

The background of the entire page is a photograph of a bright sun shining through a blue sky with wispy clouds. The sun is positioned in the center-right area, creating a lens flare effect. The sky is a deep blue, and the clouds are light and airy.

# **From Quality to Equality A match made in heaven?**

**Dr Christine Rose  
Project report**

**LSC East of England**

**Meeting the equality duties: embedding  
equality within self assessment and other  
quality improvement processes**

**Project Report  
Dr Christine Rose  
July 2008**

# Acknowledgements

This is the final report for the project 'meeting the equality duties, embedding equality within self assessment and other quality improvement processes'. LSC East of England commissioned this project as part of their regional action plan.

One of the great strengths of this project has been the tremendous amount of enthusiasm and commitment displayed by organisations and individuals. I would like to extend my thanks to all those involved, and the insights they brought to the process of embedding equality within quality improvement.

I would especially like to thank Esther Cook, LSC Eastern Regional Equality and Diversity manager and Trish Bugg, LSC Eastern Regional Director of Learning and Quality, for their genuine interest and support, and their role in making this project possible

Dr Christine Rose  
Equality consultant  
July 2008

# Contents

**Executive summary**

**Project background and context**

**Purpose of this report**

**Project methodology**

**Project delivery**

- Participant selection
- Network meetings
- Project support

**Key themes**

- The divorce or partnership of equality from quality
  - Learner involvement strategies
  - Work experience /work placements
  - Learner performance data
  - Improving the validity and reliability of data
  - Monitoring in relation to sexual orientation and religion or belief
  - Equality targets (organisational EDIMs)
- The link between gathering information, impact assessment and reporting activities
- Developing and implementing a Single Equality Scheme

**Evidence of impact**

**Conclusions and recommendations**

**Appendix A - The monitoring requirements of equality legislation**

**Appendix B - Project activity, timescale and milestones**

# Executive summary

## Project background and context

The Duty to promote Race, Disability and Gender Equality place requirements on providers to gather and make use of information to assess the impact of activities and to measure progress towards race, disability and gender equality (the monitoring duties). Although there are no specific monitoring duties under other equality legislation, such as sexual orientation, age or religion and belief, nevertheless providers must ensure that their activities do not discriminate against people for these equality and diversity parameters. As a result, organisations will need to gather a wide range of quantitative and qualitative information, and ensure that this evidence is

- appropriate and sufficient to meet equality legislative requirements
- used effectively to achieve improved outcomes for people who share one or more aspects of their identity in relation to race, disability, gender, gender identity, age, sexual orientation, religion or belief

LSC East of England is driving forward equality and diversity through a regional action plan. As part of this plan, LSC East of England commissioned a project to support providers to embed equality within self assessment and other quality improvement processes. The project ran between November 2007 and July 2008. The aim was to build up practitioner expertise, understanding and capacity for self improvement in equality, so that peer review can flourish on a sound knowledge base and providers meet their statutory duties under equality legislation.

## Key themes

### The divorce or partnership of equality and quality

Having a member of staff with a recognised remit for equality and diversity can help drive forward equality in the organisation. However, this can separate equal opportunity reporting from self assessment and quality improvement activities. A key challenge for organisations is to embed equality within all self assessment and quality improvement activities so that equality reporting leads to genuine action to promote equality and achieves improved outcomes. This may include, for example:

- **learner involvement strategies**, so that the 'learner voice' truly represents the views of the full diversity of the learner body
- **work experience**, such as embedding equality within evaluation of learners' experiences
- **learner performance data**, such as curriculum managers routinely disaggregating their performance data by gender, ethnicity and disability

Outcomes from the above activities should inform self assessment and quality

improvement, and be used to identify equality gaps. This permits the setting of organisation equality targets, or **EDIMs** (Equality and Diversity Impact Measures). Discussion can then take place with LSC staff to compare these with regional EDIMs, to agree appropriate provider targets. A key challenge for both providers and the LSC is to achieve a shared understanding of provider and LSC responsibilities in establishing provider EDIMs.

In contrast to race, gender or disability legislation, there are no current legal duties to gather and use information in relation to **sexual orientation and religion or belief**. Many have reservations about asking questions of such a personal and sensitive nature. Monitoring, however, will allow organisations to check that the experiences of their lesbian, gay or bisexual staff or learners, or staff or learners who represent different religions or faith groups, match their peers.

Some providers are experiencing difficulty in carrying out **impact assessments**, due in part, to insufficient evidence to inform the process. This can be linked to a limited organisational response to the specific duty requirement to gather and use information, and this, in turn, can be linked to the 'divorce' of equality from quality that is discussed in this report

Many organisations are planning to bring together their existing equality policies, schemes and action plans to form a **Single Equality Scheme** and Action Plan. However, there are opportunities to improve the content of current schemes and policies. There is some confusion among work-based learning providers on what is required by the law, LSC and inspectorate and specific guidance would be helpful.

## Evidence of impact

Actual and anticipated impact of this project include:

- opportunities to critically review systems and paperwork for embedding equality within self assessment and other quality improvement activities
- improvements in the reliability and validity of staff and learner data
- improved learner satisfaction and success rates by disability, gender, ethnicity and age, and therefore improved learner satisfaction and success rates overall

## Conclusions

Many providers are at an early stage in effectively embedding equality within planning and monitoring processes such as course reviews, work experience evaluation, self assessment and quality improvement planning. This project has enabled participating sites to advance their progress in this area and to act as champions of equality in the region, increasing the capacity of providers in the East of England to address equality and diversity issues through the peer review process.

# Project background and context

The Duty to promote Race, Disability and Gender Equality place requirements on providers to gather and make use of information to assess the impact of activities and to measure progress towards race, disability and gender equality (the monitoring duties). There are no specific monitoring duties under other equality legislation, such as sexual orientation, age or religion and belief. However, providers must ensure that their activities do not discriminate against people who share an aspect of their identity in relation to one or more of these equality and diversity parameters<sup>1</sup>. As a result, organisations will need to gather a wide range of quantitative and qualitative information, and ensure that this evidence is

- appropriate and sufficient to meet equality legislative requirements
- used effectively to achieve improved outcomes for people who share one or more aspects of their identity in relation to race, disability, gender, gender identity, age, sexual orientation, religion or belief

However, research from the sector<sup>2</sup> has highlighted that many providers require practical support and further developmental work before they are able to meet their legal requirements to monitor and use information to achieve improved outcomes.

LSC East of England is driving forward equality and diversity through a regional action plan. As part of this plan, LSC East of England commissioned a project to support providers to embed equality within self assessment and other quality improvement processes. The project ran between November 2007 and July 2008. The aim was to build up practitioner expertise, understanding and capacity for self improvement in equality, so that peer review can flourish on a sound knowledge base and providers meet their statutory duties under equality legislation.

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<sup>1</sup> Further details on the requirements of equality legislation can be found in Appendix A

<sup>2</sup> For example, outcomes from an Ofsted evaluation of the implementation of the Race Equality Duty in the FE sector, an LSN led Disability Equality support programme and a sampling exercise carried out by the Disability Rights Commission (DRC) in the post 16 education sector

The project had the following key objectives:

- to provide expert guidance and practical support to enable providers to more effectively embed equality within self assessment and other core performance review processes
- to improve equality data capture in terms of validity and reliability
- to improve provider processes for consulting and involving people who share an aspect of their identify in relation to age, gender, race, disability, sexual orientation, religion and belief, gender identity.
- to support providers to make the links between meeting the requirements of equality legislation and other activities such as business planning, learner involvement strategies, target setting and EDIMs
- to encourage and build capacity for critical reflection, peer support and collaborative partnership working at all levels

## Purpose of this report

This report evaluates the project by reflecting on:-

- project methodology and delivery
- key themes
- evidence of impact

Issues and discussion in this report are based on evidence drawn from network meetings, email and telephone contacts, visits to individual sites, and site final reports.

This report first considers project methodology and delivery, including participant selection and support. Common themes are then identified and discussed. The report ends with a brief reflection of project impact, together with conclusions and recommendations for future activities.



# Project methodology

This project followed a similar methodology to previous action working and action research projects in the sector. Sites worked collaboratively together, offering active peer support via visits, meetings, teleconferences, email and telephone contact. Three network meetings supported this collaborative partnership and provided structured opportunities for sites to come together to critically reflect on progress and practice.

Expert advice and consultancy support was provided via a mixture of one to one visits, teleconferences and regular email and telephone contact.

Findings and outcomes from the project were formally evaluated to inform an interim and final report. These reports have been presented to the project steering group in April and July 2008 respectively.

Appendix B provides further details of project activity, timescale and milestones.

Findings and outcomes from the project will be disseminated from July 2008, for example an LSC SES regional workshop in July 2008 and an ACER event in Oct 2008

# Project delivery

## Participant selection

Providers interested in participating in the project were invited to complete an application form. A total of 35 applications were received; 19 Further Education (FE) colleges, 1 sixth form college, 2 Adult and Community Learning (ACL) providers, and 13 Work Based Learning (WBL) providers. Given the tight timescale to complete and return the application form, this response was higher than expected, and provides further evidence for the need for provider support and for this project.

Discussions between the project leader and LSC staff resulted in selection of 8 sites using the following criteria:

- mix of providers

- evidence of good quality improvement processes through SAR and inspection

The 8 sites include 5 FE colleges, 1 sixth form college and 2 WBL providers. Unfortunately, no ACL providers applied who met the second criteria for selection. Regrettably, one of the 8 sites had to withdraw before the end of the project due to capacity difficulties.

## Network meetings

The first network meeting for participating sites took place on 12th December 2007, and provided an opportunity for sites to introduce themselves, identify an area of development on which to focus, assess areas of support that they required and areas of good practice that they could offer to others.

A second network meeting took place on 19th March, and provided an opportunity for everyone to reflect on, and share their progress to date, support one another and work collaboratively together as critical friends. Emerging themes were summarised and discussed at the meeting.

