

Equal Opportunities Policy

1. Policy Statement

- 1.1 Huddersfield New College is committed to making every effort to ensure that anyone who comes into contact with the organisation is treated with courtesy, dignity and respect irrespective of race (including colour, ethnic or national origin or nationality), gender, marital or civil partnership status, maternity and pregnancy, age, disability, sexual orientation, gender reassignment and religion or belief. Throughout this policy these are referred to as the 'protected characteristics'.
- 1.2 Our aim is to ensure that all individuals including job applicants, staff, students and others with whom we work, are treated fairly and equally and that we provide a safe working environment free from all forms of discrimination, harassment and bullying. The College has a separate Anti-Bullying and Harassment Policy, which addresses these issues.
- 1.3 This policy is intended to support the College to put its commitment to providing equality of opportunity and opposing unlawful discrimination into practice. Compliance with this policy should also ensure that no member of the College community (staff, students and Corporation members) commits unlawful acts of discrimination.
- 1.3 This policy relates to the College's vision, mission and values.
- 1.5 Current relevant legislation includes:
 - The Equalities Act 2010

2. Scope

- 2.1 The scope of this policy and its associated ways of working are applicable to all staff and for the purpose of this policy, the definition of staff encompasses the following:
 - Existing employees
 - Potential employees
 - Governors
 - Workers (as defined by employment legislation, and including agency temps)
 - Trainee workers and students on work experience of placements
 - Contract workers
 - Volunteers

The scope of this policy also covers:

- Partners
 - Suppliers
- 2.2. This policy provides guidance about the behaviour expected in the workplace. We expect to achieve this by:
 - Promoting equality of opportunity for all
 - Promoting a safe and harmonious environment in which to work and in which everyone is treated with respect
 - Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimisation

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- Fulfilling our legal obligations under the Equality Act 2010 and associated codes of practice
- Taking lawful affirmative or positive action, where appropriate
- Regarding all breaches of the Equal Opportunities Policy as misconduct or gross misconduct, as appropriate

3. General Principles

- 3.1 The College is particularly concerned to ensure that equality of opportunity is maintained and that individuals are treated appropriately and fairly in; recruitment and selection processes, training, promotion and career development, terms of employment, benefits, facilities and services, grievance, and disciplinary and capability procedures.
- 3.2 The College will ensure that all managers with responsibility for any of the areas of particular attention are provided with the appropriate equality and equal opportunities training where necessary, and updated as required. Other staff may also be required to attend equal opportunities training, as appropriate. Attendance at training sessions will be compulsory to those who are notified that they should attend a course.
- 3.3 As a minimum, the College will monitor the ethnic, gender, declared disability and age composition of the existing staff body and job applicants. The College will consider and take any appropriate action to address any issues that may be identified as a result of the monitoring process.
- 3.4 The College will not discriminate in the selection of staff for recruitment or promotion, but may use appropriate lawful methods including lawful positive action, to address identified under-representation of any group in particular types and levels of vacancies.

4. Individual Responsibilities

- 4.1 Every employee is required to assist the College to meet its commitment to provide equality of opportunity in employment and study and avoid unlawful discrimination.
- 4.2 Employees can be held personally liable as well as, or instead of, the College for any act of unlawful discrimination.
- 4.3 Breaches of the College's Equal Opportunities Policy including acts of discrimination, harassment, bullying or victimisation against staff, students or stakeholders will be regarded as misconduct and will be subject to the College's disciplinary procedures. Discrimination, harassment, bullying or victimisation may constitute misconduct or gross misconduct, as appropriate.

5. Types of Discrimination

- 5.1 Discrimination can come in many forms. The Equality Act 2010 describes groupings as follows:

Direct discrimination

This occurs when a person is treated less favourably because of a protected characteristic that they have or are thought to have. For example making decisions about whether someone should be offered, or not offered, a job because of a protected characteristic or treating colleagues or stakeholders differently because of a protected characteristic.

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Direct discrimination can also occur by way of association, which is when a person is treated less favourably because, for example, their spouse, civil partner or relative has a protected characteristic.

Indirect discrimination

This occurs when a provision, criterion or practice is applied to everyone but has a disproportionate adverse impact on people with a particular protected characteristic. For example, where an employer requires a role to be full-time. This could potentially disadvantage women overall, as they are more likely to want, or need, part-time hours to facilitate child caring arrangements. To be justified the provision, criterion, or practice must be necessary for legitimate business reasons in circumstances where less discriminatory alternatives are not reasonably available.

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For example, an employee being treated less favourably because they campaigned to help someone with a particular protected characteristic or refused to act in a way that would disadvantage a person who have, or believes to have, the characteristic. This again could be direct discrimination by association.

Perception Discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. For example, discrimination against someone because he or she is wrongly perceived to have a certain protected characteristic, for example where an employer believes an employee is gay, or is of a particular race, and treats them less favourably as a result. It applies if the person does not actually possess that characteristic.

Victimisation

Victimisation is treating a person unfavourably because the person has made a complaint, acted as a witness to a complaint or initiated proceedings connected with a complaint of discrimination.

Harassment

Employees can complain of harassment even if they don't personally possess the protected characteristic or the harassment is not directed at them. Talk to your manager in the first instance.

We will take all reasonable steps to ensure that staff are protected against harassment and it will be and a disciplinary offence to harass an employee. Where harassment is related to a protected characteristic it will also be unlawful.

6. The Prevent Duty

6.1 See the College's published Safeguarding and Prevent policies and protocols.

7. British Values

7.1 The Prevent Duty requires staff and students to exemplify the following British Values:

- Democracy
- The rule of Law
- Individual Liberty
- Mutual Respect

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- Tolerance of those with different faiths and beliefs

7.2 The Principal will lead on ensuring these are integral to leadership, teaching, support services and the behaviours of staff. The Chair and the Clerk will lead on ensuring they are integral to Governance.

