

EQUALITY & DIVERSITY POLICY

Responsible for Implementation: Director of People Services

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About Us

Access Further Education Ltd ('The College') has subsidiary companies, trading names and trading partnerships through which it operates. The trading names and partnerships might have their own names or brands, but the legal entity for the purpose of this policy is Access to Music Limited. Trading subsidiaries, trading names and trading partnerships include Access Creative College ('ACC'), National College for Creative Industries ('NCCI'), and Access Sport. The dBs Institute (DBS Music UK Holdings and its subsidiaries), whilst a separate legal entity, shares common Directorships with the College, however, responsibility for Equality & Diversity related policies with dBs falls to the Executive Head of People Services.

1. Our Commitment

Access Creative College (Access to Music Limited) 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 reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (including no belief)

- Sex
- Sexual orientation

We also recognise that equality issues are complex and disadvantages 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.

The College will continue to follow the codes of practice and guidelines issued by the Equality & Human Rights Commission (EHRC) and Government Equalities Office (GEO).

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, apprentices, 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.

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 will be addressed in accordance with College policies and procedures.

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's values and ethos can be found in its values statement below.

Our mission is to develop the next generation of creatives through innovative, practical, employment-led training. This is realised through our CREATE pillars, which are at the core of everything we do. Our values are brought to life by our staff and our actions as a business and are distilled into the minds of our students.

CREATIVITY

We are pioneers. Always looking to push boundaries, we think differently and encourage our students to do the same.

RESPONSIBILITY

We believe honesty, integrity and responsibility are the cornerstones of education and positive working. We will always show respect to one another and set an example for our students.

ENTREPRENEURSHIP

Seizing the opportunity is key to success. We work closely with partners to help open doors, promote innovation and nurture entrepreneurial spirit.

AMBITION

Our passion for creativity is relentless, and we never stop striving for excellence. We imbue courage in our community, guiding our staff and students to reach their potential and turn their visions into reality.

TEAMWORK

Together we can achieve so much. We will always look to collaborate, to challenge each other, support each other and be greater than the sum of our parts.

EQUITY

We believe that everyone should be treated equally. Our door is always open and we will always strive to enable pathways to help those who need it, find it.

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

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

3. Responsibilities

An Equality and 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 the College.

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

Overall responsibility for the Policy will sit with the Chief Executive Officer (CEO) and the relevant board employees. 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 Chief Executive Officer, alongside the Executive Head 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 fulfil them.

Directorate Managers, Heads of Departments and Centres 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.

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.

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

The Executive Leadership Team is responsible for the overall implementation and monitoring of the policy.

All staff, learners and apprentices should be able to access or be provided with information about the policy on registration and abide by its principles.

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.

As part of our continuing professional development we will look to incorporate appropriate training to all staff.

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

5. Communication

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 the Policy Portal and on the website.

Learners and apprentices will also have access to this policy which is available on the website.

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.

We commit to developing a range of reports and making equality and diversity an internal metric of success as we strive for diversification across all characteristics and areas within the college.

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

6. Complaints

The College will take seriously any instances of nonadherence to the Equality and Diversity policy by clients, learners, staff or visitors. The College will ensure that all staff and clients are given 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 learners, clients, apprentices and others can use the Complaints, Concerns and Compliments Policy and Procedure available on our website.

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

Cases involving bullying and harassment in the workplace will be dealt with in accordance with the Company's Dignity at Work Policy.

Applicants for employment concerned about the application of the policy should consult the People Services Department.

7. Additional Information & Definitions

Equality Legislation effective from 2010: From the 1st of October 2010, the first phase of revisions to equality law encompassed in the Equality Act came into force. Within the legislation, the definitions around disability and discrimination were amended.

The main areas were:

Direct disability discrimination - applies to the 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 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, 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 based on a perception that he or she has a particular protected characteristic when he or she does not, in fact, have that protected characteristics.

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.

Provisions have also been implemented from October 2024 concerning strengthening the duty of employers to take all reasonable steps to prevent sexual harassment in the workplace, at work-related events and digital communications platforms associated with work.

Sexual harassment is defined as any unwelcome behaviour of a sexual nature that creates a hostile, intimidating, or offensive work environment. It can take many forms, including but not limited to:

- **Verbal harassment:** Unwelcome comments, jokes, or questions about a person's body, sexual activity, gender, or sexuality.
- **Physical harassment:** Unwanted touching, patting, pinching, or brushing up against someone in a sexual manner.
- **Visual harassment:** Displaying or sharing inappropriate images, videos, emails, or text messages of a sexual nature.
- **Non-verbal harassment:** Leering, making sexual gestures, or suggestive body language.
- **Quid pro quo harassment:** Offering work benefits (such as promotions, raises, or preferential treatment) in exchange for sexual favours, or threatening negative consequences for rejecting such advances.
- **Cyber harassment:** Sexual advances or inappropriate conduct using digital platforms, such as email, chat, or social media.

Details of the College's policy on this can be found in its sexual harassment in the workplace policy.