

Ruskin Mill Educational Trust

EQUALITY AND DIVERSITY POLICY AND PROCEDURE

Policy Statement

This policy applies to all staff, students and volunteers. Equality of opportunity is a key and integral part of Ruskin Mill Educational Trust's (also known as the Trust) mission. The Trust is committed to the principle of equal opportunities in employment and education regardless of a person's gender, marital or civil partnership status, gender reassignment, sexual orientation, race, colour, ethnic or national origin, HIV status, age, disability, political or religious beliefs and unrelated criminal convictions or other specific factors which result in discrimination.

The Equality and Diversity Policy covers all aspects of the Trust's provision, relating to both internal and external customers including sub-contractors. The Trust will, therefore, apply policies that are fair, equitable and consistent to all staff, students and external contacts. The Trust will ensure that all prospective Trustees, staff and students are accorded equal opportunity in matters relating to enrolment, recruitment, selection, the learning experience, training, promotion and terms and conditions of employment for jobs of equal value.

The Trust strives to be an equal opportunities provider. Equality and diversity are about good practice. Every Trustee, manager, employee, volunteer, worker and student has personal responsibility for the implementation of this policy.

Procedure

The Trust will endeavor to ensure that the following good practice informs the actions of staff and students at all times

- The Trust seeks to ensure equality of opportunity and treatment for everyone in relation to all of its activities.
- The Trust recognises the existence of discrimination, and is committed to making changes in any area of the Trust's practice where there is evidence of failure to provide an appropriate and professional service. It is committed to addressing areas of institutional failure, in relation to issues of religion, racism, gender, sexism, ageism, disability, sexual orientation or other inequalities.

- The Trust will work actively towards eliminating discrimination, harassment and bullying because of race, colour, ethnic origin, gender, religion, marital status, disability, sexual orientation, age, or any other grounds.
- In the event that staff or students are alleged to be in breach of the Trust's Equality and Diversity policy, an investigation will be carried out in accordance with agreed procedures. Depending on the outcome, guidance, advice, counseling and training may be offered to ensure compliance. In the event of serious or repeated breaches The Trust's disciplinary procedures will be applied. A serious breach of the Equality and Diversity Policy and Procedure may constitute gross misconduct.
- The Trust operates within a set of agreed equal opportunities definitions, which can be found as an Appendix to this Policy.

Procedural Objectives

The Trust will work actively to make progress in **five** key areas:

1. **Discrimination:** Eliminating any discrimination in relation to staff, student and Trustee recruitment and promotion, the purchase of goods and services, and in the content, delivery and management of the curriculum.

The Trust will ensure that its equality and diversity policy is publicised as widely as possible to its community, including students, volunteers, staff, trustees, contractors, consultants, clients and members of partner organisations

The Trust will actively promote training and development in equal opportunities for all employees and students.

2. **Harassment:** Ensuring that all students, staff and visitors can go about their business in an atmosphere free of intimidation or abuse.

The Trust will review the effectiveness of procedures, so that staff, students or clients feel confident to raise issues of concern about equal opportunities, and to make complaints about discrimination, harassment or bullying.

3. **Widening Participation:** Encouraging maximum access to the full range of educational provision of all social backgrounds and cultures. This includes monitoring patterns of admissions and working to ensure that the admissions process is based only on student needs and aptitudes.

- 4. Inclusive Learning:** Providing support to enable individual students of different abilities and needs to progress through the curriculum towards successful achievement.

The Trust will monitor and review the curriculum, and the learning resources used to deliver the curriculum, to ensure that they reflect and promote equal opportunities.

- 5. Celebrating Diversity:** Recognising and reflecting the positive contributions of men and women of different social backgrounds, cultures, religions, abilities, ages and sexual orientation.

The Trust will develop partnerships with organisations and groups in the geographical area of the Trust's Colleges and beyond to help develop equal opportunities and positive action projects for the benefit of the wider community.

The Trust will ensure that marketing strategies reflect equal opportunities good practice and that the Trust's provision is actively and appropriately promoted to all sections of the community.

Responsibilities

- The Trust Trustees are responsible for promoting equal opportunities on behalf of the Trust, and for ensuring that effective policies and procedures are in place to ensure and continuously improve the quality of equal opportunities throughout the Trust.
- The Council of Management is responsible to the Trustees for ensuring that equal opportunities is continuously promoted and comprehensively implemented in all aspects of the Trust's operation.
- The Trust Equality and Diversity Working Forum is responsible for promoting, monitoring and reviewing the Equality and Diversity Policy and Procedure and for evaluating its effectiveness.
- The Trust's Department of Human Resources is responsible for promoting, monitoring and implementation of all aspects of the Trust Equality and Diversity Policy and Procedure relating to the employment of staff.
- All Principals, Directors, Colleges and Managers within the Trust are responsible for promoting equal opportunities, for improving the equal opportunities performance of their individual unit and for ensuring that effective monitoring and review systems are in place.

- All employees, students and volunteers of the Trust have a responsibility for implementing the Equality and Diversity Policy and Procedure and promoting equal opportunities in all aspects of their work.

