

# **‘BOLTON SIXTH FORM COLLEGE**

## **EQUAL OPPORTUNITIES POLICY [REVISED VERSION, MARCH 2007]**

### **FORWARD : THE COLLEGE MISSION**

Bolton Sixth Form College was established from the merger of North Bolton Sixth Form College and South College, Bolton with the express aim of maintaining effective and high quality Sixth Form College provision within the town. Its mission is to offer high quality education, to strive to meet the individual needs of all students and to develop its students as young, responsible people. A major aim of the College is to reflect in its practices the multi-racial and multi-faith composition of the student body.

The College will offer a broad range of opportunities, a breadth of opportunity which stems from courses which will be accredited at both advanced and intermediate levels. The extent to which the College should also offer courses at Foundation level will be subject to further comment below.

The College recognises that many of its students are from disadvantaged backgrounds and many are of ethnic minority origins. The College sees the serving of the needs of such students as vital to its purposes. Indeed, the structure of the provision of post-16 education within Bolton makes these client groups of particular importance and the College's role in offering opportunities to such students as integral to the well being of the town.

As part of its Strategic Plan the College seeks to maintain and develop its commitment to equality of opportunity, to eliminate any activities which are explicitly or implicitly discriminatory and to recognise in its activities, the multi-racial nature of the College. The College recognises the concept of institutional racism and is committed to the elimination of the root causes of it. Institutional racism, was defined by the MacPherson report as 'the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwittingly prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people'.

The College's commitment to equal opportunities is outlined to students via its Student Handbook, British Day, student induction and information available on the Colelge website. It is part of the induction programme for all staff.

Clearly, the concept of equality of opportunity is parallel to those of inclusivity and measures that seek to widen participation. Indeed, what follows is inevitably intertwined with both of these initiatives and those that are more generally concerned with celebrating diversity.

The College acknowledges and welcomes its responsibilities under impending and recent equality legislation:

### **The Race Relations (Amendment) Act 2000**

The College has introduced a race equality policy (appendix) and takes due note of its responsibility to promote racial equality. The College takes steps to meet its responsibilities through its 'Celebrating Diversity' booklet and through the activities of the equal opportunities committee, including staff training and work with local schools.

### **The Disability Discrimination Act 1995, the Special Educational Needs and Disability Act 2000 and the impending Disability Bill, 2005**

The College continues to review and monitor its detailed action plan, setting out how it will meet its responsibilities under these acts. This has followed staff INSET training on the management of students with learning difficulties and disabilities and outlining staff responsibilities under the acts. The College acknowledges the need to make reasonable adjustments to meet the needs of students and staff with a disability and the anticipatory nature of the legislation. The College has made changes to its accommodation to meet the latter stages of the act and its action plan identifies the steps required re its provision of auxiliary aids and services.

### **Employment Equality (Sexual Orientation) Regulations, 2003**

The College notes the introduction of these regulations on 31<sup>st</sup> December 2003, which prevent direct or indirect discrimination, harassment and victimisation (at or after the employment relationship has finished) on the basis of sexual orientation. Under these regulations, sexual orientation is defined as,

- Orientation towards persons of the same sex
- Orientation towards persons of the opposite sex
- Orientation towards persons of the same sex and the opposite sex

The College provides an opportunity for existing staff to declare their sexuality on its staff details form, though the College recognises that this is a sensitive issue and that there is no obligation to do so. All records of such information will be held confidentially. To 'out' someone, whether staff or student, without their permission is a form of harassment, and will be treated as such.

The College will ensure that staff and candidates for employment will not be discriminated against. This is covered in the College's existing policy on harassment and discrimination. It will also ensure that all employees have equal rights to training, promotion and other aspects of career development.

The holding of religious beliefs which regard homosexuality as a sin will not be justification for harassment, abuse, propaganda, insults, etc. directed against staff.

The College notes that under the Employment Rights Act 1996 (as amended by the Employment Relations Act 1999) employees are entitled to unpaid leave to deal with unexpected or sudden problems concerning a close family member including a same sex partner. This includes lesbian, gay and bisexual staff.

It is incumbent upon staff to challenge all forms of discrimination, including homophobic behaviour, whether witting or unwitting, by learners, work placement providers, outside contractors or members of staff whenever practicable.

