

MidKent College and MKCTS, Ltd

Equality, Diversity, Inclusion and Intersectionality Policy

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MidKent College Equality, Diversity, Inclusion and Intersectionality Policy

1. Introduction

MidKent College believes firmly that equality, diversity and inclusion are essential factors which contribute to the academic and economic strengths of the College and the wellbeing of all students and staff. This policy deals with the promotion of equality of opportunity for all at MidKent College in accordance with the Equality Act 2010.

MidKent College will treat all members and potential members of the College community with respect and dignity and seek to provide a safe and positive working and learning environment, free from all discrimination, harassment or victimisation. The College is committed to providing a learning and working environment that values all forms of diversity. By embracing the diversity of our local community, we aim to not only meet, but also exceed in our obligations under current and future equality legislation.

2. Scope of the Policy

This Policy relates to diversity, inclusion and equality of opportunity, and applies to all members of staff and students, governors, visitors, contractors, service providers, applicants for jobs and courses and work placement providers, employers of students on apprenticeships and any other persons associated with the functions of the College. This Policy covers all sites on which the College carries out its activities including MidKent College Training Services, Ltd.

The Equality, Diversity and Inclusion Policy forms an integral part of MidKent College's Diversity and Inclusion Strategy and should be read together with other relevant MidKent College policies, in particular the Equal Opportunities Policy, ALS Policy, the Dignity at Work Policy, the Anti-Bullying and Harassment Policy, the PREVENT policy, the Whistleblowing Policy, the Safeguarding Policy and the Mental Health and Wellbeing Policy.

3. Purpose

The purpose of this policy is to demonstrate the College's commitment to upholding and valuing the principles of diversity, inclusion, fair treatment and equality of opportunity. MidKent College unequivocally opposes discrimination in all its forms and is committed to preventing acts of exclusion and unfair treatment as defined by legislation and College policy.

MidKent College also recognises its legal responsibility to the Public Sector Equality Duty to ensure that in carrying out its activities the College will have due regard to:

- Foster good relations between different people
- Advance equality of opportunity
- Eliminate discrimination.

4. Policy Statement

It is the policy of MidKent College that individuals are not treated less favourably on the grounds of race (including ethnic or national origin), gender, disability, age, sexual orientation, religion or belief, gender reassignment, marital or civil partnership status, pregnancy, maternity or paternity, socio-economic status or any other factor.

MidKent College recognises that members of staff and students may have a range of aspirations and goals and wishes to provide a positive working and learning environment where diverse skills and experiences are applied across all sections of the College including teaching, learning, and management.

MidKent College seeks to create a culture of conscious inclusion, in which issues of racism, stereotyping and discrimination can be discussed openly with a shared commitment to challenging prejudice. We aim to become an institution that empowers the disadvantaged through promoting good relations between members of all groups, and having a student and staff profile representative of our local community. To this end MidKent College have been accredited by the National Centre for Diversity and hold 'Investors in Diversity' (IiD) status. A part of this commitment ensures an independent biennial audit of MidKent College's commitment toward advancing equality, diversity and inclusion within our operations. The IiD quality mark is awarded to institutions that can demonstrate an all-encompassing approach to managing equality, diversity and inclusion, effectively embedding equality and diversity at the heart of what they do.

Equality, diversity and inclusion are integral to the day to day running of the College and to the formulation of policy and strategy. An Equality, Diversity and Inclusion Policy cannot succeed without the active support of the entire College community and must be the priority and responsibility of the Senior Leadership Teams. In order to assess our progress and fulfil our public sector duties, Impact Assessments and monitoring will be undertaken, and will be reported through the Equality and Diversity Review available on our website.

5. Definition of Terms

Discrimination is defined as an act which has the effect of treating a person less favourably because of factors related to their personal characteristics such as disability or sexual orientation, and unrelated to their merit. There are different types of discrimination. Further information can be found from the Equality and Human Rights Commission.

Diversity encompasses all forms of difference in individuals even if they are not covered by legislative acts, such as height and weight.

Harassment is unwanted conduct which may create the effect (intentionally or unintentionally) of affecting an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment which interferes with an individual's learning or working environment. Harassment may be persistent or an isolated incident and may be by an individual against an individual or involve groups of people.

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.

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

Intersectionality provides a conceptual framework for understanding how social categorisations such as Race, Class and Gender connect or overlap creating discrimination or disadvantage.

