



1.0 Policy Statement

- 1.1 Huddersfield New College is committed to providing equal opportunities in employment and study and opposes all forms of unlawful discrimination in employment and against students on the grounds of the following 'protected characteristics' as defined in the Equality Act 2010: gender, including gender reassignment; disability; race; religion or belief; age; sexual orientation; marriage (including same sex marriage) and civil partnership; and, pregnancy and maternity (see point 3.1 for further detail).
- 1.2 All job applicants, employees, students and others with whom we work will be treated fairly and will not be discriminated against on any of the grounds set out in point 1.1. Decisions about recruitment and selection, promotion, training or any other benefit will be made objectively and without unlawful discrimination.
- 1.3 This policy is intended to assist the College to put its commitment to providing equality of opportunity and opposing unlawful discrimination into practice. Compliance with this policy should also ensure that no member of the College community (employees, students and Corporation members) commits unlawful acts of discrimination.
- 1.4 We believe it is in the College's best interests, and those of all who work and study in the College, to ensure that the talents and skills of all members of the College community are valued and maximised. To this end, within the framework of the College Mission, strategic objectives and equality legislation we are committed to achieving and maintaining best practice in equality matters.
- 1.5 Striving to ensure that the work and study environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities. The College has a separate Anti-Bullying and Harassment Policy, which addresses these issues.
- 1.6 This policy meets the requirements of the Equality Act 2010.

2.0 Scope of Policy

2.1 The Equal Opportunities policy applies to the following groups of people:

- Job applicants and potential applicants
- Current and former employees
- Current and former students
- Contract workers/suppliers
- Agency workers
- Trainee workers and students on work experience or placements
- Volunteers
- Governors

3.0 Equality Commitments

3.1 We are committed to:

- Promoting equality of opportunity for all;
- Promoting a good and harmonious environment in which to work and study, and in which everyone is treated with respect;
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimisation;
- Fulfilling our legal obligations under the Equality Act 2010 and associated codes of practice;
- Complying with our own Equal Opportunities policy and associated policies;
- Taking lawful affirmative or positive action, where appropriate; and,
- Regarding all breaches of the Equal Opportunities policy and related policies as misconduct, which could lead to disciplinary proceedings.

4.0 Equality and the Law

4.1 It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, gender, gender reassignment, pregnancy, maternity, race (which includes skin colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married (including same sex marriage) or in a civil partnership. These factors are defined as 'protected characteristics' in the Equality Act 2010. Discrimination after the employment relationship has ended may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

4.2 Every possible step will be taken to ensure that individuals are treated appropriately and fairly and that objective criteria are used in:

- Staff recruitment and selection, training, promotion and career management, grievance, disciplinary and capability procedures.
- Student admissions, choice of programme of study, assessment decisions, grievance and disciplinary procedures.

4.3 It is expected that members of the College community will not discriminate against or harass any other member(s) of the College community and/or a member of the public in the provision of services or goods.

4.4 It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. As a service provider the College has an obligation to think ahead and address any barriers that may impede disabled people from accessing the College as a place of study or a place of work.

5.0 Types of Unlawful Discrimination (as defined in the Equality Act 2010)

5.1 Different types of discrimination are explained in the Equality Act 2010 and these include:

Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

Indirect Discrimination

Indirect discrimination can occur when a condition, rule, policy or practice in the organisation applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified in terms of the action being 'a proportionate means of achieving a legitimate aim'. A *legitimate aim* might be any lawful decision made in the running of the College.

Being *proportionate* means being fair and reasonable, including being able to demonstrate that 'less discriminatory' alternatives have been considered.

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perception Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint, or raised a grievance under the Equality Act, or because they are suspected of doing so.

Harassment

Harassment is 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

6.0 The Prevent Duty and British Values

6.1 The Government's Prevent Agenda is 1 of the 4 elements of CONTEST, the Government's counter terrorism strategy. The UK faces a range of potential terrorist threats, including far right extremism, animal rights extremism and some aspects of non-violent extremism.

The three national Prevent objectives are:

- To respond to the ideological challenge we face from terrorism and aspects of extremism, and the threat we face from those who promote these views;
- To prevent people being drawn into terrorism and to ensure that they are given appropriate advice and support; and,

- To support sectors and institutions such as schools, colleges and universities where there are risks of radicalisation.

These objectives lie at the heart of the Counter Terrorism and Security Act 2015. This Act places a statutory duty on specified authorities, including schools, colleges and universities to 'have due regard', in the exercise of its functions, to the need to prevent young people in their care from taking the path to radicalisation.

This 'due regard' will be measured by Ofsted.