The third network meeting took place on 19<sup>th</sup> June, for sites to share progress and materials, identify outcomes and impact, contribute to the evaluation of the project and discuss dissemination activities

The network meetings have been well received and were clearly valued by sites. They provided structured opportunities for sites to reflect on progress and participants appreciated these as a means of support and reassurance. Other positives from the network meetings include

‘time to reflect’

‘opportunities to learn from others’

‘hearing other ideas and examples of good practice’

‘allowing time to focus’

‘this [the project] has been a vehicle to do more...there has been measurable change in the organisation’

## Project support

The one day consultancy support for each organisation has been very well received, and provided

- a fresh pair of eyes to critically review policy and practice
- a stimulus for discussion of E & D issues with staff in the organisation

- an opportunity to explore issues, discuss solutions and identify key areas of activity to improve practice and to more effectively embed equality within self assessment
- an opportunity to clarify the developmental work to be undertaken as part of the project

Other positives about the one day consultancy support include

‘helped me tremendously to focus on the action plan’

‘I felt it was a refreshing way of looking at equality’

‘having someone else coming in helped staff to take on board the issues’

‘it was very positive’

‘the consultancy visit was very helpful in scoping of the project

Participants also appreciated the consultancy support throughout the project

‘the consultancy support throughout the project provided a useful sounding board for discussing ideas and for guidance. The support was readily available at all stages of the project and provided positive and enthusiastic content’

‘the support from the project leader has been most helpful, particularly in giving context for the project, driving the agenda forward and highlighting current issues in the sector’

‘support from the project lead was helpful and supportive in identifying where I needed to go next.’

‘being involved in this project has enabled me to bring the issue of equality of opportunity alive...the level of awareness is much improved with real examples of good practice across the college’

Liaison and support from the Eastern region LSC has been exceptional. Staff have suggested sites, engaged with project work, and provided a venue and refreshments for the network meetings. This active and visible support has demonstrated genuine interest and involvement in, and support for the project.

# Key themes

The project has identified a number of key themes and issues. Before these are explored, it is important to note that all providers had good practice to share, and many are leading the way in equality and diversity.

Themes are grouped under the following headings:

- The divorce or partnership of equality from quality
  - Learner involvement strategies
  - Work experience /work placements
  - Learner performance data
  - Improving the validity and reliability of data
  - Monitoring in relation to sexual orientation and religion or belief
  - Equality targets (organisational EDIMs)
- The link between gathering information, impact assessment and reporting activities
- Developing and implementing a Single Equality Scheme

These are now discussed in turn

## From quality to equality.

Staff management structures can enable or hinder integration of equality within quality improvement activities. For example, having a member of staff with a recognised 'remit' for equality and diversity helps drive forward equality in the organisation. However, this can separate equal opportunity reporting from self assessment and quality improvement activities. It can also discourage other staff from embracing equality as part of their direct role and responsibility; for example quality, curriculum and HR managers. Finally, it can lead to difficulties in ensuring that information is used effectively to achieve improved outcomes for people who share an aspect of their identity in relation to race, gender, disability, gender identity age, sexual orientation and religion and belief. Figure 1 illustrates this 'divorce'. Information in relation to equality and diversity is gathered, used to inform an equal opportunities report, and submitted to senior managers and governors, often via an equal opportunities committee or equivalent. At the same time, information is gathered in relation to performance

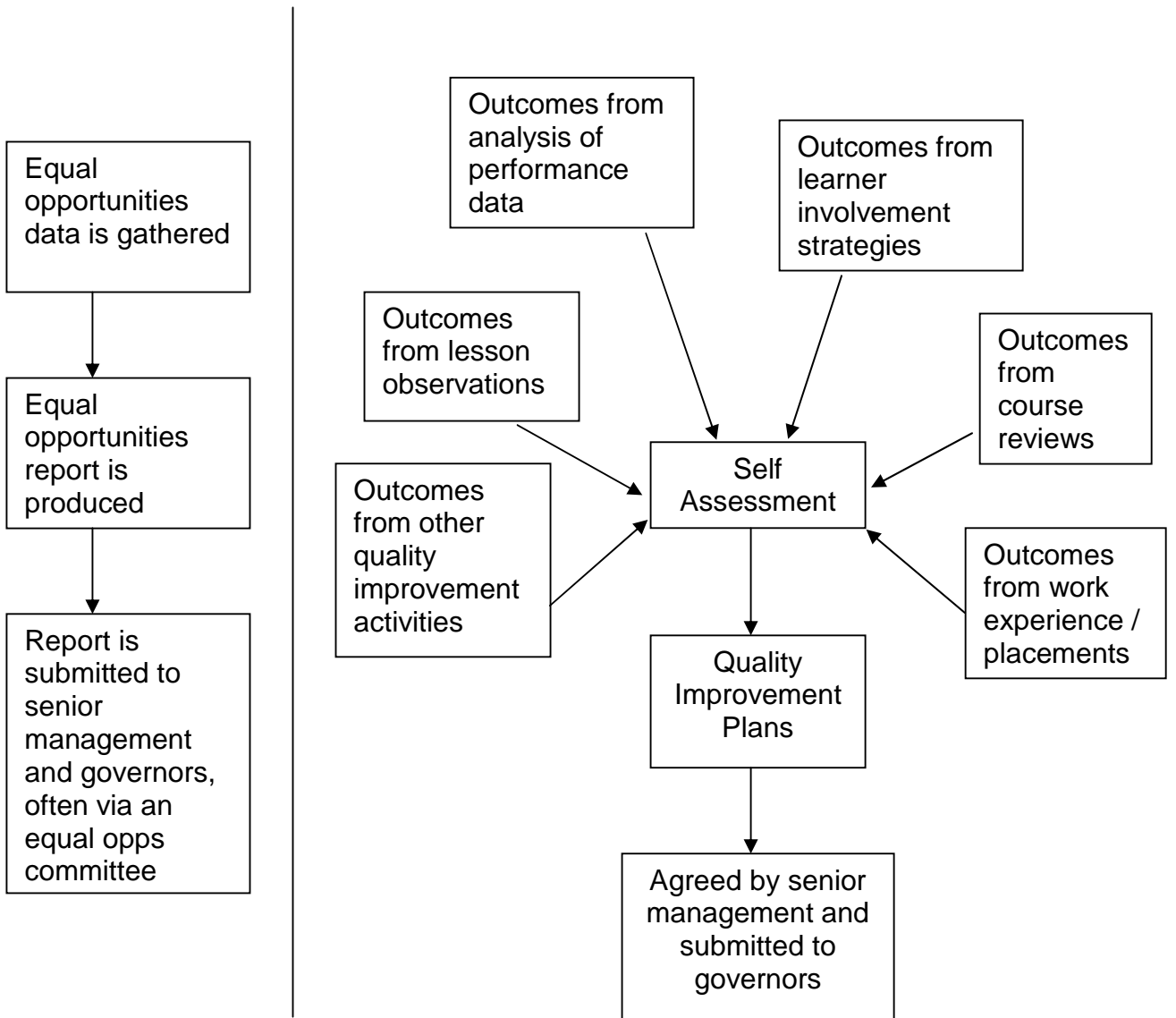
and used to inform self assessment and quality improvement planning. However, the two activities are kept separate.

A key challenge for organisations is to embed equality within self assessment and quality improvement so that equality reporting leads to genuine action to promote equality and achieve improved outcomes. Figure 2 illustrates the 'partnership' of equality and quality, embedding equality within learner self assessment and quality improvement activities.

That is not to say that the role of an E & D lead can now be made redundant. There is a clear role for such a post, preferably at a senior level, to help drive forward equality and the implementation of Equality Scheme(s) and Action Plan(s). It will take time to embed equality across the whole organisation and at every level, so that equality is central and fundamental to all activities and functions, rather than a 'bolt on extra'. The E & D lead in the organisation has a key role in achieving such a vision

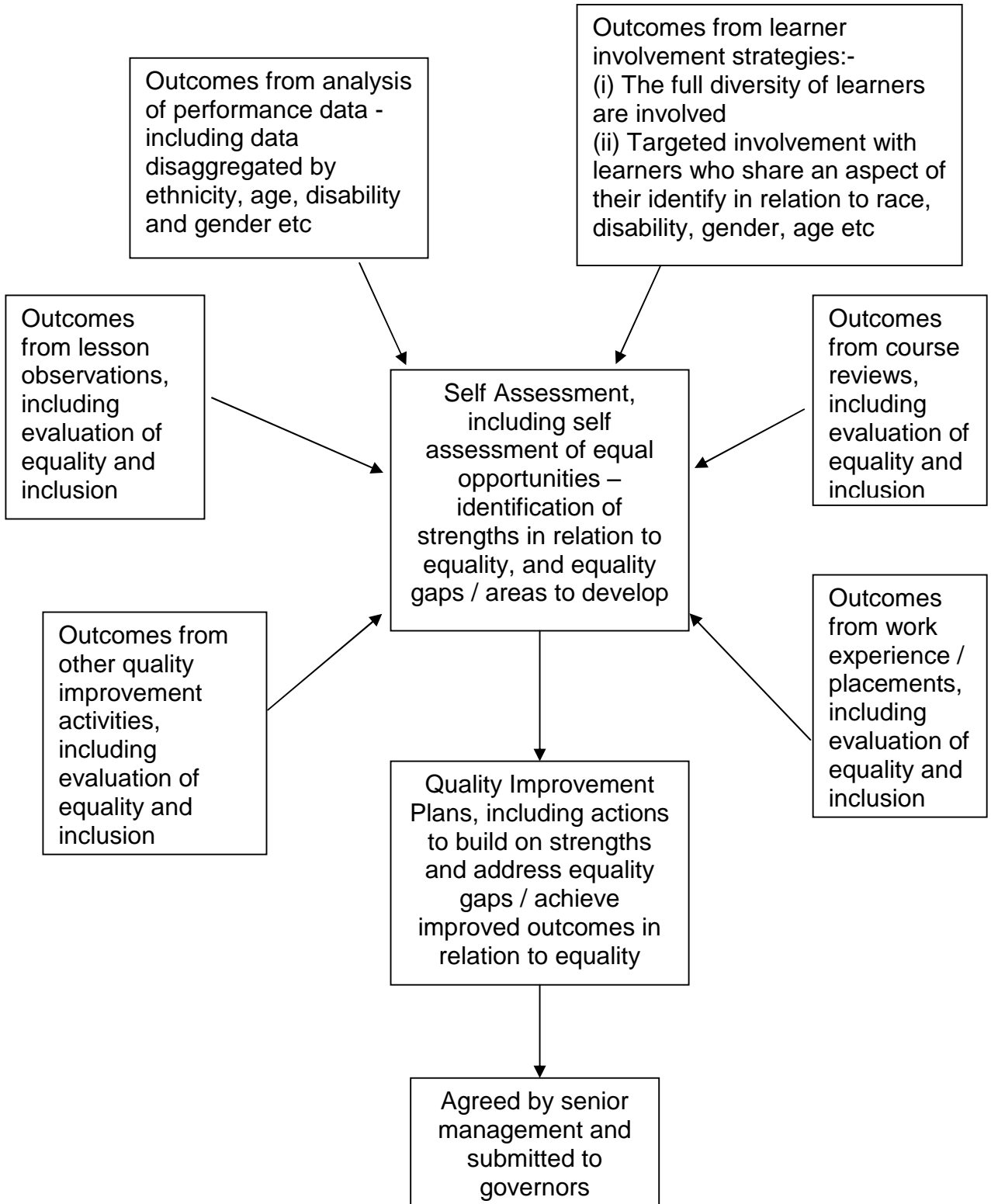
## Figure 1

The 'divorce' of equality from self assessment and quality improvement



**Figure 2**

The 'partnership' of equality and quality; embedding equality within self assessment and quality improvement