### **Employment Equality (Religion or Belief) Regulations, 2003**

The College welcomes its responsibility to ensure that existing staff and applicants for posts are not directly or indirectly discriminated against, subject to harassment or victimised because of their religion or belief. The College will ensure it does not refuse to employ, dismiss, refuse training or deny promotion to any applicant or member of staff based upon their religion or religious belief or similar philosophical belief (to be determined by case law). Religious beliefs include those that staff have indicated that they follow: Christianity, Hinduism, Islam and Judaism.

To this end, existing staff and applicants for posts are asked if they wish to disclose their religious affiliation when completing the staff details form or the equal opportunities monitoring form that is part of the application process. This information is kept confidential and staff and potential staff will be free to keep their religious affiliation private should they wish to do so.

The College will make every effort to ensure staff can take annual leave to celebrate religious festivals appropriate to their belief, whilst seeking to ensure that the legitimate aims of the College as a provider of education and education services is not compromised. The usual procedure for leave of absence will apply and the College acknowledges it must give legitimate business reasons if requests for absence to coincide with religious holidays are denied. Such days include (the list is not exhaustive):

- Christmas Day
- Easter Sunday
- Diwali (first day of)
- Eid-ul-Fithr (first day of)
- Eid-ul-Adha (first day of)
- Yom Kippur
- Rosh Hashanah

Whilst under the regulations, organisations do not have to release staff for prayer outside normal rest breaks or holiday periods, the College will endeavour to make available to staff a room, on request, for prayer or quiet contemplation. However, this will only be possible if it does not cause problems for other staff or students or be detrimental to the aims of the College as an educational institution.

Staff training, promotion and other aspects of career development will not be denied to staff on the basis of their religion or belief.

The College does not currently enforce a dress code. Should it choose to do so in future, it will ensure it meets its responsibilities under the Employment Equality (Religion or Belief) Regulations.

It is incumbent upon staff to challenge all forms of discrimination, including inappropriate behaviour which seeks to discriminate on the basis of faith, whether witting or unwitting, by learners, work placement providers, outside contractors or members of staff, whenever practicable.

### **Changes to the Sex Discrimination Act 2005**

The College acknowledges the extension of its responsibilities under the amendment to this Act and has circulated the key changes to staff. The Collegee

will endeavour to remove harassment and discrimination from the workplace and notes the changes to the law with respect to gender re-assignment and pregnancy and maternity leave.

The College also acknowledges the rights of its students when on work placements and those on or applying for places on vocational training courses.

The new definition of sexual discrimination has been incorporated into this policy.

### **The Gender Equality Duty 2007**

The College welcomes the requirement to target the gender 'pay gap' and has set out an action plan in this respect. The College regards the need to eliminate unlawful discrimination as paramount. This has been underlined in staff training events, staff meetings and induction training.

# EQUAL OPPORTUNITIES : POLICY AND IMPLEMENTATION

## 1. POLICY STATEMENT

- (a) The Governing Corporation is committed to establishing and implementing an equal opportunities policy in relation to employment, remuneration and promotion. No individual will be discriminated against on the grounds of disability, gender, ethnicity, religion or belief, marital status, sexuality and age.
- (b) The College is committed to the establishing and promotion of an equal opportunities policy for its students and staff, in relation to recruitment, course allocation, academic progress and review, counselling, progression and support. No individual will be discriminated against on the grounds of any of the matters listed above.
- The College is also committed to promoting amongst its staff and student body, the equal promotion of, and mutual respect for, differences which stem from the disability, gender, ethnicity, religion or belief, marital status, sexuality and age of students, and the community at large.
- The College seeks to employ a workforce reflecting the diverse community at large and values the individual contributions of all staff.

## 2. IMPLEMENTATION

### (a) The Corporation's responsibilities as employer

- (i) These are based in statute, principally, clause 222 of ERA 1988, the Equal Pay Act of 1970, the Sex Discrimination Act 1975 (and 2005 amendment), Race Relations Act 1976 and the Race Relations (Amendment) Act 2000, the Human Rights Act 1989 and the Disability Discrimination Act 1995, including the SEND Act principles 2001 and the EU Employment Equality Regulations, 2003.
- (ii) It is accepted by the Corporation that observation of statutory responsibilities can only be effected by sensitive and non-discriminatory approaches in relation to:
  - Recruitment of candidates for posts:

Annual and effective monitoring will be made of advertisements, job descriptions and questions at interviews (to be monitored by the Principal or nominee) to ensure that there is no discrimination on the grounds of the characteristics listed above.
  - Promotion of candidates:

Promoted posts must be independent of disability, gender and/or racial qualifications and, as such, open to all individuals, irrespective of disability, gender, ethnicity, religion or belief, marital status, sexuality and age

Whenever possible, and within financial constraints, all vacancies will be advertised simultaneously internally and externally. Steps will be taken to ensure that knowledge of vacancies reaches under-represented groups. All vacancy advertisements will include an appropriate short statement on equal opportunity. Details of the position on offer will be available, on request, both in writing (including on large print) and on audio tape.

