

Equality and Diversity Policy

August 2022

Contents	Page
1. Introduction	3
2. Scope of the Policy	3
3. Key Principles and Commitments	4
4. Curriculum	6
5. Marketing and Information	7
6. Recruitment and Selection	7
7. Arrangements for Implementation	8
8. Codes of Practice	8
9. Monitoring	8
10. Accountabilities	9
11. Relationship to other Policies	9
12. Monitoring and Review	10
13. Training and Development	10
14. Breaches of the Policy	10

Appendices

1. Types of Discrimination
2. Equality and Diversity Forum Terms of Reference
3. Useful Documents and Relevant Legislation

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	ILO	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

1. Introduction

This document reaffirms Sandwell Adult and Family Learning Service's (SAFL) commitment to achieving equality of opportunity, both as an employer and as a training provider.

This policy is an integral part of SAFL's value system and it applies to staff, learners and partner organisations that exercise or benefit from the services functions.

SAFL will support this policy through guidance, support and training for all staff.

The policy is intended to be relevant to the current service provisions and will be reviewed annually (during August) in the light of service developments and changes in the statutory frameworks in the United Kingdom and Europe, local circumstances, developing and evolving best practice, and as part of a continuous improvement process.

2. Scope of the Policy

- 2.1 This policy covers all aspects of the work of SAFL, including, but not limited to teaching and learning, governance arrangements, employment, procurement and relationships with external partners and stakeholders.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

3. Key Principles and Commitments

3.1 This policy has been guided by the Equality Act 2010 that covers the public sector Equality Duty and the following 'protected characteristics':

- Age
- Disability (physical and mental impairment)
- Race (including colour, nationality, ethnic or national origin)
- Religion or belief or lack of religion / belief
- Sex
- Sexual orientation
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity

The public sector Equality Duty ensures that public bodies consider the needs of all individuals in shaping policy, in delivering services and in relation to their own employees.

The Equality Duty has three aims. It requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination.
- Advance equality of opportunity.
- Foster good relations.

As part of its commitment to the Equality Act, SAFL will consciously ensure that the three aims of the Equality Duty are properly considered in the process of decision making, policy review, design, delivery and evaluation of its services.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

3.2 It is the policy of SAFL to treat all learners, customers, employees, applicants for employment and partners fairly. SAFL is fully committed to the following key Equality and Diversity principles:

- The service will provide a safe environment in which to learn
- Every person will be welcome and welcomed
- Every person will be treated fairly, with courtesy and respect
- Every person has an equal right of access to the service
- Access should be as easy, flexible and obstacle-free as possible
- All staff have the right to appropriate and proper resources, training and development opportunities
- The needs of service users and learners will be met in relation to supporting them to fulfil their course of study
- Views of staff, learners and service users will be integral to developing the service
- The service will value the diversity and difference which exists in people and between communities
- The service will promote and support the cultural and educational needs of the whole community
- The service will develop mechanisms for monitoring, evaluation and review
- The service will take positive action to redress any gender, racial or other imbalances within the learning community, the workforce or within success and achievement rates
- The service will fully comply with and support all relevant legislation both in the letter and spirit of the law
- The service will treat all acts of discrimination, harassment, victimisation and bullying on the grounds of any of the 'protected characteristics' as a disciplinary offence

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	ILO	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

4. Curriculum

Within the provision of our curriculum the service will:

- 4.1 Promote planning, teaching and learning styles and resources that encompass the concept of equality, diversity and inclusion.
- 4.2 Commit to narrowing achievement gaps between different groups of learners.
- 4.3 Promote learning materials free from any form of discriminatory assumptions, images and languages.
- 4.4 Provide facilities that meet individual needs.
- 4.5 Provide the opportunity for learners to achieve mutually agreed goals (individual learning programmes) and wherever possible adapt the learning environment in order to maximise the learner's potential.
- 4.6 Work closely in partnership with other educational providers and relevant agencies in order to share data and identify which groups are underrepresented in our local communities.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Siân Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

5. Marketing and Information

In producing and providing effective marketing and information the service will:

- 5.1 Promote its services to underrepresented individuals and groups.
- 5.2 Base curriculum design and delivery on individualised need and provide appropriate support systems as identified.
- 5.3 Develop a flexible learning offer and provide information in a variety of public and community venues and in a variety of alternative formats.
- 5.4 Where reasonable, interpretation, translation or transcription services will be used in line with Sandwell Council's protocols.

