



# LEICESTER TIGERS Foundation

## Equality & Diversity Policy

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## EQUALITY & DIVERSITY POLICY

### 1. Introduction

The Leicester Tigers Foundation is committed to equality of opportunity in every aspect of its activities. The Foundation will ensure equality of opportunity both as an employer and as a provider of education and training.

The Foundation encourages and supports the development of a society in which:

- People's ability to achieve their potential is not limited by prejudice or discrimination
- There is respect for and protection of each individual's human rights
- There is respect for the dignity and worth of each individual
- Each individual has an equal opportunity to participate in society, and
- There is mutual respect between groups based on understanding and
- Valuing of diversity and on shared respect for equality and human rights

### 2. Scope

This policy applies to all learners and employees of the Foundation.

This policy covers all aspects of work at the Foundation. Key areas covered are:

#### Learners:

- Admissions and Guidance
- Learning Support
- Teaching, learning and curriculum
- Progression, attainment and assessment
- Bullying and harassment

#### Staff:

- Recruitment and selection
- Induction
- Training
- Disability
- Grievance
- Bullying and harassment

This policy is also relevant to:

Breaches of this policy will be managed through the Foundation's Disciplinary policy and procedure.



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This policy underpins the Foundation's core values and will be used objectively and free from discrimination in accordance with the Foundation's Equality and Diversity policy.

### 3. Purpose of this Policy

To ensure that no learners, members of staff, visitors or others who come into contact with the Foundation receive less favourable treatment on the grounds of:

- Age
- Gender, gender reassignment
- Sexual orientation
- Marital or family status, including pregnancy
- Disability or learning difficulty
- Mental or physical health status
- Physical appearance
- Socio-economic status
- Ethnic origin, perceived 'race', skin colour, nationality or national origin
- Religion or belief, philosophical belief or no belief
- Working hours
- Membership/non-membership of trade unions
- Or any other cause leading to unfair discrimination

### 4. Key Principles

In order to fulfil this policy the Foundation is committed to the following key principles:

- Promoting an organisation where people are treated with respect and dignity and where no form of intimidation or harassment is or will be tolerated;
- Creating a positive inclusive ethos with a shared commitment to respecting diversity and difference and to encouraging good relations between people of different groups;
- Taking reasonable steps to prevent any form of harassment, direct or indirect discrimination or victimisation;
- Taking reasonable steps to make sure that no student, staff member or job applicant is placed at a disadvantage by stipulated requirements or conditions that are unreasonable or irrelevant;
- Consulting with staff, students and partners on issues relating to Equality and Diversity;
- Actively working to raise the awareness of learners to the importance of equality and diversity issues and the Foundation's expectations of them to contribute to a safe and inclusive environment;
- Developing a curriculum offer that meets the needs of our wide community and supports underrepresented groups;



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- The collection, analysis and reporting on a range of data that will identify areas of inequality and the development of appropriate strategies and actions that will address those inequalities;
- Assessment of all potential learners or job applicants on their individual merits and their ability to undertake employment, training and education successfully;
- Making reasonable adjustments to ensure learners and staff are supported to participate and achieve. This includes those with physical or mental impairments as defined by the Disability Discrimination Act;
- Carrying out impact assessments on the range of our policies, practices and procedures to assess potential or actual negative impact on specific groups;
- Providing suitable training and support for staff so that they have the skills, knowledge and confidence to implement equality and diversity throughout their work;
- Equality principles specific to employment

### **5. Equality Principles in Employment**

The Foundation aims to employ a workforce, which reflects at every level the community, which it serves. In seeking to achieve a balanced workforce at all levels, the Foundation will ensure that no employee, job applicant or candidate for promotion will be disadvantaged, or treated less favourably because of conditions or requirements that are not related to the job.

Reasonable adjustments will be made to arrangements and premises to ensure equal access for employees or potential employees who fall under the provisions of the Equality Act 2010 in relation to disability.

