

# QUEEN ALEXANDRA COLLEGE

## Equality, Diversity and Inclusion

### 1. INTRODUCTION

1.1 The Board of Governors, College Management Team and recognised trade unions at Queen Alexandra College (QAC) are fully committed to delivering equality of opportunity for all its students, clients, staff and volunteers, eliminating all forms of unfair, unjust and unlawful discrimination as well as all forms of harassment and bullying. The College has Investors in Diversity Stage (IiD) 2 accreditation and has developed policies and procedures that apply to all staff, volunteers, students, clients, visitors and associates and promotes equality, diversity and inclusion throughout the College.

These principles are central to QAC's Values, namely:

- **Inclusion** – *We make sure everyone can participate fully in College life and feel welcome, safe and valued.*
- **Excellence** – *We take pride in our work and aim to exceed all our targets to provide the best possible outcomes for students.*
- **Enabling** – *We have high expectations for our students and help them to achieve their potential.*
- **Collaboration** – *We work successfully and constructively together with internal and external partners to ensure we achieve our goals.*
- **Integrity** – *We are honest and demonstrate strong moral principles.*
- **Respect** – *We consistently show sensitivity, dignity and compassion to others whilst holding our own view.*

1.2 QAC promotes British Values of democracy, the rule of law, individual liberty, mutual respect and tolerance of different faiths and beliefs. QAC staff and students should be confident that our organisational values and practice, culture and ethos embrace not only these but overlapping and complementary IiD themes of fairness, respect, equality, diversity, inclusion and engagement. Staff are recognised for their implementation of QAC values during the bi-annual Values Awards system. QAC and British values are promoted and embedded in the curriculum and in the residential setting.

1.3 The term 'student' is used throughout this document and refers to any student/client attending education, training, supported living or respite provision at QAC.

1.4 This Policy and the College's work towards IiD provides a framework and guidance on how the College will meet its equality duties, general and specific, legal and moral, and how the College will handle complaints of discrimination,

harassment and bullying. Action may also be taken, where appropriate, under the College's Disciplinary Policy.

1.5 As with all policies, procedures and plans, this Policy will be monitored for its achievements and adverse impact and outcomes. Where necessary, remedial action will be identified and delivered to address any concerns identified. This Policy document sets out the College's commitment to the current and future legislation.

## 2. **VALUES AND AIMS**

2.1 All members of staff, volunteers, students and service providers of QAC are entitled to equality of rights and opportunities and have the same responsibility to respect and treat people with dignity regardless of their differences.

2.2 The College will respect and seek to utilise to their full potential, the diverse skills, talents and experiences of all its staff, volunteers and students. To this end the College will actively engage with staff, volunteer and student-groups (such as JCC, H&S, Student Council, governor meetings, Staff Voice) in the development of policies and procedures as appropriate to students' understanding.

2.3 QAC recognises that differentials in socio economic groups may reduce equality of opportunity for some students and staff work hard to ensure access to both internal and external services during their time at QAC, as well as transition planning towards future goals.

2.4 The College's Mission Statement is:

"QAC creates challenging learning opportunities for people with visual impairment and / or other disabilities to realise their potential to work and to live independently."

2.5 The overall purpose of this Policy is to identify and establish key equality and diversity principles, structures and monitoring arrangement for the College. It aims to ensure that the College meets its legal duties in relation to:

Race	Gender	Maternity and Pregnancy
Disability	Religion and Belief	Gender Reassignment
Age	Sexual Orientation	Marriage and Civil Partnership

## 3. **STRATEGIC PLANNING**

3.1 As an organisation, QAC draws direction and inspiration from the diversity of its students, staff and volunteers. The College caters for students with vision impairment and other disabilities, including those with Autism and more complex needs. This necessitates a requirement to ensure planning for individual student

needs prior to admission as well as assessing longer term organisational strategy. Managers will consider any negative impact on staff and students arising from organisational policy changes.

- 3.2 The College Recruitment and Selection Policy and procedure actively encourages applications from all groups and is committed to continuous improvement in accommodating the needs of all of its employees, volunteers and students with disabilities or other protected characteristic needs.
- 3.3 The College monitors both its workforce and its student population in the categories outlined at section 2.4 above.

#### 4. **LEGISLATION - THE EQUALITY ACT 2010**

4.1 Underpinning the Equality, Diversity and Inclusion Policy is The Equality Act 2010 and the public sector Equality Duty. The Equality Act consolidated and brought together previous anti-discrimination law into one piece of legislation. The Act established 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.

- 4.2 As a public-funded body, the College also has duties to promote equality – The Equality Duty<sup>1</sup>. This requires QAC 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

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1. The Equality Duty does not apply in relation to the protected characteristic of marriage and civil partnership, although it remains unlawful to discriminate against a person on these grounds.

