

Equality, Diversity and Human Rights Policy

2010 - 2013

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1.0 INTRODUCTION

- 1.1 Leeds College of Building recognises that it is an integral part of the local and wider community. The College serves the needs of a wide range of individuals from the diverse ethnic and social mix of multicultural Britain. The College values difference and recognise that people with different backgrounds, skills, attitudes and experiences bring fresh ideas, perceptions and encourage harmony and understanding to the College community⁽¹⁾.
- 1.2 The College will seek to safeguard the interests of all equality groups outlined in the Equality Act 2010 with reference to the seven protected human characteristics; Ethnicity, Gender, Gender Identity⁽²⁾, Disability⁽³⁾, Religion and Belief⁽⁴⁾, Age and Sexual Orientation. The College will work towards eliminating unlawful discrimination, harassment or victimisation on the grounds of the seven protected characteristics as well as discrimination on the grounds of a perceived or associative protected characteristic⁽⁵⁾. The College will promote equality of opportunity and ensure that students, staff and visitors feel welcome, safe, valued, included and respected in the College community.

2.0 LEGISLATIVE CONTEXT

- 2.1 The College recognises that legislation relating to equality and human rights is often complex and protection from discrimination can be found in a number of different pieces of UK and European legislation. The pieces of civil legislation which are central to this policy are listed in paragraph [A1] in the Appendices of this policy. In some serious circumstances, a breach of the Equality, Diversity and Human Rights policy may constitute a criminal offence and the College may need to report this to the police. The legislation which can potentially criminalise an incident of misconduct under this policy is listed in paragraph [A2] of the Appendices.

Notes

⁽¹⁾ 'College community' includes permanent and temporary staff, including those staff employed by third parties, all students, prospective students, those progressing through the admissions and selection process and visitors to the College including those supplying goods and services.

⁽²⁾ Gender Identity Includes people who have expressed an intention to undergo, are undergoing or have completed a process of gender reassignment. Other related words are transgender, gender reassignment or transsexual.

⁽³⁾ The legal definition of Disability includes 'learning difficulty' and may include some 'medical conditions' or a temporary disability.

⁽⁴⁾ The legal definition of 'Religion and Belief' also includes 'Non Belief' and 'Philosophical Belief'.

⁽⁵⁾ Discrimination on 'Perceived' ground refers to an assumption or belief made about a person which is the basis of a discriminatory act made against that person where this assumption is not correct. Discrimination on 'associative' grounds refers to discrimination suffered by a person because they are associated with a person who may have one or more of the named protected characteristics.

3.0 SCOPE OF THE POLICY

3.1 This policy applies to all members of the College community and the general public. These groups include:

3.1.1 Permanent and temporary staff, as well as those employed by third parties. The policy also applies to people applying for employment in the organisation.

3.1.2 All students enrolled on courses at the College.

3.1.3 Prospective students including those progressing through the admissions and selection process.

3.1.4 All visitors to the College including suppliers of goods and services.

3.1.5 Work Based Learning students and their employers.

4.0 GENERAL AIMS OF THE POLICY

4.1 The Equality Act 2010 outlines the general duties for the public sector with respect to employment matters and the services they provide to their community. The Act 2010 also outlines specific duties for the providers of further and higher education. This policy outlines the following aims which are derived from the general and specific duties outlined in the Equality Act 2010.

The College will:

4.2 Work towards the elimination of unlawful discrimination, harassment and victimisation in connection with the seven protected characteristics named in [1.2].

4.3 Promote equality of opportunity, positive attitudes and good relations between all members of the College community.

4.4 Publish a Single Equality Scheme with an action plan outlining the arrangements for implementing the policy and publicising its contents to the College community and making the scheme accessible publicly.

4.5 Objectively assess the impact of the policy on all members of the College community and stakeholders. This will be carried out for the purposes of identifying any differential impact the policy may have on different equality groups. In doing this the College will undertake consultation with Trade Unions, the Staff Forum, students and other stakeholders. Under-represented and minority groups will also be consulted.

4.6 Provide relevant equality, diversity and human rights training to all staff to help them carry out their role with respect to the promotion of equality of opportunity in the College community.

4.7 Monitor complaints received from, and the disciplinary sanctions taken against any member of the College community.

- 4.8 Take positive steps where possible to address any under-representation of minority groups in the provision of employment and training or widening participation to include socially or economically disadvantaged learners in the provision of education.
- 4.9 Take steps to balance the rights of individuals where the rights of individuals may appear to conflict. This will be done in a sensitive, fair and where possible in a non-discriminatory manner. The College recognises that rights must be exercised in a way which is compatible with the rights and interests of others. In these circumstances the College may take steps to discriminate against a particular group and objectively justify its position that the action is a proportionate means of achieving a legitimate aim or a necessary means for the efficient and peaceful running of the College.
- 4.10 Carry out a self assessment exercise to evaluate the implementation of the policy and produce a report which will summarise any action that needs to be taken to address any identified areas of weakness.
- 4.11 The College will carry out an annual review of the procedures for supporting students who have disabilities and learning difficulties.

