



EQUALITY AND DIVERSITY POLICY

2023-24

| Document Title | | |
|---|--|----------|
| EQUALITY AND DIVERSITY POLICY | | |
| Document Author and Department: | Responsible Person and Department: | |
| Kathryn Edmonds, BA | Senior Leadership Team | |
| Approving Body: | Date of Approval: | |
| Board of Trustees | 5.7.23 | |
| Date coming into force: | Review Date: | Edition: |
| 1 st September 2023 | Annually | 6 |
| EITHER For Public Access? Tick as appropriate | OR For Internal Access only? Tick as appropriate | |
| YES <input checked="" type="checkbox"/> | YES <input type="checkbox"/> | |
| Summary/Description: | | |
| <p>This document defines All Nation Christian College's commitment to equality and diversity in its staff and student population. It also sets out the specific actions to ensure the policy is compliant with the Equality Act 2010 and effective in achieving its aims.</p> <p><i>Sections of this policy and appendix have been adapted from a policy document by Oxford University and from the ACAS Equality Policy template with grateful acknowledgment.</i></p> | | |
| <p>2023-24 v1 July 23: review resulting in: addition of page numbers, amendment of related policies section, amendment of typos/formatting and where College nomenclature has changed</p> | | |

ALL NATIONS CHRISTIAN COLLEGE

To train and equip men and women for effective participation in God's mission to His multicultural world.

EQUALITY AND DIVERSITY POLICY

1. CONTENTS OF POLICY

1. Contents of Policy
2. Introduction
3. Legislative Framework
4. Definitions
5. Purpose
6. Commitment
7. Implementation
8. Complaints
9. Sanctions
10. Roles, Responsibilities, Policy Approval and Review
11. Policy Communication
12. Related Documents
13. Appendices
 - Equality and Diversity Monitoring Form
 - Equality and Diversity Applicants Form

2 INTRODUCTION

All Nations Christian College is a vibrant place to live, study, work and visit, enriched by the diversity of cultures and backgrounds brought by its students and staff. The College is committed to encouraging equality and diversity within the College community and eliminating unlawful discrimination, including bullying and harassment on discriminatory grounds of any of its members and those who use our services. Our aim is for all our students and staff to be truly representative of all sections of the society and the community we serve and for them to feel respected and to be a place where everyone has the opportunity to fulfil their potential.

3 LEGISLATIVE FRAMEWORK

- Equality Act 2010
- Public Sector Duty under the Equality Act 2010 (although the College, as a charity with religious objectives it may impose religious criteria for admissions)
- Guidance: *'What equality law means for you as an education provider – further and higher education'* (Equality and Human rights Commission, 2014).

4 DEFINITIONS

- 4.1** The main aim of the Equality Act 2010 is to prevent discrimination in the workplace, but also covers educational institutions and is therefore relevant to students and staff.
- 4.2** **Discrimination** means being treated unfairly because of who the person is or, more specifically, because of what the Act calls 'protected characteristics', which are: age (only certain types of age discrimination are illegal), disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race (including colour, ethnic/national origin or nationality), religion or belief, sex (gender) and sexual orientation.

4.3 Discrimination can take different forms:

- **Direct discrimination** is where someone is put at a disadvantage on discriminatory grounds, even if it was unintentional. (E.g. sexual discrimination: a male student is rejected from a course on child care because the College thinks it is unsuitable for a male student to be working with children. Or disability discrimination: a wheelchair user is refused a position, even though the only room which was inaccessible to them was the photocopy room and it would be very easy for the employer to move the photocopier to a more easily accessible position for them. NB the employer would not need to make unreasonable adjustments to employ someone with a disability).
- **Indirect discrimination** is where a practice applies to all students but a person is unfairly disadvantaged by it because of their protected characteristic. (E.g. A requirement for academic IELTS as a selection criterion. This would have an unfair impact on people educated overseas and may not be justified if all that is needed is to demonstrate a reasonable level of literacy for a non-academic course. It would however be justified if they were taking an academic course.)

4.4 For definitions of the many and various types of harassment see the College [Bullying, Harassment and Sexual Misconduct Policy](#). The Equality and Diversity Policy deals with such behaviour when it is deemed to be discriminatory in nature rather than simply inexcusable behaviour.

