



## Effective Governance Case Study 8

### Equality and Diversity

#### Summary

This case study explains how a National Leader of Governance (NLG) can support a college in drafting an equality and diversity strategy.

#### Code of Good Governance

This case study underpins principal responsibility 8 – Equality and Diversity.

#### Issue to be resolved

The college does not have a whole college approach to equality and diversity. It meets its human resource and legal requirements but has not gone any further.

#### Context

A medium sized college (graded 2 by Ofsted). The college had an equality and diversity policy but it was five years old. The student catchment had changed, and so had the employer base. The governing body was about to be refreshed and the chair thought it would be a good time to look at the equality statement, impact and reporting.

#### Methodology

The clerk contacted the Association of Colleges (AoC) Governance Unit and was allocated a NLG who had just completed the same exercise in her own college. Before arranging a visit, the NLG asked the clerk to provide the existing policy, monitoring reports and self-assessment report. The NLG also looked up the demographics of the area, reviewed the board membership and college staff statistics.

#### Findings and Actions

The NLG arranged to meet with the chair, clerk, principal and the Head of Quality who has the equality brief. The NLG asked the Head of Quality what her evaluation of the current position was and she concurred with the NLG's own appraisal. This assured the NLG that there was relevant expertise in the college. The NLG pressed on to ask why they had not updated their policy and why they felt the need for external support. They replied by saying they wanted guidance on best practice before they started a review. There had been some reluctance by the governors to go further than the statutory minimum and, every time they had raised it, governors had not made it a priority. However, when they were adopting the Code of Good Governance, it was raised again and it was agreed they should exceed the statutory minimum.



In order to get ownership by the governing body, the NLG suggested a governor should be given a lead/link role with responsibility for monitoring the implementation. Also, when drafting the policy, they should bring together a small group of governors including the link governor, college staff and students.

The NLG explained that there were several colleges who were willing to share their strategies but it always aided implementation if the college developed their own words around some core themes. The NLG went through these core themes and left them with a Framework document (see Annex 1).

## **Results**

The executive agreed to put a paper to the next governing body meeting describing the action they were recommending. The governing body agreed to set up a drafting group and one of the governors volunteered to become the link governor. The governing body also agreed that when refreshing the board they would use search techniques that would help them secure governors from diverse backgrounds.

## **Conclusions and next steps**

The NLG followed up four months later. The new group had met twice. They had used the information the NLG had supplied as a check list and had agreed the framework and headings that would be in the Equality and Diversity Strategy and were consulting broadly on the vision. The Head of Quality was leading the exercise and working closely with the link governor and expected to report back to the next governing body meeting.

## **References and useful material**

[Equality and Human Rights Commission](#)

[Women's Leadership Network](#)

[Network of Black and Asian Professionals](#)

[More Equality and Diversity governance resources](#)



## **Annex 1**

### **Equality and Diversity Strategy Framework**

#### **Core Themes**

The following lists the core themes that should be in an Equality and Diversity Strategy and gives examples.

#### **1. Vision**

The college should have a statement that explains it is committed to creating a culture in which equality of opportunity and diversity are promoted actively and in which unlawful discrimination is not tolerated. This confirms the college recognises the educational and business benefits of having a diverse community of staff and students and is working towards building and maintaining an environment which values and celebrates diversity.

#### **2. Policy Statement**

The college should include a statement on social justice that sets out what the college believes, for example:-

The college believes in the principles of social justice and aims to ensure that:

- Individuals are treated fairly, with dignity and respect regardless of their age, gender, gender identity or re-assignment, marital status, caring responsibilities, sexual orientation, race, ethnic origin, colour, nationality, national origin, disability, social status, religion or belief, union membership, political or other ideology or inappropriate distinction.
- It affords all individuals, students and employees, the opportunity to fulfil their potential in a safe environment.
- It promotes an inclusive and supportive environment for staff, students and visitors.
- It provides services that are accessible according to need.
- It recognises the varied contributions made by individuals from diverse backgrounds and wide ranging experiences.
- Effective partnerships with all parts of the community are created.



### 3. Implementation

The strategy document should include a statement on how the strategy is to be implemented and what activity the college committees will oversee, for example:

**Committees:** The college has an Equality & Diversity Committee which is chaired by the Associate Principal for Standards & Performance, consisting of staff and students representing different areas of the college. This meets once a term to guide the strategic direction of equality and diversity within the college and support progress against agreed actions and targets at an operational level.

**Monitoring:** The strategy should include a statement on monitoring, for example: The college will regularly measure, review and reinforce the effectiveness of the policy through:

- The Annual Equality and Diversity Report and self-assessment
- Staff and student surveys and data analysis
- Formal complaints monitoring
- Reporting to governors
- Collecting and disseminating examples of good practice
- Strategic plan monitoring activities

The strategy should also set out a timetable for review.

