Equality and Diversity Policy

Policy Statement on Equality, Diversity, and Inclusion:

Bird College is fully committed to all aspects of Equality, Diversity and Inclusion (EDI) as they relate to and impact our stakeholders. As a College, we appreciate that diversity brings with it a range of positive benefits. The College is committed to promoting equality of opportunity and eliminating discrimination throughout all its activities. We will place EDI at the heart of our strategic and operational functions and work to ensure we move beyond acts of tokenism and simply being compliant.

Purpose and scope:

The purpose of this policy is to set out our commitment and reinforce our intention. Bird College is committed to ensuring that all forms of unjust discrimination are rooted out and tackled. It is our intention to establish a culture in which all staff, student's, visitor, and wider stakeholders are treated fairly, are valued and respected. We will work to ensure that EDI is valued throughout the College community through widening participation and engagement.

This policy relates to:

- all members of the senior leadership team
- all staff
- all students
- all contractors, partners, and third-party providers
- all visitors and volunteers

The Trustees, Board of Directors and Executive Group carries the ultimate responsibility, under the law for ensuring Bird Colleges meets the requirements of The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017. In particular, the Principal and Artistic Director will set and maintain the strategic direction of EDI and monitor performance and targets through regular reports.

In relation to staff, this policy applies to (but is not limited to) advertising of jobs, recruitment and selection, CPD, opportunities for promotion, conditions of service, health and safety, personal and professional conduct, including conduct on social media, grievance and disciplinary procedures and termination of employment. Every member of staff and volunteer is responsible for upholding this policy and the law. Every job role has an EDI component, and all staff thus have a responsibility to:

- Upholding the mission vision and values of the College.

- Apply and integrate the vision and values of the policy in their work and roles.
- Support and enable students and visitors to abide by the policy.
- Take a zero-tolerance approach and careful and immediate action in the event of allegations of bullying, harassment, victimisation and any other forms of discrimination and alert the Principal and or the Assistant Principal (Student Wellbeing).

In relation to students, this policy applies to (but is not limited to) admissions, teaching, learning and assessment, work placements, scholarship awards under the College's control, student support, facilities, health and safety, personal conduct, student references, student complaints and disciplinary procedures. Students have a responsibility to support our commitment to EDI and comply with this policy by:

- Upholding the mission vision and values of the College
- Treating everyone with respect, fairness, and dignity
- Upholding the law
- Always behaving in a fair and respectful manner
- Reporting concerns they have for themselves or others to staff immediately
- Resolving difficulties and disputes amicably

In relation to contractors, partners, training providers and third-party providers this policy applies to work and services provided on behalf of Bird College.

Definitions:

Equality

Equality enables us to create a fairer environment where everyone can participate and has the opportunity to fulfil their potential. Equality is backed by Equality Act 2010, which seeks to address unfair treatment, discrimination, harassment, and victimisation, to advance equality of opportunity, and to foster good relations between people who share a protected characteristic and those who do not.

Diversity

Diversity is about recognising and valuing difference in its broadest sense. It is about creating a culture and practices that recognise, respect, value, and embrace difference for the benefit of all.

Inclusion

Inclusion refers to an individual's experience within the College and wider community, and the extent to which they feel valued and included.

Our commitment to staff:

- To strive to employ a diverse workforce which reflects the community in which we operate and the learner population.

- To respect and celebrate individual differences and recognise and value the roles of all our staff, encouraging them to participate and lead in college activities.
- To ensure training, development and progression opportunities are available to all staff.
- To keep all our employment policies, procedures and practices under review to ensure fairness.
- To make clear our expectations and commitment to equality and diversity during recruitment, selection and induction.
- To provide ongoing training in equality and diversity in order to help staff to recognise and embed diversity and challenge all forms of discrimination.
- To foster a working environment that promotes dignity and respect to all and aims to eliminate all forms of intimidation, bullying and harassment.
- Wherever practicable and operationally possible, to provide reasonable adjustments for staff who are or who become disabled.
- To avoid unlawful discrimination in all aspects of employment.
- To ensure that decisions on selection, promotion, training and career management are made on merit.
- To ensure that decisions on all aspects of employment are made fairly and objectively, including pay and benefits, disciplinary action, grievances, and termination of employment.

Our commitment to learners:

- To make clear our expectations and commitment to equality and diversity in our marketing materials and events, during the admissions process and during induction.
- To actively encourage equality and diversity through the teaching, learning and assessment process, via tutorial activities, learning materials, use of inclusive language, college-wide events etc.
- To provide an inclusive training and learning environment that is tailored to the individual and takes account of individual need and cultural backgrounds.
- To embed equality and diversity in curriculum planning and design.
- To provide additional learning support tailored to individual needs for learners who require this to support their learning and progression.
- To make reasonable adjustments to physical premises and equipment and provide special aids where possible to assist learners with disabilities.
- For FE / HE programmes, to select students on merit and without regard to any protected characteristic, providing they can complete a physically demanding specialised dance training course of 3 years duration followed by reasonable expectations of a professional performance career in dance.

