



Equality, Diversity and Inclusion

1 Introduction

The college actively promotes and celebrates the cultural diversity of the college community.

In order to promote this positive culture, the college aims to:

1. **Promote equality** – treat each member of the college community fairly and appropriately, according to their individual needs
2. **Celebrate diversity** – recognise, value and celebrate differences
3. **Enable inclusion** – remove barriers and ensure equal access to facilities and opportunities
4. **Raise awareness** - create a culture in which all negative discrimination, including **unconscious bias**, is challenged

2 Policy statement

King Edward VI College is committed to creating and promoting an inclusive learning community in which diversity is celebrated, where inequality and stereotypes are challenged and where all people are treated with dignity and respect. This involves the conscious efforts of all members of this community: staff, students, and governors. Advancing equality of opportunity is at the core of the college mission statement and its ethos permeates the college values.

The college is also committed to fulfilling its obligations under Equality and Diversity legislation and mindful that the Equality and Diversity Act 2010 requires us to have due regard of the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

This commitment covers the nine protected areas of the Equality Act 2010:

1. Race
2. Disability
3. Gender
4. Gender reassignment
5. Age
6. Sexual orientation
7. Religion/belief
8. Pregnancy/maternity
9. Marriage/civil partnerships

The College commitment to equality extends to other areas, including socio-economic disadvantage, student carers and looked-after learners.

3 Roles and responsibilities

The following roles and responsibilities are aimed at ensuring that all members of the college community adhere to the Equality, Diversity and Inclusion (EDI) policy:

1. The **Heart of Mercia Trust Board** has overall responsibility for ensuring the college meets its obligations under the Equality Act 2010;
2. The **College Leadership Team** will take an active and visible lead in all matters pertaining to equality, diversity and inclusion;
3. The **Assistant Principal (Student Support)** has overall responsibility for equality and diversity issues and will report annually to the LGB on progress made towards the college's statutory equality objectives;
4. The **link governor** for EDI, will also make verbal reports to the LGB to provide assurances that the College's operational procedures are inline with statutory equality objectives;
5. The **EDI Steering Group**, convened by Assistant Principal (Student Support), will consult regularly with representatives from staff and student groups and make strategic recommendations to the **senior leadership team**.
6. All **staff and students** will abide by the Equality, Diversity and Inclusion Policy. All **staff and students** are encouraged and will be supported in reporting any instances or suspicions of discrimination or harassment; the **Principal** will ensure all allegations are fully investigated with due regard to confidentiality.
7. **Training** will be provided to raise awareness of **unconscious bias, what forms harassment can take (including microaggressions)** and their impact on staff and students.

4 Monitoring of equality information

The college will monitor the following data and work actively to reduce identified gaps to ensure effective implementation of the policy:

1. Student data relating to achievement, retention, recruitment and satisfaction
2. Staff data relating to recruitment and satisfaction

The data dashboard allows for analysis of student performance data by protected groups and social deprivation; this information is monitored regularly by the senior leadership team and informs quality improvement planning with the aim of reducing attainment and awarding gaps.

5 Examinations

- 5.1 King Edward VI College delivers qualifications, as required by the awarding body, in accordance with relevant equality legislation. This includes but is not limited to ensuring that qualifications are made available to all candidates capable of undertaking them and seeking reasonable adjustments for candidates with disabilities.
- 5.2 The head of centre/senior leadership team recognises its duties towards candidates with disabilities, ensuring compliance with all aspects of the Equality Act 2010, particularly Section 20 (7). This must include a duty to explore and provide access to suitable courses, through the access arrangements process submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to candidates with disabilities. Where the centre is under a duty to make a reasonable adjustment, the centre must not charge a disabled candidate any additional fee in relation to the adjustment or aid.

6 Links with other college policies

EDI permeates all college activities and this policy specifically is closely aligned to the following policies:

1. Learning Support
2. Bullying and harassment (staff and students)
3. Complaints and concerns
4. Staff Wellbeing and Worklife Balance
5. Health & safety
6. Financial support for students
7. Recruitment of staff (support and teaching)
8. Student code of conduct
9. Staff code of conduct
10. Child protection - safeguarding

Specific guidance for the wearing of a Kirpan can be found in the College policy **child protection (safeguarding) annex 5**.