The College has developed a strong culture of respect and is a national Leader in Diversity. The College has also created a safe place of learning for its students, staff, governors and visitors. It is in this context that the College has considered its Prevent Duty and recognises the importance of working with staff, governors, the local authority, the police, the local safeguarding board, health professionals, local Prevent experts and others to identify and to safeguard vulnerable young people in the College.

The College's approach to the Prevent Duty is detailed within our Safeguarding Policy and Procedures at the College and is related to our approach to equality and diversity in terms of valuing and welcoming difference while also ensuring that the safety of and respect for all members of our community is paramount.

6.2 **The Prevent Duty Requires the College to:**

- Work in partnership with others (staff, governors, the local authority, the local safeguarding board, the police, health professionals, Prevent professionals etc.) to ensure student safety;
- Risk assess all events and activities, off and on site, and to be aware of any where the possibility to have contact with or become involved in terrorism exists;
- Provide sufficient pastoral care and welfare support for all students and use of a faith facility; and,
- Have effective IT security (including the use of Wifi) and a responsible user policy in place.

6.3 **Prevent Duty Objectives:**

- To promote, implement and monitor the College's responsibilities under the Prevent Duty to students, staff, governors, sub -contractors and visitors to the College;
- To exemplify British Values in governance, management, teaching and behaviours;
- To promote and celebrate Equality and Diversity, to break down potential barriers between different student communities and to engage students in active citizenship in their College and local community;
- To ensure student and staff safety and that the College is free from bullying, harassment and discrimination;
- To identify and provide support to students who may be at risk and develop appropriate sources of advice and guidance; and,

- To ensure that staff and students are aware of their roles and responsibilities in preventing violent extremism and radicalisation.

6.4 The College's Prevent Duty Objectives are monitored through a Prevent Duty Action Plan which is overseen and implemented by the Prevent Sub-Group, a sub-group of the College's Safeguarding Group. Both groups meet on a half-termly basis.

6.4 **British Values**

The Prevent Duty requires Governors and staff to exemplify the following British Values:

- Democracy
- The rule of Law
- Individual Liberty
- Mutual Respect
- Tolerance of those with different faiths and beliefs

The Principal will lead on ensuring they are integral to management, teaching and the behaviours of staff.

The Chair and the Clerk will lead on ensuring they are integral to Governance.

6.5 The College's approach to the Prevent Duty and embedding British Values is consistent with our overarching approach to equality, diversity and inclusion, while also taking into account best practice in terms of safeguarding staff, students, visitors and other stakeholders.

7.0 **Equal Opportunities in Employment**

7.1 The College will avoid unlawful discrimination in all aspects of employment including recruitment and selection, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

7.2 Job descriptions and person specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions other than in exceptional circumstances.

7.3 The College will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering 'flexible working' requests permitted by law and any other request for a variation to standard working practices. The College will comply with its obligations in relation to statutory requests for flexible working and will decline such requests only in accordance with the statutory procedure. The College will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

7.4 As a minimum, the College will monitor the ethnic, gender and age composition of the existing workforce, student population and of applicants for jobs, and the number of people with disabilities within these groups. The College will consider and take any appropriate action to address any issues that may be identified as a result of the monitoring process.

7.5 The College will not discriminate in the selection of employees for recruitment or promotion, but may use appropriate lawful methods, including lawful positive action, to address identified under-representation of any group in particular types and levels of job.

8.0 Customers, Suppliers and Other People Not Employed by the College

8.1 The College will not discriminate unlawfully against students, visitors, contractors and any other identified third party using or seeking to use the facilities and services provided by the College, and will encourage all parties to demonstrate respect for others at all times.

8.2 Employees should report any bullying or harassment by a third party to their line manager and/or the Assistant Principal – People and Place who will take appropriate action.

8.3 Students should report any bullying or harassment by a member of staff, fellow student or other identified party to a member of staff in whom they feel they can confide, a member of the Pastoral team or a member of the Senior Leadership Team, who will take appropriate action.

9.0 Implementation and Training

9.1 In order to implement this policy we will:

- Ensure job applicants, employees, students, Governors, agency workers and contract workers, and other groups, are made aware of their responsibilities to create and maintain an environment in which respect for others is paramount and discrimination, bullying and harassment are challenged and minimised.
- Provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision-making where equal opportunities issues are likely to arise.
- Provide training to all existing and new employees and students, and others engaged to work and/or study at the College to help them understand their rights and responsibilities under the Anti-Bullying and Harassment Policy and what they can do to help create a College environment free of bullying and harassment.
- Provide additional training to relevant personnel on a regular basis to enable them to deal more effectively with complaints of bullying and harassment.
- Ensure that those involved in assessing candidates for recruitment, selection and promotion receive guidance in non-discriminatory selection techniques.
- Incorporate the importance of committing to the Equal Opportunities policy into job descriptions and work objectives of all staff.
- Obtain commitments from other persons or organisations such as subcontractors and agencies that they too will comply with the policy in their work with the College, our workforce and our students (e.g. via the supplier Code of Practice).

