

Section 7



Equality and Diversity

The 2010 Equality Act

The most significant influence on policy regarding equality and diversity in recent years was the Equality Act in 2010. The following outlines the implications of that Act and our response to it which in turn identifies the focus for staff in this area.

The Equality Act 2010 was passed though not all of its provisions came into force immediately. The Act aimed to:

- a) Reform and harmonise discrimination law
- b) Strengthen the law to support progress on equality, and
- c) Replace all existing equality legislation including the Equal Pay Act 1970.

The Act identified nine 'protected characteristics':

- Sex
- Marriage and civil partnership
- Gender reassignment
- Pregnancy and maternity
- Race
- Disability
- Religion or belief
- Age
- Sexual orientation

Therefore discrimination can occur in one of two ways with these groups –

- People could be discriminated against **directly** i.e. less favourable treatment because they possess one or more of the protected characteristics.

OR

- **Indirectly** because provision or practice puts people from a protected characteristic at a disadvantage which cannot be shown to be proportionate to achieving a legitimate aim.

The Act specifies a particular issue regarding disability:

- Duty to make reasonable adjustments

The Act has created a Public Sector Equality Duty.

Public Sector Equality Duty

The general equality duty came into effect on 6th April 2011.

It is therefore the duty of the college to:

- **Eliminate** unlawful discrimination, harassment, victimisation and other prohibited conduct
- **Advance** equality of opportunity between people who share a protected characteristic and those who don't
- **Foster** good relations between people who share a protected characteristic and those who don't

Further duties came into effect from 10th Sept 2011.

Those concerning further education specifically stipulate that from 6th April 2012 Colleges have to publish:

- One or more objectives for achieving the aims outlined above (renewable every four years).

And that from 31st Jan 2010 Colleges have to publish:

Information demonstrating compliance with the general duties (renewable every year) of 'eliminating', 'advancing', 'fostering'?
This would therefore encompass –

1. Information related to employees who share a common characteristic in places where there are more than 150 employees (TRC). This might include: (N.B. there is no proscribed format)

- The composition of the staff body
- Information around pay levels
- Recruitment and retention of staff
- Information with regard to flexible working arrangements
- Information with regard to professional development
- Grievance or disciplinary issues

(With all of the above giving regard to the protected characteristics of staff)

2. Information relating to people who are affected by the policies and practices of the college who share protected characteristics (our students). This might include: (N.B. there is no proscribed format)

- The balance of numbers for different groups within our student body
- Student voice information
- Data regarding complaints
- Achievement data

(With all of the above giving regard to the protected characteristics of our students).

We should also publish all of our policies/practices/programmes that relate to equality concerns.

We are obliged to make this information public and the obvious place to this is on our website which is where the key data can now be found.

What can we practically do to be compliant?

- Ensure all managers/senior staff are aware of the requirements of the duty (awareness raising activities)
- Embed these duties in policies (this is why there is a case to carry on with some form of impact assessment. We do not have a specific requirement to do IA but we do have to show 'due regard')
- Ensure we have the relevant data ready for publication
- Ensure that third parties exercising a function on our behalf comply with the duty (for instance work experience)
- Engage with protected groups (case studies)
- Prioritise areas that are in greatest need of action
- Publish our equality objectives
- Arising from the objectives, set out a timescale for review
- Review the information we presently have on our website and decide what next?

Thomas Rotherham College Equality Objectives**Broad Equality Objectives**

These have remained consistent over time, as a college we seek to:

- Ensure all staff and students reach their full potential regardless of their background or characteristics
- Eliminate any form of discrimination or harassment
- Provide positive role models for staff and students in championing diversity
- Develop people so that all members of staff are confident with regards to equality and diversity
- Ensure that equality and diversity is integrated throughout the organisation
- Capture and celebrate the success of all
- Celebrate the diversity of our staff and students

Specific Equality Objectives

With regards to the 2012 Act we are required to identify some more specific objectives.

The objectives have been recently reviewed by the College's Equality and Diversity Group and the Senior Management Team and will be approved by the College Corporation (Governing Body).

The objectives are designed to further the College's pursuit of the 3 aims of the Public Sector Equality Duty previously referred to.

The college has set two main Equality Objectives:

Equality Objective 1 – To narrow the achievement gap between male and female students.(continued from original objective)

Equality Objective 2 (new objective) –To develop strategies that raise understanding of different protected characteristics, further promoting mutual respect and tolerance within the staff and student bodies and promoting connections between different groups. In addition to the above Equality Objectives the College will continue to endeavour to encourage applications from minority ethnic groups so that there is more likelihood of the staff body having a greater ethnic diversity and to continue to enhance the promotion of equality and diversity through the curriculum.

Staff who have an interest, some experience or insight into issues around equality and diversity are encouraged to join the Equality and Diversity Group which meets throughout the year, they can do so by contacting Dr Richard Willilams (Principal).