Legislation

The Policy reflects national legislation and guidelines on good practice, including:

- Civil Partnership Act 2004
- Disability Discrimination Act 1995
- The Disability Discrimination (Meaning of Disability) Regulations 1996
- The Disability Discrimination (Blind and Partially Sighted Persons) Regulations 2003
- The Disability Discrimination Act 1995 (Amendment) Regulations 2003
- Disabled Persons (Employment) Acts 1944 & 1958
- Employment Equality (Age) Regulations 2006
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Religion or Belief) Regulations (Amendment) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations (Amendment) Regulations 2003
- Employment Rights Act 1996
- Employment Relations Act 1999 & 2004
- Equal Pay Act 1970
- Equal Pay Act 1970 (Amendment) Regulations 2003
- Equality Act 2006
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Human Rights Act 1998
- Occupational Pension Schemes (Equal Treatment) (Amendment) Regulations 2005
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Public Order Act 1986
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Race Relations Act 1976 (Amendment) Regulations 2003
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975 & 1986
- Sex Discrimination Act 1975 (Amendment) Regulations 2003
- Sex Discrimination Act 1975 (Amendment) Regulations 2008
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Special Education Needs and Disability Act 2001

Procedural Monitoring and Evaluation Methods

The minutes of the Trust Equality and Diversity Working Forum will go to The Council of Management, Colleges Management Teams and Trustees, and be available on request to any other party. The minutes of the Colleges Equality and Diversity Working Groups will go to the Colleges Management Teams, the Council of Management through the Department of Human Resources and external partners.

The Director of Human Resources will make an annual report to the Trust Equality and Diversity Working Forum to review relevant performance indicators.

Key performance indicators will include:

- Age, ethnicity, gender and disability profile of Trust staff
- Age, ethnicity, gender, disability and profile of students
- Numbers of complaints or grievances of harassment and discrimination
- Staff attendance at equal opportunities training events

Period of Review

The policy will be reviewed by April 2009. When statutory employment law changes the policy is held automatically to have been amended by that change and will be updated as soon as practically possible.

RUSKIN MILL EDUCATIONAL TRUST EQUALITY AND DIVERSITY DEFINITIONS

Equality: This means by which disadvantage and discrimination is reduced and eliminated by legislation and positive action. Equal Opportunities aims to ensure that no group receives less favourable treatment by virtue of one's skin colour, race, gender, ethnic origin, disability, age, religion, class or sexuality, thereby enabling all people to have equality of access to the provision of goods, services, facilities, premises and employment. It does not mean treating everyone the same

Diversity: This is valuing people as individuals for moral, social and business reasons. Diversity in the workplace is harnessed to create a productive environment in which organisational goals are met. Recognising and reflecting the positive contributions of men and women of different social backgrounds, cultures, religions, abilities, ages and sexual orientation

Direct Discrimination - This occurs when a person is treated less favourably, than another person is or would be treated in the same or similar circumstances. Apart from limited exceptions to the general prohibition of discrimination, direct discrimination is automatically unlawful, whatever the reason for it. There can be no justification for the difference in treatment.

Harassment - is defined as any conduct which is unwanted by the recipient or any such conduct which affects the dignity of any individual or group of individuals at work. Harassment may be repetitive or an isolated occurrence against one or more individuals. Harassment can be physical, verbal, non-verbal or bullying examples of which include unnecessary touching, unwanted physical contact, leering, personal remarks, verbal or written abuse, visual displays, coercion, isolation or non co-operation.

Indirect Discrimination - This is when a condition is applied equally to all, but a considerably smaller proportion of people from one group than others can comply with it, and it cannot be justified as necessary.

Positive Action - the measures that employers may lawfully take to provide access to facilities that meet special needs in relation to education and training or welfare, or to train or encourage people from a particular racial group that is under-represented in particular work

Prejudice - An opinion or feeling about people of a different group which is formed beforehand, without informed knowledge, thought or reason and which is likely to be sustained even in the face of evidence to the contrary.

Racial Discrimination - Less favourable treatment of an individual or group on account of their race, ethnic or national origins but not colour or nationality. Harassment on grounds of colour or nationality involves less favourable treatment and may constitute unlawful direct discrimination

Racism - All attitudes, procedures and patterns - economic, social and cultural - whose effect, though not necessarily whose conscious intention, is to create, maintain and extend the power, influence and privilege of one group of people over another.

Racialism - An implicit set of negative beliefs about a racial or ethnic group. Can result in offensive or violent behaviour towards members of a racial or ethnic group.

Sexism - All attitudes, procedures and patterns - economic, social and cultural - whose effect, though not necessarily whose conscious intention, is to create, maintain and extend the power, influence and privilege of one group of people over another.

Sexual Discrimination - Less favourable treatment of an individual or group on account of their gender or marital status (including Civil Partnerships) or sexual orientation.

Sexual Harassment - This is defined as either unwanted conduct on the grounds of the recipient's sex or unwanted verbal, non-verbal or physical conduct of a sexual nature.

Ageism: - Less favorable treatment of an individual or group on account of their age.