

Equity, Diversity and Inclusion Policy

| Policy Details | | | |
|------------------------|--------------------------------|------------------|-----------------|
| Policy Owner | Director of People and Culture | | |
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|-----------------------|--|
| Version Number | Changes from previous version Complete rewrite to reflect updated Strategic Plan and Values, new legislative duties, revised management structures. Removal of information duplicated from other policies. Removal of training case studies. |

Equality Impact Assessment Tool

Name of Policy: Equity, Diversity and Inclusion

| | | Yes/No | Comments |
|----------|---|--------|----------|
| 1 | Does the policy/guidance affect one group less or more favourably than another on the basis of: | | |
| | Race or ethnicity | No | |
| | Disability | No | |
| | Sex | No | |
| | Religion or belief | No | |
| | Sexual orientation | No | |
| | Age | No | |
| | Marriage and Civil Partnership | No | |
| | Maternity and Pregnancy | No | |
| | Gender Reassignment | No | |
| 2 | Is there any evidence that some groups are affected differently? | No | |
| 3 | If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable? | No | |
| 4 | Is the impact of the policy/guidance likely to be negative? | No | |
| 5 | If so, can the impact be avoided? | N/A | |
| 6 | What alternatives are there to achieving the policy/guidance without the impact? | N/A | |
| 7 | Can we reduce the impact by taking different action? | N/A | |

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1. POLICY STATEMENT AND COLLEGE VALUES

Colchester Institute is committed to creating and sustaining a positive and supportive working environment for our staff, agency workers, contractors, and volunteers and an excellent teaching and learning experience for our students and apprentices, where staff and students are equally valued and respected, and encouraged to thrive. As a provider of employment and education, we value the diversity of our staff, apprentices and students. We are committed to providing a fair, equitable and mutually supportive learning and working environment for all.

This policy deals with the promotion of equity, diversity and inclusion for all at Colchester Institute (which includes University Centre Colchester) in accordance with the Equality Act 2010 and in line with the Public Sector General and Specific Duties.

Our goal is to ensure that these commitments are reinforced by our Values and are embedded in our day-to-day working practices with all our students, colleagues, customers and other stakeholders.

We will not tolerate any form of discrimination based on Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, Sexual Orientation, or any other grounds.

We will demonstrate our commitment by:

- promoting equality of opportunity and diversity within the College and the communities in which we work and with all of our staff, students and other stakeholders;
- building a workforce which reflects our community, with the aim of having parity of representation across the organisation;
- treating our students, colleagues and visitors fairly, equitably and with respect;
- promoting an environment free from discrimination, bullying and harassment, including but not limited to sexual harassment, and consistently, swiftly and robustly tackling behaviour which breaches this, using approved College procedures;
- recognising and valuing the differences and individual contributions that a diversity College community can make;
- building in relevant legislative requirements and best practice to all our service delivery and employee policies and procedures, and supporting these with appropriate training and guidance.

Additionally, in 2024, the College signed up to the Association of Colleges EDI Charter and have outlined in a statement on the College's website the ways in which we strive to meet the commitments of that Charter.

Every person working for the College has a personal responsibility for implementing and promoting these principles in their day-to-day dealings with others.

To this end, the College acknowledges the following basic rights for all staff, students and members of their community:

- to be treated with dignity and respect;
- to be treated fairly at work, in learning or when otherwise using our services;
- to receive encouragement to reach their full potential.

The College's values (below) are fully reflective of this policy and our commitment to EDI:

- We are an **INCLUSIVE** College, welcoming employees and learners of all backgrounds, ages and abilities;
- We are **COLLABORATIVE**, working in partnership internally and externally to achieve shared goals;
- We are **RESPECTFUL** of each other in our words, actions and behaviours;
- We are **AMBITIOUS** for our learners, our staff and our College, always striving for excellence;
- We are **HONEST** and open, and act with integrity in all that we do;
- We provide a physically and emotionally **SAFE** environment, where people can be themselves, try out ideas and thrive.

2. OBJECTIVES AND LEGISLATIVE CONTEXT

Colchester Institute Corporation, has overall responsibility for ensuring that the College complies with the requirements of the Equality Act 2010, including the general duty to have due regard to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic* and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

The Equality Act focusses on nine protected characteristics* which are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race including colour, nationality, ethnic or national origin.
- Religion or Belief
- Sex
- Sexual Orientation

Further information and detail about each of the Protected Characteristics in Appendix 1 below.

