



Equal Opportunity

And

Diversity Policy

Updated: June 2013

1. Policy Statement

The policy and practice of the Sanjari International College (SIC) is to correspond to the commitment of the Governing Body of the College to the augmentation of equality of opportunities to applicants and employers aiming to provide employment equality to all, irrespective of Gender, Age, Sex, Marital or Civil Partnership Status, Race (including Color, nationality, ethnic or national origins, being an Irish Traveler), Disability, Sexual Orientation, Having or not having Dependents, Religious Belief or Political Opinion.

SIC always opposes all forms of unlawful or unfair discriminations and hence all job applicants, employees and others who work for us will be treated fairly and will not be discriminated against on any of the above grounds. All verdicts and choices relating to recruitment and selection, promotion, training or any other benefit will be made objectively and without unlawful discrimination. The College recognise the provision of equal opportunities in the workplace and also strives for making fair and sound business sense service that help all who work for SIC to develop their full potential and devoted to being utilized fully in order to maximize the efficiency of the organisation.

2. Implementation of the Policy

The policy is to be applied to company's commitment towards equal opportunities in the following areas:

- recruitment
- training
- promotion
- grievance procedures
- holidays/leave/benefits
- Any other relevant areas

3. Scopes

The policy scopes to all who work for or apply to work for the organisation, or even may wish to work for. These including but are not confined into the following.

- Agency workers
- Contract workers
- Employees
- Potential applicants
- Former employees.
- Trainee workers and students on work experience or placements
- Volunteer workers

Hence we aim to treat every personage equally and at SIC there will be no discrimination on grounds such as Gender, Age, Sex, Marital or Civil Partnership Status, Race, Nationality, Ethnic or National Origins, Disability, Sexual Orientation, Religious Belief or Political Opinion in the terms and conditions offered to workers or job applicants. The only basis for selection,

training, and/or promotion is the applicant's suitability for the job. All workers at the SIC have a legal and moral obligation not to discriminate and to report incidents of discrimination against any individual or group of individuals. Any worker found to be discriminating will face disciplinary proceedings to be implemented without any delay.

4. Commitment of Equality

SIC is solemnly committed to:

- Complying with its own equal opportunity policy;
- Fulfilling all its legal obligations under the equality legislation along with all associated codes of practice;
- Preventing occurrences of unlawful discrimination, harassment and victimization;
- Promoting a good and harmonious working environment where everyone is treated with respect;
- Promoting equality of opportunity for all persons;
- Taking lawful action, where appropriate;

5. Diversity

The College recognises the value of having a diverse workforce, and aims to ensure our people processes are fair, equitable and free from any form of discrimination.

The College values the positive aspects of individual differences of all people and the beneficial effects that this can have on the organisation. We aim to:

- Enrich diversity at all levels of the organisation to deliver business benefit.
- Improve the diversity mix at senior level so that it reflects a more consistent diversity mix throughout the whole organisation.
- Ensure equality of opportunity for all in all employment practises (e.g. recruitment, development, progression etc.)

Benefits of building a diverse workforce include:

- Having a larger pool of potential candidates for job positions.
- Having a wider range of resources, skills and ideas among employees.
- Improving staff retention, leading to lower recruitment and training costs.
- Avoiding claims of unfair treatment or discrimination.
- Building a reputation as a diverse business.

- Building a competitive edge in recruitment and retention.

5.1 Purpose

The purpose of this policy is to promote diversity and equality in the workplace and aims to ensure that:

- The policies and practises promoted by the College are not discriminatory.
- As an employer the College does not discriminate directly or indirectly.
- The College adheres to equal opportunities legislation and codes of practice.
- All employees understand the responsibilities they have as individuals have and the responsibility the College has as employer.

5.2 Scope

This policy applies equally to management, employees and prospective employees within the College. For the purposes of this document, the term 'employees' covers full-time, part-time and fixed term contract employees, as well as temporary or casual workers.

5.3 Principles

The College is committed to promoting diversity in employment.

Our aim is to ensure that no job applicant or employee receives less favourable treatment on the grounds of:

- Sex (including gender reassignment)
- Race
- Marital status
- Sexual orientation
- Religion or belief
- Disability
- Age
- Part-time or fixed term contracts
- Spent criminal convictions

The college aims to ensure that conditions of work, or the attitudes, behaviours and requirements of management do not lead to employees being disadvantaged, whether directly or indirectly. Any differences in the treatment of individuals must relate to the College's organisational requirements and priorities.

College employees will be selected, promoted and treated on the basis of their relative merits and abilities, according to the requirements of the specific job.

This policy should be read in conjunction with the College's policies on Equal Opportunities, Recruitment and Selection, Disciplinary and Grievance, Guiding Principles, General Terms and Conditions of Employment, Maternity and Parental leave, Flexible Working and Dress Code. The College undertakes regular reviews of practices in these areas to ensure they provide equality of opportunity.