6. Our Commitment

6.1 Race

MidKent College does not accept any form of racial discrimination or harassment against any student, member of staff, visitor, prospective student or prospective member of staff based on their actual or perceived race, colour, culture, caste, ethnic, or national origin.

All members of the College community have a duty to make sure that their working and learning environment is free from prejudice and provides a framework for promoting race awareness in line with MidKent College's Diversity and Inclusion Strategy. As a part of our Public Sector Equality Duty, MidKent College monitor staff and student profiles with regard to ethnicity and address any imbalances through the implementation of the Equality, Diversity and Inclusion Action Plan and, if deemed necessary, the use of positive action.

6.2 Disability

MidKent College will not discriminate against or tolerate the harassment of members of staff, students, job applicants, prospective students, or visitors because of a disability or perceived disability. MidKent College recognises disability to include someone who has a physical or mental impairment that has a substantial and long term adverse effect on a person's ability to carry out day-to-day activities, including people with; physical and sensory impairment, learning difficulties, mental health problems, hidden impairments and people living with HIV/AIDS.

The College welcomes applications from people with disabilities, values the contribution of existing staff and students with disabilities, and will treat staff and students fairly should they become disabled. MidKent College incorporates the Disability Equality Duty within the Diversity and Inclusion Strategy, providing a framework for proactively monitoring and raising awareness of disability in work and study.

The College has made the commitment to the following:

- To interview all applicants with a disability who meet the minimum criteria for a job vacancy and consider them on their abilities
- To ask disabled employees at least once a year through the appraisal scheme what we can do to make sure they can develop and use their abilities at work, and whether any further reasonable adjustments are required
- To make every effort when employees become disabled to make sure they stay in employment
- To take action to ensure that key employees (e.g. managers, heads of service, reception staff, etc.) develop the awareness needed of disability to make our commitments work
- To ensure that employers recruiting and working with apprentice students are aware of their legal responsibilities, are familiar with this policy and promote Equality, Diversity, Inclusion and Intersectionality. The welfare of apprentice students is monitored throughout the apprenticeship
- Each year, to review the commitments and what has been achieved, plan ways to improve on them and let employees know about progress and future plans

6.3 Gender and Gender Reassignment

MidKent College will not treat any staff member, job applicant, student, or prospective student less favourably because of their gender, whether they are male, female, trans or\and undergoing any stage of gender reassignment. Discrimination and harassment on the grounds of gender, including sexual harassment, is not acceptable and will be dealt with in line with the College's disciplinary procedures.

MidKent College monitor staff and student profiles with regard to gender and address any imbalances through the implementation of the Equality, Diversity and Inclusion Action Plan and, where deemed necessary, the use of positive action.

6.4 Sexual Orientation

MidKent College does not accept any form of discrimination or harassment against any student, member of staff, job applicant or prospective student because of their sexual orientation or their perceived sexual orientation. The College is committed to working towards an environment where all people feel able to be open about their sexuality and has begun working proactively to promote awareness and tackle negative stereotypes through the Diversity and Inclusion Strategy.

6.5 Religion or Belief

MidKent College does not accept any form of discrimination or harassment against any staff member, job applicant, student, or prospective student because of cultural, philosophical or religious beliefs or perceived beliefs. MidKent College is a secular College. The College respects the diverse cultural and religious traditions of all its students and staff and accepts the rights of individuals and groups peaceably to worship and to fulfil their cultural obligations. Accordingly, the College will neither promote, nor permit to be promoted, any one religious faith or culture. Whilst College

facilities exist primarily for the delivery of educational activities, arrangements will be made, where practicable, for students and staff to carry out essential religious observance. Dedicated facilities cannot be provided for particular faith groups but are provided for all.

Where cultural or religious needs conflict with existing working or learning requirements, the College will make adjustments, where practicable, to meet those needs. This may include adaptations for prayer times, dress codes, dietary requirements or religious holidays.

6.6 Age

MidKent College recognises that education is a life-long pursuit and, subject to formal funding arrangements, works to support students of all ages to achieve the qualifications they desire. The College endeavours to provide appropriate support for all students within these boundaries.

MidKent College will not use age-related criteria for staff recruitment purposes, unless it is to take positive action. All staff members have equal rights to training, promotion and other aspects of career development.