Under the Equality Act, it is unlawful to:

- discriminate directly against anyone and treat them less favourably than others on the grounds of the protected characteristics (or on the grounds of a perception that an individual holds a particular characteristic even if they do not). In the case of disability this includes failure to make reasonable adjustments.
- discriminate against someone for reasons relating to their association with a person on the grounds of the protected characteristics, for example discriminating against an employee/student because they have a disabled dependent.
- discriminate indirectly against anyone by applying a criterion, provision or practice which disadvantages people with a protected characteristic unless the person applying the provision can justify it as a proportionate means of achieving a legitimate aim.
- subject someone to harassment. Harassment is unwanted conduct related to a protected characteristic which impacts an individual's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. Harassment may be persistent or an isolated incident and may be by an individual against an individual or involve groups of people. This includes behaviour that an individual finds offensive on these grounds even if the behaviour is not directed at the individual.
- treat a person less favourably because they either submit to, or reject, sexual harassment or harassment related to their sex.
- victimise someone because they have made, or intend to make, a complaint or allegation or has given or intends to give evidence in relation to a complaint of discrimination in line with the Equality Act.

In October 2024, a new duty under the Equality Act 2010, requires employers to take reasonable steps to prevent sexual harassment of their employees. Employers must take reasonable preventative steps against sexual harassment, encourage cultural change where necessary and reduce the likelihood of sexual harassment occurring. In response to this the College has expanded its Dignity at Work Policy to embrace all aspects of the new duty.

As a provider of Higher Education, Colchester Institute will also be required (from Summer 2025) to publish comprehensive information on how we are preventing harassment and sexual misconduct, how incidents can be reported, what students can expect, and how they will be supported, in any investigations.

3. ROLES AND RESPONSIBILITIES

Colchester Institute will not tolerate behaviour in the form of discrimination, victimisation, harassment or bullying.

The legislation and associated regulations described in section 2 above exist to protect employees, and there are a number of policies and procedures in place to support the legislation.

It is incumbent upon all members of the College community to behave with dignity, courtesy and respect and to act in a manner that does not unlawfully discriminate, and that upholds the Colleges Values, at all times.

Role of the Corporation Board (Governors)

- To ensure a diverse Board membership which represents the communities served by the College
- To be mindful of this policy and the College's wider EDI commitments when approving Policies
- To appoint an EDI Governor and support them in carrying out the role, with an appropriate role description;

Role of Senior Leaders

- To regularly update this Policy in line with legislative requirements and best practice;
- To produce an annual EDI Report and publish this on the website;
- To ensure there is an appropriate suite of College policies and procedures to support the aims of this Policy;
- To host an EDI Steering Group to hear staff, student and governor views on the organisation's strategic and operational approaches to EDI and to agree and monitor actions identified to support the aims of this Policy;
- To identify a set of annual equality objectives and develop an action plan to meet these
- To take decisive action in the event of breaches of this Policy, or linked policies, by staff or students;
- To model best practice in relation to EDI and the College's values and to address all incidences of staff or student behaviour that fail to comply with this policy.
- Annual 'focus project' on a specific area of EDI

Role of College Managers

- To behave in a non-discriminatory way and lead non-discriminatory practices and to address any incidences of behaviour that fail to comply with this policy;
- To support apprentices or students raising issues associated with any aspect of their studies, including workplaces that they visit or operate from;
- To ensure employers that have apprentices or learners on work placements have appropriate EDI Policies in place (and to provide example ones and support with this as necessary);
- To support all aims of the College Equity, Diversity and Inclusion policy;
- To undertake appropriate, and where required to deliver, equality and diversity training to their team;

- To impact-assess all new and revised policies to ensure that they do not disadvantage any individual or group who share a protected characteristic;
- To model best practice in relation to EDI.

Role of All Staff

- To behave in a non-discriminatory way, actively encourage non-discriminatory practices and to report any incidences of behaviour that fail to comply with this policy;
- To support apprentices or students raising issues associated with work places that they visit or operate from, referring these for further action, and ensure that employers and others are aware of their responsibilities in this respect;
- To model best practice in relation to EDI, and to challenge any student language or behaviour which is counter to this Policy, referring these for further action where appropriate;
- To support the aims of the College Equity, Diversity and Inclusion Policy;
- To undertake appropriate EDI training and seek support if uncertain about any of the responsibilities above

Role of Students and Apprentices

- To behave in a non-discriminatory way, encourage non-discriminatory practices and to report any incidences of behaviour that fail to comply with this policy;
- To support the aims of the College Equity, Diversity and Inclusion policy;
- To be aware of equality and diversity issues and embrace learning opportunities provided through the Personal Development or vocational curriculum.

