



## **Equality & Diversity Policy**

## **Polisi Cydraddoldeb ac Amrywiaeth**

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If you or someone you know would like this document in Welsh or an alternative format please contact the Senior Officer: Diversity at [diversity@nptcgroup.ac.uk](mailto:diversity@nptcgroup.ac.uk) , on 01639 648175 or 07825 231627

## **Section 1: Context**

- 1.1 NPTC Group's Mission Statement declares our intention:

**'To be an outstanding education and training provider'**

Students, staff and other College users are all central to the achievement of this goal.

- 1.2 Headline Priorities of the Strategic Plan expound the principles that will facilitate the achievement of the College's continued progress towards becoming an inclusive College with effective support to meet the needs of all learners, staff and College users in every area of engagement.
- 1.3 Should any user require assistance with understanding or implementing this policy, particularly where the reasons for this are related to age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation they should contact the Senior Officer: Diversity or the HR Unit in the first instance for advice.

## **Section 2: Status**

- 2.1 On inception this policy has been considered and approved by the Senior Management Team (SMT) of Neath Port Talbot College and the Joint Information and Consultative Committee (JICC) of Neath Port Talbot College and the Human Resources Committee of the Corporation Board of Neath Port Talbot College on 28 April 2010.
- 2.2 This policy and procedures have been reviewed by the Assistant Principal HR in conjunction with the Senior Officer: Diversity, the SMT of the NPTC Group on 3 February 2016 and the NPTC Group JICC, and was approved at the JICC meeting held on 24 February 2016.
- 2.3 This policy has undergone an Equality and Linguistic Impact Assessment which is attached as Appendix 3.

## **Section 3: Policy**

### **3.1 Policy Statement**

- 3.1.1 NPTC Group aims to ensure that all learners, staff and other users are treated with equity regardless of having, or being perceived as having, any of the protected characteristics namely age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

## **3.2 Scope**

- 3.2.1 This Policy provides a summary of the principles of equality of opportunity and diversity to which the college is fully committed.
- 3.2.2 The policy applies to learners, staff, service users, community members, suppliers, contractors and partners.

## **3.3 Accountability and Responsibility**

- 3.3.1 Overall responsibility for compliance with the policy and implementation of the procedures resides with the Chief Executive Officer and members of the Senior Management Team.
- 3.3.2 At an operational level the responsibility for managing the procedure in a responsible and professional manner resides with line managers as a key part of their general management responsibility.
- 3.3.3 All line managers have a duty to adopt a pro-active and consistent approach when taking action to address issues relating to equality and diversity.
- 3.3.4 The responsibility for cross College monitoring and evaluation of equality and diversity resides with the Diversity Management Group.
- 3.3.5 Any evidence of non-compliance with the Equality and Diversity policy will be dealt with through the appropriate College's disciplinary procedure and may result in dismissal in the case of staff or withdrawal from a course of study for learners. All other college users will be subject to sanctions appropriate to the specific incident and circumstances.

## **3.4 Policy Objectives**

- 3.4.1 The College is committed to providing an effective education and training service, being a responsible and valued employer and a commercially successful service provider and recognises that equality and diversity are essential to achieving these aims. The main purpose of this policy is therefore to ensure that staff, learners and users of the College are treated fairly and with equity in all areas of provision.
- 3.4.2 To detail the main operational procedures of the policy.

## **Section 4: Procedure**

The College has developed a whole college approach to diversity with the Senior Officer: Diversity having a coordinating role throughout the College and who is the first point of contact for all general enquiries.

### **4.1 Diversity Management Group**

4.1.1 In recognition of the fact that implementation of robust diversity measures requires time and expertise, diversity will be overseen by the Diversity Management Group, chaired by the Principal NPT campuses.

### **4.2 Functions of DMG**

- To promote and to ensure the effective management of diversity within the College;
- To ensure compliance with all diversity related policies;
- To consider and ensure appropriate implementation of equality and diversity related legislation and the Public Sector Equality Duties;
- To receive, and act upon, diversity related reports from external and internal sources;
- To commission diversity related research and training;
- To produce and publish an annual report on the management of diversity at the College;
- To oversee, monitor and evaluate the work of the strategic equality plan.

### **4.3 Terms of Reference of DMG**

- To report to SMT & the HR committee annually;
- To provide feedback on diversity issues to the Learning and Performance Management Group termly;
- To receive reports from lead staff on equality objectives and associated actions;
- To meet at least three times each academic year.