6.7 Pregnancy and Maternity

MidKent College works to support all students to achieve the qualifications they desire including those who are pregnant, become pregnant or have recently been pregnant. Where the needs of the student conflicts with existing working or learning requirements, the College will make adjustments, where practicable, to meet those needs. This may include adaptations for dress code or flexible timetabling.

MidKent College will not discriminate against any member of staff or job applicant because of pregnancy or maternity. All staff members have equal rights to training, promotion and other aspects of career development. Further information for staff can be found in our Maternity Policy located on the HR page of SharePoint.

6.8 Marriage and Civil Partnership

MidKent College does not accept any form of discrimination or harassment against any staff member, job applicant, student, or prospective student because they are single, married, or in a civil partnership.

7. Our Standards

7.1 Students

MidKent College admits students solely on the basis of their merits, abilities and potential, and will not refuse admission to any applicant applying to an appropriate course based on any other factor.

A rigorous benchmarking and monitoring system is in place whereby the College monitors student admissions, achievement, retention, and complaints through the College Diversity and Inclusion Committee.

The College is committed to widening participation and our College marketing campaigns will aim to positively reflect and recruit the communities we serve. Where particular courses traditionally attract specific groups, the College will actively encourage participation by members of under-represented groups and will develop student assistance programmes that facilitate the admission of students irrespective of their background.

All students at MidKent College have the right to be treated fairly, with dignity and respect. They also have a responsibility to abide by this Policy in their dealings with others and are expected to follow all MidKent College policies regarding behaviour. MidKent College will use the student handbook and induction process to inform students of their rights and responsibilities in relation to the promotion of this Policy, and our staff will challenge student behaviour which does not meet these standards.

Any allegations of discrimination will be taken seriously and will be investigated in line with the College disciplinary procedures. Depending on the outcome, training and/or guidance may be offered to both staff and students to ensure future compliance.

7.2 Curriculum

MidKent College aims to provide an inclusive teaching and learning environment through individualised support plans, and professional, interactive delivery. Our courses are designed with equality, diversity and inclusion in mind, and we strive to have high quality resources free from bias or stereotyping, which promote positive images. The College promotes British Values as defined in the Government's 2011 PREVENT Strategy: democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs.

We endeavour to value and nurture an increasing diversity among students and be able to meet the needs of a wide variety of social and cultural requirements, including students with caring responsibilities, religious requirements, physical or mental impairments and students for whom English is an additional language.

7.3 Staff

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability.

All recruitment advertisements, job descriptions and person specifications will emphasise the College's Equality, Diversity and Inclusion Policy and they will be drawn up in such a way as to prevent discrimination against suitably qualified or experienced applicants.

We will ensure that all staff members who are involved in shortlisting, interviewing, or other selection processes are trained in line with current equality legislation and the College's Equality, Diversity and Inclusion Policy.

MidKent College supports and abides by all Equal Pay legislation and endeavours to provide a transparent reward system based on objective criteria and free from any bias.

All newly appointed staff will participate in an induction programme that reflects and reinforces our commitment to diversity and inclusion. As a part of the induction programme all new members of staff are required to participate in equality and diversity training. General and specialist equality and diversity training will be provided to staff on an ongoing and regular basis.

Subject to available resources and relevance to our College priorities, all staff, including part-time and hourly paid staff, will have an entitlement to undertake staff development to enhance their skills, effectiveness and opportunities. MidKent College recognises and values staff members' different needs including childcare, eldercare and personal development. Our staff timetables will, where reasonably feasible, be arranged in such a way as to facilitate work/life balance. Further information regarding flexible working can be found in our Flexible Working Policy.

Every employee is entitled to a working environment that promotes dignity and respect to all. All MidKent College staff have a responsibility to abide by this Policy and no form of intimidation, bullying or harassment will be tolerated. Breaches of this Policy will be regarded as misconduct and could lead to disciplinary proceedings.

Unconscious Bias

Unconscious bias refers to a bias that we are unaware of, and which happens outside of our control. It is a bias that happens automatically and is triggered by our brain making quick judgments and assessments of people and situations, influenced by our background, cultural environment and personal experiences. We aim to be aware of our own conscious and unconscious biases, prejudices and stereotypes, and to mitigate the effect of unconscious or implicit bias on our decision making. All staff have a duty to contribute constructively to equality, diversity and inclusion.

