

Single Equality Scheme

2009 to 2012

**Approved by Corporation
July 2010**

Equality and Diversity

An overview of the college's Equality and Diversity Documentation

There are three key documents that support the college's commitment to and development of Equality and Diversity.

1. **The Equality and Diversity Policy**

The purpose of the policy document is to provide the overarching aims of the college in celebrating diversity and ensuring equality of opportunity for all. This is set in the current legislative framework and is reviewed every three years by the corporation.

2. **The Single Equality Scheme**

A Single Equality Scheme is a requirement of the Equality Act 2010. This Scheme brings together the requirements of the previous three separate duties for race, gender and disability.

The purpose of the Scheme is to meet the requirements to:

- Eliminate unlawful discrimination

- Promote equality of opportunity

- Consult relevant stakeholders

- Monitor outcomes and act on data/information

- Assess the impact of the scheme and associated activity

- Report on progress and set out future actions

The scheme must be reviewed every three years and an annual action plan must be provided and reported upon.

3. **Annual Self Assessment Report**

The purpose of the college's own annual self assessment report is to review all aspects of equality and diversity activity and outcomes over the previous year. This report is primarily for the benefit of the college to enable it to develop and improve aspects of its equality and diversity activity. The action plan that forms a part of this report fulfils the requirements of the Single Equality Scheme for an annual action plan.

1: Mission and Values

Our college mission and the values that underpin college life

Barton Peveril College is fully committed to equality and diversity. The College actively seeks to monitor, promote and encourage the active participation of all individuals and groups. It meets fully its commitments to equality and diversity legislation and strives to uphold the spirit as well as the letter of the law, celebrating the enrichment brought to the workforce and student population by differences in individuals and groups.

1.1 Mission

Barton Peveril College's Mission is to be a Centre of Excellence in post-16 education, adding value to our students' academic achievements and wider experiences.

1.2 Values – *as updated and approved by Corporation March 2010*

- We set high expectations of our students and aim for them all to fulfil their academic potential
- We prepare students for their futures whether at university, in employment or in their wider lives by developing skills such as self-reliance and resilience, creativity and imagination, problem solving and persistence, working with others, and communicating effectively
- We nurture the confidence and ambitions of all our students and praise and celebrate their efforts and commitment
- We provide challenging learning opportunities and inspiring teaching through investing in the teaching skills, subject interests and professional development of our staff
- We meet the individual needs of every one of our students and promote an environment of mutual respect and equal opportunities in a lively, purposeful, friendly, safe, inclusive and modern community
- We listen to our students and learn from them

- We cultivate a constructive, three way relationship with parents to help students achieve their full potential
- We work with partners in our community to provide the best opportunities for young people locally

2: College Context

2.1 The characteristics of our college

Barton Peveril is a sixth form college situated in the Borough of Eastleigh, six miles from Southampton and eight from Winchester. It was established in 1973, developing from a large mixed grammar school. The College has a very clear mission – ‘to be a Centre of Excellence’ in post-16 education, ‘adding value to our students’ academic achievements and wider experiences’.

The College serves a community that includes a variety of rural and urban areas in south west Hampshire and the traditional catchment area stretches from the Wiltshire border in the west to the Hamble River and Meon Valley in the east. Barton Peveril also now attracts students from a much wider area particularly Southampton and Fareham.

The Eastleigh travel to work area has a low unemployment rate of 2.7% (October 2009) against a national average of 4.2%. Earnings are just above national averages and local jobs tend to be in the middle categories: skills and trades, administrative and secretarial. The most significant occupational group of residents is managerial and professional occupations many of whom work outside the Borough. 8.9% of the college’s students consider themselves to be ethnic minority compared with a local Eastleigh figure of 2.5%, and nationally 7.9%. 53% of students are female.

The College provides sixth form education to about 2400 full time 16-19 year olds. The College’s 16-19 curriculum range is shaped through established collaboration with Eastleigh College (a GFE College located on the same street).