(SECTION A)

5.0 LEADERSHIP, MANAGEMENT AND INDIVIDUAL RESPONSIBILITIES

- 5.1 The Principal who has overall responsibility for the enactment of this policy, has delegated management responsibility of Equality and Diversity to the Executive Director – Support Services.
- 5.2 The Equality and Diversity Officer will take an impartial role advising students, staff and the Senior Management Team on matters concerning equality, diversity and human rights at the College. This will be in the context of employment matters and services to students.
- 5.3 Any member of the College community, who becomes aware of any acts of discrimination against another, has a duty to report this to the Equality and Diversity Officer, Human Resources Manager or the Student Services Manager to investigate.
- 5.4 Every employee is expected to assist the College in meeting its commitment to provide equal opportunities to staff and students. Acts of discrimination, harassment, bullying or victimisation against any member of the College community is a disciplinary offence, and will be dealt with under the College disciplinary procedure. Any of the named acts may constitute gross misconduct and could lead to dismissal without notice.
- 5.5 All teaching staff including those with training responsibilities will observe the Institute for Learning (IfL) Code of Professional Practice. The College may notify the IfL if a member of teaching staff fails to adhere to the Code.

5.6 Any member of the College community can be held personally liable as well as, or instead of, the College, for any acts of unlawful discrimination. An individual who commits a serious act of harassment may be guilty of a criminal offence.

6.0 COLLEGE ENVIRONMENT

6.1 The College will aim to make its buildings as welcoming and safe as possible for all groups.

6.2 Offensive and/or discriminatory material will not be displayed in any part of the College estates. This includes the supply of any stock for the refectory or library, curriculum materials or any political, social, religious or environmental campaign materials, which cannot justify a means of achieving a legitimate aim.

6.3 Access facilities for disabled persons will be made available on all College sites wherever possible (resources permitting).

6.4 Appropriate support facilities for individual staff and students will be considered.

6.5 The College will aim to maintain a clean and tidy environment and will ensure that offensive graffiti is erased quickly and effectively when discovered.

7.0 MARKETING

7.1 All publicity and marketing materials will project a positive image of disadvantaged and under-represented groups and will not discriminate against any group or individual.

7.2 Course information and College recruitment advertisements will actively promote the College to encourage applications from members of under-represented groups in the community.

7.3 The College prospectus and Student Charter will include a statement of the College's commitment to Equality and Diversity and will make students aware of the support services that are available in respect of facilities for students with disabilities and learning difficulties, access arrangements, learning support, guidance and counselling facilities.

7.4 Publicity and marketing information will be circulated as widely as possible within the community.

(SECTION B)

8.0 EMPLOYMENT PRACTICE

8.1 All staff recruitment material will clearly state and reflect the College's commitment to equality and diversity and will promote the College as an equal opportunities employer.

8.2 The College will ensure that no job applicant will receive less favourable treatment than another on grounds of the seven named protected characteristics or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

- 8.3 No College employee will discriminate unfairly, directly or indirectly in making selection decisions.
- 8.4 All applications will be assessed accurately to clear, objective and job related criteria.
- 8.5 The College will work in accordance with the Asylum and Immigration Act 1996 section 8 recruitment and selection requirements.
- 8.6 Staff with same sex partners shall be entitled to the same benefits in terms of special leave as their heterosexual colleagues. Staff with carer responsibilities will be supported through access to dependent care leave. Job sharing shall be considered where this is practical. Requests for flexible and home working will be considered where appropriate.
- 8.7 Appropriate monitoring information will be collated during the recruitment of staff.
- 8.8 Everyone is required to work according to their contract of employment, including the number of days of annual leave overall and the annual hours worked. Where an employee makes a request for annual leave for a day related to a belief system, every attempt should be made to meet the request taking into account the needs of the College.
- 8.9 The College will treat sympathetically requests for unpaid extended leave of absence for religious purposes, such as pilgrimages, births, weddings, deaths in another country etc. Such requests will be granted if reasonable and practicable and in line with the needs of the business.
- 8.10 Participation in training and development activities will be monitored by ethnicity, gender, disability or learning difficulty and age. Where appropriate if inequality becomes apparent, positive action will be taken to redress the imbalance, including such measures as:
- Providing training where appropriate, raising awareness and development opportunities.
 - Under-represented groups will be encouraged to apply for training and employment opportunities with the College.
 - Wherever possible, special training will be provided for such groups to prepare them to compete on genuinely equal terms for jobs and promotion. However, actual recruitment to all jobs will be strictly on merit.
- 8.11 The College has signed up to the Employment Service's Disability Symbol and therefore is committed to undertaking the required action in relation to disabled applicants and staff.
- 8.12 The College will use any specific assistance packages provided by the Employment Service when/if the need arises to do so. These include Access to Work and the Supported Employment Programme.

