality & Diversity agenda and this is monitored and evaluated to ensure achievement gaps are narrowed through the observation of Teaching & Learning process.
- Staff and student groups help ensure that all groups within our community are involved in and consulted on organisation functions.
- One Trustee has specific responsibilities for equality and diversity.
- We protect children and vulnerable adults through processes set out in our Safeguarding Policy.

3. Definition of terms

3.1 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 support 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.

3.2 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, pregnancy,

maternity and breastfeeding, gender identity, marriage or civil partnership status, 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.

3.3. 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.

3.4 Harassment

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. For example, a member of staff makes comments on a student’s sexuality in a way that makes the student feel uncomfortable.

3.5 Discrimination

There are different types of discrimination:

3.5.1 **Direct** discrimination is treating a person worse than another because of an equality protected characteristic. For example, only shortlisting 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 himself or herself. Discrimination based on ‘**perception**’ occurs when someone is treated worse because they are thought to have a protected characteristic, whether correctly or incorrectly. For example, a college decides not to promote a female employee because senior staff believe her to be pregnant, irrespective of whether she is pregnant or not. Discrimination because of ‘**association**’ with someone who has a protected characteristic occurs when, for example, an employee is overlooked for promotion because their partner has undergone gender reassignment.

3.5.2 **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.

3.5.3 **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.

3.6 Victimisation

Victimisation means treating someone worse than another because s/he has 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.

3.7 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 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), screen-savers or posters.

3.8 **Safeguarding** is about the protection of children and vulnerable adults and our approach is detailed in our Safeguarding Policy.

4 Review

The Learning Institute Governing Board is responsible for the periodic review of this Policy.

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. 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 WeST 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 policy, Grievance Policy and/or the Disciplinary Policy as appropriate to each individual case.

Learners

Please report incidents to your Tutor, your course leader, a member of Student Support Services, or to a senior member of Learning Institute staff.

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 your Tutor, your course leader, a member of Student Support Services, or to a senior member of Learning Institute staff.

Appendix B: Legal Framework

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

[Disability Discrimination Act 1995](#), as amended [2003](#), [2005](#)
[Employment Act 2002](#)
[Employment Equality \(Sex Discrimination\) Regulations 2005](#)
[Employment Equality Age Regulations 2006](#)
[Employment Equality Regulations \(Religion or Belief\) 2003](#)
[Employment Equality Regulations \(Sexual Orientation\) 2006](#)
[Employment Rights Act 1996](#)
[Equal Pay Act 1970](#) as amended [1983](#), [2003](#), [2004](#)
[Equality Act 2006](#)
[Equality Act 2010](#)
[Human Rights Act 1999](#)
[Protection from Harassment Act 1997](#)
[Race Relation Act 1976](#), as amended [2000](#), [2003](#)
[Rehabilitation of Offenders Act 1974](#)
[Sex Discrimination Act 1975](#) and [1986](#), as amended [2003](#), [2008](#)
[Special Educational Needs and Disability Act 2001](#)