6. Recruitment and Selection

Within the process of recruitment and selection the service will ensure that:

- 6.1 No applicant or employee is treated less favourably than another in terms of selection for employment, working conditions, through application of HR procedures or in career advancement.
- 6.2 Recruitment and selection procedures do not directly or indirectly discourage or discriminate against groups with 'protected characteristics' who may wish to apply for vacant posts.
- 6.3 All staff responsible for, or involved in, the recruitment and selection of staff will be familiar with the Sandwell Council Equality Policy (HR89) and other related HR procedures and will act in accordance with its equality requirements.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

7. Arrangements for Implementation

- 7.1 The service will consult users and stakeholders regularly about this policy.
- 7.2 The service will ensure that the outcomes of actions, for example of equality of targets or positive actions in relation to 'protected characteristics', are achieved and published.
- 7.3 Where appropriate and reasonable, the service will set up working groups, forums and networks that enable it to embed and advance the principles of this policy.

8. Codes of Practice

- 8.1 The service will adhere to all operational practices identified within Sandwell Council HR policies and procedures both as an employer and a provider of education and training services.

9. Monitoring

- 9.1 Local and national data will be collected, reviewed and used effectively to monitor, plan and develop our services.
- 9.2 SAFL policies will be reviewed regularly to ensure their currency and effect.
- 9.3 The service will contribute to Sandwell Council workforce monitoring and use its analysis to improve its practices.
- 9.4 The service will adopt Sandwell Council harassment and monitoring procedure and use its analysis to improve its practices.
- 9.5 SAFL may, where appropriate and reasonable, set up other monitoring practices that enable it to check its performance against this policy.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	ILO	Siân Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

10. Accountabilities

- 10.1 The Senior Leadership Team (SLT) has the overall day-to-day responsibility for overseeing the management of the policy and any concerns arising under the policy.
- 10.2 Line managers are responsible for applying the policy within their areas of responsibility and for dealing with any concerns raised under the policy.
- 10.3 The Chair of the Equality and Diversity Forum is responsible for implementation and review of the policy and providing guidance in relation to any concerns raised under this policy. The Equality and Diversity Forum is responsible for monitoring the operation of the policy (Terms of reference for the Equality and Diversity Forum are shown in Appendix 2).
- 10.4 Everybody has a responsibility to apply all principles of the policy in their area of work and staff may, from time to time, be given specific work related to objectives of this policy.

11. Relationships to other Policies

- 11.1 The Equality and Diversity Policy applies across all other policy area, as defined within the scope of this policy and will take precedence if there are any practices or criteria inconsistent with this one.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Siân Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

12. Monitoring and Review

12.1 The service will undertake regular monitoring of learners and staff by the following categories linked to ‘protected characteristics’:

- Age
- Disability
- Race
- Sex

The data will be analysed and presented to the Equality and Diversity Forum at least annually.

13. Training and Development

13.1 The training and development needs of staff will be considered as part of the arrangements for performance management. Staff training opportunities will be funded and made available within the normal working day, where possible.

14. Breaches of the policy

14.1 Breaches of the policy will be dealt with in accordance with the disciplinary provisions set out in the relevant service policy.

14.2 The service does not accept or condone discrimination of any nature, either direct or indirect.

14.3 No forms of discrimination will be tolerated; any incident of discrimination will be investigated and dealt with through Disciplinary Procedure. Each member of staff is responsible for ensuring that incidents of discriminatory behaviour are recorded and referred to the relevant member of the Senior Leadership Team. For more details on the forms of unlawful actions covered by Equality Act 2010 refer to Appendix 1.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

Appendix 1

Types of Discrimination

Direct discrimination

This occurs when someone is treated less favourably than another person because of a protected characteristic.

Associative discrimination

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic (for example, a mother of a disabled child). This does not apply to marriage and civil partnerships or pregnancy and maternity.

Perceptive 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. This does not apply to marriage and civil partnerships or pregnancy and maternity.

Indirect discrimination

Indirect discrimination can occur when an employer has a condition, rule, policy or a practice in the company that applies to everyone but which particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if employers can show they acted reasonably in managing their business. This does not apply to pregnancy and maternity.

