

**WESTMINSTER ADULT EDUCATION SERVICE**

**Equality, Diversity, and Inclusivity Policy**

**Ref No: LE3**

**Version:1**

<b>Owner:</b>	Assistant Principal for Business Support Services	<b>Approved by:</b>	Signature of behalf of Executive Board  Arinola Edeh	<b>Date of approval:</b>	16.11.2021
<b>Effective From Date:</b>	16.11.2021	<b>Effective To Date:</b>	31.08.2022	<b>Next Review Date:</b>	July 2022

## 1.PURPOSE

Westminster Adult Education Service (WAES) is a direct delivery service within Westminster City Council (WCC). WAES is guided by WCC Equality duties<sup>1</sup>, which sets out the public sector equality duty, which is demonstrated by publishing the Council's equality objectives. These objectives were set in 2016 and were reviewed in January 2021. These objectives are as follows: <sup>1</sup> For reference [https://www.westminster.gov.uk/equality- and-diversity](https://www.westminster.gov.uk/equality-and-diversity)

1. Minimise loneliness, maximise independence and improve mental and physical wellbeing of older people.
2. Better understand the needs of our diverse communities to improve our approach totackling discrimination.
3. Enable communities to lead healthy lifestyles through increased participation insport and physical activity.
4. Promote equality of opportunity across the city by tackling barriers to employment.
5. Create an environment where all children have an equal opportunity to succeed in life.
6. Improve the diversity of our workforce.

## 2.SCOPE

The Equality, Diversity and Inclusivity Policy applies to:

- Prospective learners and staff (in relation to admissions and recruitment arrangements)
- Current learners and staff (including those absent, temporarily excluded, learners on work placements, those in work-based learning including Apprenticeships, Traineeships and Employability Sector Based Work Academy Programmes and learners studying remotely as relevant)
- Former learners and staff (if there is a continuing relationship based on them having been a learner or member of staff at WAES)
- Visitors, contractors, volunteers (while they are on WAES premises or carrying out WAES business)
- Partners and employers where learners have work placements, are work based or study remotely
- Parents and carers

WAES recognises that supporting learners from a distance can bring about certain barriers and ensuring this cohort of learners feel inclusive is paramount in respect of delivery style and learner outcomes.

Every person working for WAES has a personal responsibility for implementing and promoting the above objectives in their day-to-day dealings with everyone – including learners, members of the public, other staff and employers and partners.

This is an overarching policy on Equality, Diversity & Inclusion that applies across all the functions of the Service by embedding equality of opportunity in all policies, practices, decision-making and evaluation processes. WAES as a service will be more empowered to make strategic decision making as well as forward thinking in the curriculum planning and management of the service.

WAES will also challenge our 'unconscious biases' through interactive staff training that allow tutors and business support staff to challenge all areas regarding 'healthy relationships' in line with Safeguarding and British Values.

## 2.1 WAES Vision, Mission, and Values

Our vision is to transform our learners' lives through inclusive, inspirational, lifelong learning. Our mission is to provide learning pathways that enable all learners to achieve their career aspirations and fulfil their potential. We pride ourselves on our key values:

- Passion and high achievement rates
- Inclusivity and fairness
- High standards and quality matter
- Flexibility and responsiveness in our role at WAES

Our values also strive to empower tutors to embrace 'weaving cultural sensitivities' into their Teaching, Learning and Assessment through

- Embracing a culture of challenging our 'unconscious bias's
- Removing barriers to learning
- Creating a culture of respect, inclusivity, and challenge (ensuring healthy relationships both inside the classroom and outside
- Valuing learner feedback from all learners regardless cultural diversities or mode of study
- Every compliment is shared, and every complaint is investigated fully

WAES values the diverse cultures, environments, and communities of which it is part. WAES strives to take an active approach in appreciating these differences and integrating them into its everyday life and activities.

## 3. THE LEGAL CONTEXT

WAES believes in equality of treatment and fairness to everyone, and we make sure we practice it as an employer and Adult Education provider. Whether you are a learner or member of staff or applying to be one, through our Safer Recruitment Processes or Learner Admissions you will be treated equally and fairly, regardless of your status, according to the nine key protected characteristics: **See Glossary of Terms used in this policy – Appendix 1**

### Protected Characteristics

1. Race, including, ethnic or national origins, colour or nationality
2. Religion or personal belief
3. Sex
4. Gender reassignment
5. Sexual orientation
6. Disability (including physical or sensory impairments, mental health, long-term medical conditions, such as epilepsy, HIV/AIDs and neuro-diverse conditions such as dyslexia and ADHD)

