

REPORT TITLE	Equality, Diversity and Inclusion Annual Report	ATTACHMENTS <ul style="list-style-type: none">• Equality Statistics – Staff and Learners• EDI Committee Terms of Reference
AGENDA ITEM	7.4	
REPORT STATUS	Public	
COMMITTEE	Corporation Board	
AUTHOR	Director of Human Resources	
DATE	27 th February 2024	

EXECUTIVE SUMMARY

1. Introduction & Purpose

- 1.1. The purpose of this annual report is to provide the Board with assurance that the College continues to meet it's obligations and statutory responsibilities regarding Equality, Diversity and Inclusion (EDI).

2. Recommendations

- 2.1. Board members are recommended to:
- **Review** and consider the key points arising from this report and the level of assurance provided.

3. Summary of Key Points and Risks

- 3.1. There are very few legal requirements of the Board when it comes to EDI however, it is an important policy area and as such, a summary of the key elements relevant to the Board is provided in section 5 of this report. Section 5 provides assurance that the College has robust arrangements in place relating to EDI, with areas for further development identified and incorporated into an EDI Action Plan being worked on in 2023/24.

4. Legislative and Policy Context

- 4.1. There has been little change in the legislation surrounding EDI in recent years, with the main applicable regulation being the Equality Act 2021. This act places a general duty on public sector organisations (which includes further education colleges) to demonstrate compliance with the Public Sector Equality Duty (PSED), to have due regard in our activities to:
- Eliminate unlawful discrimination, harassment and victimisation and any other unlawful conduct prohibited by the Act.
 - Advance equality of opportunity between people who share and people who do not share a relevant protected characteristic.
 - Foster good relations between people who share and people who do not share a relevant protected characteristic.

This is taken into consideration in all of the work of the EDI Committee and its subgroups and is demonstrated through the Equal Opportunities and Fair Treatment Policy, the Committee's action plans and this report.

- 4.2. As well as the general duties outlined in 4.2, there are also specific duties which we are obliged to comply with, as an employer of 150 to 249 employees:
- Publish one or more equality objectives at least every four years;
 - Publish information on general duty compliance with regard to people affected by our policies and practices every year;
 - Publish information on general duty compliance with regard to our employees every year.
- 4.3. The Government Equalities Office, in December 2023, issued replacement guidance on how to comply with the Public Sector Equality Duty, offering clarity that there is no 'hierarchy of rights' under the Equality Act 2010 and urging public authorities provide leadership in reducing prejudice and understanding between different groups of people.
- 4.4. The Equality Impact Assessment process aims to ensure our policies and practices do not inadvertently disadvantage or discriminate against staff, learners or other service users and that they actively explore opportunities and foster good relations between people of different protected groups and backgrounds. The process has now been embedded into our policy writing and is regularly reviewed to ensure compliance.

5. Board EDI Assurance

- 5.1. This section of the report is designed to provide the Board with assurance over some of the key aspects of Equality, Diversity and Inclusion relevant to the Board, as follows:

5.1.1. Policy and Procedure

The Equal Opportunities and Fair Treatment Policy provides a framework for challenging prejudice, eliminating discrimination, advancing equality of opportunity and fostering good relations between people from a variety of backgrounds. The Equal Opportunities and Fair Treatment Policy is within the Board pack this evening to be approved.

5.1.2. Equality Objectives

The EDI Committee reviews its Terms of Reference annually and this included a set of agreed objectives, which informs the work of the committee and its subgroups. The can be seen in the attached Terms of Reference document. Race

5.1.3. Monitoring EDI data across the workforce

The statistics relating to staff (available in the appendices) identify no major areas of concern. Our data set is small and thus, differences in categories may appear significant when they are not, however the main areas requiring action are:

- to review the EDI monitoring data provided by staff and held by HR to ensure it remains reflective of their status. This may lead to an increase in staff declaring a protected characteristic, such as a disability, where they have perhaps not in the past or their status has changed and may bring the workforce more in line with the working population;
- to ensure action is taken to encourage applications for our roles from individuals which will lead to us having a workforce that better represents our learners;
- to review the composition of the Board from an EDI perspective and to ensure this reflects the profile of the communities it serves.