Selection criteria (job description and employee specification) will be kept under constant review to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job. Whenever possible, more than one person must be involved in the selection, interview and recruitment process, and all will have received training in equal opportunities. Interviews will take place in an appropriate part of the College to ensure full access, when a short listed applicant may have a physical disability, and be mindful of religious festivals. Reasons for selection and rejections of applicants for vacancies must be recorded.

Where necessary, use will be made of lawful exemptions to recruit suitably qualified people to cater for the special needs of particular groups. For example, as part of the policy towards achieving the Employment Service's Disability Symbol, the College has agreed to interview all candidates with a disability who meet the minimum criteria for the job applied for. However, recruitment to all posts will be strictly on merit. The College is a member of the Network for Black Managers.

- Review and monitoring

Annual monitoring will be made of the extent to which the application of this policy can be detected in the structure and character of the staff establishment and a full review published.

In order to ensure the effective operation of the equal opportunities policy (and for no other purpose) a record will be kept of all employees and job applicant's gender, religion, age, ethnicity and disability. On an annual basis, employees will be able to check/correct their own record of these details. Otherwise, access to this information will be strictly restricted. Such records will be analysed annually and appropriate follow-up action taken, for example in relation to staff who develop a disability during their period of work for the College.

**(b) The College's responsibilities towards its students**

The following points accept explicitly that the promotion of equal opportunities in this racially diverse college has within it, certain difficulties. This may be the case in relation to the strongly different gender roles ascribed in some cultural traditions.

(i) Implementation:

All staff should be aware that equal opportunities can only be effected through observation of a positive non-discriminatory approach to:

- Recruitment to college and courses
- Course review procedures and Courses of study
- Production of teachers' resources and materials
- Equal and positive classroom interaction
- Tutorial/Pastoral support and use of the discipline system.
- Work Experience/Work Placements and class visits
- Student Council events

It is also incumbent on staff to:

- Show sensitivity towards and respect for, cultural diversity based on the differences between religious traditions of students;
- Encourage consideration of ethnic and religious traditions amongst other students;
- Promote awareness of cultural diversity in a positive fashion; for example, through induction procedures that seek to raise students awareness of the festivals celebrated by different ethnic groups at the college.
- Recognise that discrimination towards individuals on the grounds of disability, gender, ethnicity, religion, marital status, sexuality and age will exist outside of the college, and seek to ameliorate the consequences of this within it.
- To develop an underlying empathy of the circumstances faced by staff and students whose backgrounds are different from their own.

The College respects the diverse cultural and religious traditions of all its students and accepts the rights of individuals and groups peaceably to worship and to fulfil cultural obligations. Accordingly, the college will neither promote, nor permit to be promoted, any one religious faith or culture. Whilst college facilities exist primarily for the delivery of educational activities, arrangements will be made, where practicable, for staff and students to carry out essential religious observance.

(ii) Review and Monitoring:

- At the end of each academic year departments produce an analysis of achievement and retention on the basis of gender/ethnicity and by course. This is included as part of the SAR process.
- Equal opportunity issues/indicators will be significant criteria in all Quality Assurance systems and practices and, as such, monitoring of enrolments, achievements etc. will be part of an on-going system of review. (See Appendix for the Equality Performance indicators which apply).

Targets will be set to improve the college's performance, observing all data on participation and achievements by targeted/under represented groups and on local census, employment and other relevant information. Achievement against these targets will be measured.