There are ten traditional partner schools, all of which are mixed 11-16 comprehensives. Since incorporation in 1993, the College has maintained strong links with its partner schools through the development of an Eastleigh 14-19 Consortium that includes Eastleigh College, the general FE College that also serves the area.

Each year a large proportion of our students (750 students in 2008, representing 70% of eligible leavers) apply to degree courses at universities and other degree awarding institutions. The College has strong links with HE providers in the county and has compact arrangements with Southampton University, Portsmouth University, Solent University, Chichester, The University of Winchester and Middlesex University to support students with individual specific needs.

All students are encouraged to broaden their studies and physical education and team games are very popular. The enrichment curriculum is very well supported by students and the college provides many opportunities for trips and visit from outside speakers to broaden student experience and foster a learning culture. The college promotes well-being and health through the tutorial programme, cross college events and a joint Careers and Health Centre.

The main college building dates back to 1957 but it has received three major additions since then to serve the needs of the sixth form curriculum. The inclusion of three lifts now makes it possible for wheelchair users to access all areas of the college.

The college provides a variety of academic, vocational, skills for life and recreational courses to about 2200 adults as part of its adult education provision. In delivering these programmes we are working with a large number of local community groups and employers.

Appendix 1 shows current statistics of the workforce and student body.

3: Statutory Duties

The duties that underpin our scheme

Since 2000 the college has been required to publish equality schemes as follows: Race Equality Scheme (2000); Disability Equality Scheme (2005) and Gender Equality Scheme (2006). These duties applied to service delivery and employment and staff management as well as policy development and implementation.

Given the overlap between these duties legislation was introduced requiring institutions to publish a Single Equality Scheme that combined the duties of all three previous schemes. The general and specific duties required by the three individual acts are set out below.

Institutions have been encouraged to consider widening the scope of their Single Equality Schemes to cover other characteristics in addition to disability, race and gender. We have chosen to do this and Section 9 of this document provides a summary of the legislation that has informed its preparation.

3.1 General duties

Disability general duty – *Disability Discrimination Act 2005*

We have a statutory duty to carry out our functions with due regard to the need to:

- promote equality of opportunity
- eliminate unlawful discrimination
- eliminate disability-related harassment
- promote positive attitudes towards disabled people

- encourage disabled people's participation in public life
- take steps to take into account people's disabilities

Gender general duty – *Sex Discrimination Act as amended by the Equality Act 2006*

We have a statutory duty to promote gender equality with due regard to the need to:

- eliminate unlawful sex discrimination; and
- promote equality of opportunity and good relations between women and men, girls and boys

Race general duty – *Race Relations Amendment Act 2000*

We have a statutory duty to promote race equality with due regard to the need to:

- eliminate unlawful discrimination
- promote equality of opportunity; and
- promote good relations between people of different racial groups

3.2 Specific duties: disability, gender and race

The specific duties ask colleges to prepare and publish their policies and plans for meeting the general duties. All the specific duties have informed the production of our single equality scheme. Section 6 Roles and Responsibilities details the involvement of all staff in the implementation of the scheme.

4: Achievements to Date

Reporting our achievements with regard to equality and diversity requirements

4.1 Disability

The Disability Equality Scheme of 2006 set out a three year plan of action based on an internal audit of college departments in response to the requirements in 3.1. The college had already undergone an external audit by Southampton Centre for Independent Living in order to ensure compliance with the DDA of 2000, and an update was commissioned as part of the three year plan. Key achievements include:

- Regular meetings of the Disability Focus Group, a group of people interested in the college who either have or are directly linked through job or family to disability. This group had a positive impact on decision making in the college and promotional work.
- An extremely accessible campus where decision makers are always mindful of disability issues.

- High levels of staff awareness meaning that specific needs of learners are addressed as a matter of course.
- Students with disabilities both learning difficulties and disabilities and physical included in trips both national and abroad, with no extra cost to families.
- Success rates for students with learning disabilities who attend learning support are excellent (95%) and value added is above average for the college.