Any allegations or complaints relating to equal opportunities will be treated seriously and in confidence. The matter will be thoroughly, promptly, sensitively and objectively investigated and a decision made on what action to take.

Training will be provided to all members of staff when joining the College.

5.4 Responsibilities

Director and Managers	<p>Managers should ensure that:</p> <ul style="list-style-type: none"> • Discriminatory practises do not take place within their department. • Their staffs are aware of this policy (and related policies). • Any breaches and complaints are dealt with quickly and effectively (in all such cases please contact Personnel)
All employees	<p>All employees are responsible for ensuring that they contribute to providing a workplace free of discrimination by:</p> <ul style="list-style-type: none"> • Helping to create and maintain a climate which supports equality of opportunity by treating colleagues fairly. • Ensuring that their behaviour is positive, judging people on their own merits rather than acting on assumptions. • Working together to develop the different skills and abilities to make the most of our diversity. • Ensuring the College is presented internally and externally with a firm commitment to equality. • Thinking about their behaviour and language – it is important to note that comments remarks or jokes of a racist / sexist etc. nature may give offence to others and could constitute unlawful harassment.
Personnel	<p>Personnel is responsible for:</p> <ul style="list-style-type: none"> • Providing advice and guidance to line managers on equal opportunities issues. • Providing support to any individual who has a concern / complaint relating to equal opportunities.
Others on College Business	<p>Those on College business should ensure that:</p> <ul style="list-style-type: none"> • Discriminatory practises do not take place within the College. • They are aware of this policy (and related policies). • Any breaches and complaints are dealt with quickly and effectively (in all such cases please contact Personnel)

5.5 Monitoring

The College monitors the composition of the workforce, and its policies and procedures to ensure the Equal Opportunities Policy is being properly implemented.

Analysis of ethnic origin and sex is conducted on an ongoing basis. The analysis aims to determine whether the percentage of each sexual and racial group within the organisation's employment population is consistent with the percentage levels of each group in the surrounding population from which the workforce is drawn. Discrimination on the grounds of the following is illegal in the UK:

- Race
- Religion or belief
- Sexual orientation
- Sex (including gender reassignment and marital status)
- Age
- Disability
- Part time employment status
- Fixed term employment status
- Spent criminal convictions
- Positive discrimination is illegal (but positive action is not)

5.6 Forms of discrimination

Broadly speaking the following categories of unlawful discrimination exist:

Direct Discrimination	Treating a person less favourably because of their age, sex, race, disability, sexual orientation and religion or belief.
Indirect Discrimination	Consists of applying an unjustifiable requirement or qualification for employment which disadvantages an individual because of their age, sex, race, disability, sexual orientation and religion or belief.
Harassment	Occurs when an individual's dignity has been violated, or they have been subject to an intimidating, hostile degrading or offensive environment. Harassment is not determined by the intention of the person who has caused the offence, but by whether it should 'reasonably' be considered as having that effect on the recipient.
Victimisation	When an individual suffers a detriment because they have made a complaint or allegation (or have given evidence against someone else) in relation to a complaint of discrimination.

Note – there are slight differences in the way these forms of discrimination are applied to age, sex, race, disability, sexual orientation and religion or belief. See below for further information.

5.7 Additional points

- It is unlawful to instruct or (attempt to instruct) any other person to discriminate (e.g. telling a recruitment agency to only send men for the job).
- It is unlawful to ask, persuade or pressurise another person to discriminate by bribery, threat or placing that person at a disadvantage.

- Individuals are protected against discrimination before, during and after employment. This means that you do not have to be an employee to bring a claim of discrimination – you could be either a job applicant, or an ex-employee who has asked for a reference.
- Vicarious liability: in law, actions taken by individuals 'in the course of employment' are treated as being done by the employer – so the College is liable for the actions of its workers. Defence to vicarious liability is taking preventive steps, (such as having an up to date equal opportunities policy and communicating this to employees and training managers).

5.8 Race, Religion or Belief and Sexual Orientation Definitions:

- The term 'race' incorporates colour, nationality, citizenship and ethnic / national origin.
- Religion or belief is defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief.
- Sexual orientation is defined as (i) orientation towards persons of the same sex (ii) orientation towards persons of the opposite sex (iii) orientation towards persons of the same sex and the opposite sex.