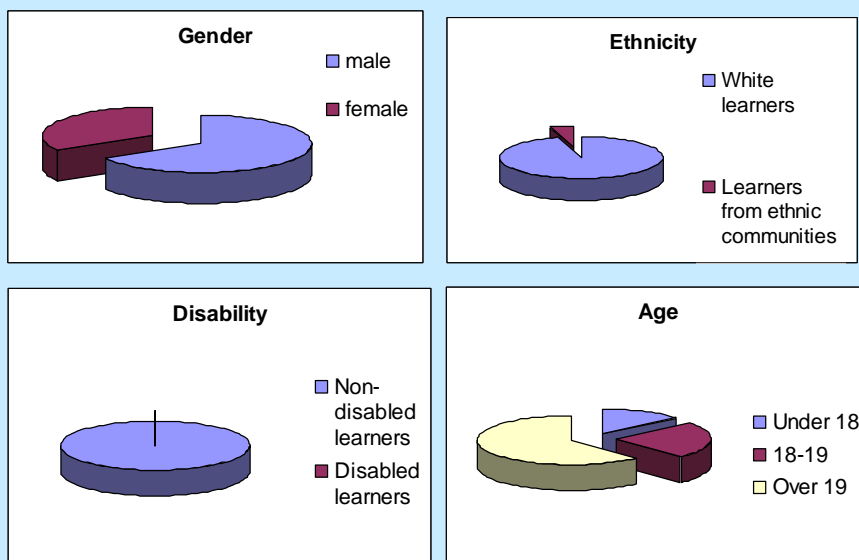
## Learner involvement strategies

Many providers are keen to ensure that their 'learner involvement strategies' provide a tool for improving practice. Equality and diversity should be embedded into all aspects of an organisation's learner involvement strategy. LSC guidance<sup>3</sup> makes clear the need that such strategies should foster 'an inclusive culture where no individuals or groups of learners are left out and where the principles of equality and diversity inform all learner involvement activity'.

One way to ensure that representatives, councils or committees reflect the full diversity of learners is to carry out a survey, providing a clear explanation of the purpose of the survey. Conducting this survey on an anonymous basis will help address any concerns regarding confidentiality and the use of such information. Alternatively, analysis can take place using equality information captured on the ILR (Individual Learner Record). Any under-representation highlighted by the survey or ILR analysis can then be tackled in a proactive way.

Students who represent the views of others should understand the expectation that they will represent the views of the full diversity of students in an inclusive way. Training may be required so that learners can carry out this role effectively.

West Suffolk College analysed participation in the student council by age, gender, ethnicity and disability, using information from the ILR:



Analysis revealed that the percentage of learners from ethnic minorities matched the college learner profile, but female and disabled students were under-represented. Discussions have taken place with the student council on

<sup>3</sup> Developing a Learner Involvement Strategy, a handbook for the further education sector. LSC Feb 2007



how this under-representation might be addressed so that the council represents the full diversity of students at the college

Training has been agreed for members before the student conference in October 2008, which will include how students should represent the views of the full diversity of their peers in an inclusive way. Equality is now a standing agenda item at meetings. The council have discussed, for example, how the conference will be arranged so that learners with learning difficulties can attend and take part meaningfully. The student intranet will have a site to enable students to discuss equality issues

British Racing School have incorporated gender and ethnicity analysis into their learner feedback questionnaire. This will permit them to monitor, over time, any significant differences in the ratings of specific components of training by gender and ethnicity.

Getting learners who share a particular aspect of their identity to attend a targeted focus group can be problematic, for example forming a focus group of disabled learners or learners from ethnic communities. Learners, particularly 16-18 learners, often do not want to be identified or perceived to be 'different' to their peers. Factors that can encourage participation in a focus group include:

- recognising time and expertise, for example providing lunch, gift vouchers or mobile phone credits.
- giving 'status' to a focus group, such as the use of the executive board room

Otley College has run a number of focus groups each with 6-8 students, to evaluate learner experiences in relation to equality and diversity. Students were asked, for example, 'did they feel that tutors treated them fairly'? 'Did tutors meet their individual needs'? 'Were they treated with respect'? The interviews revealed that:

- support for learners from teaching staff and learner service emerged as a real strength
- support from Additional Learning Support was deemed appropriate
- learners were generally happy with the standard of teaching although there were some issues that the college can now address
- learners felt respected by staff
- some students from African and Caribbean communities did not feel as valued as their White peers. The college has relatively low numbers of learners from ethnic communities and these results may not be statistically relevant. However, this has highlighted a need to monitor the situation.

The interviews also revealed difficulties in relations between learners on different courses, such as those on equine and those on animal care courses. A challenge for the college is to identify strategies to promote good relations between these different groups of learners.

Over 200 students participated in these interviews. The college attribute this high attendance to a range of factors including

- staff support in promoting the groups
- senior management involvement
- students were reassured that discussions were confidential and information would not be relayed back to tutors that would compromise them in any way
- sessions were relaxed and short, up to 30 minutes, with tea, coffee and biscuits provided
- sessions were held in the Vice Principal's office.

Barnfield College ran a series of focus groups for learners from ethnic communities undertaking work experience. They attribute their success in persuading learners to attend these groups to:

- their personal approach. Learners had personal letters of invitation asking them to participate to discuss their own experiences
- arranging to meet learners as their classes finished
- a willingness to arrange transport, in some instances arranging taxi's to facilitate attendance

Learners are also more likely to get involved if they:

- have regular feedback on the changes taking place or actions planned as a result of consultation activities, demonstrating that learner views have been taken seriously and acted upon
- understand the approach that is being taken towards equality
- understand why evidence is being gathered
- recognise that the organisation takes discrimination seriously and values diversity

Otley College holds a student conference twice a year. Delegates include course representatives, the student committee, senior managers and governors and invited guests from external organisations such as the LSC, local employers and the Connexions service. 50 – 60 students attend. Tables are arranged 'cabaret' style' with water and sweets.

The agenda is set by learners and each conference opens with a welcome from the Vice Principal, who also provides feedback on action taken from issues

raised during the previous conference. Following the conference a written report is produced and sent to all attendees with a copy posted on the student intranet. 'You Said – We've Done' posters are displayed around the college outlining action taken in response to issues raised.

At the British Racing School, learners start their Apprenticeship Programme with a nine week residential course. In week four they watch a 'what if' DVD, which has a number of 'real life' people talking about the discrimination they have experienced. Topics such as immigration, asylum seekers, sexual orientation and gender identity are covered. Learners are free to openly discuss the DVD and depending on the dynamics within each cohort the learners can often extend the session. Some learners may have had personal experience of discrimination and they often talk about this openly with the class. As part of the session, learners complete an anonymous worksheet and often comment on their pre-conceived ideas and lack of tolerance that have been challenged as a result of the session. Worksheets are gathered in and reviewed by the Operations Director to evaluate the effectiveness of the lesson and identify issues that may have arisen.

Disabled people with one type of impairment will not necessarily be able to anticipate the concerns of, or describe the experiences and the barriers encountered by people with a different impairment. It is therefore important to involve disabled people in forums, focus groups and committees that reflect the full diversity of disabled people. This principle also holds true for people from different ethnic communities, and different religious groups.

Sometimes organisations have student groups in place but have not fully exploited opportunities to gather learner feedback. For example, a lesbian and gay student group provides an ideal opportunity to identify issues faced by learners who share this aspect of their identity.

## Work experience / work placements

Many education and training providers evaluate health and safety after learners undertake work experience / work placements. However, few have extended this evaluation to include the learner experience in terms of equality and diversity. In addition, such information may be simply filed rather than used to improve practice. Consequently education and training providers may be unaware of discrimination or barriers encountered by students when undertaking work experience/ work placements. Opportunities may exist to

- explain to students what they should do if they experience discrimination or harassment or encounter barriers that place them at a disadvantage because of their race, gender, age, sexual orientation, disability or religion or belief
- explain to tutors what should be borne in mind in respect of equality and diversity when organising work experience or work placements

It is also helpful to provide guidance to employers. However, many education and training organisations experience difficulties in engaging effectively with employers and are concerned about any activity that may turn employers away. Guidance should be developed with this in mind, and perceived by employers to be friendly and informative.

At Eagit, learners on apprenticeship programmes have progress reviews every eight weeks. There is an explicit section on the learner progress review paperwork to note any equal opportunities issues. Tutors are provided with a list of prompts for this section, including

- Have you experienced any bullying or harassment since your last review?
- Have you been treated with dignity and respect since your last review?
- Would you consider your employer to be committed to equal opportunities and why?
- Have you found any materials displayed in your workplace or training centre offensive?
- Have you any comments regarding fair treatment?

Any issues that are identified during the review are noted, and actions to address these are recorded on a 'follow up learner progress report'. This report stays 'live' and is not transferred to the student file until issues have been satisfactorily resolved.