Our commitment to service users:

- To ensure our services are accessible to as wide a group of potential users as possible.
- To provide clear and meaningful information about our services.

- To monitor take up and satisfaction of services to ensure that everyone who uses our services and/or facilities can participate fully and to the best of their potential.

Publicity and Promotions:

Bird College will work to ensure that our publicity and promotion procedures encourage applicants from under-represented groups. The College will undertake thorough scrutiny of publicity, promotion materials and marketing related activities to ensure that brochures, advertisements, applications documents, and display resources reflect the diversity of students at the College. This means materials do not contain socially, racially biased, or stereotypical terminology, information or illustrations which flout this policy.

Tackling Discrimination:

We will

- Actively challenge and tackle all forms of prejudice, discrimination, and stereotypical attitudes.
- Deal with allegations of discrimination, harassment, bullying and victimisation sensitively and investigate fairly and thoroughly.
- Treat any form of discrimination, harassment, bullying or victimisation carried out by an individual as a disciplinary matter, under the college's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.
- Comply fully with our legal responsibilities as an employer and provider of education and other services, including the Public Sector Equality Duty where appropriate.

Bird College Equity and Inclusion Disclosure Form allows students, staff and external visitors to disclose incidents of inappropriate discriminatory behaviour (See Appendix A).

Legal compliance: Equality Act 2010:

The Equality Act 2010 replaced a series of previous anti-discrimination legislation with a single act, removing inconsistencies and making it clearer to understand and fulfil.

The nine main pieces of legislation which were merged are:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act 2006, Part 2

- Equality Act (Sexual Orientation) Regulations 2007

Public bodies are required to publish significant, proportionate information demonstrating their fulfilment with the Equality Act and to set themselves specific, quantifiable equality objectives. The three main aims of the Equality Act are:

- to eliminate unlawful discrimination, harassment and abuse and any other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- foster good relations between people who share a protected characteristic and people who do not share it.

These are explained in **Appendix B** alongside the Colleges specific actions to tackle discrimination.

The categories of people covered by the further and higher education institution provisions are:

- Prospective students (in relation to admissions arrangements).
- Students at the institution (including those absent or temporarily excluded).
- Former students (if there is a continuing relationship based on them having been a student at the institution).
- Disabled people who are not students at the institution but who hold or have applied for qualifications conferred by the institution.

If a person believes that they have been discriminated against, harassed, or victimised by the College, they can make a claim under the Equality Act.

Types of unlawful discrimination:

The Act also recognises the following types of discrimination:

- Direct discrimination, including by association and perception
- Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from disability

These are explained in **Appendix C.**

Appendix A:

Bird College Equity and Inclusion Disclosure Form:

Bird College is committed to upholding a safe, inclusive, and respectful environment for everyone in our community, and we are all collectively responsible for this aim. We believe that any form of harassment, abuse, sexual misconduct, or discrimination is unacceptable and contrary to our mission, vision, and values.

How to use this form:

This form should be used by Bird College staff, students, and visitors to submit a disclosure about an incident(s) of harassment, discrimination, violence or abuse pertaining to any of the 9 Protected Characteristics detailed in the Equality Act 2010:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

This includes disclosures about:

- an incident(s) that happened to you,
- on behalf of another student or staff (with their knowledge)
- or an incident(s) you have witnessed.

This form does not replace your opportunity to speak informally to tutors, support staff or colleagues of your choice.

Disclosures are treated as confidential unless there is a safeguarding concern or immediate danger to self or others. In these instances, consent will be sought, and concerns discussed with member/s of the Executive Team.

This form is not an emergency response service. If you or someone else is in immediate danger, or if emergency assistance is required CALL 999. All concerns will be dealt with during term time Monday-Friday, 9-4pm.

Confidentiality and Data Protection:

All disclosures will be kept confidential. We will use the data you provide to help us understand what kind of incidents are taking place in our college community and support us to take positive action.

Information will only be shared where:

- the individual to whom the information relates has consented (where possible)
- disclosure is necessary to safeguard the individual or others
- there is a legal duty to do so, such as a court order, a public protection matter or a safeguarding issue - in which case we may share information with other College staff or appropriate services

All data collected will be held securely in line with the Data Protection Act 2018. Data may be used for statistical and service improvement.

