



# **EQUAL OPPORTUNITIES AND DIVERSITY AT WORK POLICY (FOR EMPLOYEES)**

<b>Policy Code</b>	HR10
<b>Policy start date</b>	November 2022
<b>Policy review date</b>	November 2025

## **1. Scope and Purpose of this Policy**

1.1 CIT is committed to promoting and achieving equality of opportunity for all students, parents, staff, governors, visitors and job applicants.

1.2 CIT 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.

1.3 CIT does not 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). Amended in line with the Equality Act 2010. The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, governors, third party organisations and former staff members.

1.4 The Equality Act 2010 prohibits discrimination, harassment and victimisation in employment and the principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, visitors, suppliers and former staff members.

1.5 All employees have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not discriminate against or harass other employees, regardless of their status.

1.6 This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all employees at CIT who are required to familiarise themselves and comply with its contents. CIT reserves the right to amend its content at any time.

1.7 This policy applies to CIT's employees, whether permanent, temporary, casual, part-time or on fixed-term contracts, to job applicants and to individuals such as agency staff and consultants and volunteers who are not employees but who work at CIT (collectively referred to as employees in this policy).

1.8 All employees must set an appropriate standard of behaviour, lead by example and ensure those they manage adhere to the policy and promote CIT's aims and objectives with regard to equal opportunities. Employees will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.

1.9 Any questions about the content or application of this policy should be referred to CIT HR department in the first instance.

1.10 This policy applies to all aspects of CIT's relationship with employees and to relations between employees 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
- termination of employment.

1.11 CIT will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

1.12 This policy should be read in conjunction with the CIT Equality Objectives.

## **2. Forms of Discrimination**

2.1 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.

2.2 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

2.3 Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage.

2.4 Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

2.5 Victimisation is also prohibited. This is less favourable treatment of someone who had complained or given information about discrimination or harassment, or supported someone else's complaint.

### **3. Recruitment and Selection**

3.1 CIT aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. CIT's recruitment procedures are reviewed regularly to ensure individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure they are relevant to the job and are not disproportionate.

3.2 Job advertisements will avoid using wording that may discourage particular groups from applying. A short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies.

3.3 CIT will take steps to ensure its vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in CIT.

3.4 Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which CIT may use, for example:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
- Positive action to recruit disabled persons;
- Equal opportunities monitoring (which will not form part of the decision-making process).

3.5 Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without first considering whether such matters are relevant and can legally be taken into account.

3.6 CIT is required by law to ensure all employees are entitled to work in the UK. Assumptions about immigration status will 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. A list of acceptable documents is available from [www.gov.co.uk](http://www.gov.co.uk)

3.7 To ensure this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged, CIT will monitor 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.

#### **4. Recruitment of Ex-offenders**

4.1 CIT is an organisation that uses the Disclosure and Barring Service (DBS) to assess candidates' suitability for positions of trust working in an environment with children and young people. CIT complies fully with the DBS Code of Practice and undertakes to treat all candidates fairly.

4.2 CIT will not discriminate unlawfully against any candidate who is required to provide information (a check) through this process. Having a criminal record will not necessarily prevent a candidate from working within CIT. Whether or not it does will depend on the nature of the position and the circumstances and background of the offences.

4.3 CIT will ensure it makes any candidate who is subject to a check aware of the DBS Code of Practice and will provide a copy of the Code on request. As a check is part of CIT's recruitment process, CIT encourages all candidates called to interview to provide details of any criminal record (except cautions, convictions, reprimands or warnings which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013) at an early stage of the application process. CIT requests that this information is sent under separate confidential cover to CIT's HR department. CIT guarantees that only those who need to see it as part of the recruitment process will see this information.

4.4 CIT will ensure it discusses with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job could result in withdrawal of an offer of employment.

#### **5. Staff Training, Promotions and Conditions of Service**

5.1 Staff training needs will be identified through informal and formal staff appraisals/performance management.

5.2 All employees will be given appropriate access to training to enable them to progress within CIT and all promotion decisions will be on the basis of merit.

5.3 The composition and movement of employees at different levels will be reviewed from time to time to ensure equality of opportunity at all levels of the organisation.

5.4 Where appropriate, CIT will take steps to identify and remove unnecessary or unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.

5.5 CIT's conditions of service, benefits and facilities will be reviewed from time to time to ensure they are available to all employees who should have access to them and there are no unlawful obstacles to accessing them.

## **6. Termination of Employment**

6.1 CIT will ensure redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

6.2 CIT will also ensure disciplinary procedures and penalties applied are without discrimination, and are carried out fairly and uniformly for all employees, whether they result in disciplinary warnings, dismissal or other disciplinary action.

## **7. Disability Discrimination**

7.1 If an employee is disabled, becomes disabled, or is diagnosed with any condition that could be deemed as a disability in the course of his or her employment within CIT, he or she is encouraged to tell us about his or her condition. This is to enable us to support the employee as much as possible.

7.2 If an employee experiences difficulties at work because of his or her disability, he or she may wish to contact their line manager/Head of Department to discuss any reasonable adjustments to his or her working conditions or duties which he or she considers to be reasonable and necessary or which would assist in the performance of his or her duties. The line manager/Head of Department may wish to consult with the employee and his or her medical adviser(s) about possible adjustments. Careful consideration will be given to any such proposals and they will be

accommodated where reasonable, practicable and proportionate in all the circumstances of the case.

7.3 Nevertheless, there may be circumstances where it would not be reasonable for CIT to accommodate a particular adjustment and in such circumstances it will ensure it provides the employee with its reasons and try to find an alternative solution where possible.

7.4 CIT will monitor the physical features of its premises to consider whether they place disabled staff, job applicants or service users at a substantial disadvantage compared to other staff.

7.5 CIT, where reasonably practicable and proportionate, will take steps to improve access for disabled staff and service users.

## **8. Fixed-Term Employees and Agency/Casual Workers**

8.1 CIT will monitor its use of fixed-term employees and agency workers, and their conditions of service to ensure they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. CIT will also, where relevant, monitor their progress to ensure they are accessing permanent vacancies.

## **9. Part-Time Workers**

9.1 CIT will monitor the conditions of service of part-time employees and their progression to ensure they are being offered appropriate access to benefits and training and promotion opportunities. It will also ensure requests to alter working hours are dealt with appropriately under the CIT's Flexible Working Policy.

## **10. Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics**

10.1 CIT will treat seriously and will take action where appropriate, concerning all complaints of discrimination, harassment or victimisation on any of the protected characteristics made by any of its employees, students or other third parties.

10.2 Any employee who considers they may have been unlawfully discriminated against, victimised or harassed within the meaning of this policy should discuss the matter in the first instance with their line manager/Head of

Department or, if inappropriate under the circumstances of the case, with the Director of HR thereafter. In some cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.

10.3 If a member of staff wishes to make a formal complaint then he or she should follow the CIT's Grievance Policy.

10.4 If an employee is accused of unlawful discrimination, victimisation or harassment, CIT will investigate the matter fully. In the course of the investigation the employee will be given the opportunity to respond to the allegation and provide an explanation for his or her actions.

If CIT concludes the claim is false or malicious then the complainant may be subject to disciplinary action.

10.5 If, on the other hand, CIT concludes the employee's action amounts to unlawful discrimination, victimisation or harassment, he or she may be subject to disciplinary action under CIT's Disciplinary Policy, up to and including summary dismissal for gross misconduct.

## **11. Policy Changes**

This policy will be reviewed every 3 years by the CIT People Committee.

The next review will take place in November 2025, however, the policy will be reviewed earlier if significant updates are required.