

## **Equal Opportunities Policy**

The College is committed to being an equal opportunity employer and to ensuring that all employees, Fellows, job applicants and other people with whom we deal are treated fairly and are not subjected to unfair or unlawful discrimination.

This policy is not contractual, but aims to set out the way in which the College aims to manage equal opportunity. This policy applies to all employees.

Our policy is designed to ensure that current and potential employees are offered the same opportunities regardless of race, nationality, ethnic origin, age, religion or belief, sex, sexual orientation, marital status, domestic circumstances, disability, pregnancy, gender reassignment, civil partnership or any other characteristic unrelated to the performance of the job. We seek to ensure that no one suffers, either directly or indirectly, as a result of unlawful discrimination. This extends beyond the individual's own characteristics, to cover discrimination by association and by perception.

We believe that an effective equal opportunity policy will help all staff to develop to their full potential, which is clearly in the best interests of both our staff and the College. We aim to ensure that we not only observe the relevant legislation but also do whatever is necessary to provide genuine equality of opportunity.

We expect everyone who works for us to be treated and to treat others with respect. Our aim is to provide a working environment free from harassment, intimidation, or discrimination in any form that may affect the dignity of the individual.

We further recognise the benefits of employing individuals from a range of backgrounds, as this creates a workforce where creativity and valuing difference in others thrives. We value the wealth of experience within the community in which we operate and aspire to have a workforce that reflects this.

## **Legal considerations**

The main piece of legislation which covers equal opportunities and discrimination is the Equality Act 2010. In addition, the following are taken into consideration:

- the Rehabilitation of Offenders Act 1974
- the Protection from Harassment Act 1997
- the Human Rights Act 1998
- the Sex Discrimination (Gender Reassignment) Regulations 1999
- the Racial and Religious Hatred Act 2006
- any Codes of Practice issued by the Equality and Human Rights Commission
- plus any amendments to the above legislation.

Discrimination may be direct or indirect, and can take different forms, for example:

- treating any individual less favourably than others on grounds of a "protected characteristic" (sex, race, marital status, religion or belief, sexual orientation, disability, age, pregnancy, gender reassignment or civil partnership)
- expecting a person, solely on the grounds stated above, to comply with requirements that are different to the requirements for others, for any reason whatsoever
- imposing on an individual requirements that are in effect more onerous than they are on others. This would include applying a condition (which is not warranted by the requirements of the position) which makes it more difficult for members of a particular group to comply than others not of that group
- harassment i.e. unwanted conduct which has "the purpose, intentionally or unintentionally, of violating dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment" for the individual
- victimisation – i.e. treating a person less favourably because he or she has committed a "protected act". "Protected acts" include previous legal proceedings brought against the employer or the perpetrator, or the giving of evidence at a disciplinary or grievance hearing or at tribunal, or making complaints about the perpetrator or the employer or their alleged discriminatory practices.

- discrimination by association, i.e. someone is discriminated against because he/she associates with someone who possesses a protected characteristic
- discrimination by perception, i.e. discrimination on the grounds that the person is perceived as belonging to a particular group, e.g. sexual orientation, religion or belief, irrespective of whether or not this is correct
- any other act or omission of an act, which has the effect of disadvantaging one person against another, purely on the above grounds of protected characteristics.

On all occasions where those in control of employees are required to make judgements between them, (for example disciplinary matters, selection for training, promotion, pay increases, awards etc.) it is essential that merit, experience, skills and temperament are considered as objectively as possible.

### **Responsibility for this policy**

The overall responsibility for implementing and monitoring the effectiveness of this policy rests with the Personnel Officer.

Heads of Departments have a crucial role to play in promoting equality of opportunity in their own areas of responsibility.

All employees, irrespective of their job or seniority, will be given guidance and instruction, through our induction and other training, as to their responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues or job applicants, nor encouraging others to do so or tolerating such behaviour. Disciplinary action, including dismissal, may be taken against any employee found guilty of unfair discrimination or harassment.

### **Recruitment and selection**

We aim, through written instructions, appropriate training and supervision, to ensure that all employees who are responsible for recruitment and selection are familiar with this policy.

Selection will be conducted on an objective basis and will focus on the applicants' suitability for the job and their ability to fulfil the job requirements. Our interest is in the skills, abilities, qualifications, aptitude and the potential of individuals to do their jobs.

Job descriptions and person specifications will be reviewed to ensure that criteria are not applied which are discriminatory, either directly or indirectly, and that they do not impose any condition or requirement which cannot be justified by the demands of the post. Questions asked of candidates will relate to information that will help assess their ability to do the job. Questions about marriage plans or family intentions or any other issues which may give rise to suspicions of unlawful discrimination should not be asked. Selection tests will be specifically related to the job and measure an individual's actual, or inherent, ability to do or train for the job.

Job advertisements should encourage applications from all types of candidates and should not be stereotyped.

### **Training and development**

The College recognises that equal opportunity responsibilities do not end at selection, and is committed to ensure that wherever possible all employees receive the widest possible range of development opportunities for advancement.

All employees will be encouraged to discuss their career prospects and training needs with their Head of Department. Opportunities for promotion and training will be communicated and made available to all staff on a fair and equal basis.

The provision of training will be reviewed to ensure that arrangements are made where necessary to enable part-time workers, shift or remote workers or those returning to work following a break to benefit from training. No age limits apply for entry to training or development schemes which are open to all employees.

### **Grievances, disputes and disciplinary procedure**

Employees who believe they have been discriminated against and have not been able to resolve this informally are advised to use the College's grievance procedure. An employee who brings a complaint of discrimination must not be less favourably treated.

Harassment or bullying will not be tolerated, and any individual employee who feels that he/she has been subjected to harassment or bullying should refer to the College's Harassment policy.

When dealing with general disciplinary matters, care is to be taken that employees who have, are perceived to have, or are associated with someone who has, a protected characteristic are not dismissed or disciplined for performance or behaviour which could be overlooked or condoned in other employees.