### **4.4 Membership**

- Deputy CEO of the NPTC Group
- Vice Principal Corporate Services
- Vice Principal Financial Services
- Assistant Principal HR
- Assistant Principal Student Support and Inclusion
- Assistant Principal Quality
- Assistant Principal Worldwide Operations
- Campus Managers
- Heads of School
- Head of Library Services
- Head of Business & Information Systems

- Head of Business Development
- Equality Chair Skills Academy Wales
- Head of Student Support
- Senior Web Systems Administrator
- Union Representatives
- Senior Officer: Diversity
- Human Resources Manager

## **4.5 Strategic Equality Plan**

4.5.1 As part of the College's responsibilities under the Equality Act 2010, the College will comply with the duties for all of the protected characteristics. The Strategic Equality Plan and associated actions provide comprehensive details showing how the College intends to meet its statutory duties in all respects. The College will produce and review the plan and action plans using the guidelines issued by the Government Equalities Office, the Equality and Human Rights Commission and the Welsh Government. The Strategic Equality Plan will provide all college users with clear and concise information on measures being taken to build equality and diversity into every aspect of the work of the college.

4.5.2 This policy should be read in conjunction with the following policy documents:

- Strategic Equality Plan and associated actions;
- Admission Policy;
- Prevention of Bullying and Harassment Policy;
- Learner Disciplinary Policy;
- Learner Code of Conduct;
- Complaints Policy;
- Flexible Working Policy
- Dealing with Domestic Abuse;
- Staff Disciplinary Policy;
- Recruitment and Selection Policy;
- Cynllun Iaith Gymraeg -Welsh Language Scheme.
- Employee Standards and Code of Conduct

## **4.6 Positive Action**

4.6.1 The College will consider positive action measures in line with current published guidance.

4.6.2 It is recommended that positive action strategies are intended to be temporary measures only. They will be kept under regular review, and they cannot be used once any special needs have been met, or if under-representation no longer exists. The College will ensure that when using positive action as a strategy, it falls within the law.

## **4.7 Complaints**

- 4.7.1 Any informal enquiries or requests for advice should, in the first instance, be made to the Senior Officer: Diversity.
- 4.7.2 If a potential, current or previous employee, learner or College user believes they have not been treated fairly, due to prejudice or discrimination in relation to any of the Protected Characteristics they should use the College's Staff Grievance Policy, Learner Disciplinary Policy or Complaints Policy as appropriate.

## **Section 5: Monitoring**

- 5.1 The Equality & Diversity policy will be monitored by the Diversity Management Group.
- 5.2 The College will monitor data and the effectiveness of its equality and diversity programme through the Strategic Equality Plan and associated actions.
- 5.3 Monitoring will be undertaken in accordance with best practice recommendations and guidelines from the Equality and Human Rights Commission.

## **Section 6: Review**

- 6.1 The policy and procedure are to be reviewed by the Assistant Principal HR in conjunction with the HR Manager and Senior Officer Diversity, and will be tabled at SMT and JICC before final approval.
- 6.2 The policy and procedures will be reviewed bi-ennially.
- 6.3 The next date for review is February 2018.

### Definitions

#### Direct discrimination

Direct discrimination occurs when a person treats a person less favourably than they would treat another because of a protected characteristic. Direct discrimination also occurs when a person is treated less favourably because they are perceived to have a protected characteristic or because they associate with someone who does. Protected characteristics are; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, sexual orientation, race, religion or belief and sex.

#### Combined Discrimination

The new combined discrimination section protects people who experience direct discrimination because of a combination of two protected characteristics (marriage and civil partnership, and pregnancy and maternity are not included in these provisions).

This provision will mean, for example, that a black female member of staff who is discriminated against because she is a black woman – as opposed to a black man or a white woman – could bring a single claim for combined race and sex discrimination.

#### Indirect discrimination

Indirect discrimination occurs when a provision, criterion or practice is neutral on the face of it, but its impact particularly disadvantages people with a protected characteristic, unless the person applying the provision can justify it as a proportionate means of achieving a legitimate aim.

#### Victimisation

Victimisation takes place where one person treats another less favourably because he or she has asserted their legal rights in line with the act or helped someone else to do so.

#### Harassment

Harassment is defined as;

unwanted conduct occurs that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant's dignity

unwanted conduct of a sexual nature (sexual harassment)

treating a person less favourably than another person because they have either submitted to, or did not submit to, sexual harassment or harassment related to sex or gender reassignment.

