

**JOINT AGREEMENT ON GUIDANCE FOR
EQUALITY IN FURTHER EDUCATION**

BETWEEN

THE ASSOCIATION OF COLLEGES (AoC)

AND

**ASSOCIATION FOR COLLEGE MANAGEMENT
(ACM)**

**ASSOCIATION OF TEACHERS & LECTURERS
(ATL)**

GMB

**NATIONAL ASSOCIATION OF TEACHERS IN
FURTHER AND HIGHER EDUCATION
(NATFHE)**

**TRANSPORT & GENERAL WORKERS' UNION
(TGWU)**

UNISON

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JOINT AGREEMENT ON GUIDANCE FOR EQUALITY IN FURTHER EDUCATION

1 POLICY STATEMENT

- 1.1 The college aims to ensure that all actual or potential employees are treated equally, regardless of: age; disability; family responsibility; marital status; race; colour; ethnicity; nationality; religion or belief; gender; sexual orientation; trade union activity; unrelated criminal convictions; other irrelevant criteria.

2 SCOPE

- 2.1 The purpose of this policy is to establish clear college guidance regarding equality and to establish key principles, structures and monitoring arrangements for the college. The guidance should be applicable to all staff in the college.

3 KEY PRINCIPLES

- 3.1 The college believes that all forms of prejudice and discrimination¹ are unacceptable. In recognition of the fact that they can take a variety of forms, depending on the group against whom they are directed, the college should adapt/develop policies embodying the issues specific to discrimination on the grounds of:
- Age
 - Disability
 - Gender
 - Race
 - Religion
 - Sexual Orientation
- 3.2 The college will seek to challenge inequality, prejudice and discrimination.
- 3.3 The college embraces diversity in all its aspects, and aims to employ a workforce which reflects, at every level, the community it serves.

¹ The term “discrimination” is used in this document to mean less favourable treatment of an individual on any of the grounds listed in Section 1.1.

- 3.4 The college will treat all employees with respect and dignity, and seek to provide a working environment free from harassment, discrimination and victimisation. The college will not tolerate any form of discriminatory behaviour against its employees, either from other employees, students, or members of the public.
- 3.5 In seeking to achieve a balanced workforce at all levels, the college will ensure that no employee, job applicant or candidate for promotion will be disadvantaged, or treated less favourably because of conditions or requirements that are not related to the job. Reasonable adjustments will be made to arrangements and premises to ensure equal access for disabled staff or potential staff.
- 3.6 In order to ensure that all staff and potential staff are treated with equality and fairness at all stages of employment, and that their treatment is based solely on objective and job related criteria, the college will ensure that equality issues are embedded into all its policies and procedures. These may include:
- Capability
 - Conditions of Service
 - Contract Terms [including fixed-term and casual]
 - Discipline
 - Employment of Part-time Employees
 - Equal Pay
 - Family and Dependants Leave
 - Grading
 - Grievance
 - Harassment and Bullying
 - Induction
 - Maternity Leave
 - Parental Leave
 - Promotion
 - Recruitment and Selection
 - Sickness Leave
 - Termination [including Redundancy]
 - Training and Career Development
- 3.7 In ensuring that this policy is fully effective, and that all college staff are committed to it, the college undertakes to work locally in partnership with the recognised trade unions, and with staff in general, in its development and implementation.

4 STRUCTURES

- 4.1 The Corporation designates the *[post title]*² as having overall responsibility for equality issues. The designated person will ensure regular reports are made to the Corporation.
- 4.2 In recognition of the fact that implementation of robust equality measures requires time and expertise, the college will dedicate appropriate time to staff specialising in this work and publicise these appointments throughout the college.
- 4.3 There will be a college Equality Forum chaired by *[the postholder designated in Point 4.1]*. The membership of the Forum will include any staff with time allocated to equality work, representatives of each trade union recognised by the college, and student representatives *[colleges may also wish to include representatives of community groups]*.
- 4.3.1 The remit of the Equality Forum will be to promote policies and practices that ensure a college environment in which equality flourishes. To this end, it will develop policies related to the curriculum, student intake, the built environment, student services etc, which seek to ensure the removal of prejudice and discrimination. It is the responsibility of all staff and students to uphold the college policy on equality.
- 4.3.2 Employment policies and procedures will continue to be dealt with through existing consultation/negotiation arrangements, as appropriate.
- 4.3.3 The Forum will periodically conduct equality audits of employment practices, to include, for example: recruitment, selection, training and promotion practices, pay, grading, termination procedures. The monitoring of staff will be undertaken in co-operation with the recognised trade unions as will the drawing up of a programme of equality training for staff.
- 4.3.4 The Equality Forum will set equality targets for all aspects of college life, develop action plans, analyse the statistics produced by monitoring and propose positive action where necessary.

² Should be a senior manager

5 MONITORING

- 5.1 The college undertakes to conduct comprehensive and effective monitoring of all aspects of staffing and the student body.
- 5.2 The college is committed to the collection of statistics, analysis of data and presentation of data, as well as monitoring on an ongoing basis and as employment policy and practices change.
- 5.3 The college will use the two main forms of monitoring, i.e. of the composition of the existing workforce and the recruitment process, looking at the workforce with reference to ethnicity, disability and gender, in particular.
- 5.4 The college will also categorise employees according to grade; contract type, i.e. whether full-time or part-time, permanent or temporary; age; length of time in post; place of work, salary, caring responsibilities. Records should also be kept of training, appraisals, promotions, regradings and discretionary pay awards. *[Colleges may wish to insert other types of information provided they are linked to the monitoring of discrimination.]*
- 5.5 After the employment relationship has ended, the college may retain statistics; data about the composition of the workforce, including appraisal and promotion records on an anonymous basis for the purpose of carrying out equal opportunities monitoring, and may also look at reasons for resignation and resignation rates. *[Colleges should consider conducting 'exit interviews' with those staff who leave, to establish the reason for leaving, how they view the organisation and its commitment to equal opportunities].*
- 5.6 Monitoring will be undertaken in accordance with best practice recommendations, particularly from bodies such as the Commission for Racial Equality (CRE), Equal Opportunities Commission (EOC), and Disability Rights Commission (DRC), and with regard to data protection principles.

6 POSITIVE ACTION

- 6.1 The college undertakes to follow positive action measures allowed by law to rectify disadvantages in employment revealed by monitoring.

Positive action, allows the college to:

- provide facilities or services (in the form of training, education, or welfare) to meet the special needs of people from particular under-represented groups;

- target job training at particular groups that are under-represented in a particular area of work;

- encourage applications from groups that are under-represented in particular areas of work.

6.2 Positive action strategies are intended to be temporary measures only. They must be kept under regular review, and they cannot be used once the special needs have been met, or if under-representation no longer exists. The college will ensure that when using positive action as a strategy, it falls within the law.

7 GENERAL

7.1 If an employee believes they have not been treated fairly, due to prejudice, or discrimination, they should *[insert process for complaint]*.

8 REVIEW

8.1 This policy will be reviewed on a regular basis in accordance with legislative developments and the need for good practice, using the local consultation/negotiating arrangements within the college.

LEGISLATIVE FRAMEWORK

Key legislative requirements relating to equality are identified in the following:

- Disability Discrimination Act
- Equal Pay Act
- Human Rights Act
- Race Relations Act
- Sex Discrimination Act
- Part-time Workers
- Fixed-term Workers

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