Equality objectives are published on the College website. These objectives provide further information about the steps the college is taking to promote EDI.

For further information about EDI legislation and the Equality Act 2010, please refer to the Equality and Human Rights Commission website: <https://www.equalityhumanrights.com/en>

7 Annexes

- Annex A: Transgender guidelines
Annex B: Equality wheel, defining protected characteristics
Annex C: Glossary of key terms associated with equality and diversity and the Equality Act 2010
Annex D: Unconscious Bias guidelines

7 Equality Impact

The College's equality, diversity and inclusion policy has been taken into account when considering this policy.

Date of review	Date agreed	JCC	Governors	Review date	Comments
November 2021	March 2022	N/A	LGB 9 March 2022	November 2022	

Transgender guidelines

This guidance is intended to form the basis for sensitive support of transgender members of the college community. It is likely to apply to a very small number of students and/or staff but has a major impact on the experience of those individuals.

The term 'transgender' applies to the following groups:

1. "A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex." (Equality Act 2010 definition)
2. People who do not wish to transition permanently to a new gender role, but who identify as gender variant, intersex or who choose to live permanently with a more fluid gender identity

Gender reassignment

People are identified at birth as male or female on the basis of their sexual characteristics. For most people, our **sex, gender identity** (how we feel inside) and our **gender role** (how we behave in society) are consistent with each other. Some people see gender as a spectrum, not a binary choice, and express their gender identity in ways that reflect this.

Occasionally individuals find that the way they look outside and are expected to behave doesn't fit how they feel inside. Also the way they are expected to behave may be different from the way they want to behave. This causes a feeling of deep discomfort described as **gender dysphoria**. This is not a mental illness, but is a recognised condition for which medical treatment may be appropriate.

Transition (or gender confirmation) is the process of changing from the gender assigned at birth to a gender with which the individual identifies. This may, or may not involve medical or surgical treatment. Gender transition is a journey that is different for everyone. Every individual is unique and will experience gender variance to a different degree that also depends on social circumstances. Some may attempt to suppress their discomfort, while others may live permanently in the gender role that is most comfortable for them, but without seeking any medical treatment. Some people choose to follow a medical process called **gender reassignment**.

What to expect if someone plans to transition

Diagnosis of gender dysphoria is carried out by a specialist and may take place over months or years. Someone may not seek diagnosis until they are profoundly distressed by the discrepancy between the way they feel inside and the sex assigned to them at birth.

Transitioning is a lengthy process, which may take some years. The individual is likely to have counselling and may need time away from work or study to attend assessment by a specialist medical professional. Much of the transition process is about social aspects such as name, clothes, appearance and personality rather than medical aspects.

If an individual wants to go through the medical gender reassignment process it is a requirement for National Health Service (NHS) treatment that they first spend a period living in their desired gender – the 'real life experience'. Often an individual chooses to take paid or unpaid leave from the workplace and return presenting as a different gender. This may then be followed by hormone treatment to alter physical characteristics: physical appearance will typically start to change after six months. Some people opt to have further medical interventions, including possible genital surgery, breast removal/augmentation surgery, cosmetic surgery and laser hair removal. Having surgery is a personal choice and is not a key criterion for the process of gender transition.

Since each individual's transition is different, good communication between the individual and the college is essential. It is recommended that a single point of contact is identified, to agree detailed arrangements with the individual. All plans should be flexible, and subject to revision. The checklists below are intended to provide some prompts for things to discuss, but are not exhaustive.