7. Age
8. Pregnancy, Maternity, Paternity and Adoption
9. Marriage and civil partnership

**WAES will comply with the Equality Act of 2010 for us to:**

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited under this Act
- Advance equality of opportunity across every WAES centre
- Foster good relations between people who share a protected characteristic (above) and people who do not share it

This legislation is central to the Service. The Equality Act 2010 replaced requirements (by repeal) of the following:

- Age Discrimination Act 2006
- Disability Equality Duty 2005
- Gender Recognition Act 2004
- Civil Partnership Act 2004
- Special Educational Needs and Disability Act 2001
- Race Relations Amendment Act 2000, 2003
- Gender Reassignment Regulations 1999
- Human Rights Act 1998
- Disability Discrimination Act 1995
- Race Relations Act 1976
- Sex Discrimination Act 1975
- Equal Pay Act 1970
- Sexual Orientation Regulations 2003

#### **4. RESPONSIBILITIES**

The policy will be implemented in association with each aspect of the Service's business needs. There will be planned activities designed to ensure that the policy is communicated to staff, learners and stakeholders.

All staff have key responsibility with understanding the principals of this policy and adhering to this within their various roles at WAES.

##### **Key Responsibilities**

###### **Principal/Head of Service**

- Strategic responsibility for Equality, Diversity and Inclusivity lies with the Principal/Head of Service and the Executive Board.

EDI and Safeguarding Committees (Including Link Governors)

For the co-ordination across the College of the Equality and Diversity Policy and Procedures: implementation,

development and monitoring.

#### Service Management Team

- Review Equality, Diversity and Inclusivity issues for learners, volunteers, staff, and customers.
- Putting strategies in place to address under-representation and/or performance of staff or learners

#### Head of Learner Development

- To monitor the EDI actions and present updates to the wider staff and learner body and other interested stakeholders
- To support learners with applying through the DLSF policy in line with all funding audit compliancy.

#### Head of Marketing and Admissions

- Head of Marketing and Admissions will promote EDI through the website, marketing materials and all published materials used during marketing campaigns

#### All staff, managers, governors, volunteers, partners and employers and learners

- All staff, volunteers and learners have a right to work and learn in an environment free from bullying, banter, or harassment and conducive to WAES core values and promotes healthy relationships.
- All governors, managers, staff, volunteers, and learners share the responsibility for creating an environment that is free from discrimination and which promotes equality of opportunity and values diversity and inclusivity.
- All staff, volunteers, and learners must comply with both Learner Behaviour and EDI policy and always treat others with respect.
- WAES Staff and volunteers should also participate in relevant training and other relevant development activities as identified each year.
- All staff training facilitators will make sure that training materials openly promote EDI within the content of materials

#### Quality Team

- Quality will implement Equality impact assessments on all WAES policies
- Lesson Observations and Learning Walks

#### Contractors

- Contractors working on WAES premises are expected to operate within the law and are encouraged to adopt the terms of this policy.

#### **Consequence of non-compliance to the policy**

**Learners:** in the first instance, the tutor will deal with any learner acting in breach of the policy by issuing a warning. Subsequent breaches will be dealt with in accordance with the Learner Behaviour Procedure.

**Staff:** in the first instance, the line manager will deal with any member of staff acting in breach of policy and they will be dealt with in accordance with the Staff Disciplinary Procedure.

**Contractors and service providers:** Should there be any breaches of the policy by contractors, service providers or employers, WAES will be required to take appropriate action to address the issues. Failure to do so may lead to cancellation of the contract. This decision will be the responsibility of the Principal and Head of Service.

## **5. IMPLEMENTATION**

### **5.1 COMMUNICATION**

To ensure that all learners, staff, and governors understand their responsibilities and accountabilities for promoting equality of opportunity, diversity and inclusion

- A programme of Continuous Professional Development activity and regular communications to staff will support the implementation.
- The policy will be communicated to learners through the Learner Induction process and Learner Voice (Learner Representatives)
- Head of Learner Development and Head of Marketing and Admissions will promote key EDI themes and activities across the academic year
- EDI meetings will occur every term and minutes published will be disseminated to teams across WAES

### **5.2 TRAINING**

To develop and deliver a training, development and awareness programme for all staff, governors, volunteers, subcontractors, referral partners, learners, and wider stakeholders as appropriate

- Learner Representatives will be trained in accordance with their role and responsibility within the Service
- Tutors and Frontline staff will be trained annually with key elements linked with this policy
- WAES promotes Challenging our unconscious bias and training will be hosted to raise awareness of Healthy Relationships.