- c) **Foster good relations** between people who share a protected characteristic and people who do not.

4.3 This requires the College to consciously consider and embed the three duties into its activities. QAC has a strong culture of promoting and celebrating cultural events and staff maintain local community awareness. We utilise such links to strengthen community integration; there are themed events throughout the academic year. EDI is embedded in Teaching & Learning observations focussing on meeting individual students' needs.

#### 4.4 **Eliminate Unlawful Discrimination**

4.4.1 **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.

4.4.2 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.

4.4.3 It may not be direct discrimination against a male student to offer a female student more favourable treatment as a result of her pregnancy.

#### 4.5 **Indirect Discrimination**

4.5.1 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.

#### 4.6 **Victimisation**

4.6.1 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.

4.6.2 Management and staff must not penalise any individuals who make a complaint of discrimination. This applies to all staff 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.

#### 4.7 **Harassment**

4.7.1 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.

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

#### 4.8 **Advance Equality of Opportunity**

4.8.1 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.

#### 4.9 **Foster Good Relations**

4.9.1 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.

4.9.2 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.

### 5. **THE PUBLIC SECTOR EQUALITY DUTY: SPECIFIC DUTIES**

5.1 The specific duties are intended to support organisations, such as QAC, to meet the requirements of the public sector equality duty. The specific duties regulations required QAC to publish:

- one or more equality objectives at least every four years. Equality objectives must be specific and measurable and relate to the achievement of the equality duty.
- information to demonstrate compliance with the equality duty at least annually.

5.2 The information that the College is required to publish must relate to employees and others affected by their policies and practices such as students and clients who share a relevant protected characteristic.

5.3 The information must be published in a manner that is accessible to the public and can be published within another published document

### 6. **RESPONSIBILITY**

#### 6.1 **Corporate Responsibility**

6.1.1 The Governors of QAC 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. The inclusive culture of QAC will be celebrated and EDI

training undertaken.

## 6.2 **Management Responsibility**

6.2.1 All managers at QAC 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 the College's policy and action plan for equality, diversity and inclusion. They are responsible for monitoring their work area and stopping unacceptable behaviour immediately.

## 6.3 **Individual Responsibility**

6.3.1 Each individual who works for the College or attends as a student is responsible for his/her own actions and must 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 and to act in accordance with QAC Values. QAC has staff and student Codes of Conduct and a Managers' Charter which provide frameworks for appropriate behaviour.

6.3.2 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.

## 7 **COMPLAINTS OF DISCRIMINATION, HARASSMENT AND BULLYING**

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

7.2 The College has in place a Bullying and Harassment Policy and Procedure and Grievance Procedure and follows the ACAS Code of Practice in this area. Support mechanisms and advice are available to both staff and volunteers who feel they may be subject to bullying or harassment, as well as to anyone who has been accused of such behaviour.

7.3 The College records and monitors external complaints and complaints from students and staff, including analysis of survey results (see also section 9 below).

## 8 **THE EQUALITY AND DIVERSITY STEERING GROUP**

8.1 The Equality and Diversity Steering Group exists to ensure that QAC delivers its equality agenda in line with legislation and Codes of Practices by removing inequalities, preventing discrimination, harassment and bullying and improving student services.

8.2 The Deputy Principal will chair the group and be responsible for the provision of reports to the Board of Governors. Membership consists of a multidisciplinary group to ensure full representation of the staff, volunteers and students. It is expected that a cross section of students will attend meetings.

## 9. MONITORING STAFF AND STUDENT DATA

9.1 QAC collects and evaluates comprehensive data, at both Department and College level, to assist in evaluating its performance. This includes 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:

9.2 For students:

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

9.3 For employees:

- 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
- Gender Pay Gap differentials

9.4 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

9.5 All of the above will inform the annual evaluation of the College's Equality, Diversity and Inclusion Policy for statutory purposes and QAC's Strategic

Planning. 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.

- 9.6 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, QAC will ensure that information and material is accessible in user-friendly formats.
- 9.7 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.

**VICARIOUS LIABILITY**

1. All employers are initially held responsible for the discriminatory acts of their employees. If an employee takes an action that has a discriminatory effect, the employer would be deemed responsible, except where they have taken clear steps to ensure that such discriminatory acts do not happen.
2. The Equality Act 2010 places responsibility on to individuals and not just the employer. If an employee, in the course of employment, commits unlawful discrimination, both the individual and the employer are held responsible regardless of whether or not the employer knew or approved of the action. However, if it can be proved that all reasonable, practicable action was taken by the employer to prevent the employee from discriminating then this may be a defence.

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