5 PURPOSE

The purpose of this policy is to set out the College's commitment to embedding equality and inclusion in all of its practices and aims to establish an inclusive culture that celebrates diversity, is free from discrimination and based on the values of dignity and respect and diversity by:

- 5.1 Maintaining equality, fairness and respect for all our students (whatever their mode or length of study) and staff (whether voluntary, temporary, part-time, full-time);
- 5.2 Not unlawfully discriminating against students or staff because of the Equality Act 2010 protected characteristics of disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race (including colour, ethnic/national origin or nationality), religion or belief, sex (gender) and sexual orientation, nor face unwarranted discrimination on the grounds of age;
- 5.3 Opposing and avoiding all forms of unlawful discrimination among its workforce. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities;
- 5.4 Rigorously investigating any accusations of discrimination, bullying or harassment of anyone working, studying or visiting our premises or by staff at events run by the College.

6 COMMITMENT:

The College is committed to:

- 6.1 Being a community in which equality of opportunity is a reality for all students and staff, whether temporary, short term, part-time, full-time or distance learners. Its mission and values motivate the College to create a positive environment in which all staff and students are respected, provided with development and progression opportunities and can make the most of their abilities.
- 6.2 Fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the College community and its visitors are respected and where individual differences and the contributions of all staff and students are recognised and valued. The College celebrates and

encourages diversity in all areas of the College community since it makes such a positive contribution to the intentional learning experience at All Nations.

- 6.3** Identifying and eliminating unfair or unlawful discrimination of all those with whom we interact. No member of, or applicant to, the College will receive unfair or unlawful treatment due to the Equality Act 2010 protected characteristics of disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race (including colour, ethnic/national origin or nationality), religion or belief, sex (gender) and sexual orientation, nor face unwarranted discrimination on the grounds of age.
- 6.4** Creating a working and learning environment free of harassment, bullying, victimisation and unlawful discrimination and expecting all members of the College community, (students, staff, contractors) and its visitors (guests, enquirers, conference users, contractors or any others) to treat each other with respect, courtesy and consideration at all times.
- 6.5** Taking seriously complaints of harassment, bullying, victimisation and unlawful discrimination by all members of the College community, (students, staff, contractors) and its visitors (guests, enquirers, conference users, contractors or any others) in the course of the College's activities.
- 6.6** Opposing all forms of unlawful discrimination among our workforce, including: in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.
- 6.7** Adopting the following International Holocaust Remembrance Alliance definition of anti-Semitism: "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

7 IMPLEMENTATION:

The College will therefore:

- 7.1** Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the College.
- 7.2** Make decisions concerning student and staff recruitment and/or employment based on merit. (NB There are some necessary and limited exemptions and exceptions to this which are allowed under the Equality Act. E.g. the 'positive action' provision whereby a job or place may be offered to a person of a minority background when there are two candidates equally suitable for the same position).
- 7.3** Review employment practices and procedures regularly to ensure fairness, and also update both them and this policy to take account of changes in the law.
- 7.4** Make reasonable adjustments for current staff as well as applicants during recruitment. This could include the use of inclusive language, accessible fonts and colours and alternative formats to assist those with additional needs. Additionally, special parking spaces are provided and accessible buildings and rooms for those using a wheelchair or with other mobility issues.
- 7.5** Make reasonable adjustments for employees whose physical circumstances change; this includes pregnant employees who undergo an initial risk assessment followed by reviews as the pregnancy advances.
- 7.6** Monitor the make-up of the workforce every two years regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in this policy.

- 7.7** Monitor how this policy and any supporting action plan are working in practice at the Board of Trustee's Autumn meeting each year. At this meeting the Board will take any appropriate action to address any issues. (See 'Appendix D Guidance for Equality Report for annual Board of Trustee's Meeting' which is attached to this document.)
- 7.8** Train all members of senior management, line managers and all other employees and students about their rights and responsibilities under this policy. (See penultimate paragraph).
- 7.9** Inform all staff and students that they, as well as their employer, can be held liable for acts of harassment, bullying, victimisation and unlawful discrimination, in the course of their employment, against all members of the College community, (students, staff, contractors) and its visitors (guests, enquirers, conference users, contractors or any others) and the general public.
- 7.10** Respond to all complaints of harassment, bullying, victimisation and unlawful discrimination by fellow employees, students, visitors, the public and any others in the course of the College's activities. (See section 8 below.)