## Extending Equal Opportunities

The college seeks to extend its commitment to equal opportunity through the following measures:

- Focus Groups that represent targeted/under-represented groups will be consulted regularly.
- Employers work placements and work experience will be monitored for equal opportunities practice
- The college will project and promote itself in the community as an equal opportunity employer and service provider.
- Information and marketing material will be provided in community languages where appropriate (e.g. the Guide for Parents)
- Advice on equal opportunities will be sought, where appropriate, from relevant outside agencies, such as the CRE, the EOC and the LSC. The College is in regular contact with several local bodies involved with equal opportunity practice. These may be groups that the college is an active member of, or those whose advice and expertise may be sought, including;
  - The Commission for Black staff in Further Education.
    - The Network for Black Managers
  - Bolton Ethnic Minority Achievement Service
  - Black Training and Enterprise Group (BTEG)
  - The Bolton Crime and Disorder Partnership Group.
  - Bolton Youth Service and GEMS (that seeks to improve the achievement/behaviour of young Asian males and encourage participation in sports activities).
  - Bolton Racial Equality Council and the Commission for Racial Equality.
  - Local places of worship, such as mosques and temples
  - Local community groups and facilities such as the Lads and Girls Club, Asian Womens Group, Council of Mosques, etc.
  - Bolton University, AimHigher and other organisations involved in projects to help widen participation.
  - The Disability Rights Commission.
  - The Disability Service
  - The Race Relations Employment Advisory Service (RREAS)
    - GM Police

## **Outcomes**

It is hoped that good equal opportunities practice should result in evidence of:

- Fair representation of people from targeted/under-represented groups at all levels of the curriculum and staffing.
- Participation by a wider group of learners, including those with disabilities and/or learning difficulties in all programme areas.
- Consistently high levels of student enrolment, retention and achievement.
- An enhanced reputation in the local community.
- Increasing levels of student satisfaction.
- Favourable publicity
- A wider range of employers offering work experience and work placements.
- Fewer grievances and complaints.

Attached to the policy is a guide to the identification of Harassment (for staff and students) and the action which would follow from such identification.

# EQUAL OPPORTUNITIES POLICY

## CODE OF PRACTICE FOR ELIMINATING HARASSMENT

### INTRODUCTION

Harassment of any kind whether racist, sexist or because of disability can be an upsetting experience for an individual and it can seriously affect the confidence of employees/students when it occurs within the workplace/place of study.

The College is committed to take all necessary steps to eliminate all forms of harassment and discrimination. Harassment has been held to constitute discrimination under the Race Relations Act (1976, and 2000 Amendment) and the Sex Discrimination Act (1975 and the 2005 amendment) and the Disability Discrimination Act (1995).

Harassment and Victimisation also form part of the EU Employment Equality Regulations, 2003. Under these regulations, harassment is defined as 'behaviour that violates dignity and/or behaviour which creates an environment which is humiliating, degrading, hostile or offensive. It may be intentional or unintentional. The individual's perception first defines harassment'.

People can be subject to harassment on a wide variety of grounds including:

- (a) Their race, ethnic origins, nationality or skin colour
- (b) Their sex and sexuality
- (c) Their disabilities, sensory impairment or learning difficulties
- (d) Their age
- (e) Their religious or political convictions
- (f) Their willingness to challenge harassment leading to victimisation

The list is not exhaustive.

This Code of Practice aims to assist staff and students to identify and challenge all forms of harassment when it occurs.

On this basis, the MacPherson Report recommends that a new definition of a "racist incident" should be universally adopted by the police, local government and other relevant agencies as follows:

'A racist incident is any incident which is perceived to be racist by the victim or any other person'.

#### **Racist Harassment may include the following:**

- (a) Physical attack against a person or group because of ethnic origin.
- (b) Making threats against a person or group because of ethnic origin.
- (c) Derogatory name calling, verbal or non-verbal insults and racist jokes.
- (d) Racist graffiti or any other written insult.
- (e) Racist comments in the classroom/staff work places
- (f) Provocative behaviour such as wearing racist badges or insignia or displaying racist material e.g. leaflets etc.

#### **Sexist Harassment may include the following:**

- (a) Physical attack against a person or group because of their sex or sexuality.
- (b) Unnecessary touching or unwanted physical contact.
- (c) Verbal insult or abuse e.g. sexist jokes, name calling
- (d) Non-verbal abuse or insult including wolf whistling signs/gestures.

- (e) Sexist graffiti or written insults
- (f) Sexist comments in the classrooms/staff work place.
- (g) Displaying sexist material e.g. magazines, pornographic pictures etc.

**Harassment of people with disabilities and learning difficulties may include the following:**

- (a) Physical attack or threats against a person or group because of their disability or learning difficulty.
- (b) Derogatory name calling verbal or non-verbal insults because of someones disability or learning difficulty.
- (c) The deliberate attempt to make access difficult or the denial of appropriate opportunity for access to learning situations, successful assessments, employment etc.

