

<u>Policy Title</u>	<b>Equality Diversity Inclusion and Belonging Policy</b>	
<u>Policy Category</u>	Compliant	
<u>Owner</u>	Executive Director, Quality	
<u>Group Executive Lead</u>	Chief Executive Officer	
<u>Date Written</u>	May 2021	
<u>Considered By</u>	EDIB Working Group / Executive Board	
<u>Approved By</u>	Corporation Board	
<u>Date Approved</u>	July 2021	
<u>Equality Impact Assessment</u>	The implementation of this policy is central to the Group's aims and ambition for EDIB – it is entirely focused on advancing our responsibility to the Public Sector Equality Duty and to the staff and students of NCG.	
<u>Freedom of Information</u>	This document will be publicly available through the Group's Publication Scheme.	
<u>Review Date</u>	September 2024	
<u>Policy Summary</u>	This policy seeks to continue to implement the Public Sector Equalities Duty and to align with the NCG EDIB Strategy 2021 which sets out the aims of the organisation toward equality diversity, inclusion and belonging.	
<u>Applicability of Policy</u>	<u>Consultation Undertaken</u>	<u>Applicable To</u>
Carlisle College	<u>Yes</u>	Yes
Kidderminster College	<u>Yes</u>	Yes
Lewisham College	<u>Yes</u>	Yes
Newcastle College	<u>Yes</u>	Yes
Newcastle Sixth Form College	<u>Yes</u>	Yes
Professional Services	<u>Yes</u>	Yes
Southwark College	<u>Yes</u>	Yes
West Lancashire College	<u>Yes</u>	Yes
<u>Changes to Earlier Versions</u>		
<u>Previous Approval Date</u>	<u>Summarise Changes Made Here</u>	
Sep 2021	Extensive rewrite and update to align with new EDI Strategy	
May 2021	Extension of renewal until Sep 2021 to align with new EDI Strategy	
May 2019	Policy linked to previous version of EDI Strategy	
<u>Linked Documents</u>		
<u>Document Title</u>	<u>Relevance</u>	
NCG EDIB Strategy	Overarching EDIB strategy to accompany this policy, setting out our values, expectations and key actions	
NCG Attendance Management Policy	Monitoring and responding to attendance gaps between different groups of learners	
NCG Unified Tutorial, Progress and Attainment Policy	To set out learner journey and ensure that all learners receive high quality support and guidance on how they are progressing	
Safeguarding Policy	Responding to any concerns associated with bullying, harassment and abuse	
TLA Policy	To set out the expectations for teaching and learning at NCG, and arrangements for monitoring the quality of provision, including sampling of learning through classroom/workplace visits	
Complaints and Compliments Policy	To set out arrangements for making and responding to complaints and compliments at NCG	
Staff Code of Conduct	Sets out the expectations and behaviours for staff who work at NCG	
Positive Behaviour Policy	Sets out the expectations and behaviours for learners at NCG	

**Equality Impact Assessment Guidance - July 2021**

	Judgement	Explanatory Note if required
<b>EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in 2.0?</b>	Yes	Directly related and EDIB strategy is fully aligned
<b>EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?</b>		
<b>Age</b>	No	
<b>Disability / Difficulty</b>	No	
<b>Gender Reassignment</b>	No	
<b>Marriage and Civil Partnership</b>	No	
<b>Race</b>	No	
<b>Religion or Belief</b>	No	
<b>Sex</b>	No	
<b>Sexual Orientation</b>	No	
<b>EIA3 - Does the proposed policy/processes contain any language/terms/references/phrasing that could cause offence to any specific groups of people or individuals?</b>	No	
<b>EIA4 - Does the policy/process discriminate or victimise any groups or individuals?</b>	No	
<b>EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?</b>	No	
<b>EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?</b>	Yes	The policy clarifies the term positive action and provides an example where it could be applied lawfully
<b>EIA 6 - How do you know that the above is correct?</b>	<p>This policy has been reviewed by the EDIB Working Group and NCG Executive NCG, prior to approval by NCG Corporation.</p> <p>The membership of these groups is indicative of the wider population within NCG.</p>	

## 1. Introduction and Definitions

The Equality Act 2010 (The Act) consolidates all anti-discrimination legislation in Britain into one place. The law is designed to be simple and consistent.

**1.1 The Public Sector Equality Duty** (The Duty) is designed to underpin the Act and support public organisations, which include colleges, to address inequalities experienced by their staff and learners. The Duty covers all the work of a college, including the services it contracts out to be delivered by subcontractors.

There are two parts of the duty: there is a general duty, and the specific duties. The general duty sets out the goals that public organisations must aim for, whilst the specific duties are the practical things they must do to help them achieve those goals. The general duty says that public organisations must consider:

- Elimination of unlawful discrimination, harassment, victimisation and any other conduct prohibited by or under the Act.
- Advancement of equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.
- Demonstrating fairness and respect in our interactions between staff, learners, students, apprentices, customers, employers and external stakeholders.