8 COMPLAINTS

- 8.1** Allegations of harassment, bullying, victimisation or unlawful discrimination by any member of the College community are major offences and will be taken very seriously. These would be a breach of this policy and our [Bullying, Harassment and Sexual Misconduct Policy](#).
- 8.2 Disclosure of Complaint:** It is usually in everyone's best interests to attempt to resolve disputes without the need for legal action.¹ It is highly recommended therefore that those who feel they have a complaint under this policy should first follow the College Complaints procedures. See 8.4 below.

8.3 Independent Advice:

Whether using an internal process or complaining to an external authorised body, the College and the Complainant should satisfy themselves first that there is a case to answer.

- **Victim of Discrimination:** If you think you might have been treated unfairly and want advice before proceeding, you can contact the [Equality Advisory and Support Service](#). Phone: 0808 800 0082
- **College:** The following good practice guide on asking and responding to questions about discrimination in the provision of services and public functions including education services can be found here: <https://www.gov.uk/government/publications/asking-and-responding-to-questions-of-discrimination-in-the-provision-of-goods-and-services-and-public-functions>

8.4 Internal College Procedures

- **Complaint of discrimination to the College:** Students, Staff or Visitors who believe that they may have been disadvantaged on discriminatory grounds is entitled to raise the matter through the College [Complaints Policy](#), however this section of this policy also contains information relating to the making of a complaint specific to a complaint of discrimination.
- **Investigation into Accusations of Discriminatory Behaviour:** If a member of staff is accused of breaches against this policy, they may be investigated using the Staff Disciplinary Procedures. Students in similar circumstances may be investigated using the [Student Disciplinary Policy](#). Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice (staff) or termination of registration

¹ 'Equality and Human Rights Commission 2014

(student). This does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

8.5 Grounds for Appeals against the College Findings

- Should the complainant be dissatisfied with the outcome of the College investigation into their complaint they may appeal to the College to reconsider their findings if:
 - They feel the investigation was unfair; and/or
 - The remedy inadequate; and/or
 - The College did not follow its procedures properly.In any of these cases the complainant may appeal using the College [Complaints Policy](#).
- If after exhausting the College internal procedures (complaint and appeal) the person still feels dissatisfied, they may escalate their complaint to a higher authority.

8.6 Escalating a Complaint to Higher Authorities

- There are several bodies who will hear a complaint of alleged discrimination by the College: The Open University (OU), The Office of the Independent Adjudicator for Higher Education (OIAHE) and the County or Sheriff Court.
- The OU and the OIAHE will not listen to any complaint until the College's internal complaints and appeal procedures have been exhausted and a Conclusion of Procedures Letter given. At this point a complaint can be made to The OU first and then, if still dissatisfied, the OIAHE. The final authority is the County or Sheriff Court.
- **Time Limits:** Timing is a factor when escalating a complaint of discrimination. Complaints to the County or Sheriff must be done within 6 months less one day of the alleged discrimination, or the last time repeated discrimination took place, unless a complaint was made to the OIAHE first, in which case the time period is extended to 9 months less one day. Claims to an employment tribunal must be within 3 months less one day.
- **Complaining to The Open University:** See the section on Appeals and Complaints in the current Open University Handbook for Validated Awards, available here: <https://www.open.ac.uk/about/validation-partnerships/about-ou-validation/ou-handbook-validated-awards>
- **Complaining to the OIAHE:** The Office of the Independent Adjudicator was set up under the Higher Education Act 2004 to provide 'an independent student complaints scheme.' All higher education institutions in England and Wales are required to comply with the scheme which is free to students. See the OIAHE's website for their complaint's procedure at: www.oiahe.org.uk.
- **Complaining to the County or Sheriff Court:** Taking court action can be a long and stressful process. It can also be expensive. It is important to keep in mind that if you lose the case in court, you may have to pay the legal costs of the other party. This is why advice should be sought from an experienced advisor before taking this route (e.g. Citizen's Advice or the Equality Advisory Support Service see 8.3 above).

To complain to the County or Sheriff's Court, see:

www.gov.uk/government/organisations/hm-courts-and-tribunals-service but note the strict time limits on discrimination claims, available at this link:

www.equalityhumanrights.com/en/advice-and-guidance/time-limits-discrimination-claims#h1

9 SANCTIONS

9.1 Open University

If the College is found to be at fault, The Open University will advise the action which should be taken to reach a satisfactory conclusion. This action might vary considerably depending on the nature of the complaint. The College will have to show that they have responded as required.