10.0 Individual Responsibilities

- 10.1 Every employee, student and other group identified in section 2.1 is required to assist the College to meet its commitment to provide equal opportunities in employment and study, and avoid unlawful discrimination.
- 10.2 Employees can be held personally liable as well as, or instead of, the College for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.
- 10.3 Breaches of the College's Equal Opportunities Policy including acts of discrimination, harassment, bullying or victimisation against employees, students or customers will be regarded as misconduct and will be subject to the College's disciplinary procedures for staff and students respectively, depending on the status of the alleged perpetrator. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to summary dismissal from employment or exclusion from study without notice.

11.0 Grievances

- 11.1 If you consider that you may have been unlawfully discriminated against, you may use the College's grievance procedure (employees) or complaints procedure (students) to make a complaint. If your complaint involves bullying or harassment, the investigation will be conducted in line with the College's Anti-Bullying and Harassment Policy.
- 11.2 The College will take any complaint seriously and will seek to resolve any grievance that it upholds. The complainant will not be penalised for raising a grievance, even if the grievance is not upheld, unless there is a genuine belief that the complaint is both untrue and made in bad faith.
- 11.3 Use of the College's grievance procedure does not affect an employee's right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination about which the complaint is made.

12.0 Access to the Policy

- 12.1 This policy is available to all staff and students via the College's website or on request from the Assistant Principal – People and Place.
- 12.2 The policy will be made available in alternative formats on request to the Assistant Principal – People and Place.

13.1 Advice and Guidance on the Policy

- 13.1 The Assistant Principal – People and Place is responsible for providing advice and guidance to employees on the application of this policy.
- 13.2 Designated members of the Senior Leadership Team are responsible for ensuring students are provided with advice and guidance on the application of this policy.

13.3 Contractors, work placement providers and other external service providers engaged to do work for or on behalf of the College will be required to adhere to the College's Equal Opportunities Policy, if they do not have a similar policy within their own organisation and will be issued with a copy of the Guidance Booklet for Employers and Work Placement Providers.

14.0 Monitoring and Review

14.1 The College will monitor this policy at least every two years, or more frequently if required, to judge its effectiveness and it will be updated in accordance with changes in the law. In particular, the College will monitor the ethnic and gender composition of the existing workforce, student population and of applicants for jobs (including promotion), and the number of people with disabilities within these groups. The Equal Opportunities Policy will be reviewed in accordance with the results shown by the monitoring, and through consultation with staff, students, recognised Professional Associations and College Governors as necessary. If changes are required, the College will implement them.

14.2 Information provided by job applicants, student applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

15.0 Other Relevant Policies

15.1 This policy should be read in conjunction with the following policies:

- Staff Recruitment and Selection Policy and Procedure
- Admissions Policy (Students)
- Disciplinary Policy and Procedure (Staff and Students)
- Anti-Bullying and Harassment Policy (Staff and Students)
- Grievance Policy and Procedure (Staff)
- Social Media Policy
- E-safety Policy (including IT Acceptable Use)
- Staff Code of Conduct
- Safeguarding Policy (incorporating Child Protection procedure)
- Prevent Strategy and Prevent Duty Action Plan

Version	Date	Policy Owner	Comments	Approval Route and Date	Provenance	Date of Next Review	Equality Impact Assessment Completed (Y/N)
1.	January 2011	Zoe Shackleton	Updated Policy	12 th April 2011 – Corporation meeting	Updated to reflect the provisions of the Equality Act 2010	-	Y
2.	January 2013	Zoe Shackleton	Updated Policy	-	Updated job titles and references to other policy documents. No fundamental revisions required.	-	Y
3.	December 2013	Zoe Shackleton	Updated Policy	SLT and Corporation	Updated to reflect developments in the College's practices and approach to ensuring equality of opportunity.	December 2015	Y
4.	November 2014	Zoe Shackleton	Updated Policy	SLT and Corporation 04/11/14	Updated to reflect changes in legislation and the College's approach	November 2016	Y
5.	November 2016	Zoe Shackleton	Updated Policy	Corporation 16/11/16	Updated to reflect updates to legislation and to incorporate references to the Prevent Duty and British Values	November 2018	Y



EQUALITY IMPACT ASSESSMENT



INTRODUCTION

The purpose of carrying out an Equality Impact Assessment (EIA) is to provide the basis for creating equality objectives and performance indicators that will drive improvement and change in ensuring the College meets the needs of different groups of people with different protected characteristics, as defined in the Equality Act 2010.