5.1.4. Monitoring EDI data across the student body

Learner achievement rates show there are very few areas where significant issues exist. In the majority of cases where achievement gaps exist between the various protected characteristics, this is largely due to sectoral anomalies. For example, although this achievement gap is reducing, there remains a significant difference between achievement rates of females and males (around 10% higher for males) in apprenticeships, which can largely be attributed to lower achievement rates in the care sector (female dominated).

6. Implications

6.1. Learners and Learning Implications

6.1.1. Failure to implement effective EDI actions could have an impact on the opportunities for all classroom learners and apprentices, as well as enriching their programmes of study.

6.2. Financial Implications

6.2.1. The PSED duty is a legal obligation which if breached could ultimately result in the enforcement by judicial review. Such an outcome would inevitably have cost implications and may cause reputational damage.

Demographics

Table 1 - Local and Regional Demographic Information

	White		BAME		Males		Females	
	No. (000)	%	No. (000)	%	No. (000)	%	No. (000)	%
England	45,783	81.0	10,706	19.0	27,656	49.0	28,834	51.0
N East Region	2,463	93.0	184	7.0	1,293	48.9	1,354	51.1
County Durham	506	96.9	16	3.1	255	48.9	266	51.1
Derwentside	77	97.5	2	2.5	40	48.9	39	51.1

Source: 2021 census data published by the ONS.

Derwentside as a district no longer exists and so the data is based upon the Wards of Annfield Plain, Benfieldside, Burnopfield and Dipton, Consett North, Consett South, Delves Lane, Lanchester, Leadgate and Medomsley, Stanley and Tanfield

Staff Profile (as at 31 July 2023)

Table 2 - Staff Age and Gender Profile

	TOTAL		Under 25		25-29		30-39		40-49		50-59		60 +	
	No	%	No	%	No	%	No	%	No	%	No	%	No	%
Male	48	31%	0	0	2	1.3	9	5.8	8	5.2	18	11.6	11	7.1
Female	107	69%	2	1.3	6	3.9	20	12.9	34	21.9	36	23.2	9	5.8
Total	155	100	2	1.3	8	5.2	29	18.7	42	27.1	54	34.8	20	12.9
General FE Colleges (21/22)			5.7%		8%		20.6%		23.2%		27.4%		15.2%	

- We have this year amended our age categories to mirror those in the DfE's Further Education Workforce Data Collection of 2021/22 and, with the exception of the 60+ category, we had a higher proportion of employees in the older age groups compared to the younger ones than the rest of the General FE Colleges in the survey. 74.8% of our staff were over 40 at 31/08/23, compared to 65.8% in the rest of the General FE workforce.

Table 3 - Gender Profile by Job Role

Gender	All Staff		Job Role					
			Management		Curriculum		Support	
	No.	%	No.	%	No.	%	No.	%
Male	48	31%	7	4.5	28	18.1	13	8.4
Female	107	69%	5	3.2	60	38.7	42	27.1
Total	155	100%	12	7.7	88	56.8	55	35.5

- The College's overall gender balance remains the same as last year, although we have seen an increase in the proportion of females in management roles. This is not unusual in such a small data set and will be something we will monitor on an ongoing basis. The proportion of females in the College is slightly higher than that reported in the DfE's Further Education Workforce Data Collection of 2021/22, where 64.3% are female and 34.4% are male (0.1 identify in another way and 0.7% prefer not to say) but we do offer education in many predominantly female industries and the workforce is largely representative of our learners (see table 6).

