

Equality, Diversity and Inclusion Policy

1 Purpose

1.1 - The NHC is fully committed to all aspects of Equality, Diversity and Inclusion as they relate to and impact upon all stakeholders. As a College we recognise that diversity is a positive attribute and force which brings a multitude of benefits. By placing Equality, Diversity and Inclusion at the heart of our organisation, we will, as a result, embrace and reflect all of the many aspects of our diverse workforce and learner population. The aim of this policy is to support that intention by providing a framework for continuous improvement and to ensure we work together towards achieving equality for all. The NHC is committed to ensuring that all forms of prejudice and unfair discrimination are unacceptable and challenged. Training and awareness raising of these standards will be ongoing.

The purpose of the Equality, Diversity and Inclusion (EDI) Policy is to demonstrate the College's commitment to the Public Sector Equality Duty, mandated by the Equality Act 2010. It also demonstrates the NHC's commitment to ensuring all learners, staff and stakeholders are treated equally and that diversity is valued across the college.

2 Scope

2.1 - This policy relates to:

- all members of the Board of Trustees
- all staff (prospective and current)
- all learners (prospective and current)
- all contractors, employers, partners and third-party providers
- all visitors and volunteers

The Board of Trustees carries the ultimate responsibility, under the law, for ensuring NHC meets the requirements of the Public Sector Equality Duty. In particular, Trustees will set and maintain the strategic direction of EDI and monitor performance through regular reports.

2.2 - With regard to staff, this policy applies to (but is not limited to) advertising of jobs, recruitment and selection, training and development, opportunities for promotion, conditions of service, reward, facilities, health and safety, conduct at work, grievance and disciplinary procedures and termination of employment (and beyond where provision of employment references are required). Every member of staff is responsible for supporting this policy and the law. Every role has an EDI component and staff will:

- Apply and embed the vision and values of the policy in their work and roles
- Support and enable learners to follow the policy
- Take appropriate and immediate action in the event of incidents of harassment and unfair discrimination and alert appropriate staff.

2.3 - With regard to learners, this policy applies to (but is not limited to) admissions, all teaching and learning, bursary awards under the college's control, learner support, facilities, health and safety, personal conduct, learner references, learner complaints and disciplinary procedures.

Learners are expected to support our commitment to EDI and follow this policy by:

- Treating everyone with respect, fairness and understanding
- Abiding by the law
- Using language carefully, without swearing, saying rude, hurtful or disrespectful things about others
- Reporting any concerns they have for themselves or others
- Resolving difficulties and disagreements amicably

2.4 - With regard to contractors, partners and third-party providers this policy applies to work and services provided on behalf of the College. We expect contractors/sub-contractors that are undertaking building, maintenance or repair work in any of our buildings/estate to comply with this policy.

3 Responsibilities

3.1 - The Trustees as Directors delegate the Chief Executive as having overall responsibility for Equality, Diversity and Inclusion. The Management Team and Equality, Diversity and Inclusion Champion have accountability for overseeing

the implementation and promotion of the Equality, Diversity and Inclusion Policy. All staff have a contractual obligation to be committed to the Equality, Diversity and Inclusion Policy and be proactive in its promotion and implementation. All learners, sub-contractors, employers and visitors have a responsibility to comply with those elements of the policy that relate to behaviour and conduct. It will be reviewed annually.

4 Definitions and/or Relevant Legislation

4.1 - The Equality Act 2010 consolidates protection against discrimination on the grounds of:

Age - Where this is referred to, it refers to a person belonging to a particular age or range of ages.

Disability - A person has a disability if they have 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. Under the Act a claimant does not have to show that their impairment affects a particular capacity such as mobility, speech, hearing or eyesight.

Gender reassignment - The process of transitioning from one gender to another. The definition has changed so that people no longer have to be under medical supervision to be protected by the law. Gender Reassignment continues to cover those who intend to live permanently in a gender other than the one assigned at birth.

Marriage and civil partnership - In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

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 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. The word 'gender' is often used in place of the word 'sex' in equality issues. 'Gender' does not appear in legislation (except for 'gender re-assignment' - see above) but 'sex discrimination' and 'gender discrimination' are generally interchangeable.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. Assumptions and perceptions of a person's sexuality are also covered by law.