**Complaints Procedure**

Anything which makes any member of the College uncomfortable, distressed or disturbed because they feel they have been treated unfairly or offended by someone else's behaviour will be taken seriously and dealt with promptly, fairly and sensitively.

**STUDENTS**

- (1) If a student or a group of students feels harassed by another student or a group of students on College premises a complaint of harassment should be made to the relevant Student Manager. They may refer the matter to the Assistant Principal who will assess the seriousness of the complaint and attempt to resolve initially using informal complaint procedures. If the complaint becomes formal it will then be investigated using formal complaint procedures.
- (2) If a student or group of students is harassed by a member of staff a complaint maybe made to the designated senior manager. This complaint will be dealt with using informal complaint procedures initially but if formal procedures are instigated they will be in accordance with the current procedures for formal complaints from students.
- (3) If a student or a group of students is harassed during a work placement a complaint may be made to the Course Leader or work experience organiser immediately so that the complaint can be addressed promptly and legal advice sought where necessary.

**STAFF**

- (1) If a member of staff is harassed by a student or group of students on College premises a complaint maybe made to the appropriate member of the Senior Management Team.
- (2) If a member of staff or group of staff is harassed by a member of staff a complaint may be made to the appropriate member of the Senior Management Team. This complaint will be dealt with (using both informal and formal procedures) in accordance with the current Grievance procedures for staff.

## **SUPPORT FOR ALL PARTIES INVOLVED IN A COMPLAINT OF HARASSMENT**

If a complaint of harassment from either a student or member of staff involved the use of the formal complaints procedure both the harassed and the alleged harasser must be sensitively supported and offered counselling from an appropriate member of staff.

## **MONITORING AN INCIDENT OF HARASSMENT**

- (1) Students making a complaint must complete the appropriate section of the Student Complaint Form.
- (2) Members of staff involved in an incident must complete the relevant incident reporting form, outlining the incident and outcome.

## **DISCIPLINE**

Should a member of staff or a student found to be in breach of the College's expectations with respect to racial and/or sexual harassment, then the usual staff disciplinary and student disciplinary procedures will apply.

For matters of staff discipline, a decision will be taken by the Principal.

The student disciplinary system will be used as appropriate. Any student(s) implicated in such incidents will be asked to leave.

In both cases, the incident may be referred to appropriate external agencies such as the police who will, in line with the recommendations of the MacPherson report, record all 'racist incidents'. The college operates at all times within the framework of race and sexual discrimination legislation.

## **HARASSMENT IN OFFSITE SITUATIONS**

This may include incidents that involve staff and/or students and/or individuals not employed by the College. Such offsite situations refer to circumstances where the College remains responsible for the safety, behaviour and actions of staff and students. These may include:

- trips and visits in the U.K./Overseas
- work experience
- sporting activities
- staff/students representing the College at external events
- Community Service

If any incident should arise in these situations, then the College will act in the circumstances described above.

Should an incident involve another organisation or individual, then contact will be made to a senior official with the organisation involved or to the police when necessary. Appropriate external agencies such as the Equality and Human Rights Commission and Bolton Equality Council may be sought for advice.