Further guidance for tutors is planned, with a 'Frequently Asked Questions' section and advice on 'what to do if' learners respond to the above prompts in certain ways

### Evaluating work experience

Barnfield College has undertaken an audit of work experience practice in relation to equality and diversity. This has involved discussion with staff from different areas of the college on current systems and paperwork, shadowing learners on work experience and discussions with learners via a series of focus groups. The groups primarily represented male and female learners from ethnic communities. Disabled learners were also included. All had recently returned from work placements. Learners said that employer induction always included health and safety but rarely if ever included equality and diversity. They felt strongly that there should be a further opportunity for disclosure of a disability, learning difficulty or medical condition prior to work experience taking place. Learner cited incidences of discrimination. For example:

One learner had her work placement organised by her tutor at a well known shoe shop. However, at her meeting with the manager she was told that she would not be able to work in the shop wearing her traditional Muslim dress as the work 'involved lots of going up and down ladders and she might trip'. She was asked whether she could wear trousers instead. The learner felt strongly that this was not something that she could do because of her religious beliefs. As a result, the learner did not do her work placement and ended up with no work experience. In hindsight she feels that she was discriminated against as she feels that she could have been asked to do alternative roles. The learner was left disappointed and disadvantaged as she did not have the work experience her peers received.

Learners also cited examples where their needs were met:

A learner who was a wheelchair user had work experience at a large clothes shop. Her tutor discussed her job role with her, how fulfilling she found it, her contact with customers, whether she was well supported, how she was managing wheelchair access to the areas that she needed to get to, and her transport to and from work. The tutor worked hard to build up the learner's confidence to talk to customers. It was clear that the tutor liaised closely with the employer. The student found it all a very positive and enjoyable experience.

The college has also investigated practice at other colleges and work based learning providers.

As a result, they have developed a learner feedback form for work experience which includes a specific section on equality and diversity. This asks questions such as:

- My induction included equality / equal opportunities
- I was made to feel welcome and part of the team
- I felt that I was treated with respect by others
- Did you feel disadvantaged because of your gender, race, disability, age, religion/belief, sexual orientation?

Their feedback form is on-line and they have devised a centralised system for collecting and using this information. This will facilitate a systematic monitoring and evaluation of equality in the workplace and help track successful work placements by disability, gender and race. Outcomes will inform self assessment and quality improvement plans

The college are developing flyers for

- Employers, to help raise awareness, to make explicit the role and responsibilities of employers and the expectations of the college, and to make the business case for diversity
- Learners, to help ensure that learners understand their rights and responsibilities, and to come forward if they experience discrimination or harassment
- Tutors, to provide a prompt sheet of equality issues to consider when organising work placements for students

The college recognise that changing systems and processes alone is just the beginning. Some staff and employer attitudes need to change; staff training, development, employer communication and sharing of good practice are first steps in this process.

## Learner performance data

Data such as recruitment, achievement, success, value added and destination data should be routinely disaggregated by different equality parameters such as gender, ethnicity and disability, and compared to internal and external benchmarks. This information should be used by each curriculum area to inform their self-assessment report and quality improvement plan.

Not all providers analyse their performance data in this manner. Sometimes the analysis of such data takes place by a member of staff with a remit for E&D, who then reports to senior managers and governors. However, the danger of this approach is that

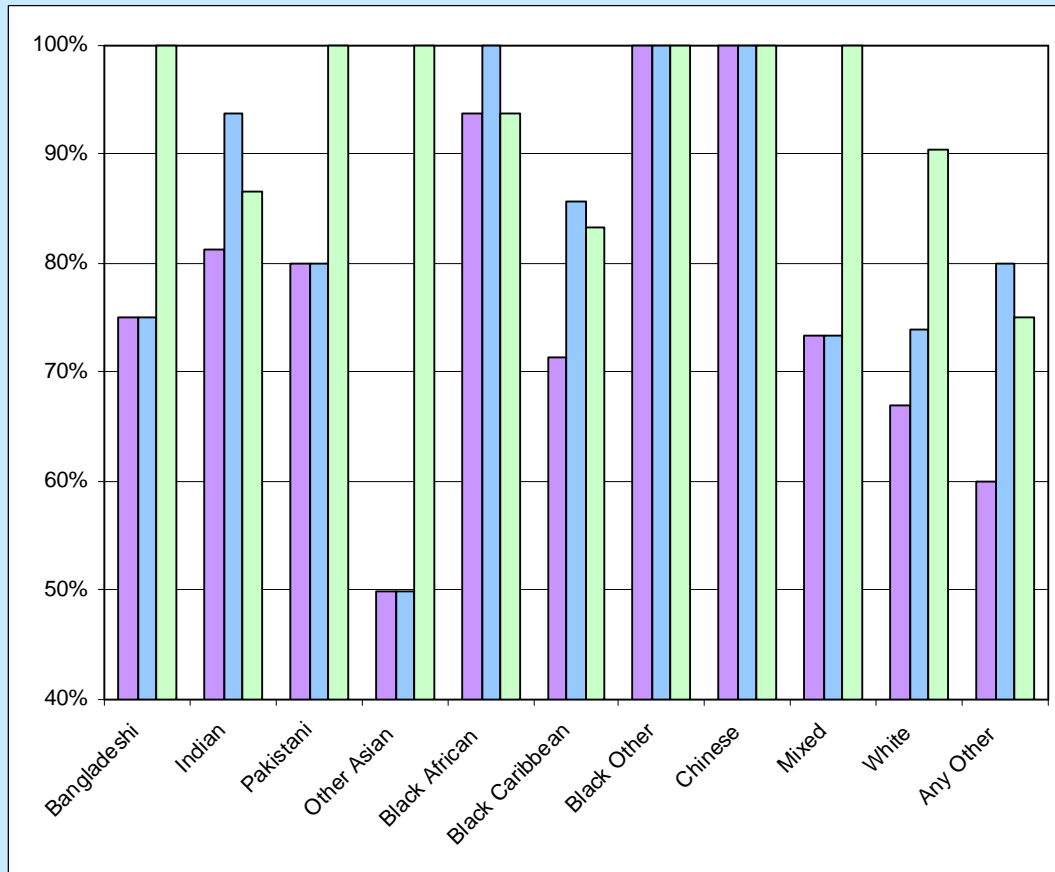
- (i) analysis and reporting can be carried out in isolation to self assessment, so actions do not feed into quality improvement plans (see Figure 1)
- (ii) curriculum heads may not 'own' equality data for their programmes
- (iii) data may be analysed at organisational level only, and not drilled down at appropriate sub-level, so individual curriculum issues may be masked

To help address these issues curriculum managers should understand

- **why** they need to analyse their performance data by different equality parameters. If people do not know why information is being collected, or the benefits of using such data to improve performance, they will simply see the process as an additional and unnecessary burden.
- **where** they can obtain such data. Equality data should to be readily available in an easily understood manner. Providers who have invested in proprietary software systems such as 'Proachieve' are able to analyse performance data in relation to equality relatively easily. Alternatively, providers may wish to explore how equality data can be provided to curriculum managers in an accessible fashion, perhaps by Management Information Systems (MIS) pre-populating a self assessment template. Difficulties in accessing information will lead to an understandable reluctance by curriculum managers to analyse their performance data in this manner.
- **what** equality data should be analysed in relation to learner performance, for example, three year trends in participation, retention, achievement, success and destination data (and value added if appropriate), disaggregated by different equality parameters such as gender, disability and ethnicity. This data should be compared to overall organisational and national benchmarks.
- **how** equality data should be analysed, to investigate equality gaps and identify actions to address such gaps.

West Herts College provide charts and tables of performance data in relation to equality as part of pre-populated templates for curriculum heads to consider when assessing performance. The following is an example for one curriculum area

### Ethnicity



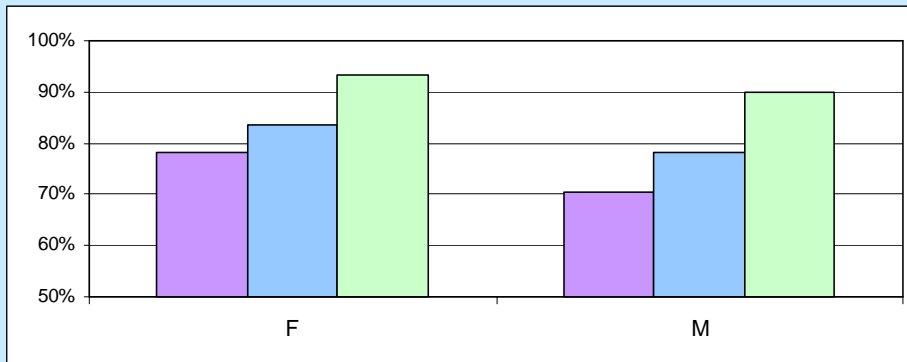
### Key to graph

<span style="color: purple;">■</span>	Success_Rate
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<span style="color: green;">■</span>	Achievement_Rate

Ethnic Group	Starts	Success %	Retention (comp) %	Achievement %
Bangladeshi	4	75%	75%	100%
Indian	32	81%	94%	87%
Pakistani	20	80%	80%	100%
Other Asian	2	50%	50%	100%
Black African	16	94%	100%	94%
Black Caribbean	7	71%	86%	83%
Black Other	4	100%	100%	100%
Chinese	1	100%	100%	100%
Mixed	15	73%	73%	100%
White	100	67%	74%	91%
Any Other	5	60%	80%	75%

