

REPORT

REPORT TITLE	Equality, Diversity and Inclusion Annual Report
REPORT STATUS	Public
COMMITTEE	Board
AUTHOR	Head of Human Resources
DATE	8 th December 2020
ATTACHMENTS	Appendix A – Data Tables Appendix B – The Equality Act 2010 and public sector equality duty

1. Introduction & Background

- 1.1. This report has been produced in order to meet the requirement of the Equality Act 2010 regulations for public bodies, which includes further education colleges. Within the Equality Act 2010, the College is required to publish, on an annual basis, relevant information demonstrating compliance with the public sector equality duty. Further information on the Equality Act 2010 and the public sector equality duty can be found at Appendix B.

2. Equality, Diversity and Inclusion Committee

- 2.1. In the last academic year, the committee was responsible for organising a number of activities aimed at raising awareness and building an open and inclusive culture. For example, on World Mental Health Day, 10 October 2019, members of the committee each took responsibility to lead a number of activities such as ‘tea and talk’ in the staffroom facilitated by our qualified Mental Health First Aiders and Wellbeing Practitioners, a presentation from Able Futures - an organisation that supports people in employment with mental health conditions, and leaflets and cards outlining where people can get help with any mental health concerns.
- 2.2. In 2019-20, the College signed up to the AOC’s Mental Health and Wellbeing Charter, showing that as a College “we are committed to everybody’s mental health and wellbeing”. This commitment will continue into this academic year as we seek to implement the actions identified both in this charter, and through our Equality Action Plan.
- 2.3. We also continued our commitment to being a Disability Confident Employer in the last Academic Year and will renew this commitment in May 2022. There are a number of other charters and pledges that the E, D & I committee plans to investigate further, with a view to increasing our commitment to raising awareness and tackling inequality across a broader range of protected characteristics.
- 2.4. The College seeks to “value diversity and difference” through the application of our values, specifically ‘Respect. This has been widely communicated to staff and is addressed and assessed as part of the Appraisal process at Derwentside College, introduced in November 2019. The other values of Trust, Excellence, Enjoyment and Enterprise all contribute to a culture that actively welcomes and celebrates difference, and aims to instil an open and collaborative way of working.

- 2.5. Following the nationwide lockdown as a result of the coronavirus pandemic virtual activities took place, where staff were invited to participate in facilitated sessions via Microsoft Teams. Guidance was circulated to both the leadership team and staff on the wellbeing elements of homeworking and staff continued to be signposted to sources of support. Questionnaires were also circulated to better understand staff concerns and worries, both physically and mentally, as a result of the pandemic in order to inform the work being undertaken to safely re-open the college.
- 2.6. However, the Equality, Diversity and Inclusion Committee last year lacked direction and although equality objectives were agreed, no formal self-assessment exercise was undertaken and no action plan produced. Meetings were not well attended and often cancelled as a result. The membership has since been reviewed and new Terms of Reference agreed with members. Leadership in this area has also been transferred from the Vice Principal (Curriculum and Quality), to the Head of Human Resources.
- 2.7. This year, the Committee will carry out a self-assessment of it's E,D & I commitment and provision and the resultant Equality Action Plan will be worked on and progress monitored throughout the year. Members of the EDI Committee will contribute to the action plan's development and will take responsibility for completing the actions assigned to them under the plan. Throughout the course of the year, the committee's focus will continue the promotion and awareness raising of activities that fall into one of the protected characteristics covered by the Equality Act 2020. By taking this approach, the committee will drive forward concrete, sustainable actions that will impact on staff and students for the long term.
- 2.8. Activity this year will need to continue to be COVID secure and it is likely more events and information will be provided online.

3. Equality Information

- 3.1. The College collects and considers a range of information about learners and staff to inform decision making and to demonstrate due regard to equality issues. Under the 2010 Act the College is no longer required to publish information about its staff as we have less than 150 employees (133 at the end of the Academic year 2019/20) however still feels there is value in gathering this data in line with best practice – see Appendix A.
- 3.2. In all areas the College has routinely collected information regarding age, ethnicity, disability and gender. The extension to the nine protected characteristics required the College to consider whether it is appropriate to collect this information from staff and/or learners. The specific duties do not require public bodies to do this. It is for individual bodies to decide whether such information is necessary for them to demonstrate their compliance with the equality duty (Source: Government Equalities Office October 2011). At present, the College has asked for this information from it's staff, with the option of 'prefer not to disclose' being available in categories such as sexual orientation, religion or belief etc. For learners it has been decided not to collect this information, although this will be reviewed during the year by the Equality, Diversity and Inclusion Committee as part of the self-assessment.