9.2 OIAHE Sanctions:

- See here: www.OIAHEhe.org.uk/media/2275/putting-things-right-february-2019.pdf

9.3 County or Sheriff Court Sanctions:

A county or sheriff court can:

- Declare that the person making the claim has been unlawfully discriminated against, harassed or victimised or declare that no unlawful discrimination, harassment or victimisation has taken place.
- Impose an injunction requiring the College to do something (such as admit the person as a student) or to prevent you from repeating any discriminatory act in the future.
- Order the payment of compensation including compensation for injury to feelings.
- Order the payment of interest on any compensation.
- Order either party to pay costs.

10 ROLES, RESPONSIBILITIES, POLICY APPROVAL AND REVIEW

10.1 The **Board of Trustees** have legal oversight and responsibility for all College policies, providing leadership and active support for them and are responsible for ensuring:

- A legally compliant and fit for purpose Equality and Diversity Policy is in place and approved by them.
- Satisfactory arrangements are made for its effective implementation, including the provision of resources.
- The Senior Leadership Team monitors, evaluates and periodically reviews this policy and recommends any changes to first the Governance Committee and then the Board of Trustees for approval.
- Complaints and appeals brought under the terms of this policy are managed satisfactorily by the Senior Leadership Team.
- Decision making complies with all relevant legislation and regulatory bodies.
- They receive details from the Senior Leadership Team of reported incidents and outcomes of cases (particularly where a significant impact on someone has occurred or lessons need to be learned), or of a serious incident or one which could be of reputational risk to the College which should be reported to either the Office for Students and/or the Charity Commission.

10.2 The **Principal/CEO and Senior Leadership Team** are responsible for:

- The implementation and management of this policy; ensuring that procedures are implemented consistently and with clear lines of authority and actively and visibly leading the College's Equality and Diversity Policy and practice.
- Ensuring this policy is continually improved in consultation with students and staff.
- Monitoring, evaluating and periodically reviewing this policy and for obtaining approval from the Governance Committee and the Board of Trustees for any changes made.
- The management of complaints.
- Ensuring decision making complies with all relevant regulatory bodies.
- Reporting details to the Board of Trustees of reported incidents of outcomes of cases (particularly where significant impact on someone has occurred or lessons need to be learned), or of a serious incident or of one which could be of reputational risk to the College.

- 10.3 The Principal/CEO, Senior Leadership Team, the Head of Finance and HR and the Vice-Principal (Academic) staff and students** are responsible for ensuring that the principles of this policy are incorporated into all aspects of the College's human resources and student management including staff development and remuneration, and student assessment and progression.
- 10.4** Through their ongoing regular meetings, the **Head Students** and the **Principal/CEO** are responsible for providing an opportunity for matters related to this policy to be raised with all members of the student body (the Head Students), the Senior Leadership Team and the Board of Trustees (the Principal/CEO).
- 10.5 All individuals across the College** are responsible for:
- familiarising themselves with this policy on appointment/at induction/orientation;
 - demonstrating active commitment to this policy by:
 - treating others with dignity and respect;
 - discouraging any unequal treatment or abusive behaviour by making it clear that such behaviour is unacceptable;
 - supporting any member of the College who feels they have been subject to harm through another's unequal or abusive treatment, including supporting them to make a formal complaint if appropriate;
 - if **involved in a complaint**, whether those making an allegation or those being accused of unfair practice or harassment according to the terms of this policy:
 - ensuring they present their case with integrity and in a timely fashion and/or
 - ensuring they comply with any investigation and the procedures in this policy.
- 10.6** The College entrusts **all individuals across the institution** to take a pro-active role in improving the College's Equality and Diversity Policy and practice.
- 10.7 College and Recruitment and Training Administrators** are responsible for managing the administration of the complaints and appeals process.

11 POLICY COMMUNICATION

- 11.1** This document and any other policies mentioned in this document can be found in the student area on the College VLE and on the College website [here](#).
- 11.2** The Staff Disciplinary Policy can be found in the Staff Handbook Appendices which is obtainable from the staff folder on the P drive and the HR Lead.
- 11.3** The College General Administrator will make every effort to respond to any request to provide this policy in a different format. Such requests should be sent to info@allnations.ac.uk
- 11.4** This policy will be included in staff and student induction.