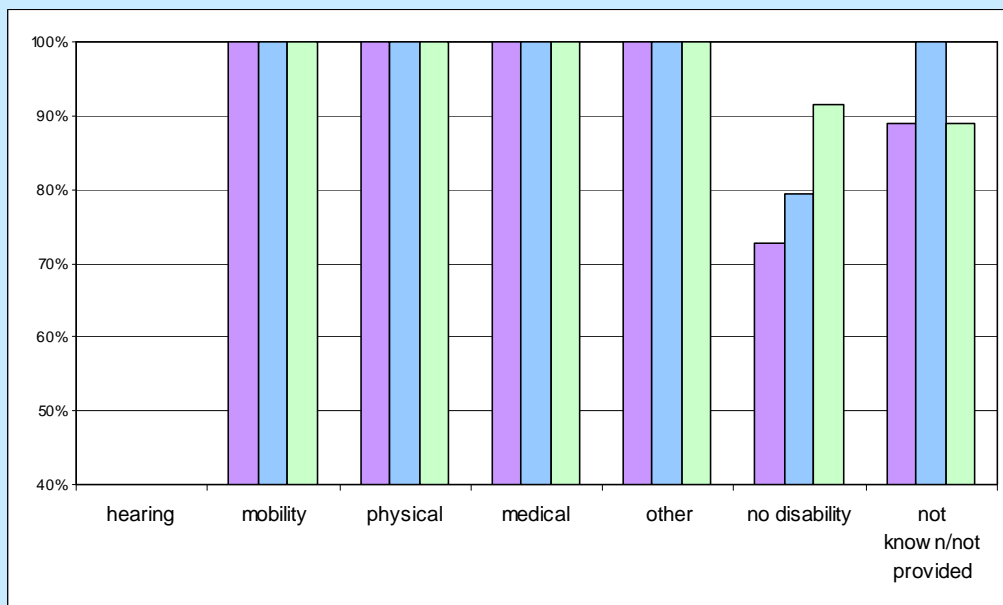


## Gender



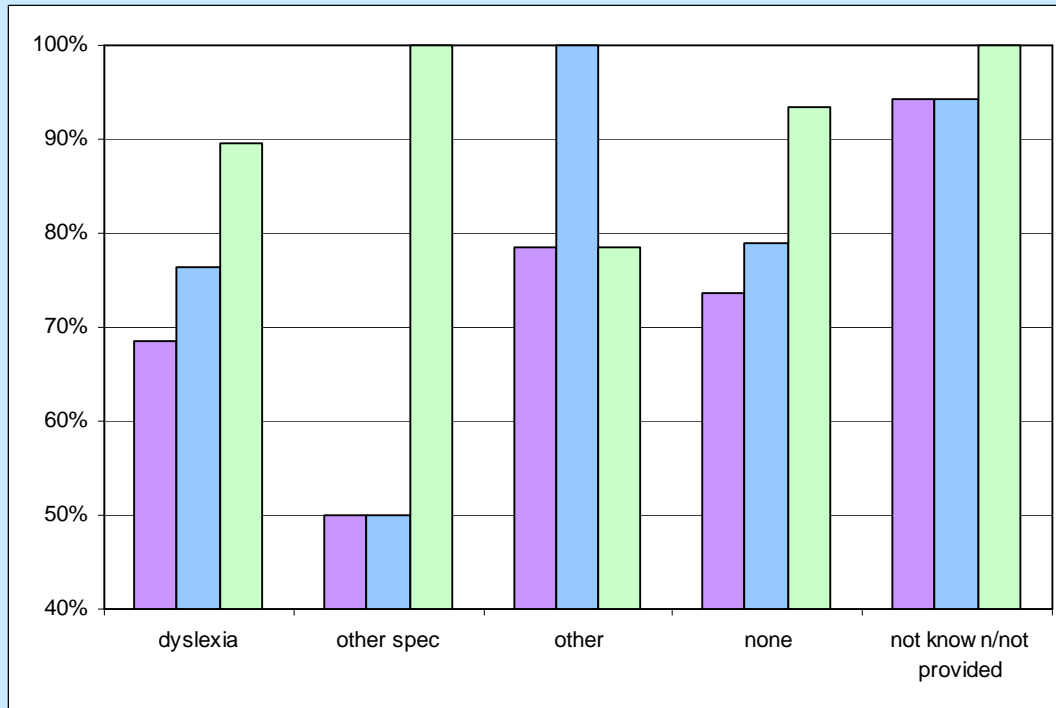
Gender	Starts	Success %	Retention (comp) %	Achievement %
F	91	78%	84%	93%
M	115	70%	78%	90%

## Disability



Disability	Starts	Success %	Retention (comp) %	Achievement %
hearing	1	0%	0%	-
mobility	1	100%	100%	100%
physical	1	100%	100%	100%
medical	1	100%	100%	100%
other	3	100%	100%	100%
no disability	190	73%	79%	91%
not known/not provided	9	89%	100%	89%

## Learning difficulty



Learning Difficulty	Starts	Success %	Retention (comp) %	Achievement %
moderate	8	88%	88%	100%
dyslexia	12	67%	75%	89%
other spec	1	100%	100%	100%
multiple	1	100%	100%	100%
other	8	88%	100%	88%
none	166	72%	78%	92%
not known/not provided	10	90%	100%	90%

There are issues about the validity and reliability of this data, which are explored further in the next section of this report. As well as addressing these issues, West Herts College may wish to explore opportunities to analyse data across different equality parameters, such as success rates for males from ethnic communities.

Below is a (partially) pre-populated monitoring template for Fine Art at Colchester Sixth Form College. Some data is currently unavailable for the 2007 / 2008 academic year. The format is still under review and may change before it is used by other departments when the Self Assessment Report cycle begins in September 2009.

## A2 Fine Art

### 1. Participation

	2007 / 2008		
	No.	%	Variance <sup>1</sup>
Majority Ethnic	131	96.3	+1.8
Minority Ethnic	5	3.7	-1.8
Female	97	71.3	+16
Male	39	28.7	-16
Learning Difficulty	20	14.7	
No Learning Difficulty	116	85.3	
Disabled	5	3.7	
Non-disabled	131	96.3	
Deprived Ward	7	5.1	
Un-deprived Ward	129	94.9	
Total	136	100.0	

Data based on students who completed the course.

<sup>1</sup> Approximate variance from College average.

### 2. Retention

	2007 / 2008	
	No.	%
Majority Ethnic	131 / 135	97.0
Minority Ethnic	5 / 5	100.0
Female	97 / 101	96.0
Male	39 / 39	100.0
Learning Difficulty	20 / 20	100.0
No Learning Difficulty	116 / 120	96.6
Disabled	5 / 5	100.0
Non-disabled	131 / 135	97.0
Deprived Ward	7 / 7	100.0
Un-deprived Ward	129 / 133	97.0
Total	136 / 140	97.1

### 3. Success

	2007 / 2008	
	College	National
	%	%
Majority Ethnic		
Minority Ethnic		
Male		
Female		
Disability / learning difficulty		
No disability / learning difficulty		
All Students		

#### 4. Progression

	HE / FE		Employment		Returners		Year Out		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Majority Ethnic										
Minority Ethnic										
Male										
Female										
Disability / learning difficulty										
No disability / learning difficulty										
All Students										

#### AS Fine Art

##### 1. Participation

	2007 / 2008		
	No.	%	Variance <sup>1</sup>
Majority Ethnic	209	94.6	+0.3
Minority Ethnic	11	5.0	-0.7
Ethnicity Not Provided	1	0.4	
Female	157	71.0	+15.4
Male	64	29.0	-15.4
Learning Difficulty	22	9.9	-2.3
No Learning Difficulty	199	90.1	+2.3
Disabled	14	6.3	+0.3
Non-disabled	207	93.7	-0.3
Deprived Ward	8	3.6	-0.8
Un-deprived Ward	213	96.4	+0.8
Total	221	100.0	

Data based on students who completed the course.

<sup>1</sup> Approximate variance from College average.

##### 2. Retention

	2007 / 2008	
	No.	%
Majority Ethnic	198 / 209	94.7
Minority Ethnic	11 / 11	100.0
Ethnicity Not Provided	1 / 1	100.0
Female	152 / 157	96.8
Male	58 / 64	90.6
Learning Difficulty	22 / 22	100.0
No Learning Difficulty	210 / 221	95.02
Disabled	14 / 14	100.0
Non-disabled	196 / 207	94.7
Deprived Ward	8 / 8	100.0
Un-deprived Ward	202 / 213	94.8
Total	210 / 221	95.0

ITS training monitors, via a bespoke database, learner application, enrolment and leaving by ethnicity, disability, age and geographical location. This permits identification of trends of possible discrimination, disadvantage or poor promotion of equality and diversity. Data is analysed at monthly staff meetings and discussed quarterly by the senior management team

British Racing School have a 'performance monitoring scorecard' which helps staff and managers analyse performance. They have included success rates by gender, ethnicity and disability

Many organisations collect and analyse data by race, and break this data down to analyse data by ethnic group. However, disability data is not routinely broken down by impairment type. Monitoring the experiences of disabled people by impairment type can help organisations to identify barriers that might not immediately be apparent had information just been broken down to analyse the collective experiences of disabled people. Disabled people with different impairments can experience fundamentally different barriers, and have very different experiences according to their impairment type. Many organisations are at an early stage in considering the experiences of disabled people in this manner.

A potential danger for organisations is that they may measure what is easily available rather than what matters. For example, organisations may collect and analyse data by equality parameters in relation to recruitment, retention, achievement and success, because this information is relatively easily available. However, other aspects are not considered such as attendance, complaints, disciplinary action and access to visits and trips.

Colchester Sixth Form College analyses a range of key performance data by disability, ethnicity and gender, including for students:

- complaints
- bullying and harassment
- applications, progression
- 'cause for concern' notification
- formal disciplinary procedures
- recruitment, retention, achievement and success.

And including for staff:

- recruitment
- attendance at training events
- promotion, disciplinary and grievance
- cessation of employment

## Improving the validity and reliability of data

Data must be valid and reliable if statistical analysis of information is to be meaningful. This can be an issue, particularly for disability data. Opportunities to more effectively encourage **learner** disclosure and to improve data reliability and validity include

- improving questions on enrolment forms, discussions during interviews, and processes for validating ILR information
- creating opportunities for learners to disclose in confidence
- identifying new or improved processes to ensure that management information systems (MIS) are appropriately updated when learners disclose, particularly if disclosure takes place after enrolment

### Encouraging disclosure

British Racing School (BRS) have investigated different stages of the 'learner journey' to improve opportunities for learners to disclose a disability, learning difficulty or medical condition. As a result, they have made a number of changes including revising the question on their application form. The original question asked:

Do you have any learning difficulties or a Statement of Educational Need? If so, please give details.

