
Equal Opportunities Policy



Ali porta civitatis sum scientia et

**Reviewed and
Approved by
Academic
Committee
July 2014**

This policy available on ECHE's website
Revised: July 2014
Review: July 2016

European College for Higher Education is committed to safeguarding and promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

This Policy applies to all College programmes except those for which the applicable policy is that of a validating Higher Education institution or other Awarding Body.

We review our policies regularly to update them and to ensure that they are accessible and fair to all. All policies are subject to equality impact assessments. Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a different impact on grounds of race, gender, disability, age, religion/belief, gender reassignment, pregnancy/maternity or sexual orientation.

We are always keen to hear from anyone who wants to contribute to these impact assessments and we welcome suggestions for improving the accessibility of fairness of the policy.

To make suggestions or to see further information please contact:

Academic Committee:

Tel: 0208 800 1200
Email: admin@eche.co.uk

Equality Impact Assessed:

Footnote

In an effort to keep costs to a minimum a conscious decision has been made not to print out this document and it would be appreciated that you refer to the copy and relevant Appendices available on our website www.eche.co.uk.

EQUAL OPPORTUNITIES POLICY

1. POLICY STATEMENT

ECHE is committed to a policy of equal opportunities in employment whereby individuals are selected, trained, promoted and treated on the basis of their relevant merits, skills and competency. All members of staff and job applicants will receive equal treatment regardless of race, colour, nationality, ethnic origin, sex, marital status, disability, religion, political belief, socio-economic background, parental status, trade union membership, sexual orientation and age.

2. IMPLEMENTATION

The Manager Administration has overall responsibility for the formulation, implementation and monitoring of the policy, which is approved and supported by the senior staff of ECHE. The College is committed to a programme of action to ensure that this policy is effective by:

- Advising the College's senior management, other appropriate members of staff and committees of the College in matters of equal opportunities in employment.
- Providing training and/or guidance in the equal opportunities policy and those provisions, relevant to their responsibilities, of the Equal Opportunities Legislation detailed below.
- Stating on relevant material that it is an equal opportunities employer;
- Ensuring that all material will be consistent with the College's equal opportunities policy;
- Issuing each member of staff with a copy of this statement;
- Including a reference to the equal opportunities policy in terms and conditions of employment and asking new employees to confirm that they have read the policy as part of their terms and conditions of employment.

3. EQUAL OPPORTUNITIES AND THE LAW

- The Employment Equality (Age) Regulations 2006
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Religious Orientation) Regulations 2003
- Disability Discrimination Act 1995 Amended 2005

3.1 There is no service requirement (length of service) for raising complaints under equal opportunities to report to the senior management of ECHE. Prospective employees may therefore lodge complaint to the Principal of ECHE for such a persisting attitude or behaviour. If the issue is not resolved then both parties will have reconciliation session as per agreed the terms and conditions.

4. The Employment Equality (Age) Regulations (2006)

These regulations have been introduced to ensure age equality within recruitment, selection, promotion, training & development, redundancy and retirement practices. This means that it is essential for organisations not to recruit, select, promote, develop, nor make individuals redundant on the basis of age. In terms of retirement practices, mandatory retirement ages below 65 years will be outlawed, those under the age of 65 may retire early if they wish, and should those individuals over the age of 65 wish to continue working, they have the right to request this. The College has ensured that this legislation is reflected throughout the organisation and is inherent within its policies and procedures.

4.1 The Employment Equality (Sexual Orientation) Regulations (2003)

These regulations stipulate that it is unlawful for someone to be treated less favourably in the workplace because of their sexual orientation, their perceived sexual orientation or because they associate with someone of a particular sexual orientation. Sexual orientation is defined as either having a sexual attraction towards persons of the same sex, persons of the opposite sex or persons of both sexes. The implications of these Regulations are for the College to ensure it does not discriminate against employees or job applicants on the basis of their sexual orientation.

4.2 The Employment Equality (Religion or Belief) Regulations (2003)

In a similar way to the above, it is unlawful to treat employees or job workers less favourably because they follow, are perceived to follow or do not follow a particular (or any) religion, religious belief or similar philosophical belief.

