



University Technical College Warrington (UTCW)

Equality Policy

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1 SCOPE AND PURPOSE

- 1.1 University Technical College Warrington (“UTCW”) is committed to promoting equality of opportunity for all staff and job applicants. It aims to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.
- 1.2 UTCW does not unlawfully discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (**Protected Characteristics**).
- 1.3 The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents/carers of students, visitors, clients, customers, suppliers and former staff members.
- 1.4 All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. Attention is drawn to UTCW’s separate Anti-harassment and bullying policy.
- 1.5 This Equality Policy applies to all aspects of UTCW’s relationship with staff and to relations between staff members at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 1.6 UTCW will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.
- 1.7 This policy does not form part of any employee's contract of employment and may be amended at any time.

2 WHO IS RESPONSIBLE FOR THIS POLICY?

- 2.1 The Trust Board has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Principal.
- 2.2 All staff on the Senior Leadership Team must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote UTCW’s aims and objectives with regard to equal opportunities. Staff

on the Senior Leadership Team will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Principal has overall responsibility for equal opportunities training.

- 2.3 If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Principal to request training or further information.

3 WHO IS COVERED BY THE POLICY?

- 3.1 This policy covers all individuals working at all levels and grades, including the Principal, teachers, non-teaching staff, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, trustees, volunteers, casual workers and agency staff (collectively referred to as **staff** or **you** in this policy).

4 DISCRIMINATION

- 4.1 You must not unlawfully discriminate against or harass other people including current and former employees, customers, visitors, students, parents/carers of students and suppliers. This applies in the workplace, outside the workplace (when dealing with customers, suppliers, students or other work-related contacts) and on work-related trips or events including social events.

- 4.2 Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally. The following forms of discrimination are prohibited under this policy and are unlawful:-

4.2.1 **Direct discrimination:** this occurs where someone is treated less favourably because of one or more Protected Characteristic. For example, rejecting an applicant because of their race or because they might be gay.

4.2.2 **Indirect discrimination:** this occurs where a provision, criterion or practice applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, a requirement for a job to be done full time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be objectively justified.

4.2.3 **Harassment:** this includes sexual harassment and other unwanted conduct related to a Protected Characteristic that has the purpose or

effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in UTCW's Anti-harassment and Bullying Policy.

4.2.4 **Victimisation:** this includes less favourable treatment of or retaliation against someone who has complained or supported someone else's complaint about discrimination or harassment.

4.2.5 **Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by disability.

5 RECRUITMENT AND SELECTION

5.1 Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person. UTCW's recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate.

5.2 Job advertisements/vacancies should generally be advertised to a diverse section of the labour market and avoid stereotyping or using wording that may discourage particular groups from applying. They should include an appropriate short policy statement on Equal Opportunities and a copy of this policy will be made available on request. UTCW takes steps to ensure that its vacancies are advertised to a diverse labour market.

5.3 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

5.4 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the Principal's approval. For example:

5.4.1 Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).

5.4.2 Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.

- 5.4.3 Positive action to recruit disabled persons.
- 5.4.4 Equal Opportunities monitoring (which will not form part of the selection or decision-making process).

Where necessary, job offers can be made conditional on a satisfactory medical check.

- 5.5 UTCW is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the main office or UK Visa and Immigration.
- 5.6 To ensure that this policy is operating effectively, and to identify groups that may be under-represented or disadvantaged within UTCW, UTCW monitors applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps UTCW to take appropriate steps to avoid discrimination and improve equality and diversity.
- 5.7 Information which is recorded and retained is compliant with Data Protection and GDPR legislation

6 STAFF TRAINING AND PROMOTION AND CONDITIONS OF SERVICE

- 6.1 Staff training needs will be identified through regular staff appraisals. You will be given appropriate access to training to enable you to progress within the organisation and all promotion decisions will be made on the basis of merit.
- 6.2 Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.
- 6.3 UTCW's conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

7 TERMINATION OF EMPLOYMENT

- 7.1 UTCW will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 7.2 UTCW will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

8 DISABILITIES

- 8.1 If you are disabled or become disabled, UTCW encourages you to tell us about your condition so that it can support you as appropriate.
- 8.2 If you experience difficulties at work because of your disability, you may wish to contact the Business Director to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Business Director may wish to consult with you and your medical adviser(s) about possible adjustments. UTCW will consider the matter carefully and try to accommodate your needs within reason. If UTCW considers a particular adjustment would not be reasonable, it will explain our reasons and try to find an alternative solution where possible.
- 8.3 UTCW will monitor the physical features of its premises to consider whether they anyone with a disability at a substantial disadvantage. Where necessary, UTCW will take reasonable steps to improve access.

9 PART-TIME AND FIXED-TERM WORK

- 9.1 Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

10 BREACHES OF THIS POLICY

- 10.1 UTCW takes a strict approach to breaches of this policy. Any member of staff who is found to have committed an act of unlawful discrimination or harassment will be subject to disciplinary action under UTCW's Disciplinary Policy. Serious cases of deliberate discrimination may constitute gross misconduct and result in summary dismissal.
- 10.2 If you believe that you may have been unlawfully discriminated against then you are encouraged to raise the matter through UTCW's Grievance Policy or Anti-harassment and Bullying Policy as appropriate. If you are uncertain which applies or

need advice on how to proceed you should speak to the Business Director. Any complaints will be treated in confidence and investigated as appropriate.

- 10.3 There must be no victimisation or retaliation against staff who complain against discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under UTCW's Disciplinary Policy.