Process and outcomes:

1. All disclosure will be received and reviewed by the Equity and Inclusion Officer who may take the following course of action:
2. On request, offer a meeting to discuss and better understand nature of the disclosure
3. Signpost the appropriate policies and accompanying procedures to staff and students
4. Signpost additional support on offer, internal and external
5. Provide resources, training and support to students and staff
6. Make a referral to the Executive Team if there is a safeguarding concern or immediate danger to self or others

Click on the following link or scan the QR code to complete the disclosure form:

Bird College Equity and Inclusion Disclosure Form (office.com)

Should you have any questions, please contact the Equity and Inclusion Officer or refer to the Equality and diversity Policy: serap.keles@birdcollege.co.uk

This statement relates to:

- all members of the senior leadership team, including Trustees and Directors
- all staff, including members of the executive group
- all students
- all contractors, partners and third-party providers
- all visitors, volunteers and Alumni

Appendix B:

Legal compliance:

Bird College recognises the following associated legislation alongside associated codes of practice:

- The Human Rights Act 1998
- The Counter-Terrorism and Border Security Act 2019
- GDPR 2018
- 2014 amendments to the Rehabilitation of Offenders Act 1974
- Freedom of Information Act 2000
- Keeping Children Safe in Education September 2021/2022
- Safer Recruitment
- Prevent Duty 2015 and revised Prevent Guidance 2021

Equality Act 2010	Definition and guidance	What we will do to uphold the law
Age	A person belonging to a particular age (for example 25-year-olds) or range of ages (for example 18 to 35 year olds). Age discrimination | Equality and Human Rights Commission (equalityhumanrights.com)	Recognising the benefits of a mixed-age workforce and student community Challenging age stereotypes and bias Eliminating age-based discrimination from our recruitment Process.
Disability	A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse	Encouraging staff and students to disclose a disability, learning

	effect on their ability to carry out normal day-to-day activities. https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/disability-discrimination	difficulty or long-term health condition, or neurodiverse condition Making reasonable adjustments to assist each person to achieve their full potential Challenging stereotypes about individuals who have disabilities Eliminate ableism from our recruitment process
Gender reassignment	The process of transitioning from one sex to another. https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/gender-reassignment-discrimination	The College will ensure people who plan to start, are undergoing or have transitioned are protected against all forms of discrimination and harassment
Marriage and civil partnership	Marriage is a union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally acknowledged as 'civil partnerships'. Civil partners must not be treated less positively than married couples. https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/marriage-and-civil-partnership	Being married or in a civil partnership is NOT a protected characteristic for further and higher education institution providers, however, the College will work to protect and challenge binary stereotypes where they arise.
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. https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/pregnancy-and-maternity	Ensuring that outside the 26-week period the individual is protected by the sex discrimination provisions. Individuals are protected if their baby is stillborn. This stands as long as they were pregnant for at least 24 weeks before the birth.
Race	It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/race-discrimination	Challenging racial and cultural stereotypes Understanding, valuing and respecting different racial and cultural backgrounds Ensuring racial competency training is embedded into our education and training programmes Eliminating race-based discrimination from our recruitment, progression and promotion process

Religion or belief	Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/religion-or-belief-discrimination	Respecting a persons' freedom of belief (or none) and right to protection from intolerance and persecution. Providing an environment where everyone can raise matters and debate differences
Sex equality (gender)	When a person is treated differently because of their sex. https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/sex-discrimination	Challenging gender stereotypes Supporting people in balancing work and home life
Sexual orientation	Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. https://www.equalityhumanrights.com/equality/equality-act-2010/your-rights-under-equality-act-2010/sexual-orientation-discrimination	Challenging discrimination and promote equality for all regardless of their sexuality Respecting different gender individualities and lifestyles

Appendix C:

There are four main types of discrimination. What is discrimination? | Equality and Human Rights Commission (equalityhumanrights.com)

Direct discrimination

This means treating one person worse than another person because of a protected characteristic. For example, a promotion comes up at work. The employer believes that people's memories get worse as they get older so doesn't tell one of his older employees about it, because he thinks the employee wouldn't be able to do the job.

Indirect discrimination

This can happen when an organisation puts a rule or a policy or a way of doing things in place which has a worse impact on someone with a protected characteristic than someone without one. For example, a local authority is planning to redevelop some of its housing. It decides to hold consultation events in the evening. Many of the female residents complain that they cannot attend these meetings because of childcare responsibilities.

Harassment

This means people cannot treat you in a way that violates your dignity, or creates a hostile, degrading, humiliating or offensive environment. For example, a man with Down's syndrome is visiting a pub with friends. The bar staff make derogatory and offensive comments about him, which upset and offend him.

Victimisation

This means people cannot treat you unfairly if you are taking action under the Equality Act (like making a complaint of discrimination), or if you are supporting someone else who is doing so. For example, an employee makes a complaint of sexual harassment at work and is dismissed as a consequence.

Disability discrimination is when you are treated less well or put at a disadvantage for a reason that relates to your disability in one of the situations covered by the Equality Act.