Checklist on supporting members of staff who are transitioning	
1. Main contact	
Identify a single point of contact to support the individual and agree an action plan. This would normally be a line manager or member of the senior leadership team	
2. Timetable	
What is the likely timetable for transition? e.g. <ul style="list-style-type: none"> Dates for name change Use of facilities (toilets, changing rooms) Change of records 	
3. Name	
What identification needs to be changed and when? e.g.: <ul style="list-style-type: none"> ID card HR database, payroll, pensions College documentation 	
What documents and records need to be changed and when? e.g.: <ul style="list-style-type: none"> College records Subject or department area records Professional bodies Trade Union membership Payroll (and banking details) Pension scheme 	
4. Process	
Is the individual taking any extended time off? <ul style="list-style-type: none"> Is additional paid/unpaid leave needed? Is time off needed for medical appointments? How can ongoing non-medical procedures be accommodated? 	
Is the individual having any planned surgery? <ul style="list-style-type: none"> Staff will receive standard sickness leave, but may wish to negotiate additional paid/unpaid leave. What arrangements have been made to ensure the individual is able to return to work? The Occupational Health Service may help to plan a phased return to work. Are any temporary adjustments needed to duties following surgery? e.g. avoiding heavy lifting. Individuals may experience fatigue or mood fluctuations. Are any permanent changes to duties needed following medical treatment? Are there any risks to the individual e.g. in relation to third parties or media intrusion, and how will they be handled? Does the member of staff want to stay in their current role or consider redeployment? Has workload during transition been discussed with the line manager? There may need to be some flexibility on deadlines, especially if there are unexpected side effects or surgical complications. 	
5. Support for the individual	
<ul style="list-style-type: none"> Is the individual aware of LGBTQ support networks? Is the individual receiving gender identity counselling through a specialist clinic? 	
6. Communication	
<ul style="list-style-type: none"> How will colleagues and students in department and college be informed? Can a statement be agreed? How and when will external contacts be informed? Is there a training need? 	
7. Discrimination	
<ul style="list-style-type: none"> Are there clear guidelines and processes to deal with direct or indirect discrimination or harassment of a trans person? 	

Checklist on supporting students who are transitioning	
1. Main contact	
Identify a single point of contact to support the individual and agree an action plan. This role would normally, but not necessarily, be undertaken by the Assistant Principal (student support) or appropriate Lead Tutor.	
2. Timetable	
What is the likely timetable for transition? e.g.: <ul style="list-style-type: none"> • Dates for name change • Use of facilities (toilets, changing rooms) • Change of records 	
3. Name and identification	
What documents and records need to be changed? ** It is important to note that until a student has received official confirmation of a gender change and holds a certificate as evidence, the college has to record the sex they were identified as at birth <ul style="list-style-type: none"> • ID card • Registers • Student portal and college information systems • Examination records 	
4. Process	
Is the student taking any extended time off? <ul style="list-style-type: none"> • Does the student want to continue their current programme of study, defer for a set time, or come to some other arrangement? • Is time off needed for medical appointments? • How can ongoing non-medical procedures be accommodated? 	
Is the individual having any planned surgery? <ul style="list-style-type: none"> • What adjustments can be made to minimise the impact on the student's learning? e.g. extensions to deadlines, resits. • Are any temporary adjustments needed following surgery? Individuals may experience fatigue or mood fluctuations. • Are any adjustments needed to trips and visits, social activities or competitive sports where accommodation and/or changing facilities are based on gender? • Are there any risks to the individual e.g. in relation to third parties or media intrusion, and how will they be handled? • Are extensions to deadlines needed if students need time out to attend medical appointments, or if they are experiencing side effects from medication or complications following surgery? 	
5. Support for the individual	
<ul style="list-style-type: none"> • Is the student aware of the LGBTQ group? • Has the student been directed to the college counselling service? • Is the individual receiving gender identity counselling through a specialist clinic? 	
6. Communication	
<ul style="list-style-type: none"> • How will staff and students be informed? Can a statement be agreed? • Is there a training need? 	
7. Discrimination	
<ul style="list-style-type: none"> • Are there clear guidelines and processes to deal with direct or indirect discrimination or harassment of a trans person? 	

Practical arrangements

Toilet facilities

People should be able to use gender-appropriate toilets.

Designating some gender-neutral toilet facilities is a sensible approach where this can be accommodated and may also be welcomed by people with a non-binary gender or who are genderfluid.

The college will agree with the individual the point at which to change their use of single sex facilities. There is often anxiety from other people about the use of toilet facilities, so clear information should be given.

Requiring someone to use a toilet designated for disabled people is not acceptable.

Name and gender identification

Someone who transitions may wish to adopt a variation of their legal name or use a nickname. Once they notify the college of their preferred name and title (Ms, Miss, Mrs Mr) this name should be used in all circumstances, rather than their birth name and all relevant records should be updated.

The college will recognise people in the gender in which they present, irrespective of their legal gender. When dealing with external organisations, however, (e.g. examination boards) we should be aware that they will be dealing with legal gender, not presenting gender.