4.2 - Compliance with The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

The Equality Act 2010 replaces previous anti-discrimination legislation with a single act. It aims to simplify the law, remove inconsistencies and make it easier to understand and comply with. It also aims to strengthen the law and to help tackle discrimination and inequality. The majority of The Equality Act came into force on 1 October 2010. The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 came into force in March 2017 to ensure all public bodies help to make society fairer by tackling discrimination and providing equality of opportunity for all.

- The above legislation requires public bodies to consider all individuals when carrying out their day-to-day work in shaping policy, service delivery and in relation to their own employees. It replaces the 3 previous public sector equality duties for race, disability and gender and covers the following protected characteristics that are recognised within The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, namely:

- Age
- Disability
- Gender Reassignment
- Pregnancy and Maternity
- Race (including ethnic or national origins, colour or nationality)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

The legislation also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination. Public bodies, when carrying out their activities, to have due regard to the need to:

- Eliminate unlawful discrimination, bullying, harassment, victimisation and other conduct prohibited by the Equality Act (2010)
- Advance equality of opportunity between people from different groups This involves covering the need to:
- Remove or minimise disadvantages experienced by people on account of their protected characteristics
- Meet the needs of people who share the characteristics and people who do not share them
- Encourage people who share the characteristics to participate in DN Colleges Group life or in other activities within the Group where their participation is low
- Foster good relations among people from different groups. This involves tackling discrimination and promoting understanding across the Group community

4.2 - Other Relevant Legislation

The NHC recognises its compliance in respect of the following associated legislation alongside associated codes of practice:

- The Human Rights Act 1998
- The Counter-Terrorism and Border Security Act 2019
- GDPR 2018
- 2014 amendments to the Rehabilitation of Offenders Act 1974
- Freedom of Information Act 2000

5 The Policy

5.1 - Policy Summary

In order to realise the commitment outlined above every effort will be made to:

- challenge inequality, prejudice and discrimination
- promote diversity in all its aspects, including employing a workforce and recruiting learners to reflect the community the college serves
- treat all people with respect and dignity
- provide an environment free from prejudice, harassment, discrimination (direct/indirect), discrimination arising from disability and victimisation.
- where it is reasonable to do so make adjustments to enable equal access to college resources and services ensuring that none are treated less favourably
- ensure that Equality, Diversity and Inclusion are embedded in all of the College's policies and procedures.
- ensure that all policies, strategies and procedures have undergone an assessment of the effect on equality (new documents when written and current documents during review) to ensure that, where appropriate, they promote equality and do not unlawfully discriminate
- inform all staff and learners about our commitment to Equality, Diversity and Inclusion.
- ensure that the learner experience makes them more aware of equality issues.
- ensure that staff are working to narrow achievement gaps between different groups of learners
- ensure Equality, Diversity and Inclusion are promoted through teaching and learning
- promote our commitment to Equality, Diversity and Inclusion through positive statements and representative images in marketing and communications activities
- ensure that any organisation that delivers services on behalf of the college (or works in partnership with the College) understands our commitment to Equality, Diversity and Inclusion and to eliminate discrimination.

- seek to develop partnerships with external groups and organisations to develop best practice and widen the scope of our diversity activities in the community
- staff or learners who are in breach of the Equality, Diversity and Inclusion Policy and/or relevant legislation will be dealt with through formal disciplinary procedures

5.2 - Measuring Impact

- The NHC is committed to the collection and analysis of data in order to assess performance, identify emerging issues, areas of success and measure the impact of corrective actions.
- Where necessary specific targets for improvement will be set, monitored via the Self Assessment Report (SAR) on progress, success and key issues presented to the Board of Trustees.

5.3 - Positive Action

The College will, where appropriate and agreed, use positive action measures to alleviate disadvantage experienced by people sharing a protected characteristic, reduce their under representation in relation to particular activities or meet their particular needs. NHC will ensure that when using positive action as a strategy, it falls within the law.

5.4 - Integrating Equality, Diversity and Inclusion across the college

The college is committed to providing equal opportunities and celebrating diversity in all aspects of its work and to avoiding unlawful discrimination, harassment and victimisation to staff, learners and customers. The college is committed to advancing equality of opportunity between people from different groups.