The perceptions of the recipient of the harassment are very important and harassment can have been deemed to have occurred even if the intention was not present, but the recipient felt they were being harassed.

## **Protected characteristics: definitions**

Throughout this policy you will see reference to 'protected characteristics'. This page gives you more information on each of the nine protected characteristics.

### **Age**

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

### **Disability**

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

### **Gender reassignment**

The process of transitioning from one gender to another.

### **Marriage and civil partnership**

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

### **Pregnancy and maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

### **Race**

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

### **Religion and belief**

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

### **Sex**

A man or a woman.

### **Sexual orientation**

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

### Diversity Statement

NPTC Group welcomes diversity and is striving to promote equal opportunities for all learners, staff, visitors and members of the wider community.

Discriminatory or offensive comments and behaviour on the grounds of religion or belief, gender re-assignment, age, marital or partnership status, disability, pregnancy, sex, race, or sexual orientation or will not be tolerated.

Any person who fails to comply with this statement will be held accountable and appropriate action will be taken.

### Datganiad Amrywiaeth

Mae Grŵp NPTC yn croesawu amrywiaeth wrth anelu at hyrwyddo cyfle cyfartal yn achos ein dysgwyr i gyd, ein staff, ynghyd ag ymwelwyr ac aelodau'r gymuned ehangach.

Ni oddefir sylwadau neu ymddygiad gwahaniaethol neu fygythiol, boed ar sail hil, crefydd neu gred, statws priodasol, oedran, anawsterau dysgu, anabledd, gogwydd rhywiol neu rywedd.

Ystyrir unrhyw unigolyn sy'n methu â chydymffurfio â'r datganiad hwn yn atebol a rhoddir y gweithrediadau priodol ar waith.



## Equality Impact Assessment & Screening Document

### Stage 1 – Screening

What item is being assessed and what is its purpose?

Provide a description of the policy, practice or provision being assessed with a short statement about what the item is intended to achieve (its aims and objectives) who is affected, eg staff, students, parents/carers, partners, etc. Using the boxes below consider any possible consequences for any of the protected characteristics.

<p><b>Description of item:</b> Equality &amp; Diversity Policy</p>
<p><b>Aims &amp; objectives:</b> NPTC Group aims to ensure that all learners, staff and other users are treated with equity regardless of having, or being perceived as having any of the protected characteristics namely age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.</p>
<p><b>Those affected – eg staff, students, parents, partners etc :</b> The policy applies to learners, staff, service users, community members, suppliers, contractors and partners</p>

### Use the boxes below to consider possible consequences for protected characteristics

Protected Characteristic	Potential impact positive or negative & notes
<p><b>Sex</b> Also called gender, means a man or a woman</p>	<p>Policy explicitly lists and considers all protected characteristics and is produced in line with guidance from EHRC &amp; ACAS - all impacts and potential impacts are deemed positive.</p> <p>As part of NPTC Group responsibilities under the Equality Act 2010, we will comply with the duties for all of the protected characteristics. In addition to the Equality &amp; Diversity Policy the Strategic Equality Plan and associated actions provide comprehensive details showing how we intend to meet our statutory duties in all respects. NPTC Group will produce and review the SEP and action plans using the guidelines issued by the Government Equalities Office, the Equality and Human Rights Commission and the Welsh Government. The Strategic Equality Plan will provide all college users with clear and concise information on measures being taken to build</p>
<p><b>Race</b> Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins</p>	
<p><b>Age</b> Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30)</p>	

year olds).	equality and diversity into every aspect of the work of the college.	
<b>Gender Re-assignment</b> The process of transitioning from one gender to another		
<b>Sexual Orientation</b> Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes		
<b>Religion &amp; Belief</b> Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.		
<b>Pregnancy &amp; Maternity</b> Pregnancy is when expecting a baby, Maternity refers to period after the birth		
<b>Marriage &amp; Civil Partnership</b> Marriage is between two partners, Civil Partnership is between same sex couples		
<b>Disability</b> Any long term condition that effects day to day activity. Conditions include hearing, visually & physical impairment, learning disability, mental health, cancer, HIV & MS		
<b>Welsh</b> (not a protected characteristic however it is important to ensure the Welsh Language is considered		

<b>Explanation</b>
See notes above
<b>E&amp;D priority level: high</b>

## Stage 2 – Analysis

What equality analysis has been done on this item?