Please give details of any health or learning problems or disability that might affect your ability to complete this training, or that you would like to make us aware of, in order that any training programme can be amended accordingly, eg dyslexia, asthma etc

The new question asks

Please tell us if you have a disability, learning difficulty such as dyslexia, mental health difficulty or medical condition. We can then discuss this with you in confidence at your interview to see how we can provide support during your programme

BRS have modified their interview sheet to improve opportunities for disclosure and have revised their ILR validation process, that takes place during induction, to ensure that

- learners have further opportunities to disclose in confidence
- information on these forms are not seen by other students, so that information remains confidential to the student

Opportunities for disclosure have been built into their course confirmation process. They have also developed a confidentiality policy which will be part of their IAG statement of service

The new processes have already resulted in increased disability disclosure rates

Otley college have critically reviewed their application and enrolment process to improve the validity and reliability of their equality data. Changes include:

- a new process for referral of additional learning support (ALS) following learner disability disclosure
- development of a disclosure policy
- rigorous interrogation of ALS data to the Individualised Learner Record (ILR) to ensure all data is captured

They intend to improve their application and enrolment forms to include new questions to encourage disclosure, based on national guidance recommendations (Do you have a disability – yes or no? or is there a better way of asking? Guidance on disability disclosure and respecting confidentiality. Dr Christine Rose, LSDA 2006)

Many organisations have **staff** disability disclosure rates between 2 and 5%. While this may indicate under representation, it is also likely to indicate significant under declaration. Organisations will want to explore strategies to create an environment where staff feel comfortable to disclose. To help address this issue, HR managers may wish to consider:

- **how** they ask people to disclose. Many people who are covered by the DDA definition, such as people with mental health difficulties, medical conditions, or specific learning difficulties, may not consider themselves to be 'disabled'. Questions on monitoring forms should therefore define disability or choose words to include the above groups of people.
- **why** they ask people to disclose. The benefits of disclosure should be stressed, such as the opportunity to ensure that the organisation recruits the full diversity of staff, or to ensure adjustments are put in place effectively, or to ensure that the experiences of disabled staff match their non disabled peers. Disabled staff may choose not to disclose if they perceive a negative consequence, such as an increased risk of being made redundant or being overlooked for promotion
- **when** people are asked to disclose. Recruitment is an obvious time, but providing opportunities during induction are also important. 70% of people will acquire a disability during their working lives, and HR managers should have processes in place for updating staff data on an ongoing basis

- providing clarity on **what** happens to the information when people disclose. An explicit explanation of what happens to information that is disclosed, and how this will be kept confidential are two essential factors in encouraging disclosure. It is also important to explain to staff how the organisation will use the information, for example to promote equality and achieve improved outcomes for disabled people
- **who** asks disabled people to disclose. Staff may, in the first instance, be happier to disclose on an anonymous basis, or to other disabled staff or to union representatives, particularly if disabled staff are uncertain about the consequences of disclosure

Other factors that encourage staff disclosure may include having

- role models in management who champion equality and inclusion
- strategies to ensure equality and diversity is visibly valued by the organisation
- robust and transparent processes in place to explain how adjustments are discussed and implemented following staff disclosure of a disability, learning difficulty or medical condition
- ‘success stories’ of adjustments that have been arranged for staff, with staff consent, published in newsletters

Organisations may also need to investigate causes and explore strategies to reduce the number of ‘**unknowns**’ in their equality data. For example, tutors may be reluctant to request information if equality monitoring data is not completed on enrolment forms, for fear of causing offence. An enrolment form may not explain why the organisation is asking for this information.

Organisations may need to identify targets for reducing unknowns, as a focus around which action can take place

## Monitoring in relation to sexual orientation and religion or belief

In contrast to race, gender and disability legislation, there are no current legal duties to gather and use information in relation to sexual orientation and religion or belief. However, research in the sector indicates the existence of a number of barriers to learners and staff from the lesbian, gay and bisexual community<sup>4</sup>. Many lesbian, gay and bisexual learners, for example, join a college to escape the homophobic bullying and harassment that they experienced at school. The continuation of such bullying and harassment will

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<sup>4</sup> See for example, Equality and Sexual Orientation, the challenge for further education. Centre for Excellence in Leadership (CEL) Dec 06



affect learner experiences and may have a significant impact on retention and success.

There can be hostility regarding religion and belief. Staff can sometimes regard an invitation for faith groups to come into the organisation as just an opportunity for people to try to 'convert' others. Consequently, this aspect of a student's identity can be deliberately ignored. Students from a religious group may experience barriers, and unless this situation is monitored, providers have limited opportunities to ensure that learners who share a particular faith group have the same experiences as their peers.

These factors help make the case for introducing monitoring. This is a contentious issue, and many have reservations about asking questions of such a personal, sensitive and often private nature. However, monitoring will help providers to ensure that:

- the experiences of their lesbian, gay or bisexual staff or learners, or staff or learners who represent different religious or faith groups, match their peers
- their cohort of staff and learners is broadly in proportion to the lesbian, gay and bisexual community at large and is representative of religious groups
- they understand how discrimination manifests itself so that steps can be taken to prevent this happening in the future.

Collecting information on an anonymous basis might be the first step to monitoring on the basis of sexual orientation and religion or belief

Otley College explored the viability of collecting sexual orientation information with the student committee. They set up a recording area as part of the student conference, and asked three questions:

- Are your friends aware of your sexual orientation and if so what is / has been their reaction toward you?
- Are your tutors aware of your sexual orientation?
- Does your sexual orientation in anyway impact on your experience whilst at college?

Students said, however, that they would be uncomfortable to disclose this information unless they could disclose in confidence and on an anonymous basis

When considering the case to monitor on the basis of sexual orientation and religion or belief, five key points should be borne in mind:

- a provider should not ask for this information if they have no intention of using the information
- monitoring should be entirely voluntary, and this should be made explicit
- the process for what happens to the information should be completely transparent, and how information will be kept confidential should be

explicitly stated and robustly implemented. Much of what has been said to encourage disabled staff to disclose applies here

- where possible, providers should discuss with their lesbian, gay and bisexual staff and learners, and staff and learners who share a particular faith, on how best to monitor sexual orientation and / or religion and belief
- the more the organisation makes visible their commitment to equality, the more confident people will be that information requests will lead to genuine improvements. Visible commitment can include, for example, poster displays, celebration days, diversity weeks, appointment of equality champions and regular communication by senior managers on the improved equality outcomes that the organisation has achieved

### **Multi-faith festival of light**

West Suffolk College held a day long 'festival of light' at its main campus at Bury St Edmunds. The event was held in conjunction with Suffolk Interfaith Resource (SIFRE) with an overall theme 'it is better to light a candle than shout in the darkness' (Chinese proverb). The focus of the event was to raise awareness and to embed an understanding of religion and belief into the curriculum, with guest speakers attending specific lessons. A senior police officer, for example, talked about diversity in the police service to Public Service students. A Muslim teacher discussed the Moorish tradition of Spanish architecture to Art students. A Jewish midwife explored religious issues with Health and Social Care students. A Sikh speaker discussed faith and food with Hospitality students. Nursery children produced paper lanterns and did Hindu rangoli paintings.

Public aspects of the day included painting, displays, a message board and a final plenary session on how the day had been received. Unfortunately a brief final outdoor event including Chinese lights and a procession of candles had to be abandoned because of very bad weather. Following the success of this event, the college intends to hold another such festival in the academic year 2008/09.

Barnfield College has a short equality and diversity policy which is professionally produced by the marketing department as a glossy colour A5 leaflet with photographs. The leaflet contains their policy (valuing difference, promoting acceptance, removing barriers and making equal opportunities a reality) and their position statements on discrimination, respect, meeting diverse needs and celebrating difference. The leaflet is widely available for all staff and students, and is available in alternative formats.

Colchester Sixth Form College set up a group for lesbian, gay, and bisexual students. The group met weekly to provide support and to discuss any issues in the college. (organisations who wish to explore setting up similar groups may find the following NUS guidance helpful; 'Putting the LGBT into FE'. 2007)

## Equality targets (EDIMs)

Providers should embed the analysis of their own organisational data in relation to equality within their self assessment and quality improvement processes (see Figure 2). This should identify equality gaps and permit the setting of organisational equality targets, or Equality and Diversity Impact Measures (EDIMs). Such targets provide a focus around which actions can be identified and implemented. The LSC's Single Equality Scheme makes clear the LSC expectation that providers will set their own EDIMs<sup>5</sup>.

Directors and Heads of School at West Herts College receive enrolment, retention, achievement and success data disaggregated by equality and diversity parameters such as gender, race and disability. Templates are pre-populated for Directors and Heads of School with three year data.

Analysis of this data permits equality gaps to be identified, and equality targets (EDIMs) to be set. Directors and Heads of School identify possible actions to reach these targets, and these actions are incorporated into curriculum quality improvement plans. For example, the Art and Design department for 2006/07 had three EDIMs, including improving the retention rates of Black African students to those of other groups.

Corporate level EDIMs are established by analysis of cross college level data.

Monitoring for both corporate and curriculum EDIMs takes place as part of the Quality Improvement Action Plan for each area and occurs on a 10 week cycle.