In order to ensure equality and fairness at all stages of employment, the Foundation will ensure that equality issues are embedded into all of its recruitment and employment policies and procedures.

### **6. Equality Principles in Education**

The Foundation will treat all students as individuals and with dignity and respect in the provision of access to facilities, learning opportunities and support. Curriculum will be devised to positively promote all aspects of equality and diversity.

### **7. Discrimination and Victimization**

The Foundation will ensure that support and assistance is provided to students and staff who consider to have been a victim of discrimination or victimisation. All acts of unlawful discrimination or victimisation by staff or students shall be treated as disciplinary offences under the Disciplinary Procedure, which in serious cases may lead to dismissal or exclusion. Individuals can potentially be held personally liable for



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acts of discrimination and/or victimisation, which they commit, authorise, contribute to or condone.

### 8. Data Collection

In order to meet the public sector equality duty the Foundation is responsible for ensuring the development, implementation and monitoring of this policy. In doing so it will ensure that student data

is collected and monitored in relation to disability, gender, race and ethnic origin in the following areas:

- Applications
- Enrolments
- Student distribution by course
- Student progress rates
- Satisfaction via surveys, focus groups and Student Voice
- Achievement levels
- Retention rates
- Success rates

The Foundation will also ensure that staff data is collected and analysed in relation to disability, gender, race and ethnic origin, religion or belief and sexual orientation in the following areas:

- Applications for employment
- Successful and rejected candidates
- Training
- Disciplinary and Grievances

### 9. Responsibilities and Monitoring

The Foundation has responsibility for ensuring that all remote sites adhere to the law in relation to equality and diversity and for promoting the Foundation's policy on equality and diversity. The Management team has overall responsibility for ensuring that the Foundation adheres to the law in relation to equality and diversity and for promoting the policy on equality and diversity. The Board is therefore responsible for giving a high-profile lead on equality and diversity issues and integrating equality objectives into strategic plans.

It is the responsibility of all employees and learners to uphold the policy on equality and diversity. It is also the responsibility of all employees to include promoting and embedding the equality and diversity into all aspects of learning programmes.

### 10. Review

This policy will be reviewed annually by the Foundation Manager in accordance with legislative



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developments and the need for good practice.

### 11. Complaints

The Foundation is committed to providing a means of redress to anyone who believes that the Foundation, either collectively or through individual action, has not adhered to any aspect of this policy.

### 12. Equality and Diversity Legislation

Equality legislation has existed in the UK since 1965. However, in October 2010, a new piece of legislation called the Equality Act came into force. The Act consolidated all previous anti-discrimination legislation (of which there were over 100 different pieces, including the Race Relations Act, the Sex Discrimination Act and the Disability Discrimination Act), into one large Act.

### 13. Who does the Act protect?

The grounds on which someone can be discriminated against are referred to as 'protected characteristics'. The Equality Act recognises 9 protected characteristics, which are;

Protected Characteristic	Brief Description
<i>Age</i>	People of all ages are protected by the Equality Act
<i>Disability</i>	People who have a physical or mental impairment which has a substantial and long term effect on their ability to carry out normal day to day activity are protected by the Equality Act
<i>Gender Reassignment</i>	This is the process of transitioning from one gender to another.
<i>Marriage and Civil Partnerships</i>	Marriage is defined as a 'union between a man and a woman.' Same-sex couples can have their relationships legally recognised as 'civil partnerships.'
<i>Pregnancy and Maternity</i>	Pregnancy refers to being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in an employment context.

<i>Race</i>	Refers to a group of people defined by their race, colour, nationality, ethnic or national origins
<i>Religion and Belief</i>	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs. Protection also extends to a lack of religion or belief.
<i>Sex</i>	This refers to the biological characteristics that make us male or female.
<i>Sexual orientation</i>	Whether a person is attracted to their own sex, the opposite sex or both sexes. A person's sexuality can change over time.