## EQUALITY PERFORMANCE INDICATORS WITH RESPECT TO THE STUDENT BODY

INDICATOR	INDICATOR
<p>1. ANALYSIS OF APPLICATIONS</p> <ul style="list-style-type: none"> <li>On the basis of gender/ethnicity/ feeder schools/disability. (by places/rejections)</li> </ul> <p>Indicator: End of year review</p>	<p>11. STUDENT SATISFACTION</p> <ul style="list-style-type: none"> <li>Results of Satisfaction Survey.</li> <li>Focus group studies</li> </ul> <p>Indicator: End of year review</p>
<p>2. ANALYSIS OF ENROLMENT</p> <ul style="list-style-type: none"> <li>Student distribution by course and programme area on the basis of gender/ethnicity/disability</li> </ul> <p>Indicator: End of year review</p>	<p>12. LEARNING SUPPORT</p> <ul style="list-style-type: none"> <li>Analysis of recipients on basis of ethnicity, gender and type of disability.</li> <li>Staffing qualifications/specialisms.</li> <li>Analysis of students receiving support for language as opposed to learning difficulties.</li> <li>Analysis of facilities/assessments and procedures.</li> </ul> <p>Indicator: Annual Review</p>
<p>3. CHANGE OF COURSE PROCEDURE</p> <ul style="list-style-type: none"> <li>Analysis on basis of gender, ethnicity and disability.</li> </ul> <p>Indicator: End of year review</p>	<p>13. CAREERS</p> <ul style="list-style-type: none"> <li>Analysis of students who have had a careers interview by gender, ethnicity and disability</li> </ul>
<p>4. INDUCTION PROCEDURE</p> <ul style="list-style-type: none"> <li>Are all students fully aware of EO policy and appropriate procedures?</li> </ul> <p>Indicator: Student Satisfaction Survey and induction review questionnaire</p>	<p>14. DESTINATIONS OF STUDENTS</p> <ul style="list-style-type: none"> <li>HE analysis on basis of gender, ethnicity and disability.</li> </ul> <p>Indicator: Annual Review</p>
<p>5. RETENTION RATES/PROGRESSION</p> <ul style="list-style-type: none"> <li>Progression (from AS to A2, Int to Adv) by course, and programme area on basis of gender, ethnicity, post code and disability.</li> </ul> <p>Indicator: Termly Review</p> <p>Analysis of leavers by gender/ethnicity</p>	<p>15. WORK EXPERIENCE PLACEMENTS</p> <ul style="list-style-type: none"> <li>Analysis of placements re. Nature and type - ethnicity/gender/disability of students</li> <li>Placements employ EO policy.</li> </ul> <p>Indicator: Annual Report</p>
<p>6. ATTENDANCE PATTERNS</p> <ul style="list-style-type: none"> <li>Analysis on basis of gender, ethnicity and disability by course.</li> </ul> <p>Indicator: via Bromcom reports</p>	<p>16. COLLEGE PRACTICES/ETHOS</p> <ul style="list-style-type: none"> <li>Representation of Student Council.</li> <li>Monitoring of 'public areas' i.e. canteen, library. (Senior Management)</li> <li>Flexibility of timetable.</li> <li>Availability of programme areas.</li> <li>Prayer Rooms.</li> <li>Distribution of EMA</li> <li>Involvement in local and national initiatives aimed at promoting and respecting cultural diversity</li> <li>Monitoring of all incidents/complaints recorded (LMJ, SMs)</li> <li>Library stock</li> </ul>
<p>7. REFERRAL/DISCIPLINE SYSTEM</p> <ul style="list-style-type: none"> <li>Analysis on basis of ethnicity/gender.</li> </ul> <p>Indicator: End of year review</p>	
<p>8. COUNSELLING SYSTEM</p> <ul style="list-style-type: none"> <li>Analysis on the basis of gender/ ethnicity.</li> </ul> <p>Indicator: End of year review</p>	
<p>9. ACHIEVEMENT</p> <ul style="list-style-type: none"> <li>Analysis of attainment and value added on basis of gender/ethnicity/ by course.</li> <li>Analysis of attainment and value added of students with a declared disability and recipients of learning support. Dept. Annual Evaluation Report</li> </ul> <p>Indicator: Yearly analysis of results</p>	
<p>10. CLASSROOM INTERACTION</p> <ul style="list-style-type: none"> <li>Analysis of equal opportunities issues arising from the lesson observation system</li> <li>Focus group studies</li> </ul> <p>Annual review:</p>	

## **EQUALITY PERFORMANCE INDICATORS : STAFFING**

Due to the sensitive nature of some of this information, it remains the responsibility of the Principal and Senior Management Team.

### 1. APPLICATIONS FOR POSTS (INTERNAL/EXTERNAL)

To include shortlisting for posts and an analysis of questions asked at interview.

- On the basis of gender/ethnicity/disability/age/position held  
Indicator: Annual Report: Personnel Officer

### 2. APPLICATIONS FOR TRAINING

- On the basis of gender/ethnicity/disability/age/position held  
Indicator: Annual Reports: Staff Development Manager

### 3. DISCIPLINARY INCIDENTS

- On the basis of gender/ethnicity/disability/age/position held.  
Indicator: responsibility of the Principal.