4. Policies and Procedures

- 4.1. The College has a wide range of policies and procedures applying to staff and learners that clearly demonstrate compliance with the general equality duty. They are easily accessible to both staff and learners on our StaffNet and StudentNet sites.
- 4.2. Each of our policies is subject to regular review, and the Equal Opportunities and Fair Treatment Policy was reviewed, updated and agreed as of 1st February 2020. Some of these will, by their nature, exist primarily to advance equality and diversity in employment. However in all cases, each of these will be continually equality impact-assessed to determine fair outcomes for all groups.

5. Training and Promotion of Equality and Diversity

- 5.1. All staff and governors are required to undertake on-line diversity in the workplace training. The training course is regularly updated and as well as dealing with the legal requirements provides links to articles and other resources to provide a wider understanding of equality and diversity issues. As of 30th September 2020, all current staff had completed the training and were up to date with the rolling programme of refresher training.
- 5.2. Equality and Diversity is actively and effectively promoted during learner and staff induction, highlighted in learner and staff handbooks and embedded in the tutorial process. The College's Virtual Learning Environment (VLE) includes a specific equality and diversity section where learners and staff can access further information. Learning materials for tutorials are shared by all teaching staff and themed tutorials delivered throughout the academic year.
- 5.3. A new addition for 2020 is the development of specific Equality, Diversity and Inclusion pages on both StaffNet and StudentNet, including how staff can contribute to the work of the committee and a calendar of awareness and celebration days.

6. Learner and Staff Surveys

- 6.1. The College recognises the importance of enabling learners and staff to provide feedback in order to contribute to continuous quality improvement and to influence important issues that affect them.
- 6.2. Feedback from students is collected via surveys and through focus groups. The results of these activities, and any planned actions to address issues raised, are considered by the Executive team and reported to the Board where appropriate.
- 6.3. An annual staff survey is also carried out each year, with the results being reviewed by the Executive Team and reported to the Board. The Executive team also regularly attend team meetings, deliver all staff briefings and are highly visible with staff to ensure their views are regularly heard.

7. Equality Objectives 2020-21

- 7.1. The Equality Objectives identified below are proposed for the 2020-21 academic year, and have been approved by members of the Equality, Diversity and Inclusion Committee:
 - **Objective 1** - To ensure fair treatment for all learners and staff, particularly with regards each of the protected characteristics
 - **Objective 2** - To celebrate the diversity of our workforce and learners by raising awareness, increasing understanding, leading events and campaigns, and promoting causes;
 - **Objective 3** - To compile and monitor the College's Equality Action Plan;
 - **Objective 4** - To ensure the College meets its obligations under the Equality Act 2010;
 - **Objective 5** - To monitor gaps in achievement between different groups of learners and make recommendations on how to close them;
 - **Objective 6** - To drive positive attitudes around mental health and wellbeing, and caring for each other at work.

8. Conclusion and Recommendations

- 8.1. The Corporation is requested to consider this report and agree the college's Equality Objectives.

Appendix A – Data Tables

Demographics

Table 1 - Local and Regional Demographic Information

	White		BME		Males		Females	
	No. (000)	%	No. (000)	%	No. (000)	%	No. (000)	%
England	45,313	87.5	6,497	12.5	25,515	49.2	26,295	50.8
N East Region	2,447	94.7	138	5.3	1,265	49.0	1,319	51.0
County Durham	488	96.4	18	3.6	248	49.0	258	51.0
Derwentside	86	97.7	2	2.3	43	48.8	45	51.2

(Source: Mid-Year Population Statistics May 2011 – based on census data published by the ONS)

Staff Profile (as at 31 July 2020)