4.2 Gender

In its Gender Equality Scheme of July 2007 the college set itself certain targets. Progress in achieving these has been reported on each year, at first as the equality and diversity report and currently as part of the college self assessment review. Key achievements, as set out in the action plan of 2007, include:

- To provide more detailed analysis and research into staff composition, salaries and the impact of gender.
- Staff have been actively supported and encouraged to move into more senior positions.
- Gender balance has been promoted in all aspects of promotional work to the general public and within college.
- Success rates have improved and males are no longer behind females.
- The college encourages staff to use their entitlement to maternity or paternity leave.

4.3 Race

The Race Equality Policy was set out in response to the Race Relations (Amendment) Act of 2000 and set out the college's plans to meet the requirements of this Act. Achievements so far include:

- A governor, staff and student population that represents the ethnic composition of the area which we serve.
- The success rate of the combined ethnic minority categories (86.0%) is slightly better than the majority White British category (84.9%).
- Staff and learners are aware of the value placed upon equality and diversity and that action will be taken in the event of any breach of the policy.
- Governors and staff have access to comprehensive information which assists them to plan, implement and monitor actions to carry out their responsibilities under the policy.
- The college publicity materials present appropriate and positive messages about minority ethnic groups.
- Celebration events have been organised by staff and student groups.
- Progress is monitored carefully.

4.4 Age

- The college continues to work towards ensuring effective succession planning through a specific package of management training being rolled out to all staff.

4.5 Religion and Belief

- Religious festivals are honoured and their celebration is encouraged.
- Dietary requirements are met by the canteen.
- Special examination arrangements have been made to enable students to make religious observances.
- A Multi-faith room has been set up following student and staff consultation, and this is being used.

4.6 Sexual Orientation and Transgender Issues

- The college aims to ensure freedom of expression without fear of victimisation or harassment.
- Relationship counselling is available on a regular basis.
- Sexual health advice is freely available from the college Health and Well-being Officer and from outside agencies invited into college for special promotional events.
- A Lesbian Gay Bisexual Transsexual Unsure group has been formed

4.7 Other

- All learners receive high quality support (rated 'outstanding' at the last inspection) and progression rates to university or employment are very good.
- Students are encouraged and supported in claiming EMA, and anyone experiencing financial hardship is supported through the Learner Support fund.
- Students with caring responsibilities are supported through counselling and by Connexions.
- Students with needs such as but not exclusive to the above are encouraged to apply for local universities through the compact scheme.
- Specific equality and diversity questions are included in end of course surveys for learners.
- The college has a policy to benefit staff wishing to undertake fertility treatment.
- The college is flexible and accommodating to staff and students returning after illness or maternity, in terms of timetabling and practical issues such as parking.

5: Key Actions

Highlighting the key actions to be taken by the college

Key Actions: disability

- To ensure that the college information systems include data on disability issues for both staff and students.
- To ensure that student satisfaction surveys categorise responses according to disability as well as by gender and ethnicity.

Key Actions: gender

- To raise and level success rates in certain subject areas identified through the analysis of data as part of the college self assessment process

Key Actions: race

- To engage with and improve outcomes for identified ethnic minority groups

Key Actions: general

- To ensure that the excellent awareness, consideration for and appreciation of diversity which prevails in the college at the moment is maintained and extended as the learner population changes.

6: Roles and Responsibilities

Chain of accountability

6.1 Commitment to Implementation

The Corporation, supported by the Principal and staff, is committed to ensuring that this scheme effectively enables the college to fulfil its obligations with regard to equality and diversity activity.

The Corporation and senior leadership team will monitor the college's equality and diversity activity through the annual self-assessment and action planning process.

All members of staff are responsible for delivering the scheme.

6.2 Individual Responsibilities

The Assistant Principal for Quality has overall responsibility for managing the equality and diversity activity of the college.

The Co-ordinator for Equality and Diversity is responsible for providing guidance and encouragement to the staff and for convening and chairing meetings of the Equality and Diversity Group. This group plays an active role in developing and implementing equality and diversity issues and in gathering information and reporting for the self-assessment process.