## 1.2 Harassment and Victimisation

The staff, structures, policies and processes that make NCG, and its constituent colleges, will not discriminate against, harass or victimise any individuals who we teach, train, engage and work with. The Act legislates against, and prohibits four types of behaviour in the workplace relating to victimisation and/or discrimination

- Direct discrimination is where one person is treated less favourably than another person is treated, has been treated or would be treated in a comparable situation on the grounds of their sexual orientation.
- Indirect discrimination is where a policy or practice is applied which disadvantages people of a particular characteristic, unless it can be justified as a proportionate means of achieving a legitimate aim.
- Harassment is where an intimidating, hostile, degrading, humiliating or offensive work environment is created for someone because of their characteristics.
- Victimisation is where a person is treated unfavorably because of their characteristics or their involvement in a particular situation.

The Equality Act guards against positive discrimination, but allows positive action. Understandably, many employers and employees find the two concepts confusing.

- **Positive discrimination** is when someone is appointed or promoted solely because of their characteristics – for example gender, race, sexual orientation.
- **Positive action** is where employers undertake work with particular groups to address under-representation of those groups in their workforce. This includes targeted recruitment advertising and leadership programmes to justifiably increase diversity in the selection pool. Positive action is lawful.

**Fairness, tolerance and inclusion will underpin our Mission, Vision and strategic aims as outlined in the EDIB Strategy 2021-2024 (that accompanies this policy).**

## 2. NCG EDIB Intent Statement

There is a clear and obvious ethical, moral, social and educational case for why equality, diversity and inclusion matter and should be at the forefront of our strategic action planning. Knowing the communities we serve and responding to their diverse needs is at the very heart of our educational offer and service.

***NCG aims to be an open and welcoming place that inspires excellence and curiosity through exceptional education. We will continue to build a teaching and learning community that is both diverse and equitable. We will create opportunities for personal development, economic prosperity by working together, trusting and respecting each other's identities, and for taking ownership and responsibilities for our actions.***

At NCG we have no tolerance for hate and will oppose discrimination of any kind, should we identify it. In doing so we are committed to maintaining our efforts to ensure the greatest possible chance that all learners can achieve personal advancement, social mobility and economic prosperity. For the avoidance of doubt:

- NCG is committed to the equality of opportunity.
- NCG welcomes all faiths.
- NCG is committed to supporting neurodiversity.
- NCG is committed to the personal development of all learners regardless of socio-economic backgrounds.
- NCG welcomes free speech provided that it is within the rule of law, and is respectful of other views and viewpoints; there is no place at NCG for views that promotes or facilitates extremism, radicalisation or hateful behaviours.
- NCG is committed to the personal development of all learners regardless of disability and difficulty.

- NCG is committed to ensuring the learner voice is represented by student representation as we continuously seek to improve our learner experience.
- NCG stands against racism.
- NCG is against anti-Semitism and adopts the international definition of anti-Semitism.
- NCG is an anti-sexist organisation.
- NCG will not tolerate misogynistic views or behavior.
- NCG will not tolerate sexual abuse or harassment in any form.
- NCG is against violence and exploitation in all forms.
- NCG stands against homophobia.
- NCG is will not tolerate bullying, victimisation and harassment in all forms.

### 3. Policy statement

As an institution, NCG will aim to promote equality, value diversity and encourage inclusion through our mission to:

***Enable social mobility and economic prosperity through exceptional education. [NCG Mission]***

#### 3.1 Duty

NCG and its colleges have specific duties under the Equality Act 2010 (Specific Duties Regulations 2011) which place specific duties on NCG:

- a) Provide information to demonstrate compliance with the duty by:
  - Publishing progress toward the Act EDI objectives annually.
  - Publishing in an accessible place for staff and the public.
  - Including information relating to employees and others affected by its policies and practices who share protected characteristics.
- b) Provide specific and measurable equality objectives to further NCG's toward the Act at least every 3 years.

#### 3.2 Publishing Information

In addition, all published information must be in line with the new GDPR and comparable with local, regional and national demographics where possible and applicable (e.g. using ONS or sector data).

The previous Equality Strategy, which ran from May 2019 – August 2021 will be replaced by:

- The NCG EDIB Strategy 2021 to 2024.
- The NCG EDIB Deliverable Action Plan (NCG-wide Deliverables).
- NCG EDIB Policy (this policy).
- NCG Group Quality Improvement Plan (GQIP EDIB annex).
- NCG College Quality Improvement Plan (CQIP EDIB annex).