Table 4 - Staff Disability by Job Role

	All Staff		Job Role					
			Managers		Curriculum		Support	
Disability	No.	%	No.	%	No.	%	No.	%
Yes	8	5.1%	0	0	5	3.2	3	1.9
No	141	91%	10	6.4	81	52.3	50	32.3
Unknown	6	3.9%	2	1.3	2	1.3	2	1.3
Total	155	100	12	7.7	88	56.8	55	35.5

- Work has been undertaken in recent years to clarify the figures on the number of staff declaring themselves as disabled, and to reduce the number of unknowns, which has again been achieved in 2021/22 as we reduced this figure from 4.7% to 3.9%. However, the percentage of college staff declaring a disability remains slightly low at 5.1%. The figure from the DfE's Further Education Workforce Data Collection of 2021/22 is at 6.9% of staff declaring a disability. All job adverts include an equality statement, and the College operates a much more visible guaranteed interview scheme than previously. It is acknowledged more work needs to be done in ensuring our vacancies are accessible to different groups and reconciling the data of current employees, as is identified in our EDI Action Plan.

Table 5 - Staff Ethnicity by Job Role

	All Staff		Job Role					
			Managers		Curriculum		Support	
Ethnicity	No.	%	No.	%	No.	%	No.	%
BAME	4	2.6%	0	0	2	1.3	2	1.3
White British	143	92.2%	10	6.4	83	53.5	50	32.3
White Other	4	2.6%	0	0	3	2	1	0.6
Not declared	4	2.6%	2	1.3	0	0	2	1.3
Total	155	100%	12	7.7	88	56.8	55	35.5

- Again, the College has done significant work to ensure the figures represented here are accurate. The College currently has only four members of staff from the Black and Minority Ethnic (BAME) groups and four who are White Other. This profile has increased and is now slightly higher than that in the local demographic (2.5% BAME in Derwentside) though remains slightly lower than across County Durham (3.1%) and the North East region (7%) as a whole, as well as against the profile of learners (see Table 7).
- The inclusion of statistics on sexual orientation has been explored and deemed inappropriate due to the very low numbers and therefore possible individual identification of relevant staff.

Table 6 – Final 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	51.4	48.6	88.7	88.3	45.3	54.7	86.8	85.5	47.6	52.4	87.5	86.7
Apps	53.8	46.2	73.5	60.7	21.8	78.2	60.0	53.1	26.7	73.3	64.2	53.8

- Female participation is now only slightly greater (9% as opposed to 27% in 2021/22) than male on 19+ classroom. This is due to the wider range of SBWA's on offer last academic year and the increase in learner numbers on the more male dominated courses such as Construction and Engineering. In apprenticeship programmes, overall participation of males is 46.6% lower than females due mainly to the 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 between males and females in classroom programmes.
- In apprenticeship provision, for all ages, there remains a significant difference between achievement rates of females and males with males achieving around 10% higher than females, though this gap is reducing (it was around 15% last year). Both rates have seen a significant improvement in 2022/23 as apprenticeship achievement rates have improved across the board, but the gap is still influenced by the primarily lower, albeit improving, achievement rates in the female dominated Care sector.

Table 7 – Final 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	97.5	2.5	88.7	83.3	93.8	6.2	85.9	87.8	95.2	4.8	87.0	86.9
Apps	98.9	1.1	68.3	0	91.9	8.1	54.8	52.4	92.9	7.1	57.0	51.2

- The proportion of learners from BME groups on classroom and apprenticeship programmes overall are 4.8% and 7.1% respectively, demonstrating no change to classroom learners and a small decrease in apprenticeships compared to the previous year. These values remain higher than in the local demographic area. The slight reduction from 2021/22 is due to reduced number of learners on programme out of region. The College will continue to aim towards raising participation among BME groups across all programmes.
- In terms of achievement rates, there are no significant differences in the achievement of White and BME learners in classroom provision.
- For apprenticeship provision, White learners achieved around 6% higher than BME learners in 2022/23. In 2021/22 a more significant difference (around 13%) was anticipated and so an action plan was put in place and worked on by the Curriculum subgroup of the EDI committee in 2022/23 which has begun to address this issue. It is anticipated this will continue this year.

Table 8 – Final 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	48.6	51.4	87.2	89.8	71.3	29.7	86.6	84.5	62.2	37.8	86.8	87.2
Apps	90.1	9.9	67.8	66.7	87.5	12.5	54.4	56.3	87.3	12.7	56.5	57.6

- Overall, 37.8% of college classroom learners have declared they have a learning difficulty / disability / health problem. This is an increase of around 2% compared to 2021-22.
- In apprenticeship programmes, the participation rate of those with a declared learning difficulty / disability / health issue has increased to 12.7% (after a fall from 14.0% in 2020-21 to 10.9% in 2021-22). 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 both classroom and apprenticeship programmes is broadly similar across both groups.