### Tackling equality gaps

Barnfield College recognised that there were equality gaps between overall college success rates and the success rates of male students from Pakistani and Bangladeshi communities. Department teams identified that some of these issues may be related to insufficient parental support from parents with limited English language skills, and many students from these ethnic communities have lower attendance rates due to extended visits to families in Asia. The college intends to form a curriculum group with staff representatives from different departments and learners from these communities. Their task will be to formulate appropriate curriculum strategies to help address these issues and disseminate best practice

LSC staff analyse regional data in relation to equality to identify equality gaps and set regional equality targets, or regional EDIMs. Discussions should take place between LSC staff and providers to compare these different sets of EDIMs, agree appropriate individual provider targets and establish how these contribute to regional EDIMs. Figure 4 illustrates this process. However, this does not always take place in practice. For example, some providers are

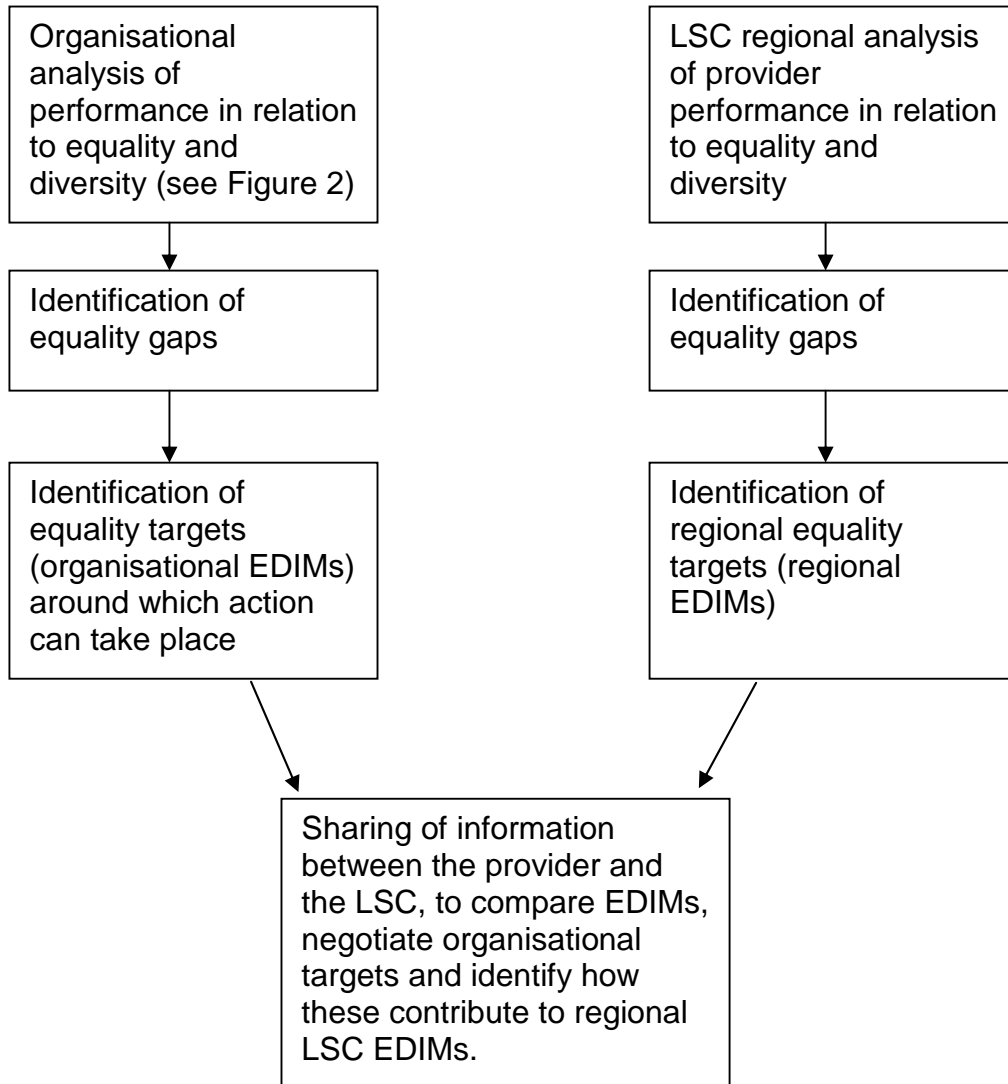
<sup>5</sup> LSC Single Equality Scheme – see for example, paragraph 2, 3.1, and 3.4

unaware of LSC EDIMs. Some providers see LSC EDIMs as targets that LSC set and they have to meet, rather than targets that are negotiated and agreed. This may be the consequence of these providers not establishing their own organisational EDIMs as part of their self assessment processes. LSC partnership managers may not always be aware of the opportunity to compare and negotiate organisational and regional EDIMs.

A key challenge for both providers and the LSC is to achieve a shared understanding of provider and LSC responsibilities in establishing provider EDIMs.

**Figure 4**

Setting and agreeing equality targets (EDIMs)



# The link between gathering information, impact assessment and reporting activities

The race, disability and gender equality duties have specific duty requirements to

- gather and use information (the monitoring duties)
- carry out impact assessments
- annually report on progress.

These are not separate and isolated activities but link to ensure an organisation continuously

- reviews policy, procedures, plans and practice
- monitors the impact of policy, procedures, plans and practice on individuals
- identifies equality gaps to improve the quality of provision
- makes progress transparent to any interested stakeholder.

However, there is some confusion on how these duties link, and a danger that they are simply seen as 'stand alone' duties. To help explain these links, it might be useful to reflect on the purpose of these activities.

Carrying out equality impact assessments on policy, procedures, plans or practice provide an opportunity to pre-empt potential inequalities. Evidence may be required to carrying out an equality impact assessment effectively. The process may identify opportunities to further promote equality or eliminate discrimination and organisations may want to identify monitoring opportunities to check that planned changes as a result of impact assessment have the intended impact.

Gathering information activities involve collecting and analysing information to highlight existing inequalities. All policies, procedures, plans and practice should be monitored continuously to ensure that inequalities do not exist or develop.

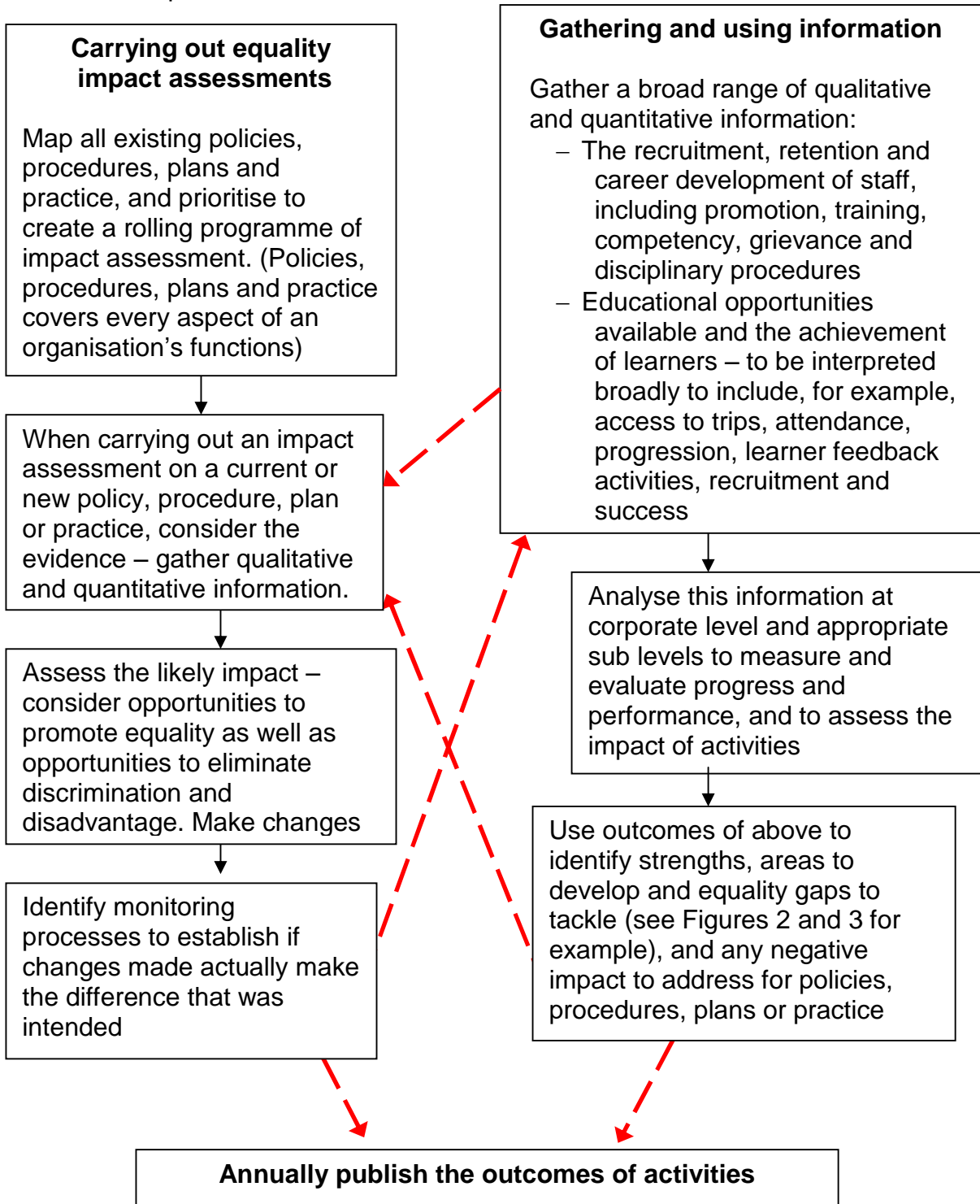
Organisational activities including the outcome of impact assessments and monitoring processes should be reported on annually. The first annual report

for race equality should have been produced in September 2003 and annually thereafter. The first annual report for disability and for gender equality was due in December 2007 and April 2008 respectively. Subsequent reports can be combined and produced at any time of year to suit the organisation, providing the report clearly identifies what has been achieved for race, disability and gender equality, and is produced on an annual basis.

These three specific duties are not, therefore, separate, and isolated activities. Figure 5 helps to illustrate how these specific duties link together.

Some education providers are experiencing difficulties in responding to the specific duty requirement to carry out equality impact assessments. In part, this is often because they do not have sufficient evidence to inform the process. This can be linked to a limited organisational response to the specific duty requirement to gather and use information, and this, in turn, can be linked to the 'divorce' of equality from quality that has been discussed previously.

**Figure 5.** Some of the links between the specific duties to gather and use information, to carry out impact assessments and to annually publish the outcomes of activities. The solid arrows in this Figure illustrate the overall process for meeting the specific duty to carry out impact assessments, and the specific duty to gather and use information. The dashed arrows represent links between the specific duties





# Developing and implementing a Single Equality Scheme

Many organisations recognise the benefits of taking a single equality approach, and are planning to bring their existing equality policies, schemes and action plans into a Single Equality Scheme and Action Plan.