The Equality and Diversity group is responsible for maintaining and promoting all forms of diversity including disability, gender and race equality, participation in all aspects of college life, impact assessment, and stakeholder consultation.

The Assistant Principal for Curriculum is responsible for special educational needs and learning difficulties and disabilities and equality and diversity in curriculum content.

The Assistant Principal for students is responsible for equality and diversity in behaviour and exclusions.

The Vice Principal is responsible for Personnel and for the accessibility of the college site.

The Vice Principal and the three Assistant Principals are responsible for equality and diversity in learner achievement in their areas of responsibility.

6.3 Commitment to Review and Publish

The college single equality scheme will be aligned with the college's Equality and Diversity Policy. Its implementation will be monitored within the college's annual self-assessment and other review processes and the action plan will be updated annually. The single equality scheme will be reviewed every three years.

We are committed to sharing information about our single equality scheme as broadly as appropriate. To this end, we will publish the scheme, plus an annual update within the college self assessment review. This will consist of impact assessment results, progress made, refinements, amendments and new actions. We will also publish the results of a full scheme review every three years – in which we will make proposals for future action.

6.4 The Corporation is responsible for ensuring that:

- The membership of the Corporation reflects the diversity of the community served by the College
- The College's strategic plan includes a commitment to Equality and Diversity.

- Equality and Diversity training features as part of the College's Staff Development Plan.
- Members are aware of the Corporation's statutory responsibilities in relation to Equality and Diversity legislation as an employer and service provider
- They receive and respond to the Equality and Diversity group monitoring information on learners and staff.

6.5 The Principal and Senior Leadership Team are responsible for:

- Taking the lead in creating a positive, inclusive ethos that challenges inappropriate behaviour on the part of all college committees and policies, governance and management, employees, students, and any other areas over which it has influence, such as contracted services.

6.6 All managers are responsible for ensuring that:

- They are aware of the College's statutory duties in relation to equality and diversity legislation.
- All aspects of college policy and activity are sensitive to equality and diversity issues
- Agreed equality and diversity monitoring information is collected and analysed
- The procedures for the recruitment and promotion of staff demonstrate best practice in equal opportunities
- Appropriate training and development is provided to support the appreciation and understanding of diversity.
- Teaching observation reports include criteria on equality and diversity issues where appropriate
- Internal verification procedures include scrutiny of diverse groups
- Curriculum teams assess performance in relation to equality and diversity issues and take action as appropriate
- The college's publicity materials present appropriate and positive messages about minority groups
- Students' induction programmes and tutorial programmes reflect the college's commitment to promote equality of opportunity and celebrate diversity

6.7 Staff are responsible for ensuring that:

- They are aware of the college's statutory duties in relation to equality and diversity legislation
- Their schemes of work, lesson content and teaching resources demonstrate sensitivity to issues of equality and diversity.

- They deliver tutorial material in a sensitive manner and encourage discussion between learners.
- They challenge inappropriate behaviour by learners, work placement providers, outside contractors or other members of staff.
- They confront prejudice whether deliberate or unwitting, whenever it occurs
- They report any unacceptable behaviour to their line manager or other senior manager who will ensure that it is dealt with according to the college's policies on bullying, misconduct or disciplinary incidents as appropriate.

6.8 Students are responsible for ensuring that:

- They are aware of the college's statutory duties in relation to equality and diversity legislation
- They embrace the spirit of this policy and behave accordingly
- They challenge unacceptable behaviour in their peers and adults and confront prejudice whether deliberate or unwitting, whenever it occurs.
- They report any unacceptable behaviour to a trusted member of staff who will see that it is dealt with according to the college's policies on bullying, misconduct, grievance or disciplinary incidents as appropriate.