A transgender individual may prefer a particular title: this might be 'he', 'she' or 'they' (used to refer to a single person). In non-binary communities, Mx and Msc are gaining popularity, and some non-binary people prefer constructed pronouns such as 'zie' or 'ey'.

Staff name changes

Staff name changes should include personnel records, email details, ID card and contact information. Where possible, information relating to a staff member's previous identity that needs to be retained, such as copies of qualification certificates, should be kept confidentially and separate from their current record.

Student name changes

Registry should be contacted to change the student's name on college records.

Students' name changes should include student records, email details, ID card. Where possible, information relating to a student's previous identity that needs to be retained, such as copies of GCSE certificates, should be kept confidentially and separate from their current record.

Some students may not wish to identify as male or female and feel that they have a more fluid gender identity, either while they transition or permanently. The preferred sex should appear on all student accessed records (e.g. academic profile), but the legal sex should be used for external agencies such as examination boards.

Identification

A full Gender Recognition Certificate (GRC) gives a trans person the means to obtain a new birth certificate but other official identification and services reflective of their preferred gender can be gained without a full GRC including a passport, driving licence and the ability to change bank details.

It is illegal for the college to ask to see a GRC. However, they may ask for a Statutory Declaration of Name Change, Deed Poll or other official identification. There can be very real cost implications in changing identity documentation and this may not be accomplished all at once especially by students and lower paid employees. The college should be flexible where possible and clear about what information is required as well as any alternatives that can be offered.

This guidance has been adapted from the **University of Oxford Transgender Guidance** document (<http://www.admin.ox.ac.uk/eop/transgender>)

Taken from the *New Equality Act 2010*; what does it mean for the further education and skills sector, by Christine Rose, published by LSIS 2011



GLOSSARY

(taken from Essential Guidance, published by EHRC)

Advancing equality: The Equality Act 2010 states that this involves having due regard to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic
- meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- encourage persons who share a relevant protected characteristic to participate in public or in any other activity in which participation by such persons is disproportionately low.

Age: This refers to a person having a particular age (for example, 32 year-olds) or being within an age group (for example, 18-30 year-olds).

Civil and Political rights: The rights of individuals to liberty and equality; sometimes referred to as first generation rights. Civil and political rights include freedom to worship, freedom of thought and expression, to vote, to take part in political life such as voting, to freely associate and to have access to information.

Diverse: Widely varied. In the sense of a diverse population, people are from a range of backgrounds, ethnicities and cultures.

Dignity: A value owed to all humans, to be treated with respect.

Direct discrimination: This refers to less favourable treatment because of a person's protected characteristic.

Disability: A person has a disability 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.

Economic, Social and Cultural rights: Rights that concern the production, development, and management of material for the necessities of life. Rights that give people social and economic security, sometimes referred to as security-oriented or second generation rights. Examples are the right to food, shelter, education and health care.

Equality: Equality is about ensuring that every individual has an equal opportunity to make the most of their lives and talents, and believing that no one should have poorer life chances because of where, what or whom they were born, or because of other characteristics. Equality recognises that historically, certain groups of people with particular characteristics e.g. those of certain races, disabled people, women and gays and lesbians, have experienced discrimination

Equality Act 2010: This brings together the majority of existing equality legislation into one place so that it is easier to use. It also strengthens the legislation in some areas. It sets out the protected characteristics that are protected by the law and the behaviour that is unlawful.

Equality analysis also known as equality impact assessment (EIA): Equality analysis involves looking at your equality information and the outcome of your engagement in order to understand the effect or potential effect of your decisions on different protected groups. The general equality duty does not specify how public authorities should analyse the effect of their policies and practices on equality.

Equality information: The information that you have (or that you will collect) about people with protected characteristics that will help you to show compliance with the equality duty. This will include the findings of

engagement with protected groups and others and the effect of your policies on protected groups. It includes both qualitative and quantitative information, as well as evidence of analysis you have undertaken.

Fostering good relations: The Equality Act 2010 states that having due regard to the need to fostering good relations involves having due regard, in particular, to the need to tackle prejudice and promote understanding between people who share a protected characteristic and those who do not.

Gender reassignment: This is the process of transitioning from one sex to another. See also trans, transgender, transsexual.