4.3 Race Relations (Amendment) Act (2000) - RRAA

The RRAA came into force in April 2001 and amended the Race Relations Act 1976. The amended act takes equality requirements one step further under the law than other earlier Equal Opportunities legislation. This is because it places a positive duty on organisations to promote equality as well as ensuring employment practices are non-discriminatory.

Organisations must ensure that racial equality is a fundamental part of strategic planning and management processes. Steps must be taken to ensure all systems and procedures comply with the legislation and action must be taken to engender change where necessary. Organisations must collect data and analyse and assess it against publicly available benchmarks to measure performance and effectiveness and to identify how the organisation might improve. In relation to recruitment and selection the College has reviewed procedures to ensure compliance with the RRAA and to promote practices that will assist in raising good practice in race relations. This will also be of benefit in raising the profile of other under represented groups. The detailed advice is contained throughout the recruitment and selection guidance pack and is incorporated in all stages of the process from drawing up the job description to interviews, references and vetting of candidates.

4.4 Human Rights Act (1998)

The Human Rights Act came into force on 2nd October 2000, and covers 16 basic human rights. These range from freedom from torture and killing to individual rights in everyday life. The Act also covers the right not to be treated differently because of your race, religion, sex, political views or any other status, unless it can be objectively justified.

4.5 Disability Discrimination Act (1995, extended 2005) - DDA

The DDA applies to anyone who has a physical, sensory or mental impairment, which has a substantial long term and adverse effect on their ability to carry out normal day to day activities. It is against the law for an employer to treat a disabled person less favourably than an able bodied person because of their disability, unless this can be justified. This applies to all employment matters (including recruitment, training, promotion and dismissal).

Discriminatory employment practice will not be justified based on past or previous disabilities e.g. a person who has a history of mental illness. In 2005, a new Disability Discrimination Act came into force, which extends the existing provisions in the DDA 1995. In particular, those who have HIV, cancer or multiple sclerosis are now covered by the DDA from the moment they are diagnosed.

4.6 Sex Discrimination Act (1975, amended 1986, extended 1999) and Equal Pay Act (1970)

These Acts require that employers do not discriminate, either directly or indirectly, between men and women, or married and unmarried people, in recruitment or in any other way in their treatment of employees.

Equal treatment, in respect of pay, terms of contract and employment, must be given to men and women doing the same or broadly similar work.

4.6.1 The Sex Discrimination Act also:

- Granted individuals a right of direct access to employment tribunals for legal remedies for unlawful discrimination and established the Equal Opportunities Commission to help enforce the legislation and promote equal opportunities and provide information and advice.

4.6.2 In 1999, the Sex Discrimination Act was extended to make it unlawful to discriminate against an employee intending to, undergoing or having undergone, gender reassignment. (Gender reassignment is defined as a process undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex).

5. Rehabilitation of Offenders Acts (1974)

- The aim of this Act is to make working life easier for those who have been convicted of a criminal offence.
- An ex-offender after a period of rehabilitation has no need to disclose a previous conviction unless his or her sentence exceeded 2.5 years of imprisonment.
- Once a conviction becomes 'spent' an employer cannot refuse to employ, dismiss or otherwise discriminate against an ex-offender on the grounds of a previous conviction.
- However certain posts are exempt from the Act. Examples of these include medical, nursing and midwifery posts, any posts that involve contact with vulnerable people, as well as all posts requiring admission to professional register. In these cases spent convictions have to be disclosed.
- If any convictions are disclosed they are not necessarily a bar to employing that person; the relevance of the offence to the duties of the job must be considered at the short-listing stage.

6. RECRUITMENT AND SELECTION

Those responsible for recruiting and selecting candidates are advised to attend the College's Recruitment and Selection courses. Training and guidance will be provided on good selection practice with particular reference to equal opportunities considerations.

6.1 WORKING ARRANGEMENTS

Subject to operational requirements, the College will give sympathetic consideration to members of staff whose personal circumstances change and will attempt to accommodate these by varying working arrangements, retraining or redeployment.