This structure will ensure colleges are aware of their legal requirements (not only under the Equality Act but from various funding and regulatory authorities, including Ofqual, JCQ and Ofsted). It will also ensure that EDIB deliverables directly underpin the strategic aims, and quality improvement actions, rather than using standalone, and often isolated action plans. It is through this framework that NCG will ensure that EDIB actions are considered and embedded at all levels.

### 3.3 Policy Frameworks and Procedures

NCG policy and procedures will give due regard for the impact on EDIB and the Act's objectives. Whilst not exhaustive, a number of linked key policies are highlighted on the front sheet to this policy (page 1), a number of areas with a special interest in fairness and inclusion, include:

- Staff recruitment, promotion, retention and dismissal.
- Gender pay gap information, modern slavery and human trafficking.
- Admissions and learner recruitment.
- Positive Student Behaviour Policy (includes learner code of conduct).
- Staff code of conduct.
- Teaching, Learning and Assessment.
- Achievement and analysis of attainment gaps.
- NCG and College Self-Assessment.
- Equality impact assessment.

NCG policy and derivative college procedures must give due regard to the Equality Impact Assessment Guidance in annex A. The EDIB Guidance does not need to be submitted with the policy/process, however the policy author must confirm compliance and/or make any exception notes on the policy/process front sheet.

### **3.4 Dynamic Policy Updates**

Should it become apparent that the policy/process is inadvertently impacting on an EDIB objectives or protected characteristic (for example if identified through self-assessment, college review, complaints or legislative change) then there is provision for a dynamic (fast track) approval. The Guidance should be considered and sent to the Group Governance Team who will immediately inform the policy holder/author. This can be completed by any member of staff, at any time, although it is recommended that the staff member first discusses the issue with the college EDI lead.

### **3.5 College EDIB Policy and Procedures**

There is no requirement for the College to produce an additional EDIB Policy – this policy covers all colleges in the Group.

Colleges are required to produce a dedicated annex to the College Quality Improvement Plan to detail any specific EDIB actions that are required in addition to the NCG deliverables to address local needs, gaps and concerns.

### **3.6 Approval**

The NCG Corporation Board will approve the NCG EDIB Strategy every 3 years (or sooner if required) following consultation with the Group Executive and College Boards.

College Boards will approve annually the EDIB annex to the College Quality Improvement Plan, this will usually be an agenda item within the November/December meeting.

### **3.7 Publishing and Reporting Progress**

NCG will publish an annual EDIB update report on progress made toward the Act objectives and deliverable actions. This will usually be approved by Corporation in February and uploaded to the NCG website within 10 working days after the meeting.

Corporation Governors will be provided with an update and progress toward the NCG EDIB strategy deliverables at least termly.

College boards will receive at least termly updates to the actions within the EDIB annex to the College Quality Improvement Plan.

A termly bulletin will be provided to staff to highlight progress toward the EDIB deliverables across NCG.

To assist this reporting, we will sample learner and staff perceptions associated with EDIB annually through consultation focus groups and learner/staff surveys.

Management information reporting and dashboards will be designed to ensure information between different groups of learners is readily

available to support any emerging gaps in attendance, retention, progress and achievement.

Self-assessment reports will formally review and document any achievements gaps between different groups of learners.

NCG policies must be available in alternative accessibility formats on request – this can often be achieved using applications within the MS Office 365 immersive reader functionality.

### **3.8 Training**

All staff at NCG will be required to complete a mandatory e-learning module for EDIB on joining the Group, and then a refresher every 2 years thereafter. Colleges must ensure that EDIB is embedded into delivery at all stages of the learner journey, including:

- Admissions and enrolment.
- Induction and onboarding.
- Arrangements for safeguarding and welfare.
- Teaching and tutorial (including links to British Values).
- Pastoral and progress support.
- Dedicated college events and activities as defined by an annual calendar of key dates and events.
- Achievement reporting and self-assessment.

### **3.9 Consultation and Continuous Improvement**

College Principals will ensure that focus groups are convened to provide an opportunity for staff and learners to discuss progress with the EDIB actions and suggest areas for continuous improvement. The focus groups should be representative of the teaching and learning community in each college, and College Leads should work to encourage participation from individuals who may be able to speak for any marginalised, under-represented or at-risk groups. We will additionally undertake large scale surveys for staff and learners.

The views of these focus groups will be shared with the College Leadership Team, College Boards and via the NCG EDIB Working Group (a forum for college EDIB Leads to review policy, process and share best practice).

### **3.10 Consideration to Estates and Physical Resources**

The Group Head of Estates and Facilities will ensure that an audit/review of the college estates takes place at least annually.

This review will support continuous improvement and will consider specific EDIB criteria to review accessibility, signage, space for worship and faith, provision of food in catering facilities and adequacy of gender-neutral toilet



facilities to ensure all NCG campuses are accessible, safe and welcoming.