### 4. APPRAISAL REVIEW

- A review of those members of staff who score a less than satisfactory rating in their appraisal review, by gender/ethnicity/disability/age/position held

### 5. STAFF PROFILE (TEACHING AND NON-TEACHING)

- An annual review of the staff profile by gender, ethnicity, age and disability
- A review of the proportion of staff on temporary/full-time/part-time contracts by gender, ethnicity and disability
- A survey of the views of staff with respect to equal opportunities provision, such as training offered/required

### 6. EXIT INTERVIEWS

- A review of any equal opportunities issues arising from labour turnover

A report will be drawn up annually by the Assistant Principal (Student Services) to set appropriate targets for progress in each of these areas.

It is incumbent upon the Assistant Principal (Student Services) to ensure that all new staff receive training on equal opportunities, with particular reference to ethnicity, as part of their induction programme.

A review of staffing by gender, ethnicity, age and disability will be a feature of the annual equal opportunities review. This will consider distribution of additional responsibility allowance points (temporary/part-time/full-time members of staff).

### **Employment Equality (Age) Regulations 2006**

The College recognises its forthcoming responsibilities under this legislation, noting its responsibilities under length of service, duty to consider and a default retirement age. A summary of the draft regulations is included for staff in the appendices

## **APPENDICES**

- Definitions
- Equal Opportunities and Work Experience procedures
- Disability Statement (students) and policy on Retaining Employees with a disability
- Race Equality Policy
- Policy statement on the recruitment of ex-offenders
- Summary of Draft legislation: Employment Equality (Age) Regulations

## DEFINITIONS

For the purposes of the policy, the following definitions will apply:

Equal Opportunities aims to ensure that no group receives less favourable treatment by virtue of one's skin colour, race, gender, ethnic origins, disability, age, class or sexuality, thereby enabling all people to have equality of access to resources, such as goods and services, facilities, premises and employment.

Racism refers to all attitudes, procedures and patterns - economic, social and cultural - whose effect though not necessarily whose conscious intention is to create, maintain and extend power, influence and privilege of one group over another.

Sexism refers to all attitudes, procedures and patterns - economic, social and cultural - whose effects, though not necessarily whose conscious intention, is to create, maintain and extend the power, influence and privilege of one group of people over another.

Disability: The Disability Discrimination Act (DDA) 1995 defines the disabled as "anyone with a physical or mental impairment which has a substantial and long-term adverse effect upon his or her ability to carry out normal day to day activities." (See appendix for further clarification of the above).

Racial discrimination refers to unequal treatments of an individual or group on account of their social origin or colour.

Sexual discrimination refers to unequal treatments of an individual or group on account of their gender and/or marital status.

Sexual harassment refers to unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of men and women at work.

Racial harassment refers to conduct (whether by act or omission) which is intended to cause or does cause physical or mental distress to an individual or group on account of their colour, race, nationality or ethnic origins.

### Discrimination in Law

Direct discrimination a person is treated less favourably on the basis of gender, race or marital status.

Indirect discrimination an absolute condition is applied universally, but it has a disproportionate impact to an individual or group. This results in detriment, and cannot be justified.

Victimisation less favourable treatment based on the fact that a person has asserted her/his rights, or assisted others to do so.

## **DISABILITY SYMBOL**

The college has signed up to the Employment Service's disability symbol and therefore agreed to take the following action.

- to interview all applicants with a disability who meet the minimum criteria for a job vacancy and consider them on their abilities;
- to ensure there is a mechanism in place to discuss at any time, but at least once a year, what can be done to make sure that they can develop and use their abilities at work;
- to make every effort when employees become disabled to make sure that they stay in employment;
- to take action to ensure that all employees develop the appropriate level of disability awareness needed to make its commitments work;
- each year to review these commitments and what has been achieved, plan ways to improve on them and let employees and the Employment Service know about progress and future plans.

## **POLICY ON RETAINING DISABLED EMPLOYEES**

There are sound reasons to retain employees who become disabled. Employees cost money to recruit and train and existing staff already have the skills for the job, and knowledge of the College's services and methods of working.

The Disability Discrimination Act Code of Practice states that it would be reasonable for an employer to have to spend at least as much on an adjustment to a disabled person in work - including any retraining - as might be spent on recruiting and training a replacement.

The College will make effective adjustments accordingly, which may include the following.

- changes to duties and/or allocating to another employee minor tests which can no longer be done by the disabled person;
- transfer to another post;
- provide practical aids and technical equipment.
- a reduced timetable in the short term, where appropriate.

As such, the college will use any specific assistance packages provided by the employment service when/if the need arises to do so. These include Access to Work and the Supported Employment Programme.