Role of our Partner Employers

- To ensure that they have up to date equality and diversity policies and procedures in place prior to having apprentices or learners on placement;
- To lead non-discriminatory practices and to address any incidences of behaviour that fail to comply with this or their own policies;
- To respond positively to apprentices or students raising issues;
- To seek advice from the college or appropriate government bodies as required.

Role of People and Culture

- To support staff and managers in implementing this policy;
- To monitor employment equality data and publish findings as required;
- To ensure that selection and appointment procedures, performance management processes, staff development opportunities and disciplinary and grievance processes are fairly and consistently applied to all staff;
- To treat all applications for flexible practices on a fair and equitable basis and to provide reasonable and objective reasons when such requests must be refused;
- To ensure that all People policies and procedures are impact assessed in order to eliminate any bias or discrimination against individuals or groups;
- To support regular meetings of the EDI Steering Group and to carry out surveys of staff as appropriate to inform the EDI action plan and progress against this.

4. DEFINITION OF KEY TERMS

Equality is about fairness. It is achieved when individuals or groups of people are not treated less favourably, and where everyone can participate and have the same opportunity to fulfil their potential.

Equity is about recognising that each person has different circumstances and allocating the appropriate resources, support and opportunities needed to reach an equal outcome. Unlike equality, equity takes into account that people come from different starting points.

Diversity is about recognising and respecting the value of difference. It means considering and appreciating all the unique characteristics that make people who they are. This includes, but is not limited to, national origins, language, race or ethnicity, disability, sex, age, religion or belief, sexual orientation, gender identity, socio-economic status, and family structure. Diversity also includes diversity of thought and life experiences.

Inclusion is about creating and maintaining a culture where people feel welcomed, respected, and valued for who they are as an individual or groups.

Other definitions

Other key EDI terms, language and concepts are listed and defined in Appendix 2, below. Staff should be familiar with these and EDI training will cover this knowledge.

5. THE BENEFITS OF A DIVERSE WORKFORCE

A diverse workforce can offer a wide range of resources, skills, ideas and energy to the College, supporting excellence in all we do.

Diversity management can benefit the College in a number of ways, e.g.

- Having a more representative ‘balanced’ workforce;
- Utilising the wider knowledge and experiences of people with different backgrounds and experiences to provide different perspectives, ideas, approaches and solutions;
- Reflecting our diverse applicant and student body, providing inspiration, empathy and support to students of all backgrounds;
- Valuing and respecting employees as individuals, attracting, retaining and promoting from a wider talent pool.

6. STUDENT PERSONAL DEVELOPMENT

As part of the Personal Development curriculum, all students and apprentices receive education and training in the principles of Equality and Diversity. The aim is to help all students to develop an understanding of the importance of Equity, Diversity and Inclusion, not only as it applies in the workplace, but also in life. This may come under the banner of British Values (which include ‘tolerance’ and ‘respect’) and be part of the delivery of the main qualification or apprenticeship. Apprentices follow the ‘Side by Side’ training package which includes EDI development.

7. STAFF AND GOVERNOR TRAINING AND CPD

In support of this policy, and our drive to be an Inclusive College, EDI training is provided to staff. The aim is to raise knowledge of equality legislation, develop EDI knowledge and competencies and tackle discriminatory practice and behaviour.

All staff and governors will attend a Mandatory online training on 'Responding to Sexual Violence and Harassment' and one 'Inclusion Essentials' e-learning training as part of the package of essential CPD on joining the organisation. Other online and face-to-face training will take place from time to time as part of the College's annual Professional Development plan. This is likely to be based around the Education and Training Foundation's Deeper Thinking and Stronger Action Toolkit.

Additionally, relevant staff, including all UCC staff will receive training in line with the new OfS condition of registration regarding prevention of sexual harassment.

8. MONITORING

All College Policies will be impact assessed using the standard impact assessment tool to ensure fair and equitable treatment of all individuals and groups. Through the EDI Steering Group, Student Representative bodies, staff and student surveys and other means, the College consults staff, students and stakeholders to ensure that its EDI Policy reflects best practice and is the 'lived experience' of the College community.