The treatment could be a one-off action, the application of a rule or policy or the existence of physical or communication barriers which make accessing something difficult or impossible.

The discrimination does not have to be intentional to be unlawful.

Failure to make reasonable adjustments is where arrangements that disadvantage an individual because of a disability are not adjusted where it would be reasonable to do so. Once again, the college only has a duty to make adjustments if it knows, or could reasonably

be expected to know about a person's disability, which could apply to an employee or a job applicant.

Responsibilities:

- The Trustees, Board of Directors, and Executive Group
- Management
- Administration and support
- Faculty
- Students
- Contractors and visiting staff

Board of Trustee and Directors:

- Ensure that the college's top-level plans contain a commitment to equality and diversity.
- Review progress against action plans.

Executive team:

- Take an active and visible lead in driving forward equality and diversity.
- Oversee implementation of this policy.
- Ensure equality and diversity data is embedded within self-assessment reports and development plans.

Equality & Diversity Forum:

- Oversee the development and application of the policy and action plan.
- Monitor its effectiveness and measure its impact. The composition of this group and its terms of reference are contained in Appendix E.

All employees:

- Understand the implications of the policy for their own job role and responsibilities.
- Attend training as required.
- All employees, learners and other users of the college including contractors are required to adhere to this policy. Breaches of this policy will be taken seriously and may lead to disciplinary action.

Links to other Bird College Policies:

This policy should be read together with other related college policies, including *Policies relating to employment:*

- Dignity at Work

- Recruitment and Selection
- Recruitment of ex-offenders
- Induction
- Safeguarding
- Touch
- Grievance
- Disciplinary
- Capability
- Workplace Stress
- Health & Safety
- Family-friendly
- Data Protection
- Acceptable use of internet and e-mail
- Access
- Staff Code of Conduct and accompanying guidance

Policies relating to provision of FE/HE and other services:

- Access
- Marketing
- Admissions
- Teaching and learning
- Tutorial
- Student complaints
- Student charter

Policies relating to diversity, equity and inclusion (DEI):

- Disability Policy
- Menopause Policy
- Religion and beliefs
- Anti-Racism Policy

Policies for employees are contained in the employee handbook. Policies for students are contained in the student handbook.

Evaluation and Review: The policy will be formally reviewed every 2 years by the Principal and Artistic Director and Equity and Inclusion Officer who will in turn report to the Board.

Who to contact:

- Principal and Artistic Director: Luis De Abreu
- Assistant Principal (Student Wellbeing): Luisa Figuerola
- E&I officer: Serap Keles

Exceptions to this Policy:

There are no exceptions to this policy, due to equalities' legislation and good practice.

Review and Change Requests

This policy will be reviewed every three years. Any interim changes, such as minor title changes, which do not change the meaning of the policy will be undertaken by the operational owner. Any substantial changes required that alter the meaning of the policy will be submitted via the E&I Officer for full approval.

Appendix D:

EQUALITY AND DIVERSITY DECLARATION:

I have read and understood Bird Colleges Equality and Diversity Policy and agree to work to the expected standards. Regardless of my background and circumstances, I agree to treat all students, colleagues and visitors with respect and dignity while carrying out the duties and responsibilities of my role.

Signature……

Date…….

Print name…….

PLEASE RETURN TO HUMAN RESOURCES

Appendix E:

Equity and Inclusion Sub Committee Terms of Reference:

- To support Bird College delivering its Strategic Aims by taking account of equality, diversity, and inclusion.
- To challenge the college as an institution in terms of its practice, approach and development of equality and diversity strategies.
- To report to Trustees & Directors and sub committees as appropriate, on progress towards the fulfilment of the college's statutory and enhanced obligations in respect of equality, diversity, and inclusion.

- To oversee the formulation of institutional action plans to ensure that equality and diversity policies are effectively translated into action.
- To encourage and assist all departments in the effective integration and implementation of the college's equality and diversity policies and procedures.
- To keep reviewing all areas of college's practice regarding equality and diversity.
- To ensure all relevant policies and procedures are effectively disseminated and promoted.
- To monitor and review performance against the college's Equality, Diversity & Inclusion Strategy, ensuring that objectives and action plans are implemented and effective.
- To consider reports on recruitment, attainment, and progression
- To establish two-way communication with staff and students to ensure that their views are sought and represented as appropriate.
- To receive and consider annual reports on equality monitoring statistics in respect of the staff and student community.

The committee will meet 3 times a year.

Document Control

Document title: Equality & Diversity Policy

Version	**Author**		**Reviewed/authorised**	
	By	**Date**	**By**	**Date**
1.1	Stella Odusola	08.11.2022	Luis de Abreu	08.11.2022
1.2	Serap Keles	17.09.2024	Luis de Abreu	17.09.2024

Issue:	2
Date of current issue:	17.09.2024
Date of next review:	17.09.2027