Direct Discrimination	<ul style="list-style-type: none"> • This is treating a person less favourably than others because of their race / religion or belief / sexual orientation. • Direct discrimination is unlawful and cannot be justified. • It is not necessary to prove that someone intended to discriminate against you – it is sufficient to show that the outcome of their action was that you received less favourable treatment. • The only exception is in very rare cases where a genuine occupational requirement exists for the individual to be part of a particular race in order to do the job (for example; an Asian women's refuge wants an Asian woman for the post of staff manager).
Indirect Discrimination	<ul style="list-style-type: none"> • This consists of applying an unjustifiable requirement or qualification for employment which disadvantages an individual because of their race / religion or belief / sexual orientation. • Indirect discrimination is unlawful if it cannot be justified as a real requirement of the job. • Indirect discrimination is less well understood, less obvious and more difficult to recognise as it is often embedded in 'the way we do things around here'.
Harassment	<ul style="list-style-type: none"> • Harassment relating to race / religion or belief / sexual orientation is unlawful. • Harassment occurs when an individual's dignity has been violated or they have been subject to an intimidating, hostile, degrading, humiliating or offensive environment. • Harassment is not determined by the intention of the person who has caused the offence, but by whether it should 'reasonably' be considered as having that effect on the recipient.
Victimisation	<ul style="list-style-type: none"> • This occurs when an individual is treated in a way that is detrimental

	because they have made a complaint or allegation (or have given evidence against someone else) in relation to a complaint of discrimination. Victimisation relating to race / religion or belief / sexual orientation is unlawful.
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5.9 Right to Work in the UK

Refusing employment because an individual does not have the right to work in the UK is not discriminatory. The Asylum and Immigration Act makes it a criminal offence to employ a person who does not have permission to live or work in the UK.

5.10 Sex

As with race, religion or belief and sexual orientation the following are unlawful in relation to sex:

- Direct discrimination
- Indirect discrimination
- Victimisation

The explanations of these forms of discrimination are broadly parallel to the details given for age, race, disability, sexual orientation and religion or belief.

5.11 Sexual Harassment

Sexual harassment is treated as amounting to direct sexual discrimination.

5.12 Maternity Leave

This is an area where indirect sexual discrimination may be particularly difficult to recognise, and therefore may be considered an area of risk. Managers should ensure that they discuss all maternity-related issues with the Personnel Department.

5.13 Discrimination on the grounds of Gender Reassignment

Discrimination on grounds of gender reassignment constitutes sexual discrimination and is therefore unlawful. This applies whether the person intends to undergo gender reassignment, is undergoing gender reassignment or has at some time in the past undergone gender reassignment.

5.14 Discrimination on the grounds of Marital Status

It is unlawful to discriminate on the grounds of an individual's marital status.

5.15 Age

It is illegal for employers to discriminate against employees, trainees or job seekers because of their age. All workers have the same rights in terms of training and promotion.

5.16 Equal Pay

The Equal Pay Act 1970 provides for equal pay for men and women who are on:

- The same or broadly similar work.
- Work which has been given an equal value under an analytical job evaluation scheme.
- Work which of equal value.

The Act covers not only pay itself but all contractual terms and conditions. This includes sickness benefits, pension rights and holiday entitlement.

The woman can compare any term in her contract with the equivalent term in her comparator's contract. The comparison is made on a term-by-term basis and not on the basis of the contract as a whole.

An employer can pay a man more than a woman for doing equal work, but only if the factor is due to genuine material factor other than sex.

5.18 Disability

Definition: Disability is defined as:

- 'A physical or mental impairment which has a substantial and long term adverse effect on normal day-to-day activities.'
- 'Normal day to day activities' means that the impairment must affect one of the following:
 - Ability to lift, carry or otherwise move every day objects.
 - Speech, hearing or eyesight.
 - Memory or ability to concentrate, learn or understand.
 - Manual dexterity.
 - Physical co-ordination.
 - Perception of the risk of physical danger mobility.
 - Continence.

The effects of the impairment must have lasted or be likely to last for at least 12 months and must be 'substantial'. Mental impairment covers those illnesses recognised in the World Health Organisation International Classification of Diseases.

The concept of discrimination in relation to disability is different than for age, sex, race, disability, sexual orientation and religion or belief.

Direct Discrimination	<ul style="list-style-type: none"> This is treating a person less favourably than others because of their disability. Direct discrimination is unlawful and cannot be justified.
Disability-related Discrimination	<ul style="list-style-type: none"> Refers to discrimination for reasons related to a person's disability (though not the disability itself) and where the treatment of the disabled person is less favourable than the way in which a person without the disability would have been treated.
Reasonable Adjustments	<ul style="list-style-type: none"> Employers have a duty to make reasonable adjustments for disabled job applicants or staff when a policy or practice or a physical feature of their premises, places the disabled person at a substantial disadvantage. Failure to make reasonable adjustments is discriminatory. There can be no legal justification for this.
Victimisation	<ul style="list-style-type: none"> This occurs when an individual is treated in a way that is detrimental because they have made a complaint or allegation (or have given evidence against someone else) in relation to a complaint of disability discrimination. Victimisation relating to disability is unlawful.
Harassment	<ul style="list-style-type: none"> Harassment relating to disability is unlawful. Harassment occurs when an individual's dignity has been violated or they have been subject to an intimidating, hostile, degrading, humiliating or offensive environment.