Table 2 - Staff Age and Gender Profile

	TOTAL		16 – 25		26 – 35		36 – 45		46 - 55		56 – 65		66 +	
	No	%	No	%	No	%	No	%	No	%	No	%	No	%
Male	45	34	0	0	5	3.7	7	5.3	17	12.8	16	12	0	0
Female	88	66	2	1.5	11	8.3	25	18.8	38	28.6	12	9	0	0
Total	133	100	2	1.5	16	12	32	24.1	55	41.4	28	21.8	0	0

- 28 staff are aged 56 or over (21.8%). This is now a significant proportion of the workforce although a number of these staff are in the lower ranges of this age bracket, and this has reduced slightly from last year's percentage of 22.7%.
- The Head of HR will provide support to the Leadership Team to analyse the composition and skill mix of the workforce in order to forecast emerging trends and develop recruitment and Continuous Professional Development plans to address anticipated shortfalls. This is supported by our new Appraisal policy where discussions around future plans are encouraged.
- In addition, the equality impact assessment checks associated directly with all policy reviews will enable all employment policies to be audited for impact on different age groups.

Table 3 - Gender Profile by Job Role

Gender	All Staff		Job Role					
	No.	%	Management		Curriculum		Support	
	No.	%	No.	%	No.	%	No.	%
Male	45	34	8	6	23	17.3	14	10.5
Female	88	66	4	3	45	33.8	39	29.3
Total	133	100	12	9	68	51.1	53	39.8

- The College's gender balance remains similar to last year.

Table 4 - Staff Disability by Contract Type and Job Role

	All Staff		Job Role					
			Managers		Curriculum		Support	
Disability	No.	%	No.	%	No.	%	No.	%
Yes	15	11.3	0	0	11	8.3	4	3
No	110	82.7	12	9	51	38.3	47	35.3
Unknown	8	6	0	0	6	4.5	2	1.5
Total	133	100	12	9	68	51.1	53	39.8

- Significant work has been undertaken in recent years to try and add clarity to the figures on the number of staff declaring themselves as disabled, and to try and reduce the number of unknowns. The percentage of college staff declaring a disability remains relatively low at 11.3%. All job adverts include an equality statement and the College operates the guaranteed interview scheme. It is acknowledged more work needs to be done in ensuring our vacancies are accessible to different groups and this will be identified in the E,D & I self- assessment and action plan.

Table 5 - Staff Ethnicity

	All Staff		Job Role					
			Managers		Curriculum		Support	
Ethnicity	No.	%	No.	%	No.	%	No.	%
BAME	2	1.5	0	0	2	1.5	0	0
White British	127	95.5	11	8.3	65	48.9	51	38.3
White Other	4	3	1	0.7	1	0.7	2	1.5
Total	133	100	12	9	68	51.1	53	39.8

- Again, the College has done significant work to ensure the figures represented here are accurate. The College currently has only two members of staff from the Black and Minority Ethnic (BAME) groups and four who are White Other. This profile is significantly lower than that in the local demographic (2.3% BAME in Derwentside and higher across County Durham (3.6%) and the North East region (5.3%)) and the profile of learners (see Table 7). It should also be noted that the two members of staff identifying as BAME are not based in Derwentside. More work is clearly needed in this area and will be explored further with the E,D & I committee this year. All job adverts include an equality statement.

Learner Profile (Academic year 2019-2020)

Table 6 – Achievement Rates by Learner Age and Gender Profile

	16 - 18				19 +				All Ages			
	Participat %		Achievement %		Participat %		Achievement %		Participat %		Achievement %	
	M	F	M	F	M	F	M	F	M	F	M	F
Classroom	42.2%	57.8%	92.0%	90.0%	46.3%	53.7%	96.4%	95.4%	44.8%	55.2%	94.8%	95.3%
Apps	45.8%	54.2%	66.2%	62.3%	27.2%	72.8%	50.8%	53.2%	29.2%	70.8%	53.4%	53.9%

- Female participation is greater than male on CL programmes by 10.4%. On apprenticeship programmes, participation of males at 29.2% is lower than females at 70.8%. In apprenticeship provision there is significant Health and Social Care provision in a sector that is predominantly female. The College strives to ensure that it positively promotes and portrays both genders in these areas.
- For all ages, there are no significant achievement rate gaps for males and females on both CL and apprenticeship programmes.