6.9 The Equality and Diversity Committee is responsible for:

- Taking the lead in developing the equality and diversity activity across college, including ways in which to promote and celebrate diversity and ensure equal opportunities for all
- Providing advice and feedback to the Senior Leadership Team
- Regularly assessing the college's progress towards achieving the actions set out in the annual action plan.
- Reviewing the development, implementation and evaluation of this policy and of the self-assessment process
- Monitoring the data on student and staff composition, curriculum outcomes, student and staff surveys, etc

7: Stakeholder Involvement

Involving our learners, parents/carers and other stakeholders

7.1 Our college is committed to encouraging everyone to contribute to the development and review of all policies and practices affecting the life of the college and its impact within the wider community. We have involved a number of staff, learners, parents and others with particular interests in

Student Council		✓	✓										
Meetings	✓	✓	✓	✓		✓							
Newslatters, etc		✓	✓		✓								
On-line	✓	✓	✓	✓	✓								
Tutorial		✓	✓						✓				
Theme events		✓	✓		✓				✓				
Website/Intranet	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
Email		✓	✓		✓								
Self Assessment	✓	✓	✓	✓									
Visits/talks		✓	✓	✓		✓		✓	✓		✓	✓	

8: Impact Assessment

Evaluating the impact in terms of the outcomes

8.1 An Impact Assessment is a critical examination of a policy, practice or procedure in order to identify any adverse, detrimental or negative outcome that it may have on any individuals or specific groups of people. Any negative impacts identified should be judged as justified or not compared to a set of criteria, including equality legislation and health and safety, and if not justifiable should be rectified by means of a resulting

action plan of EDIMs (Equality and Diversity Impact Measures) resulting in changes in the policy , practice or procedure.

All college policies, practices and procedures will be equality impact assessed with regard to disability, gender and race at the time of review and issues arising will be carried forward into departmental action plans as part of the annual self-assessment process. Cross-college issues will be carried forward into the equality and diversity action plan.

A team of volunteers from the Equality and Diversity Group is trained to support managers in Impact Assessments of relevant documents and procedures.

Appendix 2 provides a summary of the key college documents that will be subject to impact assessment and the managers responsible for the areas covered by them.

9: Summary of relevant legislation

The legislation we have considered in producing the Single Equality Scheme

The college has taken note of the following legislation as it has developed its equality and diversity scheme, policy and self-assessment documentation.

The Sex Discrimination Act 1975

- It is unlawful in employment, education and the provision of goods, facilities, services and premises to discriminate directly or indirectly between men or women or, in employment alone, to treat married people less favourably than unmarried people.
- Individuals have a right of direct access to the civil courts and industrial tribunals for legal remedies for unlawful discrimination.
- The Act set up the Equal Opportunities Commission (EOC), which has a role in research, enforcement and assistance to individual complaints.

The Gender Equality Duty 2007

- The Gender Equality Duty came into force in April 2007. All public authorities in England, Wales and Scotland must demonstrate that they are promoting equality for women and men and that they are eliminating sexual discrimination and harassment.

- Instead of depending on individuals making complaints about sex discrimination, the duty places the legal responsibility on **public authorities** to demonstrate that they treat men and women fairly.
- The duty affects policy making, public services such as transport and education, and employment practices such as recruitment and flexible working.

The Race Relations Act 1976

- Direct and indirect discrimination is unlawful in employment, training, education and in provision of services, goods and facilities and the disposal and management of premises on the grounds of colour, race, nationality (including citizenship), ethnic or national origin.
- Individuals have a right of direct access to the civil courts and industrial tribunals for legal remedies for unlawful discrimination.
- The Act set up the Commission for Racial Equality (CRE), which has a role in research, enforcement and assistance to individual complaints.

The Race Relations Amendment Act, 2000

- A recommendation made by the Stephen Lawrence Inquiry report is fulfilled, and extends coverage of the Race Relations Act of 1976 to the functions of public authorities in general as well as the police.
- Race discrimination in public authority functions not previously covered by the act is outlawed, and 'public authority' has been defined widely in the Act.
- This means that law enforcement, whether by the police, local authorities or tax inspectors, is for the first time subject to race discrimination laws, as are certain public appointments. Similarly affected are the termination and terms and conditions of public appointments as well as the implementation of Government policies and services across the board.
- There is a general duty on public authorities to work towards the elimination of unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups.
- The Act is enforceable by the Commission for Racial Equality, which is able to issue compliance notices, and if necessary seek court orders to enforce these notices.