As part of the annual self-assessment process, leaders and managers carry out an analysis of 'achievement gaps'. This is a close look at the performance of students with particular characteristics against overall College performance or against students without those characteristics. Analysis will be carried out to compare, for example male/female qualification outcomes, or those for students declaring learning difficulties or disabilities compared with others. Actions will be put in place through Quality Improvement Plans to reduce achievement gaps giving all students maximum opportunity to succeed on their programmes.

All of the above is reported in the College's Annual EDI Report where the College will record its annual EDI Objectives and Action Plans. This Report is approved by Governors and published on the College's website.

9. SOURCES OF HELP AND INFORMATION

Colchester Institute wants individuals to feel empowered to raise any issues of concern in relation to this policy.

There are a number of options available to staff who wish to seek advice on any aspect of this policy. These include the Line Manager; the People and Culture Team, Union Representatives and other colleagues.

10. RAISING CONCERNS REGARDING BREACH OF THIS POLICY

Colchester Institute encourages staff, students and other stakeholders to report all types of potential discrimination, as this assists us in ensuring that diversity, equity and inclusion principles are adhered to. Staff should report concerns to their line manager or the People and Culture team. Students should report concerns to their Course Leader, their Progress and Destination Tutor or a member of Student Services. Visitors and other stakeholders should use the College complaints procedure.

Any breach will be investigated and where appropriate will be considered under the relevant disciplinary procedure for staff or students, or the Workplace Resolution or Grievance procedures as appropriate.

Staff who make complaints or who participate in good faith in an investigation will not suffer any form of retaliation or victimisation as a result. Anyone retaliating against or victimising someone in this way will be subject to disciplinary action.

Making an allegation of harassment or bullying in bad faith or which is known to be untrue is misconduct and will be dealt with under our Disciplinary Procedure.

11. LINKED POLICIES

This policy is underpinned by the following College policies and practices. All College Policies will be impact assessed using the standard impact assessment tool.

- Adoption Leave Policy
- Annual Leave and Special Leave Policy and Procedure
- Complaints Procedure (for students and other stakeholders)
- Dealing with Bullying and Harassment and Sexual Harassment at College – policy and procedure for FE students
- Dignity at Work Policy (bullying and harassment including sexual harassment)
- Disciplinary Policy and Procedure for Staff
- Employee Wellbeing Strategy
- Flexible Working Policy
- Grievance Policy and Procedure
- Harmful Sexual Behaviour Policy
- Health and Safety Policy
- Learner Professional Standards and Conduct Policy
- Learning and Development and Performance Management Policy Staff Induction Policy
- Maternity Leave Policy
- Paternity Leave Policy
- PREVENT Strategy
- Remote Working Policy
- Safeguarding Policy (young people and vulnerable adults)
- Safer Recruitment Policy
- Shared Parental Leave Policy
- Sickness Absence Policy & Procedure
- Special Educational Needs and Disabilities (SEND) Policy
- Whistleblowing Policy and Procedure
- Workplace Resolution Policy and Procedure

APPENDIX 1

PROTECTED CHARACTERISTICS – Further Information

Age

The Act protects people of all ages. However, different treatment because of age is not unlawful direct or indirect discrimination if you can justify it, i.e. if you can demonstrate that it is a proportionate means of meeting a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination.

Disability

Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long- term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.

The Act puts a duty on the College to make reasonable adjustments to help staff overcome disadvantage resulting from an impairment (eg by providing assistive technologies to help visually impaired staff use computers effectively).

The Act includes protection from discrimination arising from disability. This states that it is discriminatory to treat a disabled person unfavourably because of something connected with their disability (eg a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim.

Additionally, indirect discrimination covers disabled people. This means that a job applicant or employee could claim that a particular rule or requirement you have in place disadvantages people with the same disability. Unless you could justify this, it would be unlawful.

The Act also makes it unlawful, except in certain circumstances, for employers to ask about a candidate's health before offering them work.

Gender reassignment

The Act provides protection for trans people. A trans person is someone who proposes to, starts or has completed a process to change their gender. The Act does not require a person to be under medical supervision to be protected.

It is discrimination to treat trans people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured.

Marriage and civil partnership

The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.