TERMS OF REFERENCE

COMMITTEE	Equality, Diversity and Inclusion Committee
AUTHOR	Director of Human Resources
DATE AGREED	13 th December 2023

COMMITTEE MEMBERSHIP

Members		
Chair	Director of Human Resources (and representative from JCNC staff subgroup)	Rachel Holmes
Member	Representative from Curriculum subgroup	Michael Johnson
Member		Nicola Dixon
Minute Taker	Representative from Wellbeing subgroup	*To be confirmed*

SUBGROUP MEMBERSHIP

Staff Subgroup Members (JCNC)		
Chair	Principal and Chief Executive	Chris Todd
Member	Director of Human Resources	Rachel Holmes
Member	UCU Representative	Chris Robinson
Member	NEU Representative	(external)
Member	Unison Representative	Sandra Riddell
Member	Unite Representative	Gill Toward (external)
		Dawn Logan
Curriculum Subgroup Members		
Chair	Assistant Principal - Student Services	Michael Johnson
Member	Head of Quality & Standards	Helen Brennan
Member	Adult Learning Manager	Scott Ritchie
Member	Foundation Learning Tutor and SEND Lead	Julie Eddy
Member	Adult Education Tutor	Deborah Chapman
	Curriculum Leader	Steve Olsen
Wellbeing Subgroup Members		

Chair	Wellbeing Practitioner	Nicola Dixon
Member	Careers Advisor	Mary Stokoe
Member	Director of Human Resources	Rachel Holmes
Member	Human Resources Officer	Nicola Wrightson
Member	Lecturer – Health and Social Care	Lewis Ritchie
Member	Information Services Assistant	Susan Grimes
Member	Marketing assistant	Michelle Dale

Purpose

The Equality, Diversity and Inclusion Committee is established to promote and advance equality, diversity and inclusion within Derwentside College. The Committee will provide guidance, oversight and recommendations to ensure our organisation fosters and inclusive environment for all employees, learners and stakeholders.

Objectives

1. To ensure compliance with the Public Sector Equality Duty (PSED) by, in the exercise of our functions, having due regard to the need to :
 - Eliminate unlawful discrimination, harassment and victimisations and other conduct prohibited by the Equality Act 2010.
 - Advance equality of opportunity between people who share a particular characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
2. To ensure the college meets its obligations and duty of care under the Equality Act 2010.
3. To ensure fair treatment, an environment free from discrimination and where all learners and staff can reach their full potential, particularly with regards to:
 - Age
 - Disability
 - Gender reassignment / Gender identity
 - Marriage or civil partnership
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
4. To celebrate the diversity of our workforce and learners, and our society, by raising awareness, increasing understanding, leading events and campaigns, and promoting causes;
5. To compile and monitor the college's Equality Action Plan;
6. To monitor and maximise the progression of our learners, ensuring differences between groups of learners are identified and acknowledged and to make recommendations on how to address them;
7. To encourage positive attitudes around mental health and wellbeing, and caring for each other at work and beyond.
8. To produce an annual report to the Corporation board at the end of each academic year, to be presented to the Board in line with their business cycle. This and a mid-year review will also be produced and presented to the Senior Leadership Team.

OPERATIONAL DETAILS

- Minute taker – To be confirmed
- Meetings per academic year – 3
- Subgroup representatives and Board Envoy to arrange to send a representative in their place

2023-24 Business Cycle

- Meeting 1
 - Terms of Reference review
 - E,D & I Annual Report (including workforce and learner analysis)
 - Finalising Equality Action Plan
 - Finalising E,D & I Calendar
 - Sub-group updates and actions
- Meeting 2
 - Equality Action Plan progress
 - E,D & I Calendar progress
 - Sub-group updates and actions
- Meeting 3
 - Equality Action Plan progress
 - E,D & I Calendar progress
 - Sub-group updates and actions