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Discrimination takes place when an individual or group of people is treated less favourably than others because of factors unrelated to their merit, ability or potential. It is unlawful to discriminate against someone on grounds of their sex (including gender reassignment), sexual orientation, marital status, race, nationality, ethnic origin, religion, beliefs, disability, pregnancy or childbirth or because they are a member, or not, of a trade union. It is also unlawful to discriminate against part-time workers.

### 14. Types of Discrimination

The British law (Equality Act 2010) recognises 8 types of discrimination:

**Direct Discrimination** occurs when factors unrelated to the merit, ability or potential of a person or group are used as an explicit reason for discriminating against them. An example would be recruiting to a male applicant to a position rather than a more appropriately qualified woman because of irrational, prejudicial or stereotypical views, or not promoting someone because they have a disability.

**Indirect Discrimination** occurs when there are rules, regulations or procedures operating, which have the effect of discriminating against certain groups of people. This may happen in subtle ways. For example, staff at a shop in London had to wear a uniform skirt, but an Asian woman worker refused for religious reasons. A tribunal found the shop guilty of indirect discrimination, because a large number of Asian women would not be able to comply with the rule.

**Discrimination** arising from disability occurs when somebody is treated unfavourably because of something arising in consequence of his or her disability (there may be instances where such treatment may be justifiable).

**Discrimination by Association:**

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

**Discrimination by Perception:**

This is direct discrimination against an individual because others think that they possess a particular protected characteristic. It applies even if the person does not actually possess the characteristic.

**Harassment** occurs when an individual is subjected to unwanted conduct, which has the purpose (intentional) or effect (unintentional) of

- Violating a person's dignity, or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.



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Moreover, harassment is unlawful when it is on the grounds of sex, gender reassignment, race, ethnic or national origin, sexual orientation, age, religion/belief, or for a reason relating to a person's disability. It is also unlawful to subject an individual to sexual harassment, or to harassment on the grounds of that individual's membership or non-membership of a trade union.

### **Third Party Harassment:**

Such harassment is deemed to occur where a third party (e.g. a partner organisation) harasses an employee three or more times in the course of them carrying out their job and the employer is aware but fails to take reasonable steps to prevent it. It doesn't matter whether the third party is the same or a different person on each occasion.

### **Victimisation:**

A person is victimised if they are punished or treated unfairly because they have made a complaint,

or are believed to have made a complaint, or to have supported someone who has made a complaint. A person or group of people can also be victimised or singled out for discriminatory or even criminal treatment because of, for example, their race, gender, disability age etc. This could be workplace discrimination with regard to such things as recruitment and selection or promotion.

Students could be similarly victimised e.g. refusal of application or unfair marking.

## **15. Equality and Diversity Terms**

The below provides definitions of some of the words and phrases most commonly used when talking about equality and diversity:

### **Diversity:**

Diversity describes the range of visible and non-visible differences that exist between people. Managing diversity harnesses these differences to create a productive environment in which everybody feels valued, where talents are fully utilised and in which organisational goals are met.

### **Equal Opportunities:**

Equal opportunities, or equality of opportunity, may be defined as ensuring that everyone is entitled to freedom from discrimination. There are two main types of equality encompassed in equal opportunities:

1. Equality of treatment is concerned with treating everyone the same. Thus, in an organisational context it recognises that institutional discrimination may exist in the form of unfair practices or procedures that favour those with some personal attributes over others without them. Equal opportunities is therefore concerned with the elimination of these barriers.



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2. Equality of outcome focuses on policies that either have an equal impact on different groups or intend the same outcomes for different groups.

### **Bullying:**

Bullying, although not defined legally, can be described as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

### **Hate crime or incident:**

A hate crime is any crime committed against a person, a group or the property of a person or group where the motivation for the crime is hatred of, or prejudice against, their sex, sexual orientation, race, religion or disability. The most common forms of hate crime are racial, homophobic or sectarian.