8. Confidentiality and Monitoring

MidKent College will ensure that any diversity monitoring data on staff or students is used exclusively for monitoring purposes and that it is treated with confidentiality and sensitivity.

The information we gather through monitoring will be used to inform planning, target setting and future action. Where monitoring reveals any gaps in our Diversity and Inclusion Strategy or our Equality, Diversity and Inclusion Policy, we will take prompt action through the Diversity and Inclusion Committee and the Equality, Diversity and Inclusion Action Plan.

MidKent College will protect the confidentiality of any diversity monitoring data in relation to staff or students, and will safeguard any information disclosed voluntarily within the regulations set by the General Data Protection Regulation (GDPR) (2018).

9. Implementation and Review

9.1 Senior Leadership

Each member of the Executive Group and Senior Leadership Teams, supported by Human Resources, has the responsibility to ensure that the Equality, Diversity and Inclusion Policy and the overall promotion of inclusion are put into practice in the areas for which he or she has responsibility.

9.2 Diversity and Inclusion Committee

The Diversity and Inclusion Committee is a sub-committee of the Academic Board. It is chaired by the Principal and includes cross-college staff, external partners and student representatives. It exists to:

1. To ensure MidKent College has a culture which is fair, respectful, inclusive and diverse.
2. To represent groups of students, staff and stake holders to allow MidKent College to adapt to current and future demographic trends.
3. To constantly challenge and evolve the organisation, in order to eradicate the effects of unconscious bias from decision making.
4. Ensure all staff attend a full induction which includes understanding our Policy and comprehensive training.
5. Training is mandatory and updated regularly insuring staff are fully informed of latest legislation, the process of implementing the policy and managing allegations of discrimination.
5. The policy is promoted to employers of apprenticeship Students as part of induction, employers and apprentices are supported with allegations of discrimination.
6. Review this Policy a minimum of every three years.

The Committee is underpinned by four Working Groups which together cover the nine protected characteristics. The Working Groups are comprised of cross-college staff.

10. Equality Impact Assessment

This policy has been Impact Assessed and generates no concerns about differential impact. The Impact Assessment is filed on the Quality SharePoint site.

11. Other Policies

The Diversity and Inclusion Strategy is underpinned by the following college policies and practices:

- Adoption Leave Policy & Procedure
- Anti-bullying (student) Policy
- Capability Policy & Procedure
- Child Protection Policy

- Code of Conduct Policy & Procedure
- Cross-college support for students with disabilities/special support needs
- Dignity at Work Policy & Procedure
- Disability lift key requests
- Disability statement
- Dress code policy
- Employment Stability Policy and Procedure
- Equality Impact Assessment Policy
- Flexible Working Policy & Procedure
- Grievance Policy & Procedure
- Health and Safety policy
- Initial assessment – literacy, language, numeracy and dyslexia
- Learner Mental Health Code of Practice
- Learning and Development policy
- Maternity Leave Policy & Procedure
- Parental Leave Policy & Procedure
- Paternity Leave/Maternity
- Support Leave Policy & Procedure
- PREVENT
- Recruitment and Retention Premia Policy
- Recruitment Policy & Procedure
- Safeguarding (young people and vulnerable adults)
- Shared Parental Leave Policy & Procedure
- Sickness Absence Policy & Procedure
- Student applications
- Students with learning difficulties or disabilities
- Time off for Dependants Policy
- Whistleblowing Policy & Procedure

12. Breach of the Policy

MidKent College will take seriously any instances of breach to the Equality, Diversity and Inclusion Policy by students, staff or visitors. Any breach will be investigated and where appropriate will be considered under the relevant disciplinary procedure for staff or students. With regard to any breach of the policy by visitors, MidKent College will take appropriate action in relation to the nature of the incident.

12.Complaints

12.1 Complaints Made by Students

MidKent College is committed to providing all students with a high quality service. We want to know if our support service has not met with students' expectations so that we can do something about it. Whenever possible students should firstly talk with a member of staff from Student Support or a tutor and tell them what has gone

wrong. If the response is unsatisfactory, the Quality Office will look into the complaint. They can be contacted by emailing quality@midkent.ac.uk.

12.2 Complaints Made by Staff

Complaints made by staff can be made via the Grievance Procedure or the Whistleblowing Policy & Procedure (details of both of these policies are available on SharePoint HR page). Support for staff is available through the Human Resources Team, Diversity and Inclusion Advisor and line management.