



# **JOHN WHEATLEY COLLEGE**

## **BOARD OF MANAGEMENT**

### **EQUAL OPPORTUNITIES POLICY**

#### **1.0 Statement of policy**

The aim of this policy is to communicate the commitment of the Board of Management and all College staff to the promotion of equality of opportunity in John Wheatley College.

It is the Board's policy to provide equality of opportunity to all and ensure that there are no barriers to the progress of staff or learners. There shall be no discrimination on grounds of:

- race, ethnic origin, nationality;
- sex or sexual orientation, real or perceived;
- religion, religious belief or political convictions, real or perceived;
- gender reassignment;
- language or social origin;
- willingness to challenge harassment, leading to victimisation;
- membership, or non-membership, of a trades union;
- disabilities, sensory impairments or learning difficulties;
- age (or youth);
- a real or suspected medical condition or infection, such as AIDS/HIV;
- marital status;
- social background; or
- status as ex-offenders.

The Board is opposed to all forms of unlawful and unfair discrimination. All full-time and part-time employees and job will be treated fairly and selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability.

The College recognises that the provision of equal opportunities in the workplace is not only good management practice; it also ensures the delivery of a high quality service to learners and the communities it serves. This policy will help all employees to develop their full potential and the talents and resources of the staff will be fully utilised to maximise the efficiency of the service the College provides.

The College is committed to ensuring that all learners and applicants will be granted an interview and receive appropriate guidance. Learners will be treated fairly and selection for programmes which assist learners to meet their educational aspirations will be on the basis of aptitude and ability. All learner applicants will be viewed impartially and will not normally be denied access to a programme of study without an educationally justifiable reason.

The College is committed to:

- promoting an inclusive ethos for all learners and staff;
- preventing any form of direct or indirect harassment, discrimination or victimisation;
- promoting equal opportunities for men and women;
- promoting equal opportunities for those with disabilities or who develop a disability whilst in employment or attending the College as a learner;
- promoting equal opportunities for those from ethnic groups;
- promoting good race relations between racial groups;
- challenging racism and discrimination;
- promoting a good and harmonious working environment where all men and women are treated with respect and dignity and in which no form of intimidation or harassment will be tolerated;
- fulfilling all legal obligations under the relevant legislation and associated Approved Codes of Practice; and
- taking any necessary lawful positive/affirmative action, including setting goals and timetables.

Breaches of the College's Equal Opportunity Policy and practice will be regarded as misconduct and may lead to disciplinary proceedings. In the case of gross misconduct it could lead to summary dismissal.

This policy is fully supported by College senior management and has been agreed with Trades Union representatives from the EIS/FELA, UNISON and representatives from the Professional Association, ACM.

## **2.0 Implementation**

The Principal has specific responsibility for the effective implementation of this policy. All senior managers (Depute Principal, Assistant Principals, and Associate Principals), middle managers and supervisors also have responsibilities and the College expects all employees, learners and visitors to the College to abide by the policy and help create the positive environment which is its objective.

In order to implement this policy, the College will ensure that:

- the policy is communicated to all employees, through induction training, management training, team briefings, displayed on notice boards, contained in the staff handbook, accessible through the College Intranet, referred to in the College Newsletter on a regular basis and made known to job applicants;
- the policy is communicated to all learners through the induction process;
- teaching and learning materials, where appropriate, will reflect or promote the aims of this policy;
- managers will monitor and report their team's contribution to the College's equality policies and identify good practice in their area of responsibility;
- the policy is issued to individuals contracted to carry out work for the College, agency workers and partnership organisations;
- managers and supervisors are aware of their responsibilities through appropriate and regular training;
- an equal opportunities programme will be developed and will include a range of initiatives, indicating where appropriate affirmative and positive action, with agreed targets and timetables;
- appropriate training and guidance will be provided, including training on induction and management courses. In particular, all those involved in assessing candidates for recruitment or promotion will be trained in non-discriminatory recruitment and selection techniques;

- consultation will take place with recognised trades unions on the implementation of this policy and any amendments to practice;
- an information system will be established to assist the effective implementation of this policy and guidelines for assessing the provision of equality of opportunity; and
- adequate resources are made available to fulfil the aims of this policy.

The College will ensure that its employee and learner recruitment approaches comply with this policy. In addition all teaching and learning materials will be reviewed to ensure that they promote equality of opportunity prior to the introduction into the College's curriculum portfolio and as part of a regular curriculum audit process.

### **3.0 Affirmative action**

Where appropriate, lawful positive action measures such as special encouragement in advertisements or special training will be developed. These measures are available to the College in certain circumstances, for example where there is an under representation of a particular group in specific areas of work.

### **4.0 Complaints**

#### **Employees**

Employees who believe that they have suffered any form of discrimination, harassment, victimisation or bullying are encouraged to raise the matter through the College's agreed policy and procedures. These are the:

- Dignity at Work Policy and Procedure; and
- Grievance Procedure.

A copy of these procedures will be issued to all new entrants at induction training. A copy is available from the Personnel Section, the College Intranet and the Library and Information Centres. All complaints of this nature will be dealt with seriously, promptly and confidentially.