### **5.3 OUR COMMITMENT TO EQUALITY, DIVERSITY, AND INCLUSION**

To be able to actively promote Equality, Diversity and Inclusion, the Service has set out the following priorities:

- i. Maximising the potential of every individual, regardless of age, ability, social class, disability, ethnicity, financial status, (trans-) gender, marital or family status, national origin, political belief, qualifications, race, religion, belief, non-belief, or sexual orientation.
- ii. Through regular briefing sessions make all staff aware of the standards and strategies to meet diverse learner needs and endeavor to equip staff with the skills to respond effectively and with confidence.
- iii. By not victimising anyone because they have made, or intend to make, a complaint or allegation, or have given, or intend to give, evidence in relation to a complaint of discrimination or harassment.
- iv. Develop comprehensive customer feedback systems to capture learner, staff and stakeholder perceptions of our performance and potential for key areas of improvement.
- v. By ensuring that there are clear procedures for challenging both staff and learner discrimination, harassment, and unacceptable behaviour.

- vi. By recognising and celebrating achievements from all areas of the Service. Celebration through Learner and staff awards, and other in-year recognition of work achieved.
- vii. By promoting good relations between staff and learners and the wider community, including appropriate focus groups (departmental and targeted), learner rep forums, EDI events and learner engagement.
- viii. By ensuring the WAES staffing workforce is representative of the diversity of the communities which we serve.
- ix. By opposing all forms of unlawful or unfair discrimination in all aspects of employment including:
  - Safer recruitment
  - Promotion recruitment campaigns
  - Inclusive opportunities for training
  - Pay and related benefits
  - Staff discipline
  - Redundancy selection related to the protected characteristics.

WAES prides itself on being an employer who holds diversity at the centre of its recruitment, selection process, staff development, and retention of staff. Specifically, in relation to our role as an employer we will:

- review our job descriptions regularly and remove any requirements that are unnecessary and may exclude or disadvantage certain groups.
- advertise our vacancies widely to attract a diversity of applicant.
- work proactively to address issues of under-representation within our staff group.
- encourage the development and progression of all staff to ensure that they actively contribute to the Service's success.
- ensure that our pay structures and processes are fair and transparent. We have a commitment to the implementation of job evaluation to achieve this aim.
- support managers in the implementation of equalities legislation.

The Service is committed to working in partnership and consultation with the recognised Trade Unions and will consult with Trade Unions regarding the content and practical implementation of this policy.

- x. Any issues raised by WAES customers will be investigated and lessons learned shared with the wider Management Team
- xi. By ensuring that WAES Equality, Diversity and Inclusion policy is embedded into practice and is the responsibility of everyone in the Service.

## 6. MONITORING AND REVIEW

The **Assistant Principal of Business Support Services** will review this document annually. The policy will be approved and monitored by WAES Executive Board and reporting on the activity and progress towards key objectives will be submitted to the EDI Committee and governing body.

The Service has the following measures in place to monitor and understand the impact of our services on

Equality, Diversity and Inclusion for learners, volunteers, and staff:

1. This policy will be incorporated into the Performance Review process and all relevant data shared with Departments. This will also cover the key deliverables as set out in the WAES Forward Strategic Plan 2019-22. This will ensure that appropriate consideration at appropriate stages in the Service planning and review cycle is monitored and maintained.
2. To ensure that performance reviews, including Self-Assessment Reports and Quality Improvement Plans set targets, actions and monitor Equality, Diversity and Inclusion relating to curriculum delivery and business support services
3. By undertaking rigorous monitoring to identify equality gaps, trends and impact in recruitment, learner attendance, retention, learner achievement and learner progression EDIMs
4. Monitoring of learners 'at-risk' through EDIMS and reporting through the EDI and Safeguarding committee
5. WAES implements EDI impacted based strategies such as 'Narrowing the Gap' to ensure key priority groups who fall below national expectations are tracked, monitored, and given suitable coaching to allow them to achieve their potential
6. To analyse impact and trends patterns for all learners within a variety of data sets including: stakeholder feedback such as surveys, complaints and focus groups, and through learner behaviour records
7. To analyse all HR processes by EDIMs and take appropriate action to ensure a more diverse workforce that is reflective of the community.

## 7.ACCESS TO THE POLICY

The policy will be published on the WAES SharePoint Home Site under "Documents...WAES Policies" and on the WAES website.

### Equality Impact Assessment / Safeguarding Considerations

Westminster Adult Education Service is committed to the promotion of equality, diversity and providing a supportive environment for all members of our community. Our commitment means that this policy has been reviewed to ensure that it does not discriminate (either intentionally or unintentionally) any of the protected characteristics of age, disability, gender (including gender identity), race, religion or sexual orientation and meets our obligations under the Equality Act 2010.