General duty: The requirement to show due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.; advance equality of opportunity between people who share a protected characteristic and those who do not; and to foster good relations between people who share a protected characteristic and those who do not.

Harassment: Unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may also involve unwanted conduct of a sexual nature or be related to gender reassignment or sex.

Identity: The characteristics and qualities of a person, considered collectively, and regarded as essential to that person's self-awareness.

Indirect discrimination: This is when a provision, criterion or practice is applied in a way that creates disproportionate disadvantage for a person with a protected characteristic as compared to those who do not share that characteristic, and is not a proportionate means of achieving a legitimate aim.

Justice: The moral principle ensuring fairness and reasonableness in the way people are treated, as well as the administration of the law, and the authority in maintaining this process. This is a value the European Convention on Human Rights was founded on, although it is not mentioned in the actual text.

Marriage (Same Sex Couples) Act 2013: In 2013, Parliament passed the Marriage (Same Sex Couples) Act which introduced civil marriage for same-sex couples in England and Wales. The legislation allowed religious organisations to opt in to marry same-sex couples should they wish to do so and protected religious organisations and their representatives from successful legal challenge if they did not wish to marry same-sex couples. The legislation also enabled civil partners to convert their civil partnership into marriage and transsexual people to change their legal gender without necessarily having to end their existing marriage.

Positive action: Lawful actions that seeks to overcome or minimise disadvantages that people who share a protected characteristic have experienced, or to meet their different needs (e.g. providing mentoring to encourage staff from under-represented groups to apply for promotion).

Positive Discrimination: Treating someone with a protected characteristic more favourably to counteract the effects of past discrimination. It is generally not lawful although the duty to make reasonable adjustments is an exception where treating a disabled person more favourably may be required by law, so it is legitimate to provide reasonable adjustments which favour of a disabled person.

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. After 26 weeks, sex discrimination protection applies.

Prejudice: Judging someone without knowing them, on the basis of what they look like or what group they belong to, e.g. all black people are good dancers.

Protected characteristics: The equality duty covers the following characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These are also

referred to as **protected groups**. The duty also covers marriage and civil partnerships, but not for all aspects of the duty.

Protected groups: see **Protected characteristics** above

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

Racism: Treating someone unfairly because of their race, colour, nationality or ethnic or national origins.

Reasonable adjustment: Public authorities making adjustments to the way in which they carry out their functions so that disabled people are not disadvantaged by the way in which those functions are carried out. This is with regard to policies, practices or procedures, premises, and the provision of auxiliary aids or services.

Religion or belief: Religion means any religion, including a reference to a lack of religion. **Belief** includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect your life choices or the way you live for it to be included.

Sex: Someone being a man or a woman.

Sexual orientation: This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Stereotypes: Thinking all people who belong to a certain group are the same and labelling them, e.g. all young people who wear hoodies are thugs and all effeminate men are gay.

Transgender: An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. They may or may not seek to undergo gender reassignment hormonal treatment/surgery. Often used interchangeably with trans.

Values: 'Values are principles, fundamental convictions, ideals, standards or life stances which act as general guides to behaviour or as points of reference in decision-making or the evaluation of beliefs or actions and which are closely connected to personal integrity and personal identity.' (Halstead, 1996, p5). Halstead, J.M. (1996) 'Values and Values Education in Schools'.

Victimisation: Subjecting a person to a detriment because they have done a protected act or there is a belief that they have done a protected act i.e. bringing proceedings under the Equality Act 2010; giving evidence or information in connection with proceedings under the Act; doing any other thing for the purposes or in connection with the Act; making an allegation that a person has contravened the Act.

Types of unconscious bias:

Annex D

Affinity Bias One shows a preference for people displaying the same characteristics as them.	Attribution Bias One refuses to understand the factors that people might experience, especially when they haven't experienced the same.	Beauty Bias One forms their opinion based on looks.	Confirmation Bias One refuses to acknowledge factors that do not match the initial impressions of that person.
Conformity Bias One takes cues from others to voice their opinion, rather than exercise their own judgment.	Gender Bias One makes decisions based on the gender of the other person due to preconceived notions.	Halo and Horns Bias One thinks very highly of another person and thus refuses to think negatively of them. Horns bias is the exact opposite of Halo Bias.	