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 the individual”. This does not apply to marriage and civil partnerships or pregnancy and

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

maternity. There is also protection from harassment because of perception and association.

Victimisation

Victimisation occurs when a person 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. This protection does not apply if the person has maliciously made or supported an untrue complaint. This applies to all of the protected characteristics.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

Appendix 2

Equality and Diversity Forum

Membership

Amarjeet Kaur	Data / Admin Officer
Kirit Vadukul	Senior Officer – Learner Services
Lisa Espinosa	Senior Lead Officer – Teaching and Learning
Siân Breese	Senior Lead Officer – Learner Services
Tonia Green	ACL Manager

Aim

To raise the profile of equality, diversity and inclusion issues, and champion them within the service and externally in the community.

Terms of Reference

- To monitor, evaluate and make recommendations for the effective development and implementation of the service's equality and diversity policy.
- To receive annual (or as required) reports based on monitoring data.
- To review targets set for learner recruitment, progress, achievement and destination ensuring that the recruitment, performance and destinations of different learner groups are closely monitored, and actions taken to address any identified gaps.
- To raise awareness and promote equality matters amongst all staff, learners and delivery partners of SAFL, through a planned programme of staff development and communication.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	ILO	Siân Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

- To review incidents and complaints specifically in relation to equality, diversity and bullying and ensure that these are proactively managed and addressed, including providing training and support as appropriate.
- To ensure that SAFL is compliant with Government counter-terrorism legislation and can demonstrate 'due regard to the need to prevent people from being drawn into terrorism', which includes the promotion of British values.
- To keep under review all areas of SAFL practice (including recruitment and selection) with regard to equality and diversity and to make recommendations for change whenever necessary to ensure that the service strives for best practice in this field.
- To ensure arrangements are in place to protect all students and staff from harassment, bullying and discrimination and to ensure that these arrangements are effective.

Frequency of Meetings

The group shall meet on at least three occasions per year on a termly basis.

Reporting

The proceedings of the forum will be recorded and reported to the Senior Leadership Team.

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	IL0	Siân Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

Appendix 3

Useful Documents and Relevant Legislation

Set out below are useful documents including specific policies and strategies which are relevant to Equality and Diversity.

SAFL Documents

- Additional Learning Support Policy
- Behaviour Policy
- Safeguarding Policy
- Learner Handbook

Sandwell M.B. C. Documents

- Equality Policy (HR89)
 - Sandwell Council Statement of Intent for Equality and Diversity
- Performance Capability Policy (HR2)
- Grievance Policy (including Harassment) (HR40 and HR40.1)
 - Procedure for Collective Grievances (HR17.1)
 - Harassment Support Officers (HR40.4)
- Confidential Reporting Code (whistleblowing Policy)
- Disciplinary Policy (HR53)
 - Disciplinary Rules (HR53.1)

Legislation

- Immigration, Asylum and Nationality Act 2006
- Children Act 2004 (Every Child Matters)
- Children and Families Act 2014
- Data Protection Act 2018
- GDPR (General Data Protection Regulation) 2016
- Equality Act 2010
- Freedom of Information Act 2000
- Gender Recognition Act 2004
- Human Rights Act 1998
- Mental Health Act 2007
- Mental Health (Discrimination) Act 2013

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	ILO	Siân Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23

- Safeguarding Vulnerable Groups Act 2006
- Special Education Needs and Disability Act 2001
- Counter-Terrorism and Security Act 2015 (The Prevent Duty)

Useful Websites

- Commission for Equality & Human Rights
www.equalityhumanrights.com
- Skills Funding Agency
www.gov.uk/government/organisations/skills-funding-agency
- Association of Colleges
www.aoc.co.uk
- Learning and Work Institute
www.learningandwork.org.uk
- OFSTED
www.gov.uk/government/organisations/ofsted
- Directgov
<https://www.gov.uk/>
- Human Rights Act
www.Amnesty.Org.Uk/issues/Human-Rights-Act
- The West Midland Combined Authority
www.wmca.org.uk/what-we-do/productivity-skills/adult-education-budget

Reference	Classification	Author	Approved By	File Location	Created	Last Reviewed	Next Review Date
A11 ED	ILO	Sian Breese	SLT	T Drive POLICIES & PROCEDURES	9/10	08/22	08/23