Name of Policy/Procedure	Compliments & Complaints Policy & Procedure
<p><b>1 Equality Impact Analysis</b> is not relevant to this function, give reasons and proceed to section 5.</p>	
<p><b>2</b> In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these?</p>	<p>There could be resource limitations in helping learners to follow all the requirements of this policy. We would explore all the options available to us in order to support all users in their understanding and application of the procedure and make reasonable adjustments to the procedure if required, for instance, providing information in alternative formats, assisting learners to feel included and acting on all negative feedback in relation to EDI</p>

<p><b>3</b> In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans that will further advance equality?</p>	<p>This policy aims to be an open access and all-inclusive process. The annual review of EDI data will look to identify any patterns and trends and actions to address these.</p>
<p><b>4</b> What evidence supports your judgement eg. Observations, Consultations, expert opinions, quantitative or qualitative surveys. If the evidence is in the form of additional documentation where is this stored?</p>	<p>Comprehensive and up to date EDI Records</p>

<p><b>5</b> Has this function taken into account and cross-referenced where appropriate to <b>Safeguarding</b> policy and procedures? Give Details.</p>	<p>GDPR regulations have been considered and actions comply with data protection requirements. Healthy Relationships and banter (updated from KCSIE September 2021)</p>
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<p><b>POLICY OWNER</b> <b>Signed:</b> <b>Date:</b></p>	<p>Howard Stamp  09.11.2021</p>
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**Version Control Information**

Version	Date	Revision Author	Summary of Changes
1	November 2021	Howard Stamp	Recognition of WAES responsibilities, key content regarding Healthy Relationships Initiatives linked with EDI such as Narrowing the Gap, Learner Forums and Learner focus groups

## Glossary and Terms

The Equality Act 2010 has highlighted six different types of discrimination that are applicable to the workplace:

1. **Direct discrimination** – When an employee or job seeker receives less favourable treatment because of a protected characteristic, it is direct discrimination.
  - Example – not providing additional training for an employee because he is too old.
2. **Associated discrimination** – Treating an employee or job seeker unfairly because of their association with another person who has a protected characteristic constitutes associated discrimination.
  - Example – bypassing a female employee for promotion because she is the mother of a disabled child.
3. **Perceived discrimination** – If an employer treats an employee less favourably because they think or suspect that the employee possesses a particular protected characteristic, it can be counted as perceptive discrimination.
  - Example – an applicant is not given the job because the employer thinks the person is gay.
4. **Indirect discrimination** – When an employer puts in place unjustified practices, provisions or criteria, which are applicable to all staff equally, but which put a few employees or job seekers at a particular disadvantage as compared with those who do not share that characteristic, it is considered indirect discrimination.
  - Example – insisting that all employees put in overtime work to meet the company's goals may put many female employees at a disadvantage, as it is mainly women who take primary responsibility for childcare.
5. **Harassment** – Unwarranted conduct related to any protected characteristic that violates an individual's dignity or creates a hostile or offensive environment for them is considered harassment. There are three key forms of harassment – unwanted behaviour that has the effect of creating an intimidating or degrading environment for the individual, unwanted conduct of a sexual nature, and treating an individual less favourably because the individual either submitted or refused to submit to sexual harassment.
  - Example – making jokes, inappropriate banter or making veiled references to a person's sex, sexual orientation, age, race, or religion.
6. **Victimisation** – When a person is treated unfavourably because they filed a complaint against or supported somebody else who complained about harassment or discrimination, it is considered victimisation under the terms of the Equality Act.
  - Example – excluding an employee from meetings and social groups because they complained about being sexually harassed in the workplace. Previous equality legislation recognised disability-related discrimination.

The Equality Act 2010 replaces this with two new causes of action in relation to disability – indirect discrimination (see above) and **discrimination arising from a disability**. The latter occurs when a disabled person is treated less favourably because of something connected to their impairment.

**Failure to make reasonable adjustments** happens when an organisation fails to make reasonable adjustments for a disabled person, to avoid the disabled person being placed at a substantial disadvantage when compared to a non-disabled person.

In most cases, the Service will be legally liable if a court found that discrimination, harassment or victimisation had occurred. However, it is also important to realise that individuals can also be held responsible for their own actions.

### **Customers, suppliers, and other people not employed by the Service**

The Service will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Company.

Employees and learners should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

The Service will seek to choose suppliers who work within an Equalities Framework. This requirement is reflected in the tender process and documentation. Where a supplier is found to have breached the E&D requirements of the Service and the Equalities Act, the contract will be terminated with immediate effect.