**Legal Obligation:** The strategy should explain how the college is meeting its legal responsibilities by including a statement such as: The college is committed to fulfilling all legal obligations with regard to equality and diversity, e.g. in relation to race, disability, gender, sexuality, age, religion, belief etc. All staff and students are expected to adhere to this college policy and its procedures in relation to equality and diversity issues. This includes the new PREVENT duties. The college is a 'Positive About Disabled People' employer. Therefore all applicants with a disability who apply for posts at the college will be offered an interview providing they meet the essential criteria for the post.

**Additional Activities:** In addition to fulfilling its legal obligations, the college should state how it actively promotes equality and diversity and what other initiatives would be organised, for example: Would the college arrange events that were designed to celebrate the rich diversity of its staff, students and local communities such as Black History Month, Anti-bullying Week, Cultural/Faith Day, One Race: The Human Race, International Womens' Day, Fitness & Well-Being Day, Disability Awareness Day, Mental Health Awareness and the college's Annual Diversity Competition.



**Curriculum Areas:** The strategy should explain how equality and diversity issues are to be mainstreamed and how they are to be an integral part of the monitoring and evaluation process for all curriculum areas, including how teams are expected to identify and address imbalances in relation to recruitment, enrolment, retention and success rates by gender and ethnicity etc. by the setting of appropriate targets.

**Employer:** The strategy should explain how HR is to be managed and, in the college's role as an employer, how a designated member of the executive will ensure that the college is kept up-to-date with legislative requirements and that the best anti-discriminatory practice is utilised with regard to advertising, selection criteria, interviewing, employment and on-going support regarding new appointments and promotions.

**Training and Development:** The strategy should have a statement on staff training in equality and diversity and what type of events will be organised including both on-line and live events. The strategy should also commit to who should be trained e.g. governors, managers, front-of-house staff and others should all participate in such training.

#### **4. Other Policies**

The equality and diversity strategy should list the other policies that underpin the statement for example:-

- Anti-bullying (student)
- PREVENT
- Cross-college support for learners with disabilities/special support needs
- Disability statement
- Equality and Diversity in Action
- Harassment of employees
- Initial assessment – literacy, language, numeracy and dyslexia
- Learner Mental Health Code of Practice
- Disability lift key requests
- Maternity - staff and students who are new or expectant mothers
- Maternity leave
- Paternity leave
- Recruitment and selection (staff)
- Safeguarding (young people and vulnerable adults)
- Student applications
- Students with learning difficulties or disabilities
- Suicidal intentions (disclosure of)



## 5. Impact Assessments

The equality and diversity strategy should describe how the college implements its statutory obligation to carry out impact assessments. The carrying out of impact assessments is a statutory duty laid out in legislation. These are a detailed and systematic analysis of the potential or actual effects of a policy, procedure or practice to ascertain whether it has a differential impact on identifiable groups of people. Often this is done on a rolling programme monitored by the Equality Committee.

## 6. Roles and Responsibilities

The strategy should set out the role and responsibility of each member of staff including the role of governors, for example: Each member of the college community is responsible for following and supporting the policy. The strategy should explain that the guidance applies to students, governors, employees, agents, contractors, volunteers and visitors and that there is an expectation that all members of the college community will follow the college's vision and values for equality and diversity. This area should also extend to students and trainees on subcontracted activity.

The guidance should cover what is applicable to particular roles in the college, for example:

**Governors:** The governing body carries the ultimate responsibility, under the law, for ensuring that the college meets the requirements of equality legislation. In particular governors will:

- set and maintain the strategic direction for equality and diversity.
- monitor performance and targets through regular reports.

**Senior Leadership Team:** The senior leadership team has overall operational responsibility for equality and diversity and will:

- proactively champion equality and diversity.
- carry primary responsibility for ensuring all aspects of the policy are carried out effectively.
- ensure that measurable equality targets are set to accomplish the duties of the legislation.
- ensure regular reports are made to the governors on the monitoring of progress and performance.

**Staff:** Each member of staff is responsible for supporting the policy and the law. Every role in the college has an equality and diversity component and staff will:



- apply and embed the vision and values of the policy in their work and roles.
- support and enable students to follow this policy.
- take appropriate and immediate action in the event of incidents of harassment, unfair discrimination or misbehaviour, alerting or involving senior college staff if necessary.

**Students:** Students are expected to support and follow this policy and will:

- treat everyone with respect, fairly and with understanding, making them feel welcome in the college.
- abide by the law.
- use language carefully, without swearing or inappropriate language, and not say rude, hurtful or disrespectful things about other people.
- report any concerns they have for themselves or others.
- resolve differences and disagreements amicably (threatening or attacking anyone is a serious disciplinary offence).

## **7. Complaints**

The strategy should include details of how people may make complaints, for example:-

**Complaints made by students** can be raised through the Complaints Policy using a Talkback form as outlined in the student charter and student handbook (details are also available through Student Services).

**Complaints made by staff** can be made via the Harassment Policy or the Grievance Procedure (details of both of these policies are available on the Staff Intranet or from the Human Resources Team). Support for staff is available through the Human Resources Team as well via normal line management.