12 RELATED DOCUMENTS

- Staff Handbook Appendices: Staff Disciplinary Policy
- [Bullying, Harassment and Sexual Misconduct Policy](#)
- [Student Disciplinary Policy](#)
- [Complaints Policy](#)

13 APPENDICES

- Equality and Diversity Annual Monitoring Form for Board of Trustees
- Equality and Diversity Monitoring Form for Applicants and Staff

ALL NATIONS CHRISTIAN COLLEGE
EQUALITY & DIVERSITY MONITORING FORM
FOR THE BOARD OF TRUSTEES

| | |
|---|--|
| LITERATURE: | |
| Does all College application documentation (employment and student) include a statement on diversity | |
| Have all selection criteria, job descriptions and person specifications in job advertisements been reviewed to ensure that they were/are justifiable? | |
| TRAINING: | |
| Has the College Community been reminded of their rights and responsibilities with regard to this policy? | |
| Have those responsible for interviewing prospective students and staff been trained in the operation of this policy? | |
| RECRUITMENT: | |
| What were the results of the equality/diversity staff and student recruitment questionnaires last year? (Equality and Diversity Monitoring Form for Applicants) | |
| Were any special provisions made to accommodate students or staff with a disability? | |
| What is the current make-up of the workforce/student body regarding age, gender, ethnic background, sexual orientation, religion or belief? | |
| Do the results compare well with the community the College serves? (Mission agencies and the communities they serve) | |
| Are there any barriers to equality of opportunity, which may prevent members of the College realising their full potential? | |
| COMPLAINTS: | |
| Have there been any complaints regarding acts of harassment, bullying, victimisation or unlawful discrimination? If there were any complaints: | |
| ○ Were they dealt with promptly and fairly? | |
| ○ What were the outcomes? | |
| ○ What, if any, action has been taken to prevent such things happening again? | |
| FUTURE ACTION: | |
| Is the College satisfied it is fully compliant with the Equality Act? | |

ALL NATIONS CHRISTIAN COLLEGE

EQUALITY AND DIVERSITY MONITORING FORM FOR APPLICANTS AND STAFF

All Nations Christian college wants to meet the aims and commitments set out in its Equality and Diversity Policy. This includes not discriminating under the Equality Act 2010, and building an accurate picture of the make-up of the workforce in encouraging equality and diversity.

The College needs your help and co-operation to enable it to do this, but filling in this form is voluntary.

The information you provide will stay confidential, and be stored securely and limited to only the HR Department of the College.

Gender Male Female Other Prefer not to say

Are you married or in a civil partnership? Yes No Prefer not to say

Age 16-24 25-29 30-34 35-39 40-44 45-49 50-54
55-59 60-64 65+ Prefer not to say

What is your ethnicity?

Ethnic origin is not about nationality, place of birth or citizenship. It is about the group to which you perceive you belong. Please tick the appropriate box.

White

English Welsh Scottish Northern Irish Irish
British Prefer not to say

Any other white background, please write here:

Mixed/multiple ethnic groups

White and Black Caribbean White and Black African White and Asian
Prefer not to say Any other mixed background, please write here:

Asian/Asian British

Indian Pakistani Bangladeshi Chinese Prefer not to say

Any other Asian background, please write here:

Black/ African/ Caribbean/ Black British

African Caribbean Prefer not to say

Any other Black/African/Caribbean background, please write here:

Other ethnic group

Arab Prefer not to say Any other ethnic group, please write here:

Do you consider yourself to have a disability or health condition?

Yes No Prefer not to say

What is the effect or impact of your disability or health condition on your ability to give your best at work? Please write in here:

The information in this form is for monitoring purposes only. If you believe you need a 'reasonable adjustment', then please discuss this with the College Administrator.

What is your sexual orientation?

Heterosexual Gay woman/lesbian Gay man Bisexual
Prefer not to say If other, please write here:

What is your religion or belief?

No religion or belief Buddhist Christian Hindu Jewish
Muslim Sikh Prefer not to say If other religion or belief, please write here:

What is your current working pattern?

Full-time Part-time Prefer not to say

What is your flexible working arrangement?

None Flexi-time Staggered hours Term-time hours
Annualised hours Job-share Flexible shifts Compressed hours
Homeworking Prefer not to say If other, please write here:

Thank you for completing this form.

Please return the completed form to the HR Manager, by email to info@allnations.ac.uk (together with your application form) or return in an envelope marked 'Strictly confidential' to HR Manager c/o All Nations Christian College, Easneye, Ware, Herts, SG12 8LX