



Equal Opportunities Policy

This policy applies to:

All Staff

Person responsible for the policy:

HR Department

Review Dates:

Last Review Sept 2023

Next Review October 2024 *(Please note: this policy is under review and a revised version will go to People and Culture Committee for approval in October 2024)*

Commitment to Equal Opportunities

This policy is written with awareness of the Equality Act 2010.

The College is committed to the principle of equal opportunities in employment and in equal pay for work of the same or similar nature or work of equal value. The College declares its opposition to discrimination or any form of less favourable treatment or financial reward, whether through direct or indirect discrimination, harassment, victimisation or segregation accorded to employees or job applicants, on the grounds of any of the following **Protected Characteristics**: age, sex, marriage and civil partnerships, gender reassignment, race, religious beliefs or political opinions, ethnic origin, nationality, marital/parental status, sexual orientation, disability, pregnancy, maternity, part-time or fixed-term employment.

The College similarly declares its opposition to any form of less favourable treatment according to employees or applicants on the grounds of non-job related handicaps and unfair discrimination on grounds of age.

Members of staff should be aware that in certain circumstances should they be guilty of discrimination they may be personally legally liable for their actions.

Employment practices

The College states its wholehearted support for the principles and practices of equal opportunities and recognises that it is the duty of all members of staff to accept their personal responsibility for fostering a full integrated community at work by adhering to the principles of equal opportunity.

The College will actively promote equal opportunities through the application of employment policies which will ensure that individuals receive treatment that is fair and equitable and consistent with their relevant aptitudes, potential, skills and abilities. All policies and practices will conform with the principle of equal opportunities in terms of recruitment, selection, training, promotion, career development, discipline, redundancy and dismissal.

The College will ensure that individuals are recruited and selected, promoted and trained on objective criteria having regard to the relevant aptitudes, potential, skills and abilities. In particular, no applicant will be placed at a disadvantage by requirements or conditions which are not necessary for the performance of the job or which constitute indirect unfair discrimination.

The College recognises the problems that sexual, racial and other forms of harassment may cause at work and is committed to ensure that such unacceptable behaviour does not take place. All forms of harassment are abhorrent and will not be tolerated by the College. Sexual and racial harassment is regarded as unlawful discrimination and, along with other forms of harassment and all such cases will be dealt with under the disciplinary procedure.

Application: This policy applies to all College employees, whether permanent, temporary, casual, part-time, to ex-employees, to job applicants and to individuals such as agency staff, consultants, contractors, Governors and volunteers who are not employees but who work, volunteer or attend at the College (collectively known as Workers).

Workers Duties: All workers have a duty to act in accordance with this policy, to treat colleagues with dignity at all times, and not to discriminate against, harass or victimise other members of staff, whether junior or senior to them. In some situations, the College may be at risk of being held responsible for the acts of individual members of staff and will not tolerate any discriminatory practices or behaviour.

Management: Those working at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the College with regard to equal opportunities.

Forms of discrimination

- 1 **Types:** Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 2 **Direct discrimination:** Direct discrimination occurs where:
 - 2.1 Someone is treated less favourably because of one or more Protected Characteristics. For example, rejecting an applicant because they would not "fit in" because of their race or sexual orientation would be direct discrimination.
 - 2.2 Someone is less favourably treated because of their association with someone who has a Protected Characteristic. For example, an employee may be treated less favourably because they have a disabled child.
 - 2.3 Someone is treated less favourably because they are perceived to have a Protected Characteristic. For example, an employee may be treated less favourably because they are believed to be (but may not actually be) homosexual.
- 3 **Indirect discrimination:** Indirect discrimination occurs where an individual is subject to a provision, criterion or practice, applied to a group of people, which puts them at a particular disadvantage because of a Protected Characteristic, and it cannot be objectively justified. An example might be a minimum height requirement for a job. This is likely to eliminate proportionately more women than men. If this criterion cannot be objectively justified, because it is not a proportionate means of achieving a legitimate aim, then it will be indirectly discriminatory on the ground of sex.
- 4 **Victimisation and harassment:** Discrimination also includes victimisation (suffering a detriment because of action the employee has taken or may take to assert legal rights against discrimination or to assist a colleague in that regard (called a **Protected Act**) and harassment (see the *Dignity at Work policy* for a more detailed explanation of "harassment").

Recruitment and Selection

- 5 The College aims to ensure that no job applicant receives less favourable treatment because of a Protected Characteristic. Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities and that sufficiently diverse sectors of the community are reached. Job selection criteria are reviewed from time to time to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

See the **Safer Recruitment Policy** for more detail in relation to recruitment and selection practices.

Staff training, promotion and conditions of service

- 6 Staff training needs shall be identified through staff PDR processes or through requests from the staff member to their manager. All workers will be given an equal opportunity and access to training to enable them to progress within the organisation. All promotion decisions shall be made on the basis of merit and where the staff member meets the required skills and aptitudes required for the new position.
- 7 **Terms and conditions:** Our conditions of service, benefits and facilities will be reviewed from time to time to ensure that they are available to all workers who should have access to them and that there are no unlawful obstacles to accessing them.

Disability discrimination

- 8 If you are disabled, or become disabled in the course of your employment, you are encouraged to tell us about your condition. This is to enable us to support you as much as possible and to ensure that you are not treated less favourably because of something related to your disability.
- 9 **Reasonable adjustments:** You may also wish to advise your Line Manager and the HR Department of any reasonable adjustments to your working conditions or the duties of your job which you consider to be necessary, or which would assist you in the performance of your duties. This may involve the provision of an additional piece of equipment or assistance in helping you to perform your work. Your Line Manager / HR may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate the suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments.
- 10 **Physical features:** The College will monitor the physical features of its premises to consider whether it can make any changes to help remove disadvantages which these may create for disabled users. Where possible and proportionate, the College will take steps to improve access for disabled users of the premises.

Fixed-term and part-time employees

- 11 The College will monitor our use of fixed-term employees and part-time workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress within the College to ensure that they are accessing permanent vacancies. We will also ensure requests to alter working hours of part-time staff are dealt with appropriately under the Flexible Working Policy.

Agency Workers

- 12 The College will monitor agency workers to ensure that they are treated no less favourably than a comparable worker in relation to accessing collective facilities and amenities at the College. The College will also monitor the use of temporary work agencies and subject to the exceptions set out in the Agency Workers Regulations 2010, will ensure that all agency workers have the same basic working conditions they would have been entitled to had they been recruited by the College directly into a comparable role.

Breaches of the policy

- 13 **Complaints:** If you believe that you may have been disadvantaged because of a Protected Characteristic, you are encouraged to raise the matter through the College's Grievance procedure. If you believe that you may have been harassed because of a Protected Characteristic, you are encouraged to raise the matter through the College's Dignity at Work policy. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure.
- 14 **False allegations:** These procedures apply during and after termination of your employment. Workers who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach in this policy which are found to have been made in bad faith will, however, be dealt with under the Disciplinary Procedure.
- 15 **Disciplinary action:** If, after investigation, you are proven to have engaged in any unwanted conduct because of a Protected Characteristic have made false allegations, or otherwise acted in breach of this policy, you will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The College will always take a strict approach to serious breaches of this policy.
- 16 **Further Advice:** The HR Director is available to discuss any questions the employees have in relation to this policy.

Related Policies

- Dignity at Work Policy
- Disciplinary Policy
- Capability Policy
- Grievance Policy
- Recruitment Policy
- Flexible Working Policy