However, there are opportunities to improve the content of current schemes and policies, so taking a single equality approach and looking to produce a Single Equality Scheme will require more than simply combining existing equality policies, schemes and associated action plans. Key areas of non-compliance include

- **involvement strategies.** For example a lack of clarity on the variety of strategies that have been used, who has been involved, what people have said and how the Action Plan addresses the feedback obtained
- **undertaking impact assessments.** For example insufficient detail on the methodology that the organisation intends to take to carry out impact assessments on the back-catalogue of policies, procedures, plans and practice, and how this process will be embedded into all new policy and decision-making activities
- **Action Plans.** For example plans that do not indicate how all parts of the general duties will be met
- **gathering and using information.** For example a lack of clarity on the range of quantitative and qualitative information that will be gathered for both staff and learners, how this will be used to promote equality, and the roles and responsibilities of staff in making this happen

A Single Equality Scheme is a means to an end, not an end in itself. Development of the Scheme is just the first stage. An organisation may choose to use their equal opportunities committee or equivalent to monitor implementation. However, such groups tend to have representatives from different parts of the organisation, and therefore tend to provide a forum for discussion rather than a group that takes targeted action. Senior staff may need to carefully consider the make up and remit of such a group, and if necessary consider forming a separate or new group with a particular remit to:

- monitor and evaluate the implementation of the organisation's Single Equality Scheme
- drive forward the implementation of accompanying Action Plan

- ensure that these are living, dynamic and strategic documents that result in the promotion of equality and achieve tangible improvements in equality of outcomes

## **Work-based learning providers**

Work-based learning providers (WBL) are not legally required to have Equality Schemes in place, as they are not covered by the race, disability and gender equality specific duties. However, they are covered by the general duties, and there is considerable confusion over what WBL providers should or could have in place, and what is required by law, the LSC and the inspectorate. The LSC, in their Single Equality Scheme, have made clear that all providers, whether required to have a Scheme in place or not, will be challenged to demonstrate equality. However, there is some confusion on what this actually means in practice. Specific guidance for WBL providers on the legal requirements, best practice and LSC expectations would be useful.

# Evidence of impact

The project has achieved the following impact to date:-

- Raised awareness of the requirements of equality legislation, and the practical implications for organisations
- Increased capacity in the region to network, build relationships and share good practice in equality
- Better mechanisms to encourage learner disability disclosure by revisions to application, interview, assessment, enrolment and induction paperwork and processes
- Better mechanisms to encourage staff disability disclosure
- Improved partnership between equality and quality, embedding equality within self assessment and quality improvement processes, for example
  - more robust quality assurance procedures that evaluate equality and diversity
  - new procedures for SAR validation to challenge equality issues and to ensure the promotion of equality
  - better ownership of equality data by curriculum heads, with clearer action to address equality gaps
  - new systems to evaluate equality and diversity for learners on work placements
- Critical review of job roles and responsibilities, for example job roles of heads of department in evidencing equality within self assessment, and terms of reference for equal opportunities working parties

Participating sites have started to share their activities and achievements with others in their peer review group, for example Otley College has shared project outcomes with St Elizabeth College, South East Essex Sixth Form College and Harlow College.

Given the timescale and nature of this project, it is unlikely that impact will be fully evidenced by the end of the project in July 2008. Improved outcomes for particular groups of people such as disabled people and people from ethnic communities are more likely to be realised in the following academic year, as new processes are used and developments are implemented. These will be evidenced by organisations' future self assessment activities and inspection outcomes, and are likely to include

- improvements in the reliability and validity of staff and learner data, enabling a more accurate profile of staff recruitment and career progress, and student participation, retention, achievement and success
- reduction in the number of 'unknowns' in ILR data
- narrowing of equality gaps in participation, retention, achievement and success rates
- improved processes for establishing and meeting EDIMS
- improved learner satisfaction rates from different equality groups, and therefore improved learner satisfaction rates overall
- identification of specific tangible improved outcomes for people from ethnic communities, disabled people and people of different gender, captured in the organisation's self assessment report
- increased percentage of staff and students who disclose a disability or learning difficulty
- improved evaluation of equality within learner work experience activities
- improved learner participation, retention, achievement and success rates, value added and distance travelled, by disability, ethnicity, age and / or gender, and therefore improved learner retention, achievement and success rates overall
- a greater involvement of people who share an aspect of their identity in relation to race, gender, disability, age, sexual orientation or religion and belief, in improving practice.

# Conclusions and recommendations

Many providers have good practice to share, but are also at an early stage in effectively embedding equality within planning and monitoring processes such as course reviews, work experience evaluation, lesson observation, self assessment and quality improvement planning. This project has enabled participating sites to advance their progress in this area and to act as champions of equality in the region, increasing the capacity of providers in the East of England to address equality and diversity issues through the peer review process.

The requirements of equality legislation provide a catalyst for genuine organisational change. It builds on the principles of increasing inclusion and celebration of diversity, which many providers have already embraced. It will lead to improved choices and opportunities and help close the gap between the expectations, experiences, education, qualifications and employment of people who share an aspect of their identity in relation to age, sexual orientation, gender identity, race, disability, gender, and religion and belief.

## Recommendations

### **QIA / LSIS may wish to:**

- consider how they might take this work forward, for example disseminating the outcomes of this project to help build on peer review and development, both regionally and nationally
- work with partner agencies to disseminate outcomes of the project
- consider how this final report might be made available to a wide audience, for example making this report available to the Support for Excellence PRD groups and placing this report on the excellence gateway
- explore how they might support further action working projects on this topic.

### **LSC may wish to**

- work with existing networks in the region, such as ALP and ACER, to build capacity for providers to embed equality within quality

improvement and development planning, and to disseminate outcomes and findings from the project

- consider how the new apprenticeship and vacancy matching service will incorporate equality and diversity into work place and work based learning
- establish a shared understanding of provider and LSC responsibilities in establishing provider EDIMs
- explore internal mechanisms to share project findings with LSC staff

**Providers** may wish to:

- reflect and critically evaluate the extent to which equality and diversity is embedded within core self assessment and quality improvement processes, including for example
  - learner performance data analysis
  - lesson observation
  - learner involvement strategies
  - course reviews
  - work experience / work placement evaluation
- analyse staff and student equality data to determine if actions need to be taken to improve the reliability, validity and / or variety of such data
- consider the case for monitoring on the basis of sexual orientation or religion or belief
- explore with partner providers how equality and diversity might be more effectively embedded within the peer review process
- develop a shared understanding of provider and LSC responsibilities in establishing provider EDIMs

### The monitoring requirements of equality legislation

The Race Equality Duty means that public sector organisations must have due regard to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between people of different races

The Disability Equality Duty means that public sector organisations must have due regard to the need to:

- eliminate unlawful discrimination, and
- eliminate disability related harassment, and
- promote equality of opportunity between disabled people and other people, and
- take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than other people, and
- promote positive attitudes towards disabled people, and
- encourage participation by disabled people in public life

The Gender Equality Duty means that public sector organisations must have due regard to the need to:

- eliminate discrimination and harassment that is unlawful under the Sex Discrimination Act, and discrimination that is unlawful under the Equal Pay Act
- promote equality of opportunity between men and women

In addition to these three general duties, colleges and ACL providers have a number of specific duties, one of which is to gather and make use of information to assess the impact of activities and to measure progress towards equality (the monitoring duties). For example, an organisation's Disability Equality Scheme should include statements on:

- the type of information used to monitor disability equality, and specifically:
  - the recruitment, retention and career development of disabled staff
  - the educational opportunities available to and the achievements of disabled learners; these should be interpreted broadly and include, for example, access to facilities and trips
- an explanation of how the organisation intends to use this information to promote disability equality,

There are no specific monitoring duties under other equality legislation, such as sexual orientation, age or religion and belief. However, providers must ensure that their activities do not discriminate against people for these equality and diversity parameters.

As a result, organisations will need to

- gather a wide range of quantitative and qualitative information
- ensure that this evidence is appropriate and sufficient to meet equality legislative requirements
- use this information for quality improvement, in particular improving the experiences of people with disabilities or learning difficulties and people from different black and minority ethnic communities and gender
- track progress in promoting equality
- embed these activities within their quality improvement processes



## Appendix B

### Project activity, timescale and milestones

Activity	Timescale	Milestone
Project manager to meet with EofE LSC E & D manager to agree aims, outcomes and activities of project. Other members of the steering group may wish to attend this meeting	Oct 07	
Send out invitations to providers and invite expressions of interest		
Select providers from expressions of interest		
Plan first network meeting, agree date and venue and send out programme to participating sites	Nov 07	<b>Milestone 1</b> Network meeting date and venue agreed and programme sent out
First network meeting takes place to: <ul style="list-style-type: none"> <li>• introduce the project</li> <li>• discuss the requirements of equality legislation and the implications for providers</li> <li>• focus on more effectively embedding equality into self assessment and other core review processes</li> <li>• support critical reflection</li> <li>• signpost current resources such as the LSN DED toolkit and S4S guidance materials on developing a Single Equality Scheme</li> </ul>	Dec 07	<b>Milestone 2</b> First network meeting takes place
Providers discuss project with staff in their own organisation and agree developmental work to be undertaken		
One to one support visits take place and individual project action plans agreed	Jan – Feb 08	
Providers work with staff in their organisation to implement their action plan and to peer review with		

other participating sites in the project		
Project manager evaluates first network meeting and progress to date, and plans second network meeting		
<p>Second network meeting takes place to</p> <ul style="list-style-type: none"> <li>critically reflect on and share progress to date</li> <li>celebrate success</li> <li>discuss issues and solutions</li> <li>agree priority actions and 'next steps'</li> </ul>	March 08	<p><b>Milestone 3</b></p> <p>Second network meeting takes place</p>
Project manager evaluates second network meeting and project progress, and presents interim report to steering group.	March / April 08	<p><b>Milestone 4</b></p> <p>Interim report presented to steering group</p>
Providers continue to receive consultancy support and work with staff in their organisation to implement their action plan and to peer review with other participating sites in the project		
Project manager plans third network meeting		
<p>Third network meeting takes place to</p> <ul style="list-style-type: none"> <li>share progress</li> <li>identify outcomes</li> <li>evaluate project</li> <li>agree dissemination activities at dissemination event</li> </ul>	June 08	<p><b>Milestone 5</b></p> <p>Third network meeting takes place</p>
Project manager evaluates network meeting, progress to date, and plans dissemination event		
Dissemination event takes place for providers and LSC partnership managers in the region to showcase and share project progress and good practice	June / July 08	<p><b>Milestone 6</b></p> <p>Dissemination event takes place</p>
Project is evaluated and project manager presents final report to steering group	July 08	<p><b>Milestone 7</b></p> <p>Final report presented to steering group</p>