

## Access Creative College

# Equality and Diversity Policy

### 1. Our Commitment

Access Creative College (Access to Music Limited ) (ACC) is committed to being an organisation which values diversity, promotes equality of opportunity and is free from unlawful discrimination on any grounds. Therefore the purpose of this policy is to ensure equality and fairness for all the protected characteristics identified in the Equality Act 2010:

- Age
- Disability;
- Gender re-assignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (including no belief)
- Sex
- Sexual orientation

**1.2** We also recognise that equality issues are complex and disadvantage can occur for a wide range of reasons such as cultural and economic background, physical and social environment and ill health which may limit an individual's opportunity to access education or employment. We will take account of these issues in our approach to ensuring equality of opportunity for all.

**(See Appendix 1: Equality Legislation, which came into effect in October 2010).**

**1.3** The College will continue to follow the codes of practice and guidelines issued by the Equality & Human Rights Commission (EHRC), Government Equalities office (GEO) and the Equality Challenge Unit (ECU).

**1.4** We will be proactive in all matters relating to equality of opportunity and diversity. We value and will celebrate the richness brought to our College by a diverse population of staff, learners, clients and partners. We recognise and will seek to reflect the positive contributions brought to the College by the variety of its staff, learners and clients.

**1.5** We will continue to strive to provide an environment in which people want to work and study and will seek to be a model employer leading in good employment practice. Access Creative College is committed to enabling each member of staff and learner to achieve their full potential in an environment characterised by dignity and mutual respect. We will not tolerate discrimination victimisation, bullying or harassment of any kind by any party (this includes conduct near the College, the workplace/learning environment and at work/study related events or social functions (where relevant)). Any action found to be in breach of any of these would be addressed in accordance with College policies and procedures.

**1.6** We also recognise that the behaviours through which diversity is evident must be consistent with the values that underpin this policy document. Access Creative College values and ethos can be found in its values statement.

**1.7** Equality and Diversity strengthens and enriches all of our work and is at the heart of what we are and what we do.

## **2. Scope**

**2.1** Access Creative College acknowledges the following basic rights for all members and prospective members of its community:

- To be treated with respect and dignity;
- To be treated fairly with regard to all functions, procedures, assessments and choices;
- To receive encouragement to reach their full potential.

**2.2** The policy applies to all employees, potential employees, learners, clients and visitors as well as any persons associated with the functions of Access Creative College.

**2.3** ACC takes its responsibility to these people seriously and seeks to ensure that they are treated with respect.

**2.4** The policy applies to all areas of employment including recruitment applications, short-listing, selection, promotion, training, benefits, capability and performance, discipline, grievance, absence, conditions of service and reasons for termination of employment.

**2.5** This policy is supported by ACC's (Single) Equality Scheme (SES) and Action Plan. Through them we aim to achieve the following objectives:

- To promote dignity, respect and understanding within the College and the wider community as well as promote good relations between different groups.
- To attract, select and retain a diverse range of people to engage on its programmes and to create an environment that encourages and supports all staff and learners to actively engage with the College and its partners and realise their full potential.
- To attract, select and retain a diverse range of skilled and competent people to work for Access Creative College. To create an environment that encourages and supports all staff to actively engage with the business and realise their full potential.
- To support its learners to overcome barriers to employment and become economically active members of society through employment and to contribute to the wider social, economic prosperity and wellbeing of the communities in which they live.
- To ensure College buildings and infrastructure reflect the diverse needs of its community

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and provide an accessible and inclusive learning and working environment.

- To ensure that all ACC policies, practices and procedures are equality proofed.

**This policy informs the following policies:**

- Bullying and Harassment Policy
- Recruitment and Selection Policy
- Staff and Student Disciplinary Procedures
- Sickness Absence Code of Practice and Guidance Notes for Managers
- Staff Grievance Policy

### **3. Responsibilities**

**3.1** An Equality & Diversity Policy cannot succeed without the active support of the entire College community. The responsibility for delivering the policy extends to every member of the organisation including management, those with an explicit remit for diversity, individual members of staff. and our learners. The implementation of this policy is therefore a shared responsibility amongst staff employed by Armstrong Works.

In addition, key individuals have specific responsibilities as set out below:

Overall responsibility for the Policy will sit with the Managing Director and the relevant Service Directors. This includes responsibility for ensuring that the policy is communicated, implemented, monitored and continuously reviewed according to legislation.

The Board will oversee the College's progress with the policy through regular agenda items at meetings of the Board.

The Director of Operations and Performance, alongside the Director of People Services, will ensure that staff and managers are aware of their responsibilities under this Policy and provide appropriate training and support to enable them to fulfill them.

Directorate Managers, heads of service and Centre Managers are responsible for promoting equality and diversity to learners, clients and staff. Additionally, line managers are responsible for ensuring that staff identified as having specific responsibilities engage with the policy and carry out actions arising from the Equality Scheme Action plan.

All members of staff, students, clients, partners, service providers and suppliers are expected to comply with the policy and action plan to ensure fair equal and appropriate treatment in all aspects of work and study.