Pregnancy and maternity

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination. The College must not take into account an employee's period of absence due to pregnancy-related illness when making a decision about employment.

Race

For the purposes of the Act 'race' includes colour, nationality and ethnic or national origins.

Religion or belief

In the Equality Act, religion includes any religion. It also includes a lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief.

Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.

Sex

Both men and women are protected under the Act. The college additionally recognises non-binary people as protected.

Sexual orientation

The Act protects bisexual, gay, heterosexual and lesbian people.

APPENDIX 2

Definitions, Language and Key Concepts

Allyship refers to the actions, behaviours, and practices that people with power and/or privilege can take to support, amplify, and advocate for others who are disempowered. For example, men can be allies to women, straight people to those who are LGBT and white people to black people.

Cultural capital refers to the skills, education, intellect and experience that individuals acquire as assets. Traditionally this has been used to exclude people if they didn't speak or look like those in positions of power, or if they didn't go to the 'right school' or live in the 'right place'. However, if we want to promote diversity and inclusion then we need to see diversity of cultural capital as positive and see difference as an asset.

Enabling is when a person's negative behaviour is able to continue due to the complicit behaviour of those around them, such as passing off behaviours with comments such as 'boys will be boys' or 'it's just a bit of banter'.

Gas lighting refers to convincing someone that they are wrong or mistaken about something even when they are not. If done repeatedly, the person subject to this can start to doubt themselves or their memory of events. In the context of EDI, the term is often used when people are told that their experiences of prejudice or discrimination are 'all in their own mind' or that they are 'blowing things out of proportion'.

Intersectionality – When we consider equity, it's important to note that our identities are intersectional. In other words, the individual protected characteristics we hold, such as race, sex, and sexuality, overlap and cannot be considered in isolation. Intersectionality acknowledges we can simultaneously belong to multiple historically-marginalised groups and that exclusion does not affect all groups of people in equal measure. People who hold several, intersecting protected characteristics can be particularly affected by prejudice and discrimination. The term intersectionality was first used by Professor Kimberlé Crenshaw to describe how black women were doubly discriminated against, because of their gender, and because of their race.

Microaggressions are comments or actions that subtly and often unconsciously or unintentionally express a prejudiced attitude toward a member of particular groups (such as trans people, people with disabilities, or people from ethnic minority backgrounds).

Ordinary privilege – Ordinary, everyday privilege is not about what you have, it's about what you don't have to put up with. It's about the systemic inequalities that give some people privilege and make life harder for others. Privilege is the absence of the negative consequence of bias and prejudice. It can operate in such a way that people with privilege rarely notice the advantages they have and the challenges they do not have to face. Privilege presents itself as the norm, the everyday, and so for those of us with privilege it can be hard to see that life is not the same for some people as it is for us.

Positive Action is the deliberate introduction of measures to eliminate or reduce discrimination, or its effects. It is not about special treatment for a particular group, but the fair treatment of all people. It is distinct from positive discrimination which is unlawful.

Rape culture is an environment where sexual violence and abuse is normalised, played down or laughed off. This may include actions from banter, name calling, inappropriate touching, upskirting, and cyber-flashing to sexual coercion and violence.

Stereotyping is defined as a standardised mental picture that one person or group of people holds in common about another person or group of people and can be either positive or negative.

Toxic masculinity refers to harmful forms of masculinity such as the use dominance, violence and control to assert power and superiority over others. Adherence to traditional male gender roles can stigmatise and limit the emotions boys and men can comfortably express while elevating other emotions such as anger.

Unconscious bias (also known as implicit bias) is a term used to describe our innate preferences for people and groups who look like us, who think like us and who come from similar backgrounds to us. As humans, we all have unconscious biases, which can cause us to inadvertently become less inclusive of individual people, or groups of people, who seem different to us. Recognising and understanding our unconscious bias is very important, as this is the first step to challenging it.

Upstander – Someone who sees a wrong-doing or inequity and speaks out or acts in support of an individual or cause. It may be something simple such as challenging a comment, naming a problem and taking responsibility for tackling it, or offering your support to a person/people affected. Alternatively, being a bystander and not acting when witnessing wrong-doing can result in 'bystander apathy'. This occurs when someone is not willing to interfere simply because other people are present.

White fragility refers to the discomfort and defensiveness white people experience when talking about and confronted with racism.

Extracted from the ETF publication [Deeper Thinking and Stronger Action \(2022\)](#)