The Disability Discrimination Act 1995

- A legal definition is given to the term 'disability'. Employers and people who provide goods and services to the public have to take reasonable measures to make sure they are not discriminating against disabled people.

- Employers have a duty to make reasonable changes or adjustments to the workplace or the way work is done, which would overcome the effects of a disability.
- People have to provide equipment or other helpful items to make it easier for disabled people to use their service, if it is reasonable to do so.
- Service providers will not be able to charge disabled people more for the service.

The Disability Discrimination Act Part 4 2002 (SENDA)

Colleges and LEAs were given new legal responsibilities:

- Not to treat disabled students less favourably for a reason related to their disability

And also

- To provide reasonable adjustments for disabled learners.
- These duties apply to teaching and learning, to any service which is provided for students and also to all premises used.
- The duties are anticipatory, which means that colleges and LAs must anticipate the likely needs of disabled learners and not merely respond to individual needs as they arise.
- The Act covers disabled applicants, potential applicants or students, and uses a wide definition of disabled person.
- Institutions have to take reasonable steps to encourage students to disclose a disability, and to inform all staff who may come into contact with this student. However:
- Disability must be kept confidential if the student so wishes.
- The act was implemented from September 2002. Adjustments requiring the provision of 'auxiliary aids and services' were required to be in place by September 2003, and adjustments to 'physical features' by September 2005.
- The Disability Rights Commission offered a conciliation service for students and institutions to resolve differences informally, but if this failed matters could be taken to the county court.
- Responsibility for helping secure civil rights for disabled people has now transferred to the new Equality and Human Rights Commission which opened for business in October 2007.

The Disability Discrimination Act 2005

- The Disability Equality Duty 2006

- Introduces a new duty to promote disability equality and requires organisations to become proactive agents of change.
- The new legislation encourages a systematic whole-organisation approach and imposes specific duties on listed public authorities, including education providers, to:
 - Publish a Disability Equality Scheme by December 2006.

- Prepare and regularly review an action plan detailing the steps it plans to take to meet the new duties.
- Review, revise and publish the scheme every three years.

The Human Rights Act 1998

Certain provisions of the European Convention on Human Rights are brought into UK law, and these are binding on public bodies, including most education providers.

Incorporated rights:

- The right to life
- Freedom from torture or inhuman and degrading treatment
- Freedom from slavery and enforced labour
- The right to liberty and security of the person
- The right to a fair trial
- Protection to retrospective criminal liability and penalties
- The right to a private and family life, home and correspondence
- The right to religious freedom
- Freedom of expression
- Freedom of assembly and association
- The right to marry and found a family
- Freedom from discrimination
- The right to peaceful enjoyment of possessions
- The right to education
- The right to free elections

The Employment Equality (Religion and Belief) Regulations 2003

- These regulations came into force on 2nd December 2003. It is unlawful to discriminate against workers because of religion or similar belief.
- The Regulations apply to employment - including recruitment, terms and conditions, promotions, transfers, dismissals and training. They make it unlawful on the grounds of religion or belief to:
 - Discriminate directly against anyone. That is, to treat them less favourably than others because of their religion or belief;
 - Discriminate indirectly against anyone. That is, to apply a criterion, provision or practice which disadvantages people of a particular religion or belief without good reason;
 - Subject someone to harassment.
 - Victimise someone because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint of discrimination on the grounds of religion or belief;
 - Discriminate against someone in some circumstances after the working relationship has ended.

Exceptions may be made in very limited circumstances if there is a genuine occupational requirement for the worker to be of a particular religion or belief in order to do the job.