7.3 The College's approach to embedding British Values is consistent with our overarching approach to equality, diversity and inclusion whilst also taking into account best practice in terms of safeguarding staff, students and stakeholders.

8. Equal Opportunities in Employment

8.1 We understand that it is important that our recruitment and selection processes are free from bias or discrimination. Recruitment processes will be conducted objectively and will be based upon specific and reasonable role-related criteria. Decisions regarding an individual's suitability for a particular role will be based on aptitude and ability.

To ensure all recruitment and selection decisions adhere to the specific legislation, the following guidelines will be followed:

- Advertise (internally or externally, as appropriate) so that the widest possible pool of applicants is reached
- Ensure processes and decisions are supported by documentation based on role requirements
- Design job descriptions and person specifications that are role specific
- Ensure that interviews and other selection methods are conducted fairly and consistently with outcomes recorded
- Interviewers will be trained and be equipped with the necessary skills to enable them to collect objective evidence and use standards or specific criteria which are consistent for the role
- Appropriate interview notes will be made to support any decisions
- We will take all reasonable steps to make recruitment decisions based on ability and aptitude without regard to protected characteristics. No decision will be made which cannot be objectively justified
- All applicants will be treated equally. Selection will be based on the role requirements and the individual's suitability and ability to do, or train for, the role in question
- No assumptions will be made about an individual's ability to perform tasks and decisions will be made based on the information available

We will consider making appropriate reasonable adjustments to the recruitment process to seek to prevent disadvantages to disabled applicants.

8.2 The College will avoid unlawful discrimination in all aspects of employment including promotion, opportunities for training, pay and benefits, discipline processes and selection for redundancy.

8.3 The College will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. This also includes considering 'flexible working' requests permitted by law and any other requests for variations to standard working practices. The College will comply with its obligations in relation to statutory requests for flexible working and will only decline such requests in accordance with the statutory procedure. The College will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

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9. Raising a Complaint (Grievance Policy)

- 9.1 Any complaint relating to discrimination, should be reported following the College's Grievance Policy.
- 9.2 The College will take any complaint seriously and will seek to resolve any grievance that it upholds. The complainant will not be penalised for raising a grievance, even if the grievance is not upheld, unless there is a genuine belief that the complaint is both untrue and made in bad faith.
- 9.3 Use of the College's grievance procedure does not affect a staff member's right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months of the act of discrimination about which the complaint is made.

8. Suppliers and Stakeholders not employed by the College

- 9.1 The College will encourage all parties to demonstrate respect for others at all times.

11. Implementation

In order to implement this policy we will:

- Ensure job applicants, all categories of staff and other groups are made aware of their responsibilities to create and maintain an environment in which respect for others is paramount and discrimination, bullying and harassment are challenged and minimised
- Provide equal opportunities training to leaders, managers and others likely to be involved in recruitment or other decision-making where equal opportunities issues may arise
- Ensure that those involved in assessing candidates for recruitment, selection and promotion receive guidance in non-discriminatory selection techniques
- Incorporate the importance of committing to the Equal Opportunities policy into job descriptions and work objectives
- Obtain commitments from other persons or organisations such as subcontractors and agencies that they too will comply with the policy in their work with the College, our staff body and our students (e.g. via the Supplier Code of Practice)
- Inform all staff of the policy during their induction programme and the procedures to follow if harassment or bullying arise
- Display our in-house 'Respect' posters and other Equality, Diversity and Inclusion materials in prominent positions around the College
- Expect all staff to recognise that they are responsible for supporting and demonstrating the policy
- Provide training and specific information for all staff to ensure they gain the knowledge, skills and awareness necessary to operate the College's policy and to adhere to relevant legislation efficiently and effectively, and to communicate this to other staff
- The policy will be published to all staff on the College website

13. Equality Impact Assessment (EIA)

- 13.1 The full Equality Impact Assessment is held by the Human Resources department.

14. General Data Protection Regulations (GDPR)

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- 14.1 Information provided to Huddersfield New College in relation to this policy is processed for the purpose of performance of the employment contract, to enable us to comply with our obligations and exercise our rights as an employer and to enable our staff to exercise their rights as members of staff. The information will be accessed by members of the HR team for the purposes of managing and monitoring employees.

Version	Date	Policy Owner	Comments	Approval Route and Date	Provenance	Date of Next Review	Equality Impact Assessment Completed (Y/N)
1.	January 2011	Zoe Shackleton	Updated Policy	12 th April 2011 – Corporation meeting	Updated to reflect the provisions of the Equality Act 2010	-	Y
2.	January 2013	Zoe Shackleton	Updated Policy	-	Updated job titles and references to other policy documents. No fundamental revisions required.	-	Y
3.	December 2013	Zoe Shackleton	Updated Policy	SLT and Corporation	Updated to reflect developments in the College's practices and approach to ensuring equality of opportunity.	December 2015	Y
4.	November 2014	Zoe Shackleton	Updated Policy	SLT and Corporation 04/11/14	Updated to reflect changes in legislation and the College's approach	November 2015	Y
5.	November 2016	Zoe Shackleton	Updated Policy	Corporation 16/11/16	Updated to reflect updates to legislation and to incorporate references to the Prevent Duty and British Values	November 2018	Y
6.	May 2020	Lisa Secker	Updated into new format and GDPR clause added.	SLT and Remuneration & Personnel Committee	Review of Policy	May 2023	Y

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