6.2 WORKING ENVIRONMENT

The College is committed to developing and maintaining a working environment which encourages all members of staff to contribute fully to the life and work of the College, which is supportive of the dignity and self-esteem of individuals, and which ensures that they are free from harassment. Consideration will be given to whether certain communications should be in languages other than English, for example health and safety notices, workplace rules.

7. HARASSMENT

It is the responsibility of all staff to ensure that individuals do not suffer any form of harassment and that they are supported in any legitimate complaint. Senior staff, managers and supervisors have a particular responsibility for providing a working environment free from harassment.

7.1 Racial harassment is committing or inciting any hostile or offensive act or expression by a person of one racial or ethnic origin against a person of another and which is motivated by racial or ethnic difference. Such behaviour includes derogatory name calling, insults and racist jokes, racist graffiti, verbal abuse and threats, physical attack and ridicule of an individual because of cultural differences.

7.2 Sexual harassment occurs in a variety of situations, which share a common element, i.e. the inappropriate introduction of sexual activity or comments into a work situation. It often involves relationships of unequal power and may contain elements of coercion. Sexual harassment includes: unwanted sexual advances, sexually explicit remarks or innuendoes, intentional physical contact, the display of pornographic, sexually offensive or inappropriate material, verbal threats or abuse, and other actions which cause the person to feel threatened or humiliated. Members of either sex can experience sexual harassment.

7.3 Other forms of harassment can include bullying or repeated reference to personal traits, appearance, sexual orientation, disability, religion and age. Actions designed to undermine an individual's professional competence or confidence is a misuse of power or position. Such actions may include public or persistent unwarranted criticism of work performance or exclusion from normal work activities. The distinction between strong management and bullying is that, whilst the former is intended to promote desired work performance, the latter is intended to hurt or undermine the individual.

7.4 Differences in culture or attitude, and misinterpretation of certain social signals, can mean that what is perceived as harassment by one person may not seem so to another. The defining feature, however, is that the behaviour is intimidating to the recipient and would be regarded as harassment by any reasonable person.

8. DEALING WITH HARRASMENT

Some forms of harassment can be remedied by approaching the person, explaining the nature of the complaint and stating that the behaviour is unacceptable.

8.1 This may be sufficient to stop the behaviour. If the behaviour does not stop, the complainant can then advise the person that they will make a note of the details and dates of any relevant incidents (to include the way in which the behaviour may have affected his/her day-to- day activities) with a view to bringing a formal complaint if the behaviour does not stop.

8.2 Senior staff, managers and supervisors should consider complaints of harassment with all possible speed and take appropriate action as quickly as possible. Any investigation should be independent, objective and handled confidentially with respect for the rights of both the complainant and the alleged harasser. The College will regard any incidents of harassment extremely seriously. If a complaint of harassment is upheld, disciplinary action will follow. Any disciplinary action will be taken in accordance with existing College procedures.

8.3 In the meantime, if you believe you are suffering harassment of any nature, please contact either your HR Adviser or your Trade Union representative for advice and support.

9 PROMOTION AND REGRADING

All criteria and procedures will continue to be examined and reviewed to ensure that they comply with this policy and are operated fairly.

10. STAFF DEVELOPMENT AND CAREER DEVELOPMENT

The principles of Equal Opportunities are embedded within all the activities of the Staff Development Unit. Where practicable, training events, workshops and other development activities will take into consideration individual particular needs such as learning difficulties, disabilities or domestic responsibilities would meet accordingly.

EQUAL OPPORTUNITIES POLICY	
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Version Number	4.0
Version Date	July 2014
Name of Developer/Reviewer	Syed Moin
Policy Owner (College/Centre/Unit)	Academic Committee, Directors of the College.
Person responsible for implementation (postholder)	Directors of College
Approving Committee/Board	Committee
Date approved	July 2014
Effective from	July 2014
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Reviewing Committee	Academic Committee, Directors of the College
Consultation History (individuals/groups consulted with dates)	Drafts of the policy have been considered by: Directors of college Academic Committee