#### **Learners**

Learners who believe that they have suffered any form of discrimination, harassment, victimisation or bullying are encouraged to try to resolve the matter through the College's agreed Dignity at Work Policy and Procedure. A copy of these procedures will be issued to all new learners at induction. A copy is available from the Senior Lecturer or Associate Principal (Vocational or Core Skills), the College Intranet or Library and Information Centres. Formal complaints should be raised through the College's Commendations and Complaints Procedure. A copy of the procedure can be found in the Learners' Handbook or is available from the College's Administration Office, Easterhouse and Shettleston Campus. Learners will also be issued with a copy of the College's Equal Opportunities Policy and Race Equality Policy as part of their induction process.

All complaints of this nature will be dealt with seriously, promptly and confidentially.

#### **External contractors/agency staff/partnership organisations**

Any person contracted to work for the College, agency worker or member of a partnership organisation working with the College who believes that they have suffered any form of discrimination are encouraged to try to resolve the matter through the College's agreed Dignity at Work Policy and Procedure. A copy of these procedures will be issued to any person contracted

to work for the College, agency worker or member of a partnership organisation working with the College. A copy is also available from the College Intranet or Library and Information Centres. Formal complaints should be raised through the College's Commendations and Complaints Procedure. A copy of the procedure is available from the College's Administration Office, Easterhouse and Shettleston Campus.

All complaints of this nature will be dealt with seriously, promptly and confidentially.

These internal procedures do not replace or detract from the right of the employee to pursue complaints under the Sex Discrimination Act 1995, Race Relations Act 1976 as amended, Disability Discrimination Act 1995, Disability Discrimination (Amendment) Act 1999, Human Rights Act 1998 or the Race Relations (Amendment) Act 2000 to an employment tribunal. Further information on relevant legislation can be found in the College Library.

Every effort will be made to ensure that the person making complaints is not victimised. Any complaint of victimisation will be dealt with promptly, seriously and confidentially. Victimisation may result in disciplinary action and may warrant dismissal.

## **5.0 Monitoring, Review and Policy Audit**

The provision of equality of opportunity between groups will be monitored through the collection and analyses of statistical data on the sex, marital status, ethnic origin and disability of all job applicants, full-time and part-time employees and learners. The College will also monitor the workforce composition and undertake periodic reviews. The College will comply with the monitoring and reporting requirements of the Race Relations (Amendment) Act 2000.

Progress on the implementation of the policy and any equal opportunities and affirmative or positive action programmes will be reviewed annually in consultation with the recognised Trades Unions through the College's Equal Opportunities Development Forum.

The content, effectiveness and operation of this policy and procedure will be audited and reviewed on an annual basis at the end of each academic session by an ad hoc group of the Equal Opportunities Development Forum and updated in partnership with the Trades Unions, Professional Association and staff and learner representatives. Account will also be taken of any developments in legislation and case law.

Evaluation and auditing will include information taken from the following sources:

- recorded incidents of bullying, harassment, victimisation or discrimination through discipline and grievance policies;
- Project Team Annual Reports and School Action Plans;
- information gained from the use of Exit Interviews;
- feedback from the general staff through the Joint Consultative Committee;
- feedback from the Student Association;
- review of the annual Student Satisfaction Survey data;
- quarterly statistics from the Employee Counselling Service;
- information gained from the equal opportunities form used during the recruitment process;
- information gained through the annual use of workforce profiles;
- information gained from return to work interviews after periods of sickness absence;
- staff attitude surveys; and
- recorded incidents of harassment raised through the Commendations and Complaints Procedure.

Responsibility for monitoring the application of this policy will rest with senior management.

## 6.0 Supporting Policies and Procedures

- Dignity at Work Policy and Procedure
- Grievance Policy and Procedure
- Code of Discipline, Disciplinary and Appeals Procedure
- Commendations and Complaints Procedure
- Public Interest Disclosure Policy
- Race Equality Policy
- Recruitment and Selection Policy and Procedure
- Family and Parental Leave Policy and Procedure
- Personal and Domestic Leave Policy and Procedure
- Job Share Policy
- Management of Criminal Records Information Policy and Procedure
- Code of Student/Learner Behaviour
- Staff Guide to Challenging Behaviour
- Commendations and Complaints Procedures
- Inclusive Learning Policy

## 7.0 Legislation

- Equal Pay Act 1970
- Equal Pay (Amendment) Regulations 1983 (SI No. 1794)
- Equal Pay (Amendment) Regulations 1984 (SI No. 1807)
- Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004
- Race Relations Act 1976 and Race Relations (Amendment) Act 2000
- Rehabilitation of Offenders Act 1974
- Mental Health (Scotland) Act 1984
- Sex Discrimination Act 1975, 1986
- Asylum and Immigration Appeals Act 1993
- Sex Discrimination and Equal Pay (Remedies) Regulations 1993 (SI No. 2798)
- Asylum and Immigration Act 1996
- Employment Rights Act 1996
- Disability Discrimination Act 1995 and amendments
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Disability Commissions Act 1999
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 (Amendment) Regulations 2002
- Special Educational Needs and Disability Act 2001
- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003