The Employment Equality (Sexual Orientation) Regulations 2003

- These regulations came into force on 1st December 2003. It is unlawful to discriminate against workers because of sexual orientation.
- The Regulations apply to employment - including recruitment, terms and conditions, promotions, transfers, dismissals and training. They make it unlawful on the grounds of sexual orientation to:
 - Discriminate directly against anyone. That is, to treat them less favourably than others because of their actual or perceived sexual orientation
 - Discriminate indirectly against anyone. That is, to apply a criterion, provision or practice which disadvantages an individual because of their sexual orientation without a good reason.
 - Subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them;
 - Victimise someone because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint of discrimination on the grounds of sexual orientation;
 - Discriminate against someone, in certain circumstances, after the working relationship has ended.

Exceptions may be made in very limited circumstances if there is a genuine occupational requirement for the worker to be of a particular sexual orientation to do the job.

The Regulations do not extend to sexual preferences and practices such as paedophilia.

The Employment Equality (Age) Regulations 2006

- These regulations came into force in October 2006. They apply to all employers, private and public sector vocational training providers, trade unions, professional organisations, employer organisations and trustees and managers of occupational pension schemes.
- In this context an employer is anyone who has employees or who enters into a contract with a person for them to do work. The regulations cover recruitment, terms and conditions, promotions, transfers, dismissals and training. They do not cover the provision of goods and services.
- The regulations make it unlawful on the grounds of age to:

- Discriminate directly against anyone – that is, to treat them less favourably than others because of their age – unless objectively justified. This means they have to have a very good reason to do so.
- Discriminate indirectly against anyone – that is, to apply a criterion, provision or practice which disadvantages people of a particular age unless it can be objectively justified.
- Subject someone to harassment.
- Victimise someone 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 on grounds of age.
- Discriminate against someone, in certain circumstances, after the working relationship has ended.

The Mental Capacity Act (2005) for England and Wales

- This act received Royal Assent on 7 April 2005 and fully came into force in October 2007. The Act generally only affects people aged 16 or over and provides a statutory framework to empower and protect people who, after an assessment of capacity, have been judged to lack the capacity to make some decisions for themselves. People may lack capacity to make certain decisions because of:
 - dementia,
 - learning disabilities,
 - mental health problems,
 - stroke or head injuries
 - being unconscious or barely conscious whether due to an accident or being under anaesthetic – or,
 - ability to make a decision may be affected by the influence of alcohol or drugs.
- Some of these conditions may be experienced by students or staff at the college. The Act has a code of practice which makes it clear that all decisions have to be in the subject's best interest and indicates who can take decisions in these situations. The list includes:
 - "Professionals and anyone who is paid for the work they do in relation to people who lack capacity e.g. Doctors, nurses, social workers, care managers, solicitors, police officers, ambulance crew and paid carers."
 - In the college setting, this would include any college staff.
- The Act also enables people to plan ahead for a time when they may lack capacity, and covers major decisions about someone's property and affairs, healthcare treatment and where the person lives, as well as everyday decisions about personal care (such as what someone eats), where the person lacks capacity to make the decisions themselves.

The Equality Act 2010

This Act came into force on 8th April 2010.

It strengthens existing equality laws and places new emphasis on the importance of the following:

- individuals: everyone has the right to be treated fairly and the opportunity to fulfil their potential. To achieve this we must tackle inequality and root out discrimination
- the economy: a competitive economy draws on all the talents and ability – it's not blinkered by prejudice
- society: a more equal society is more cohesive and at ease with itself

As an educational establishment, college will be affected most by the following aspects of the Act:

- A new public sector duty to consider reducing socioeconomic inequalities (from April 2011)
- Extending the scope to use positive action
- Protecting carers from discrimination
- Strengthening protection from discrimination for disabled people
- Protecting people from dual discrimination - direct discrimination because of a combination of two protected characteristics.

