ABBEY COLLEGE IN MALVERN
abbeycollege.co.uk

Equality and Diversity Policy

Related documents include:
• Anti- Bullying Policy
Legal Status:
• Equality Act 2010; • Protection from Harassment Act 1997; • Worker Protection (Amendment of Equality Act 2010) Act 2023; • Employment Rights Act 2025 (including provisions commencing 30 October 2026); • Education (Independent School Standards) Regulations 2014; and relevant statutory guidance.
Monitoring and Review
• This policy will be subject to continuous monitoring, refinement and audit by the Welfare Manager. • This policy is subject to continuous monitoring, refinement and audit by the Welfare Manager. Formal annual review should take place by October 2027, or earlier where legislation, regulatory requirements, guidance or significant changes to College arrangements require it.
• The next official date for review is **October 2027**

Introduction

Abbey College is committed to encouraging equality and diversity among our workforce and eliminating unlawful discrimination.

The aim is for our workforce to be truly representative of all sections of society, and for each employee to feel respected and able to give their best.

The policy's purpose is to:

• provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time

• not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.

• oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.

The College applies its commitment to equality, dignity and respect throughout College life. This includes its dealings with students, prospective pupils, parents and carers, visitors, contractors, volunteers and other people using or working with the College. The relevant legal duties differ according to the relationship and context; this policy does not imply that every employment provision applies identically to pupils.

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

The College will not tolerate direct discrimination, indirect discrimination, discrimination arising from disability, failure to make reasonable adjustments, harassment or victimisation where prohibited by the Equality Act 2010. It will also consider discrimination by association or perception where the Act applies. The College will assess whether a provision, criterion or practice which applies generally places people sharing a protected characteristic at a particular disadvantage and, where required, whether it can be objectively justified.

College Commitment

The College commits to:

- encourage equality and diversity in the workplace as they are good practice and make business sense.
- create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

This commitment includes training managers and all other employees about their rights and responsibilities under the equality policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, students, parents and all users of the College.

- take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, students, visitors, the public and any others in the course of the College's work activities.

Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and any appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

Additional Prevention of Sexual Harassment & Third-party Harassment

The College recognises its statutory duty under section 40A of the Equality Act 2010 to take reasonable steps to prevent sexual harassment of employees. From 30 October 2026, the

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

Employment Rights Act 2025 strengthens this duty so that employers must take all reasonable steps to prevent sexual harassment. The College will therefore take a proactive, risk-based approach rather than relying solely on responding to complaints after an incident.

The College will identify and assess risks of sexual harassment, including risks arising from work-related activities, work-related communications, residential and boarding contexts, events, travel and contact with students, parents, visitors, contractors and members of the public. It will take proportionate preventive steps, which may include clear standards of conduct, accessible reporting routes, staff information and training, appropriate supervision, prompt investigation, support for those affected and review of lessons learned. Risk assessments and actions will be recorded and reviewed.

From the 30th of October 2026, section 40 of the Equality Act 2010, as amended by the Employment Rights Act 2025, also places an obligation on an employer not to permit third parties to harass its employees in the course of their employment where the employer has failed to take all reasonable steps to prevent that harassment. Third parties may include pupils, parents, visitors, contractors, suppliers and members of the public. The College will make clear that harassment of staff by third parties is unacceptable and will take reasonable preventive and responsive action. This provision does not replace the College's separate duties to students.

The College will review the effectiveness of its preventive measures at least annually and after any serious incident or material change in risk. The College will have regard to current Equality and Human Rights Commission guidance and any applicable regulations specifying reasonable steps.

Reasonable Adjustment & Accessibility

The College will make reasonable adjustments where required by the Equality Act 2010 for disabled job applicants, employees and students. Adjustments will be considered individually and in a timely manner, in consultation with the person concerned where appropriate. They may include changes to working arrangements, recruitment or assessment processes, premises, equipment, communication, teaching, learning, access to facilities or the provision of auxiliary aids and services. The College will not assume that one adjustment is appropriate for every person with the same or a similar disability. For disabled pupils, the College will anticipate and take reasonable steps to avoid substantial disadvantage arising from a provision, criterion or practice, or from the absence of an auxiliary aid or service, in accordance with the Equality Act 2010. The College will consider reasonable adjustments to policies, practices and procedures and to physical features, subject to the statutory framework applicable to schools.

The College will maintain a written Accessibility Plan in accordance with Schedule 10 to the Equality Act 2010. The plan will address: increasing disabled students' participation in the curriculum; improving the physical environment to increase access to education and the benefits, facilities and services offered; and improving the delivery of information to disabled pupils in accessible formats

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

and within a reasonable time. The plan will be kept under review, revised where necessary and implemented. This Equality and Diversity Policy does not replace the separate Accessibility Plan.

Recruitment, Employment & Progression

Recruitment, selection, promotion, training, performance management, pay, terms and conditions, disciplinary action, grievance handling and termination will be conducted fairly and on objective, job-related criteria. The College will consider reasonable adjustments at each relevant stage, including during recruitment and selection. Applicants and employees will be able to request adjustments without being treated unfavourably for doing so.

The College will ensure that recruitment information and selection procedures do not unlawfully disadvantage candidates because of a protected characteristic. Any occupational requirement or other statutory exception will be relied upon only where it is lawful, necessary and properly documented.

Complaints, Reporting & Response

Employees should normally raise concerns through the College's grievance procedure or with their line manager. Where the concern involves the line manager, or it is inappropriate to report to that person, the employee may report it to the Principal, Welfare Manager or another member of senior leadership. Students may raise concerns with a trusted member of staff, the Welfare Manager or the Principal, and may also use the College's relevant pupil complaints and safeguarding procedures.
All reports will be taken seriously, handled promptly and impartially, and investigated proportionately. The College will consider immediate steps to protect those affected, preserve confidentiality as far as reasonably possible, prevent retaliation, keep appropriate records and communicate outcomes as appropriate. Confidentiality cannot be guaranteed where information must be shared to safeguard a person, investigate a complaint or meet a legal obligation. No person will be victimised for making or supporting a complaint in good faith.

Training & Awareness

The College will provide appropriate equality and diversity information and training to staff, including managers and those involved in recruitment, supervision, complaints and pupil welfare. Training will cover protected characteristics, prohibited conduct, reasonable adjustments, reporting routes, sexual harassment prevention and the standards of behaviour expected when dealing with pupils, parents, colleagues and third parties. The College will keep a record of training and identify refresher training where necessary.

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

Further to the above, the College will:

• make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
• ensure that decisions concerning staff are based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
• review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
• monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the equality policy.

Monitoring will also include assessing how the equality policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and acting to address any issues.
The equality policy is fully supported by senior management.

Details of the College's grievance and disciplinary policies and procedures can be found in the Policies and Procedures folder on SharePoint. This includes with whom an employee should raise a grievance – usually their line manager.

Use of the College's grievance and/or disciplinary procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026