The Chief Finance Officer and Chief Information and Data Officer will continuously review the resource provided to support digital inclusion. A Digital Challenge Fund will seek to secure ongoing sponsorship and funding to provide additional means, above annual capital allocations, to support the provision of kit and access for those in demonstrable need.

### **3.11 Celebrating EDIB and the Local Community**

College EDIB arrangements must make provision to celebrate and promote the unique characteristics of the local community, through annual events, activities, tutorial resources and awards/celebrations.

College projects and social outreach activities should prioritise support to any local community groups that identify with under-represented, marginalized or at 'risk groups' of individuals.

**Annex A: Equality Impact Assessment Guidance**

	<b>Judgement</b>	<b>Explanatory Note if required</b>
<b>EIA 1 - Does the proposed policy/procedure align with the intention of the NCG Mission and EDIB Intent Statement in 2.0?</b>	Yes / No	The answer to this must be YES
<b>EIA 2 - Does the proposed policy/procedure in any way impact unfairly on any protected characteristics below?</b>		
<b>Age</b>	Yes / No	The answer to this must be NO
<b>Disability / Difficulty</b>	Yes / No	The answer to this must be NO
<b>Gender Reassignment</b>	Yes / No	The answer to this must be NO
<b>Marriage and Civil Partnership</b>	Yes / No	The answer to this must be NO
<b>Race</b>	Yes / No	The answer to this must be NO
<b>Religion or Belief</b>	Yes / No	The answer to this must be NO
<b>Sex</b>	Yes / No	The answer to this must be NO
<b>Sexual Orientation</b>	Yes / No	The answer to this must be NO
<b>EIA3 - Does the proposed policy/processes contain any language/terms/references/ phrasing that could cause offence to any specific groups of people or individuals?</b>	Yes / No	The answer to this must be NO
<b>EIA4 - Does the policy/process discriminate or victimise any groups or individuals?</b>	Yes / No	The answer to this must be NO
<b>EIA 5 - Does this policy/process positively discriminate against any group of people, or individuals?</b>	Yes / No	The answer to this must be NO
<b>EIA 5 - Does this policy/process include any positive action to support underrepresented groups of people, or individuals?</b>	Yes / No	The answer to this could be yes or no as positive action is lawful. However, an



	<p>explanation must be provided for clarity.</p>
<p><b>EIA 6 - How do you know that the above is correct?</b></p>	<p>This is 'reality check' question to ensure that this is not a simple box ticking exercise.</p> <p>A simple way of ensuring that this is the case is to ensure that the policy/process author has consulted with peers and appropriate groups of people in the Group.</p> <p>As a general rule, the wider the reach and potential impact of the Policy the wider the consultation.</p>

## **Annex B: Statement: Public Sector Equality Duty (Equality Act 2010)**

The PSED is a legal duty under the Equality Act 2010 and is intended to ensure that public bodies, of which further and higher education are included, take account of equality into daily work.

NCG is committed to creating a fully inclusive environment by:

- Ensuring equality of opportunity for all colleagues, customers, learners and learners, including those from protected groups and disadvantaged backgrounds.
- Celebrating the diversity of our colleagues, customers, learners and learners and protecting them from any form of discrimination, harassment or victimisation.
- Promoting inclusion in all of our activities to redress inequality and promote social mobility.

As a group of colleges, we are committed to meeting the general duties imposed by the Equality Act legislation by continuously improving our practice and approaches to equality, diversity and inclusion in all areas of the business, with the specific aim to:

- Mitigate and negate inequality of access and advance equality for all.
- Celebrate our diversity and foster good relationships throughout the organisation and beyond.
- Adapt our activities to the changing needs of learners and customers in order to remove barriers to learning.

This Equality, Diversity and Inclusion Strategy is underpinned by an Equality, Diversity and Inclusion Policy for implementation at college level (including professional services).

This policy and associated college action plans are produced with due regard to the legal requirements and our commitment to developing outstanding practices in relation to:

- Fairness toward protected characteristics (extended to those who associate with those who have a protected characteristic).
- Protection for all staff, customers, learners and learners against direct discrimination, discrimination based on association and perception, indirect discrimination, victimisation and harassment on one or more of the protected characteristics.
- Fostering good relationships in order to eliminate discrimination and promote equality of opportunity and inclusion.
- Making reasonable adjustments to accommodate staff and learners with protected characteristics and any other additional needs.
- Employ voluntary positive action appropriately should any learner or staff group be identified as needing particular support.
- Adhering to Equality and Human Rights Commission (EHRC) guidelines relating to employment and education.

There is a requirement to report against our progress toward the points above, by considering a number of protected characteristics. We will do this annually in our EDIB report and this will be published in February each year on the NCG website. The protected characteristics are:

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