As an employer, the following aspects will also be important:

- Requiring gender pay and employment equality publishing (from 2013)
- Clarifying the protection for breastfeeding mothers
- Strengthening the powers of employment tribunals

10: Appendix 1 – Statistics as at May 2010

Characteristic	Breakdown (number and %)
Number of learners	Females 1197 (52.9%) Males 1066 (47.1%)
Number of full-time staff	51 Support – 48% male, 52% female 111 Teaching – 50% male, 50% female
Number of part-time staff	133 Support – 21% male, 79% female 130 Teaching – 26% male, 74% female
Number of governors	19 Governors, 1 additional committee member and 1 Observer, 48% Female 52% Male
Attainment on entry	5.9 – the average GCSE score of students
Learners eligible for EMA	697 (30%)
Disabled staff	12% <i>(From an internal survey, 241 members of staff replied and 29 reported a disability)</i>
Disabled learners (LDD)	121 (5.3%)
Disabled learners (no LDD)	62 (2.7%)
BME learners	9.1%
BME staff	11.9% (11% support staff, 0.9% teaching staff)
Average attendance rate	87.5%
Significant partnerships, extended provision, etc.	Eastleigh Consortium and Connexions Hampshire 6 th Form Colleges Partnership Action for Inclusion University Compacts – Southampton, Southampton Solent, Winchester, Portsmouth

	NHS Hampshire Teenage Pregnancy Partnership Healthy Gay Hampshire
Awards, Accreditations, Specialist Status	Investors in People Bronze Award Positive About Disabled People Double Tick Award. Investors in Careers Award Matrix Award Beacon College status

11: Appendix 2 – Impact assessment of key documents

The following list of policies, practices and procedures will be subject to a rolling programme of impact assessment.

Documents Associated with Curriculum and Quality	
Senior Leadership Matthew Chart, Assistant Principal Quality Mandy Wood, Assistant Principal Curriculum	Achievement Added Value Departmental SARs Subject Reviews Action Plans Lesson Observations Teaching and Learning Enrichment Provision Learning Resource Centre Learning Support Equality and Diversity Policy Disability Policy
Other Key Staff Heads of Faculty Heads of Departments Nicky Swainson, Librarian and LRC Manager Jane Hosmer, Learning Support and Equality and Diversity Coordinator	
Documents Associated with Student Services, Marketing and Recruitment	
Senior Leadership Mark Henderson, Assistant Principal Students	Guidance and Admissions Tutorial Every Child Matters Disciplinary Policy

<p>Other Key Staff Debra Collins, Student Services Manager Carol Geddes, Director of Communications Claire Johnson, Marketing Officer Clare Francis, Health and Well-being</p>	<p>Bullying Policy Progression Policy Health and Welfare Publicity Admissions Applications process Open Evenings Subject and Course Information Enrolment Appeals</p>
<p>Documents Associated with Human Resources</p>	
<p>Senior Leadership Nigel Groves, Vice Principal Matthew Chart, Assistant Principal Quality</p>	<p>HR Policy and Strategy Staff Development Policy Harassment Policy Grievance procedure Recruitment and Selection Induction</p>
<p>Other Key Staff Cristine Spires, Personnel Manager</p>	

Documents Associated with IT Services	
Senior Leadership Nigel Groves, Vice Principal	Issue of network log-ins Internet Access Acceptable Use Policy
Other Key Staff Chris Cheetham, IT Services Manager	Provision of IT Hardware and Software User Support Accessibility ICT Development
Documents Associated with Estates	
Senior Leadership Nigel Groves, Vice Principal	Property Strategy Catering Contractors Cleaning Contractors Maintenance Contractors
Other Key Staff Steve Vincent-Marshall, Estates Manager	Building Contractors Environmental Policy Utilities and Telecom Providers Fire and Safety Health and Safety
Documents Associated with Finance	
Senior Leadership Nigel Groves, Vice Principal	Financial Planning Finance Regulations Tendering Process Auditor Engagement
Other Key Staff Jess Miles, Director of Finance	
Documents Associated with Information Services	
Senior Leadership Nigel Groves, Vice Principal	College Enrolment Staff and Management Student Information

Other Key Staff

Andrew Cowley, Information Services
Manager

LSC Information and
Funding Claims
College Information
Database