5.19 Disabled employees at the College

The College is committed to making any reasonable adjustments to prevent any disadvantage that a disabled employee / applicant may have compared to a non-disabled employee / applicant. This may include making adjustments to premises, adjustments to the individual's role or working pattern etc.

If an employee becomes disabled whilst working for the College, we will support them as much as possible. We will consult with them and other relevant specialists to identify their needs in the workplace.

Reasonable adjustments could include (this is not an exhaustive list):

- Reallocating duties.
- Altering working hours.
- Making adjustments to premises, rearranging furniture to provide better access, getting special equipment or modifying existing equipment.
- Giving additional training / supervision / support.

- Providing information in an accessible format such as large print, Braille or on an audiotape or providing a piece of specialist equipment such as a text phone for a hearing impaired person or a screen reader for a visually impaired person.
- Transferring the employee to a more accessible site or a suitable alternative vacancy.
- Managing without the employee (whenever the person needs to be absent).

5.20 Part Time or Fixed Term Status

- It is unlawful discrimination to treat part time workers less favourably than comparable full timers.
- It is unlawful discrimination to treat fixed term employees less favourably than comparable permanent employees.

In both cases, these employees have the right to the same terms and conditions of employment as comparable permanent (or full time) employees. Principally this means they should:

- Receive the same rate of pay.
- Not be excluded from training simply because they work part-time.
- Receive holiday entitlement pro rata to comparable full-timers.
- Have access to contractual maternity leave and paternal leave made available to them in the same way as for full-time workers.
- Not be treated less favourably in redundancy situations.

5.21 Employing People with Criminal Convictions

- After a certain period of time, people who have been convicted of criminal offences and who have served their sentences are not under a duty to disclose those convictions to a prospective employer. These convictions are known as 'spent' convictions. The periods of time (known as rehabilitation periods) depend on the seriousness of the offence.
- If spent convictions are disclosed during the recruitment process, it is unlawful discrimination to take the offences into account when considering someone for a job.
- Before interviewing a candidate with an unspent criminal conviction we will consider the nature of the conviction and its relevance to the job in question. In addition to this we will consider the risks to the organisation, its operations and employees.

5.22 Positive Action vs. Positive Discrimination

Positive Action is frequently confused with positive discrimination – it is important to draw a distinction between the two:

Positive Action	Positive Discrimination
<ul style="list-style-type: none"> • The term 'positive action' refers to a variety of measures designed to counteract the effects of past discrimination and to help eliminate stereotyping of any kind. Under this broad definition positive action may include initiatives such as the introduction of non-discriminatory selection procedures, training programmes or policies aimed at preventing harassment. • Positive action is allowed by the law to encourage employees and potential employees who are members of particular groups which are under-represented in particular work. • Discrimination at the point of selection for work, however, is not permitted in these circumstances. • Positive action is not about giving more favourable treatment to particular groups in the recruitment process. Positive action in training is lawful, provided certain criteria are met. Selection for recruitment and promotion must be solely based on merit. 	<ul style="list-style-type: none"> • This is where members of a particular group are given preference over others for no other reason than their belonging to that group. • Positive discrimination is unlawful.

Before deciding to introduce positive action to encourage under represented groups to apply for jobs employers must look at their own employees to establish how many under represented groups have been doing the kind of work in question during the last 12 months. If the number of under represented groups is comparatively small then consideration should be given to encourage under represented groups to apply for the relevant vacancies.

6. Policy Implementation

The Principal, as the head of the organisation, has his/her specific responsibility for the effective implementation of this policy. Additionally, each director and senior staff also has responsibilities and the SIC expects all its employees to abide by the policy and help create the equality environment which is its objective. Therefore, the SIC Staffs as a team, to implement the policy, will communicate the policy to employees, job applicants and relevant individuals or organisations, incorporate specific and appropriate duties in respect of implementing the equal opportunities policy into job descriptions and work objectives of all

staff, provide equality training and guidance as appropriate, ensure that those who are involved in assessing candidates for recruitment or promotion will be trained in non-discriminatory selection techniques, ensure that adequate resources are made available to fulfil the objectives of the policy and initiate whatever more is necessary.

7. Grievance/Complaints

If anyone related to the SIC believes that s/he has suffered any form of discrimination, harassment or victimization, s/he is entitled to raise the matter through our set grievance policy, written literature of which is available at reception. The SIC promises to deal any such complaints seriously, promptly and confidentially and every possible effort will be made to ensure that employees complaining will not be victimized anyhow. In addition, if not satisfied, employees have the right to pursue complaints of discrimination to an industrial tribunal or the Fair Employment Tribunal as well.