**3.2** In our work to create an effective, efficient and profitable business, we aim to support the

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needs of all members of our community and achieve the highest possible standards in education and service delivery, employment practices and decision making.

#### **4. Implementation**

**4.1** The Executive leadership Team is responsible for the overall implementation and monitoring of the policy and the schemes action plan and will provide progress reports on a regular basis..

**4.2** All staff, learners and clients should be provided with information about the policy on registration and abide by its principles.

**4.3** New employees must receive information on equal opportunities obligations and provisions from their managers at an early stage in their employment. ACC's Induction programme includes Equality and Diversity awareness training. All employees should familiarise themselves with this policy and ensure their practices are consistent with its contents and legislation.

A continuing programme of equality and diversity training is provided to all staff, with online equality and diversity in the workplace refresher training to be completed annually.

Individual members of staff should inform their line manager, People Services and/or relevant operations director if they think that unlawful discrimination is taking place.

#### **5. Communication**

**5.1** It is important that employees at all levels are aware of this policy in order to comply with its requirements. A copy is available on Google Drive and copies must be made available to staff who have limited access to a computer.

**5.2.** Learners will also have access to this policy which will be included in their induction packs, in centre and via the VLE.

**5.3** The College will consult periodically with relevant stakeholders in order to ensure representation of equality groups and try to improve the options to eradicate discrimination.

**5.4** An annual report drafted by the Executive leadership Team will be submitted to the Board on the progress of the College's Single Equality Scheme and Action Plan. (it will be made available to members of the public on request). The report will include specific measures adopted to promote equal opportunities, progress on priorities; the outcome of the relevant years monitoring statistics and targets.

**5.5** The Policy will be published online and made available in hard copy and alternative formats as requested.

#### **6. COMPLAINTS**

**6.1** The College will take seriously any instances of non-adherence to the Equality and Diversity policy by clients, learners, staff or visitors. The College will ensure that all staff and clients are given

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opportunities to pursue reasonable means to follow procedures should they feel they are experiencing discrimination. Complaints of discrimination on the grounds of the areas covered by this policy should be brought using the appropriate Grievance Procedures for staff and clients.

**6.2** Any instances of non-adherence will be investigated and where appropriate will be considered under the relevant disciplinary policy for staff or clients. With regard to any breach of the policy by visitors, the Company will take appropriate action in relation to the nature of the incident.

**6.3** Cases involving bullying and harassment in the workplace will be dealt with in accordance with the Company's Bullying and Harassment policy.

**6.4** Applicants for employment concerned about the application of the policy should consult the Human Resources Department.

## **7. RATIFICATION SIGNATURES, POLICY AUTHORS & DATES**

### **People Services**

**Drafted:** February 2011

**Amended:** November 2011, April 2012, October 2012, June 2013, January 2015, October 2015  
January 2017, June 2018

## APPENDIX 1

### Equality Legislation effective from October 2010

From the 1<sup>st</sup> of October 2010, the first phase of revisions to equality law encompassed in the Equality Act came in to force. Within the legislation, the definitions around disability and discrimination were amended.

The main areas were:

**Direct disability discrimination** - applies to workforce (as previously) and following the revised Act with regard to the provision of goods and services. Although discrimination in the provision of goods and services because of age is not covered by the Equality Act 2010, it should be included as a matter of good practice.

**Indirect disability discrimination** – is the same as for gender and race e.g. requiring that employees be six feet tall, as this would disproportionately disadvantage women.

**Discrimination arising from disability** – If a decision, policy, function or course of action results in a negative impact relating to the person's actual disability i.e. if the disability itself was adversely affected, not the individual directly e.g. locating signs in a position that makes it difficult for wheelchair users to read.

**'Reasonable adjustments'** - goes further under the Act. Previously grounds for a duty to make 'reasonable adjustments' were if for e.g. access to a building would be impossible without a ramp. From October 2010 the duty will be in effect if disabled people are found to be at a 'substantial disadvantage'.

**People who support a disabled person to make a complaint** -who subsequently allege they are being mistreated as a consequence of providing support, now only have to show that they have been treated 'badly' i.e. they do not have to provide as much evidence as they did previously.

Extending **positive action** in recruitment

Measures to make **gender pay** discrepancies more transparent

Widening definition of direct discrimination and harassment to cover claims based on **"association"** and **"perception"** for all protected grounds, including sex, pregnancy and maternity, sexual orientation, or gender reassignment but not marriage and civil partnership.

Discrimination by **'association'** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic

Discrimination by **'perception'** is where an individual is directly discriminated against or harassed

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based on a perception that he or she has a particular protected characteristic when he or she does not, in fact, have that protected characteristic

New powers for **Employment Tribunals** decisions will no longer just benefit the individual but will apply to other members of the workforce in similar situations.

**Victimisation** occurs when an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he or she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so, or being about to do so. The definition is no longer based on less favourable treatment

**Third- party harassment** occurs where an employee is harassed, and the harassment is related to a protected characteristic (although this does not cover harassment because of marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable, the harassment must have occurred on at least two previous occasions; it must be aware that the previous harassment has taken place; and it must have failed to take reasonable steps to prevent harassment from happening again.