What is an impact assessment?

An EIA is a systematic and thorough consideration of how every aspect of the College's functions (i.e. policies, procedures, practices and plans) is affecting, or is likely to affect different people. EIAs should be reviewed a part of a rolling programme and the Action Plan updated accordingly.

All colleges have a duty to carry out EIAs. We must explicitly consider impact on students, staff and other key groups in terms of race, disability, gender (including gender identity), sexuality, age, and religion and belief, and publish the results. Consultation with your customers and potential customers, external clients, staff and students will be part of the EIA procedure and will also link to the Self-Assessment Report (SAR) and strategic plan for the College. The involvement of different stakeholders will evidence our commitment to embedding equality and diversity within all our services and the curriculum. The EIAs will be led and monitored by the Assistant Principal – People and Place.

What needs to be impact assessed?

The EIA process will encompass all policies, procedures, practices and plans. When and where these are identified, each will need an EIA or review as part of a rolling programme, to determine whether they have a differential impact in relation to equality.

Findings of EIAs

The findings of an EIA may provide a number of possible outcomes:

1. The EIA shows that employment practices or services have a different impact measured by one or more protected characteristic.
2. The EIA shows a different impact which is demonstrated to be adverse impact.
3. The EIA shows no differential impact in employment practices or service delivery.
4. There is insufficient evidence to judge whether there is differential impact.
5. The EIA indicates that there are needs that are not being met.

Can I assess my own policies, procedures, practices and plans?

EIAs will usually be completed by the owner of the policy, procedure, practice and plan in conjunction with another colleague who is familiar with the process of conducting EIAs. The nominated person should not be involved with the design, maintenance or enforcement of the policy, plan, practice or procedure. This is to ensure that the EIA process is objective and robust, as a neutral party is more likely to highlight elements that will lead to positive change.

Part One – The Impact Assessment

Date of last assessment (if applicable)	4 th November 2014
Date this assessment commenced	1 st November 2016
Name of policy/procedure/practice/plan being assessed	Equal Opportunities Policy
Name and job title of policy/procedure/practice/plan owner	Zoe Shackleton Assistant Principal – People and Place
Name(s) of independent colleague(s) appointed to contribute to the assessment	Sonia Ross Vice Principal – Student Support and Guidance
Is this a new or existing policy/procedure/practice/plan?	Existing policy, updated to reflect legislative changes and the College's approach to equality and diversity, including compliance with the Prevent Duty and embedding British Values.

INITIAL SCREENING

<p>1. Please summarise the main aims of the policy/procedure/practice/plan. Include the intended benefits.</p>	<p>The policy is intended to set out the College's commitment to providing equal opportunities in employment and study and to assist all members of the College community in putting into practice strategies to provide such equality of opportunity and to oppose discrimination.</p> <p>The policy includes reference to the College's mission and values, strategic objectives, Anti-Bullying and Harassment policy and equality legislation, including the Prevent Duty and requirement to exemplify fundamental British Values. Its purpose is to explicitly state that it is unlawful to discriminate against or harass another party in the provision of goods or services and that such conduct will be subject to investigation and possible sanction in line with the disciplinary procedures for students and staff.</p> <p>The policy sets out the College's commitment to ensuring other parties who work with or who visit the College receive the same protection from harassment and discrimination as other stakeholders (e.g. staff, students, Governors). It also makes reference to training and who will receive training, to ensure they are aware of their responsibilities under the policy.</p> <p>Individual responsibilities are clearly set out in the policy. Other relevant documents are listed at the end of the policy.</p>
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	<p>The intended benefits of the Equal Opportunities Policy are predominantly to prevent the occurrence of harassment and discrimination and to ensure that all employees and students have access to services and facilities that will enable them to fulfil their potential. Another benefit of the policy is that it clearly sets out individuals' responsibilities and is a useful document in terms of liaising with external partners of the College (e.g. suppliers, contractors) to benchmark their commitment to ensuring equality of opportunity.</p> <p>By creating and maintaining a culture of mutual respect and tolerance we also aim, through this and other policies, to safeguard all students, staff and visitors to the College. There are clear links between the Equal Opportunities Policy, therefore, and other policies such as those relating to Safeguarding and Prevent.</p>	
<p>2. What consultation has been undertaken in the development of the policy/procedure/practice/plan?</p>	<p>Initially, consultation was undertaken with students in the form of focus groups on a range of equality and diversity themes, and with staff through the College's recognised Trade Unions and their appointed representatives. The policy has also been approved by the College's Senior Leadership Team and Corporation.</p>	
<p>3. What evidence, data or information is available to indicate how the policy/procedure/practice/plan might affect equality?</p>	<p>All protected characteristics are identified and named in the policy and the College's approach to promoting equality, diversity and inclusion and tackling discrimination is set out in greater detail in supporting policies, such as the Anti-Bullying and Harassment policy. There is no information or evidence available to suggest that the policy might have an adverse effect on equality and indeed by its very nature, it is encompassing of different elements of equality/diversity particularly in relation to access to opportunities in employment and study.</p> <p>Available staff recruitment data has been analysed separately through an EIA on the staff recruitment and selection policy, and specific action related to that policy has been taken, and will continue to be monitored.</p>	
<p>4. In what areas could the policy/procedure/practice/plan have a significant adverse differential impact?</p> <p>If you have selected one or more boxes for question 4, please go straight to question 5.</p>	<p>Disability Race Gender (including Gender Identity) Sexual Orientation Age Religion or belief</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>