- Diversity is recognising that individuals and groups of people are different and that it is important to value and celebrate difference.
- Direct Discrimination is treating someone less favourably than they would treat others because of a protected characteristic. The individual does not need to possess the protected characteristic.
- Indirect Discrimination is where an employer/provider has a condition, rule, policy or practice that applies to everyone but particularly disadvantages people who have a protected characteristic. [It can be justified if it is proportionate means of achieving legitimate reason]
- Associative Discrimination is discrimination directed against someone who associates with another person that possesses a protected characteristic.
- Perceptive Discrimination is direct discrimination against someone because they are thought (wrongly) to possess a protected characteristic.
- Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of violating an employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
- Victimisation is where an individual is subjected to a detriment because they make, or are suspected of making, or supporting a complaint or grievance under the Equality Act 2010. (No protection if a complaint has been maliciously made or supported an untrue complaint).
- Third Party Discrimination protects employees who are harassed by clients, contractors of the employer/provider. An employer is liable if the conduct has occurred on at least two previous occasions, is aware it had taken place and had not taken reasonable steps to prevent it occurring. The policy is intended to assist the College to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination. The college strives to ensure that the work and learning environment is free of harassment and bullying and that everyone is treated with dignity and respect. The college have a separate Bullying and Harassment Policy for staff and learners which deal with these issues. Wherever possible, the college will use Association of Colleges (AoC) good practice guidelines.

5.5 - The following key principles will be embedded across the college:

Age equality - Promoted and valued through:

- recognising the benefits of a mixed-age workforce and learner community
- challenging age stereotypes

Disability equality - The abilities of disabled people are valued through:

- encouraging staff and learners to disclose a disability
- make reasonable adjustments to support staff and learners to achieve their full potential
- challenging stereotypes about disabled people

Gender equality - Males and females are fully represented at all levels within the College through:

- challenging gender stereotypes
- supporting staff and learners in balancing work and home life

Sexual orientation and gender identity equality - Promote sexual orientation and gender identity equality and take positive action to:

- challenge gender identity discrimination
- promotion of equality for lesbian, gay, bisexual and transgender staff and learners
- ensure people who plan to start, are undergoing or have completed gender reassignment are protected against all forms of discrimination and harassment
- respecting different gender identities and lifestyles

Race equality - Racial and cultural diversity is represented at all levels within the College through:

- challenging racial and cultural stereotypes
- understanding, valuing and respecting different racial and cultural backgrounds
- embedding equality in our education and training programmes

Religion or belief equality - Learners and staff are treated equally irrespective of their religious belief and practice or political opinions by:

- respecting a persons' freedom of belief and right to protection from intolerance and persecution.
- providing an environment where learners and staff can raise issues and debate differences

5.6 - Complaints Procedure

If a person (e.g. learner, former learner, member of the public, employee, third party staff or partner) believes they have suffered any form of discrimination, harassment or victimisation such cases will be taken seriously. All complaints (including those from whistle blowers) will be dealt with in accordance with the appropriate procedure.

5.7 - Fundamental British Values

Staff and learners will actively embrace, promote and practice the fundamental British values of democracy, freedom of expression, rule of law and respect and tolerance for those with different faiths and beliefs on a daily basis. These values will be placed at the heart of the culture of the NHC. The embracing and practice of these values underpins our Prevent Risk Assessment and Action Plan as such acceptance and practice increases the resilience of individuals to developing extremist views and becoming involved in extremist activity.

5.8 - Prevent

There is no place for extremist views of any kind whether originating from internal sources – learners, staff or Trustees, or external sources (i.e. online or from specific groups or individuals). It is imperative that our learners, staff and third-parties (e.g. visitors and partners) see our college as a safe place where they can discuss and explore controversial issues safely and in an unbiased way and where relevant organisational processes encourage and facilitate this. As a College we recognise that extremism and exposure to extremist materials and influences can lead to poor outcomes for our learners. We also recognise that if we fail to challenge extremist views we are failing to protect our learners and staff. Any prejudice, discrimination or extremist views, including derogatory language, displayed by learners, staff, visitors or partners will always be challenged and where appropriate dealt with using the relevant disciplinary procedure. Where deemed necessary the colleges will alert any concerns about extremism to partner agencies.

6 Relevant Policies and Procedures

This policy should also be used in conjunction with the following policies and procedures:

- Safeguarding
- Complaints and Grievance
- Bullying and Harassment Policy
- Violence and Aggression at Work Policy
- Social Media Policy

NATIONAL HORSERACING COLLEGE QUALITY OPERATIONS MANUAL

- Social Media
- Data Protection and Freedom-of-information
- Staff code of conduct
- Whistle-blowing
- Health and Safety