9.0 MONITORING AND DATA COLLECTION (STAFF)

The Human Resources Unit will collect information relating to the ethnic, gender, age and disability profiles of staff. The Equality and Diversity Officer will analyse the following information about staff and report the findings in the annual Equality and Diversity Report. The findings will also be presented to the Equality and Diversity Committee and to the Corporation.

- Numbers of staff in post by ethnicity, gender, disability, religion, belief, sexual orientation and age
- Job applications and selection success rates
- Staff Development
- Staff recruitment and promotion
- Grievances, disciplinary and capability proceedings
- Satisfaction Surveys and Exit Interviews

10.0 COMPLAINTS

10.1 The College will seek to provide a supportive environment for all members of the College community who make claims of discrimination or harassment.

10.2 Any discriminatory behaviour directed at any individual or group will be dealt with under the College Grievance and Disciplinary Procedure.

(SECTION C)

11.0 STUDENT ADMISSIONS PROCESS

11.1 College admission and recruitment procedures will be clearly stated to allow ease of access to all potential students.

11.2 All students' recruitment material will clearly reflect the College's commitment to equality and diversity and promote a safe and welcoming environment to all sections of the community.

11.3 The College will address areas of under-representation in terms of gender and ethnic profile of the College through targeted positive action work.

11.4 The College will ensure that no student will receive less favourable treatment than another on the grounds of any of the named seven protected characteristics including their social or economic background. The College may take positive steps to encourage and support applications from under-represented groups; however admissions and selection decisions will be based on merit.

11.5 No College employee will discriminate unfairly, directly or indirectly in making selection decisions.

- 11.6 The College will promote the support and facilities available to students who have disabilities or learning difficulties throughout the application, selection and enrolment stages.
- 11.7 Learners will be entitled to a comprehensive induction programme that will communicate the College's commitment to equality, diversity and human rights.
- 12.0 CURRICULUM, TEACHING AND LEARNING (INCLUDING LANGUAGE, CULTURAL, RELIGIOUS AND SPIRITUAL NEEDS)**
- 12.1 All programmes of study will have open access, subject to meeting entry requirements.
- 12.2 Where possible, programmes will be delivered by various modes of attendance and flexibility to allow access to as wide a group as possible, promote lifelong learning and support 'educational inclusion'.
- 12.3 Programmes of study will be delivered in a manner which is not discriminatory.
- 12.4 Wherever possible course content should consider the specific needs of disadvantaged groups.
- 12.5 Positive steps will be taken to balance the curriculum in respect of programmes of study for under-represented groups.
- 12.6 Learning support will be available to students with identified needs.
- 12.7 The College will provide access to multi-faith prayer facilities for students on all College sites. These facilities will include access to clean and appropriate washing facilities. Students will be encouraged to use these facilities
- 12.8 Students are encouraged to discuss requests for leave of absence for the observation of prayer with their tutor. Staff are expected to take reasonable steps to provide the student with support to catch up on their work.
- 12.9 Staff may authorise between 15-20 minutes for the observation of prayer. Staff will also need to ensure that minimum disruption is caused to students' programme of study.
- 12.10 Staff may authorise absences up to a total of 2 days per academic year for religious observation. This will not affect a student's EMA entitlement.
- 12.11 In exceptional circumstances the Assistant Faculty Manager or the Faculty Director may approve additional requests for religious observation.
- 12.12 The College will assess the catering demand that meets religious and medical dietary requirements [e.g. vegetarian, kosher and halal] by monitoring employees and students on this issue at the start

of each academic year. The College will aim to provide a catering service to meet the needs of the individual students.

13.0 MONITORING AND DATA COLLECTION (STUDENTS)

13.1 The Equality and Diversity Officer and DIS Manager will collect and analyse the following information about students and report the findings in the annual Equality and Diversity Report. The findings will also be presented to the Equality and Diversity Committee and to the Corporation.

- Number of students by course areas to reflect ethnicity, gender, disability, learning difficulty and age
- Retention rates
- Achievement rates
- Success rates
- Arrangement and delivery of additional support
- Complaints
- Disciplinary hearings

Issue:	4	Prepared by:	Authorisation (Principal):
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APPENDIX

A1 CIVIL LEGISLATION

Equality Act 2010 [2010]
European Convention on Human Rights [ECHR]
Human Rights Act [1998]
Education Act [1996, 2002 & 2006]

A2 CRIMINAL LEGISLATION

Racial and Religious Hatred Act [2006]
Public Order Act [1986]
Protection from Harassment Act [1997]
Crime and Disorder Act [1998]
Terrorism Acts [2000] & [2006]

A3 RELATED COLLEGE POLICIES OR PROCEDURES

Bullying and Harassment Policy (Dignity at Work)
Recruitment and Selection Policy
Recruitment of Ex Offenders Policy
Safeguarding Policy
Student Code of Conduct
Student Disciplinary Policy
Information and Procedures for dealing with learner's who have a disability or learning difficulty
Health and Safety Policy