

SEXUAL ORIENTATION EQUALITY POLICY STATEMENT

1 Context

This policy statement sets out how Doncaster College will work towards the promotion of sexuality equality in all of its activities. It outlines how the College will ensure that discrimination on the grounds of sexual orientation is challenged and eliminated through legislation and good practice.

This policy statement needs to be viewed in the context of the Equality Act 2010 and Public Sector Duty 2011 and the extent of protection it provides in the context of sexual orientation- a protected characteristic.

This policy needs to be read in conjunction with the College's:

- Annual Inclusion Report
- Equality and Diversity Strategy
- Anti Harassment and Anti Bullying Policy (Staff and Students)
- Widening Participation Strategy
- Equality and Diversity Framework: An Ethical Framework
- Equality and Diversity Policy
- Strategic Equality and Diversity Action Plan
- Equality and Diversity Framework: Charter for Staff
- Community Involvement Strategy.

2 Definition

The Equality Act 2010 makes discrimination on the grounds of sexual orientation including bisexuals, heterosexuals and lesbians, gay and trans people, unlawful in employment, education and training.

Lesbians, heterosexual, gay, trans and bisexual people are represented throughout the general population and the Doncaster region is no exception. The LGBT community make a significant economic, social and cultural contribution to Doncaster and although there is no hard data on the number of LGBT people locally and nationally, as sexuality is not a specific category in the national census. It is estimated that LGBT people make up at least 10% of both the local and national population.

Equality means ensuring that everyone is treated equally i.e. that all students have the same right of access to resources. Consequently to ensure equality of opportunity, individuals / groups may be treated differently.

Diversity is recognising that individuals and groups of people are different and that it is important to value and celebrate difference.

Direct Discrimination is treating someone less favourably than he/she would treat others because of a protected characteristic.

[The individual does not need to possess the protected characteristic]

Indirect Discrimination is where an employer/provider has a condition, rule, policy or practice that applies to everyone but particularly disadvantages people who have a

protected characteristic. [It can be justified if it is proportionate means of achieving a legitimate aim.]

Associative Discrimination is directed discrimination against someone who associates with another person that possesses a protected characteristic.

Perceptive Discrimination is direct discrimination against some one because they are thought (wrongly) to possess a protected characteristic.

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of violating an individual's dignity, or creating an intimidation, hostile, degrading, humiliating or offensive environment for that individual.

Victimisation is where an individual is subjected to a detriment because they make, or are suspected of making, or supporting a complaint or grievance under the Equality Act 2010. [No protection if a complaint has been maliciously made or supported an untrue complaint.]

Third Party Discrimination protects learners and employees who are harassed by clients, contractors of the employer/provider. An employer/provider is liable if the conduct has occurred on at least two previous occasions, is aware it has taken place and has not taken reasonable steps to prevent it occurring.

Sexual orientation/sexuality as follows:

- People of the same sex (gay or lesbian)
- People of the opposite sex (heterosexual)
- People of both sexes (bisexual)

3 Guiding Principles

Doncaster College wishes to be recognised by the community as an organisation which provides good employment and educational opportunities for people regardless of their sexuality and we wish individuals who apply to us as a student or employee to know that they will receive fair treatment and be treated solely on their ability.

Therefore our policies aim to ensure that people regardless of their sexual orientation receive treatment that is fair, equitable and consistent with their skills and abilities.

Doncaster College is fully committed to promoting sexual orientation equality and believe all people have a right of equality of opportunity irrespective of their sexual orientation. As part of that commitment the College is a member of Stonewall (Workplace Equality Index).

Our practices are reviewed and impact assessed regularly to ensure they provide equality of opportunity through compliance with current legislation, good practice guidance and user feedback, with targets set for improvement through our Strategic Equality and Diversity Action Plan 2014-17.

Wherever possible the College will use Association of Colleges (AoC) good practice guidelines.

Doncaster College does not tolerate any prejudicial behaviour by any member of the College. The College has a zero tolerance to bullying, harassment and victimisation.

4 Legislative Framework

The College will operate within the legislative framework of the Equality Act 2010 and Public Sector Duty 2011 and strive, where possible, to go beyond legal compliance.

The College recognises the legal protection afforded to the protected characteristic of sexual orientation.

The College is committed to ensure that it does not discriminate either directly or indirectly in the provision of goods, facilities, services or employment on the grounds of sexual orientation.

Consequently, the College will not tolerate any forms of discrimination on the basis of sexual orientation based upon:

- Direct Discrimination
- Indirect Discrimination
- Associative Discrimination
- Perceptive Discrimination
- Indirect Discrimination
- Harassment
- Third Party Harassment
- Victimisation

Within the College's Strategic Equality and Diversity Action Plan 2014-17 the College will take action to:

- Eliminate discrimination on the basis of sexual orientation that is unlawful under the Equality Act 2010 and Public Sector Duty 2011
- Promote equality between people of different sexual orientation
- Eliminate harassment of people of different sexual orientation
- Promote positive attitudes towards people of different sexual orientation in public life
- Encourage participation of people of different sexual orientation in public life.

The College recognises that the Equality Act 2010 prohibits both direct and indirect discrimination on the grounds of sexual orientation and extends protection to cover third party harassment.

Discrimination against lesbians, heterosexual people gay or bisexual people can be both direct and indirect.

The College supports good decision making by encouraging staff to understand how different people will be affected by their activities so that our policies and services are appropriate and acceptable to all and meet different people's needs.