### **Positive Action:**

The Sex Discrimination and the Race Relations Acts, both enable employers/service providers to encourage applications/participation from a particular gender (sex) or racial group because they are under-represented in specific occupations or activity. Legislation also enables organisations to seek or establish training courses exclusively for existing employees from underrepresented groups.

These measures are known as 'Positive Action'. Positive Action is very different from positive discrimination.



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### Appendix 1

#### The Trustees will:

- Provide leadership and ensure the accountability of equality and diversity
- Ensure that the Foundation adheres to equalities legislation
- Ensure that equality and diversity aspects are built into the Foundation's strategic plans
- Provide leadership to ensure and promote equality of opportunity, no unlawful discrimination, harassment or bullying
- Provide appropriate role models for all managers, staff and students
- Congratulate examples of good practice among individual managers, staff and students
- Ensure a consistent response to incidents, e.g. bullying cases and racist incidents
- Initiate and oversee the development and regular review of equality policies and procedures
- Ensure that students, staff and stakeholders are consulted in the development and review of the policies
- Ensure equality and diversity aspects are built into the Foundation's strategic plans
- Ensure the effective communication of the policies to all students, staff and stakeholders
- Ensure that managers and staff undertake the necessary training to enable them to carry out the policies
- Oversee the effective implementation of the equality and diversity policy
- Hold line managers accountable for effective policy implementation
- Ensure the Foundation publishes and celebrates successful outcomes
- Ensure positive action is taken to tackle unlawful and unfair discrimination, inequality and unfairness
- Provide appropriate role models for all managers, staff and students
- Encourage opportunities for the sharing of good practice and working collaboratively
- Ensure learners and employers offering placements are aware of the actions taken to promote equality and diversity
- Provide mechanisms for the sharing of good practice
- Ensure information informing students and staff of the action that they need to take if they are being bullied or harassed is readily accessible
- Ensure a consistent response to incidents, e.g. bullying cases and racist incidents
- Ensure that the Foundation carries out its statutory duties effectively

#### Managers will:



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- Ensure that there are explicit references to equality and diversity in schemes of work and lesson planning
- Monitor progress and review actions plans for all student groups
- Ensure team/ staff undertake appropriate equality and diversity staff training and other opportunities for CPD
- Monitor and assess the impact of CPD to ensure equality and diversity targets are met
- Ensure that equality and diversity themes are actively promoted where appropriate during lessons
- Maintain links with the Tutorial programme to track individuals progress against agreed targets
- Ensure that inclusive risk assessments with disabled students, including learners with medical conditions, mental health difficulties, physical or sensory impairments, are carried out when there is a perceived health and safety issue

### Teaching staff will:

- Raise issues with line managers which could contribute to policy review and development
- Ensure discriminatory behaviour is routinely and effectively challenged
- Provide a consistent response to incidents, e.g. bullying cases
- Maintain awareness of the Foundation's current Equality and Diversity policy Implement the policy as it applies to staff and students
- Behave with respect and fairness to all colleagues and students
- Undertake appropriate equality and diversity training and other opportunities for CPD
- Contribute to the implementation of the Foundation's Equality and Diversity policy
- Ensure opportunities for promoting equality and diversity in lessons are taken up
- Ensure that equality gaps are targeted, and their impact is monitored
- Undertake appropriate equality and diversity training and reflect on its impact
- Ensure that there are opportunities for all students to share their comments, suggestions and feedback
- Ensure that inclusive risk assessments with disabled students, including learners with medical conditions, mental health difficulties, physical or sensory impairments, are carried out when there is a perceived health and safety issue

### Students will:

- Behave with respect and fairness to all students and staff
- Report any incidents of bullying or harassment
- Help to ensure that discriminatory behaviour is routinely and effectively challenged
- Uphold the Student Code of Conduct