If you have not selected any of the boxes for question 4 there is no need to complete the rest of this documentation. However, you must write the reasons why you believe there will be no differential impact, in respect of any of the protected characteristics listed, in the space opposite.

We believe that the Equal Opportunities Policy actively seeks to address potential inequalities and adverse differential impact. The ethos of the policy is to ensure that we are meeting our duties as a public sector body and complying with relevant legislation, including the Equality Act 2010 and the Keeping Children Safe in Education guidance – September 2016.

The College's commitment to being inclusive is longstanding and the data that we are collecting through analysis of student records, staff records and recruitment procedures has been, and will continue to be, used to revise our practices and develop our approaches to promoting equality and diversity.

All protected characteristics (including amendments to the Equality Act such as same sex marriage) are covered in the policy and our commitment to promoting the policy, consulting with relevant stakeholders, providing training and addressing any non-compliance is explicitly reference. More extensive information concerning the College's approach to handling specific complaints of misconduct and/or bullying and harassment is available in separate policies and procedures, which are also publicised for example through staff and student inductions.

For the reasons stated in this section, the detail provided in the policy and in this EIA, it is felt that the policy does not have a significant adverse differential impact on any of the protected characteristics.

ASSESSING IMPACT AND STRENGTHENING THE POLICY/PROCEDURE/PRACTICE/PLAN

5. What general concerns are there that the policy/procedure/practice/plan could have a differential impact on the protected characteristics you have indicated in question 4? Please give details.

What relevant evidence is available to support these concerns? Please use data/statistics where possible.

6. What are the risks associated with the effectiveness of the policy/procedure/practice/plan in relation to the differential impact?

<p>7. What are the expected benefits of the policy/procedure/practice/plan?</p>	
<p>8. Who are the 'interested parties' (i.e. adversely affected groups) in relation to this policy/procedure/practice/plan?</p>	
<p>9. How will these interested parties be consulted and communicated with?</p>	
<p>10. Which relevant experts and/or equality groups have been approached to explore the issues with which the policy/procedure/practice/plan is concerned?</p> <p>How have the views of these experts/groups been sought? (Please be as specific as possible, e.g. by letter, meetings, interviews, workshops, questionnaires, or any other method.)</p>	
<p>11. Please give details of the views of the experts/groups on the issues involved.</p>	

<p>12. Taking into account these views, and the available evidence, please outline the risks associated with the policy/procedure/practice/plan weighed against the benefits.</p>	
<p>13. What changes/modifications will now be made to the policy/procedure/practice/plan in the light of this Impact Assessment?</p>	
<p>14. How will these changes/modifications be communicated to interested parties (i.e. the groups which were adversely affected) and those consulted? (This should form part of the Action Plan.)</p>	
<p>Signed (completing officer 1)</p>	<p>Print Name and Job Title Zoe Shackleton Assistant Principal – People and Place</p>
<p>Signed (completing officer 2)</p>	<p>Print Name and Job Title Sonia Ross Vice Principal</p>
<p>Date of completion of Impact Assessment</p>	<p>1st November 2016</p>

Actions arising from screening

(R = Race/Ethnicity, R&B – Religion and Belief, D – Disabled People, G – Gender (including gender identity), SO – Sexual Orientation, A – Age)

R	R&B	D	G	SO	A	Action Required	By Whom	By When	Intended Outcome	Change resulting from EIA and date (include evidence if possible)