Based on the screening process above list the evidence, data or sources used to analyse the impact of this item. (include any, data, reports, surveys or web links utilised in the process)

<b>Protected Characteristics</b>	<b>Data Source</b>	<b>Findings</b>
<b>Sex</b>		<p>By stating our values and how we intend to put them into practice we are demonstrating to everyone we are serious about fairness in the workplace.</p> <p>Also the policy;</p> <ul style="list-style-type: none"> <li>• helps people understand how they are expected to behave and what they can expect of the organisation</li> <li>• helps to win new customers, especially from the public sector (who have a statutory duty to promote equality) and other large organisations</li> <li>• supports and complements our SEP and action plan.</li> </ul> <p><a href="http://www.equalityhumanrights.com/advice-and-guidance/before-the-equality-act/guidance-for-employers-pre-october-10/how-to-tackle-discrimination-and-promote-equality/#1">http://www.equalityhumanrights.com/advice-and-guidance/before-the-equality-act/guidance-for-employers-pre-october-10/how-to-tackle-discrimination-and-promote-equality/#1</a></p> <p>The Equality &amp; Diversity Policy is the updated Equal Opportunities Policy which was revised following consultation events with staff and partners and the implementation of the 2010 Equality Act.</p> <p>By drawing up a formal policy we are making a commitment to rights and equality that we can be held accountable for and as such our organisations approach to equality in the workplace is clear.</p>
<b>Race</b>		
<b>Disability</b>		
<b>Sexual Orientation</b>		
<b>Age</b>		
<b>Pregnancy &amp; Maternity</b>		
<b>Marriage &amp; Civil Partnership</b>		
<b>Religion &amp; Belief</b>		
<b>Gender Re-assignment</b>		
<b>Welsh</b>		

### Stage 3 – Assessment of Equality Impact

How was an assessment of equality impact reached, who was involved in the decision?

Group impacted	Nature of positive and/or negative impact or explanation for no identified impact
Sex	Assessment was conducted by Senior Officer: Diversity and Senior Officer HR
Race	
Disability	
Sexual Orientation	
Age	
Pregnancy & Maternity	
Marriage & Civil Partnership	
Religion & Belief	
Gender Re-assignment	
Welsh	

### Stage 4 – Mitigation & Changes

What changes have been made or are scheduled for change following assessment & consultation to reduce or eliminate any adverse impact?

Impact	Possible policy change	Recommended
All impacts are deemed positive and no changes necessary		
<b>Statement of justification and mitigation where negative impact cannot be avoided</b>		
Not applicable		

## Stage 5 – Consultation

What consultation has taken place? (state when and who with)

<b>Consultation process</b>	<b>Findings</b>
2009 consultation day with staff, students and external partners	Policy was cited as a tangible commitment which those from protected characteristic groups actively sought out and researched
2012 LGBT conference – staff students, partners and relevant organisations from across LGB&T spectrum	Policy and associated plan are seen as pertinent to minority groups and signal a willingness to be open about an organisations ethos and stance on equality

## Stage 6 – Publication

When will the EIA be published?

**Date and method:** as an appendix to policy, on intranet and in other formats on request

## Stage 7– Monitor & Review

How will this item be reviewed & monitored

**Lead person or group responsible and review dates :**

Reviewed 10 February 2016 and due for next review Feb 2018 by Assistant Principal HR, Senior Officer: HR and Senior Officer: Diversity

## Checklist

- Has the alternative format statement been included at the start of the policy document?  
If you or someone you know would like this document in Welsh or an alternative format please contact the Senior Officer: Diversity at [diversity@nptcgroup.ac.uk](mailto:diversity@nptcgroup.ac.uk) or on 01639 648175 / 07825231627
- Has the document been formatted in line with NPTC Group publication guidelines and policy template?
- Has the Equality & Diversity paragraph been included at the end of section 1 for all policies?  
If any member of staff requires assistance with understanding or implementing this policy, particularly where the reasons for this are related to disability, religion or belief, sex, gender reassignment, sexual orientation, pregnancy or maternity, age or race they should contact the Senior Officer: Diversity Officer, in the first instance for advice.
- When you have completed the paperwork please ensure it is added as an appendix to the relevant policy or procedure
- Any questions? please contact the Senior Officer: Diversity on 01639 648175 or by email [lesley.blower@nptcgroup.ac.uk](mailto:lesley.blower@nptcgroup.ac.uk)

## Signature of Assessment Manager & other staff completing ELIA

Name (s) – please print

Lesley Blower

Andrea White