Table 7 – Achievement Rates by Learner Age and Ethnicity Profile

	16 - 18				19 +				All Ages			
	Participat %		Achievement %		Participat %		Achievement %		Participat %		Achievement %	
	White	BME	White	BME	White	BME	White	BME	White	BME	White	BME
Classroom	78.6%	21.4%	90.3%	92.7%	91.1%	8.9%	95.9%	95.1%	86.4%	13.6%	94.0%	93.7%
Apps	99.3%	0.7%	64.5%	0%	82.2%	17.8%	55.3%	39.6%	84.1%	15.9%	56.5%	39.4%

- The proportion of learners from BME groups on both CL and apprenticeship programmes overall are 13.6% and 15.9% respectively, demonstrating a small increase in both compared to the previous year. These values are considerably higher than in the local demographic area. However, the difference is largely due to the significant quantity of national delivery mainly in the Health and Social Care. The College will continue to aim towards raising participation among BME groups across all programmes.
- In terms of achievement rates, BME learners perform significantly less well than white learners on apprenticeship programmes (17.1% difference) with only a small difference evident in CL programmes. The significant difference in apprenticeship programmes was identified in the College's self-assessment report and subsequent actions written into the development plan. This will also be reflected in the Equality Action Plan.

Table 8 – Achievement Rates by Learner Age and Learning Difficulty / Disability / Health Problem Profile

	16 - 18				19 +				All Ages			
	Participat %		Achievement %		Participat %		Achievement %		Participat %		Achievement %	
	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes
Classroom	62.8%	37.2%	91.0%	90.6%	61.8%	38.2%	96.5%	94.9%	62.2%	37.8%	94.4%	93.3%
Apps	86.6%	13.4%	67.5%	42.2%	86.7%	13.3%	51.4%	57.4%	86.7%	13.3%	53.5%	55.7%

- Overall, 37.8% of college classroom learners have declared they have a learning difficulty / disability / health problem.
- In apprenticeship programmes, the participation rate of those with a declared learning difficulty / disability / health issue has increased from 11.6% in 2018-19 to 13.3% in 2019-20. The College is continuing to look to ensure that prospective apprentices and employers are aware of the support available and not deterred by perceived barriers. Actions to improve progression from Learner Responsive to Apprenticeship provision will be encouraged.
- Achievement rates on CL programmes are broadly similar across both groups, with those with a declared learning difficulty / disability / health issue achieving at 93.3%, compared to 94.4% for those without a declared learning difficulty / disability / health issue. On apprenticeship programmes, those declaring that they do not have a learning difficulty / disability / health problem achieve better at 55.7%, compared to 53.5% for those that do not. There is a slight concern that the small number of 16-18 apprentices with a declared learning difficulty / disability / health issue achieve less well than those without and the situation will be closely monitored during 2020-21.

Appendix B – The Equality Act 2010 and public sector equality duty

Equality Act 2010 & Relevant Legislation

The Equality Act 2010 brought together all previous equality legislation in a single act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with.

There are nine ‘protected characteristics’ as defined in the Equality Act 2010. These are:

- Age;
- Disability;
- Race, including ethnic or national origins, colour or nationality;
- Sex;
- Sexual orientation;
- Gender reassignment;
- Religion or belief including non-belief;
- Pregnancy and maternity;
- Marriage and Civil Partnership (although the duty for this protected characteristic is limited to eliminating unlawful discrimination only).

Public Sector Equality Duty

The aim of the equality duty is “to embed equality considerations into the day to day work of the college, so that it tackles discrimination and inequality and contributes to making society fairer”.

The equality duty consists of a general duty and specific duties.

The general duty requires the college to have 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;
- Foster good relations between people who share a protected characteristic and those who do not.

The specific duties require the College to:

- Publish information annually to demonstrate compliance with the general equality duty. This information must include, in particular, information relating to people who share a protected characteristic who are:
 - Its employees, and
 - People affected by its policies and practices.Public authorities with fewer than 150 employees are exempt from the requirement to publish information on their employees (Although Derwentside College employed 133 staff as at 31 July 2020, employee data will continue to form part of this report).
- Prepare and publish at least one equality objective every four years. The objective(s) should focus on what the College believes it should reasonably achieve to further one or more of the aims of the general duty and must be specific and measurable.

Abiding by the principles set out in the general equality duty should, as well as ensuring compliance, also result in better informed decision making and policy development, and better policy outcomes.