

Equal Opportunities Code of Practice for Equality and Diversity

Cyngor Cyllido Addysg
Uwch Cymru
Higher Education Funding
Council for Wales



| | |
|---------------------------|--|
| Title | Equal Opportunities Code of Practice for Equality and Diversity |
| Reference | HRP022 |
| Version | 2.0 |
| Date | January 2008 |
| Author | HR |
| Approved by | EOSG |
| Impact Assessment Date | |
| Classification | UNCLASSIFIED |
| Revision Date | February 2008 |

| Version | Date | Description |
|---------|----------|---|
| 0.1 | N/A | Inherited Policy |
| 0.2 | 16/02/07 | Policy updated and approved by EOSG |
| 2.0 | Jan 2008 | Style guide, OD and IS Control update of policy |

1. Introduction

This code of practice

- supports the Higher Education Funding Council for Wales (HEFCW's) policy on equality and diversity;
- describes how things should work in practice, referring to appropriate legislation, Codes of Practice and European legislation.

HEFCW's commitment to equality and valuing diversity is outlined in its Policy statements. It promotes practices and procedures that are fair and free from prejudice any grounds including:

- age;
- colour;
- ethnic/national origins;
- gender;
- marital/parental status;
- nationality;
- physical/mental disabilities;
- political opinions;
- race;
- religious beliefs;
- sexual orientation;
- trade union membership/activities.

All employees are responsible for making sure they understand the policy, and its associated policies and procedures, including the Harassment (anti-discrimination) policy and Equal Opportunities Complaints Procedures, and the Equality and Diversity policy, and behave in a way that respects the objectives of the policy and HEFCW's Values.

2. Aims

In summary, HEFCW aims, through its policy, to make sure that:

- standards laid down in relevant legislation and Codes of Practice are complied with and met;
- opportunities in recruitment, selection, training and development are available to all
- the Management of Performance and Development scheme (MoPD) is fair and objective;
- discrimination, victimisation, harassment and workplace bullying are dealt with firmly, and eliminated;
- line managers understand their responsibilities relating to equality and make sure employees are given appropriate training and guidance to help them put the policy into practice.

3. Monitoring

HEFCW will monitor the effectiveness of its policies and procedures in eliminating unfairness and discrimination from its employment practices.

4. Good practice guide

The following good practice guide is designed to eliminate discrimination in the work environment. The list of actions/good practice is not intended to be exhaustive.

4.1 Discrimination on the grounds of gender and marital status

- see Appendix A

4.2 Discrimination on the grounds of race or ethnic origin

- see Appendix A

4.3 Discrimination on the grounds of disability

- see Appendix A

4.4 Discrimination on the grounds of age

- Employment decisions based on age cannot be justified because:
 - age is not a genuine employment criterion;
 - age is a poor predictor of performance;
 - it is misleading to equate mental and physical ability with age;
 - see Appendix A.
- It is HEFCW's policy to recruit employees purely on the basis of suitability, having regard to:
 - educational qualifications;
 - professional qualifications;
 - previous experience;
 - general aptitude.

4.5 Discrimination on the grounds of trade union activity

- discriminatory treatment on the grounds of trade union membership or activities is illegal;
- active trade union members may occasionally be perceived as being obstructive and not "deserving" of the same consideration and treatment as other employees. This attitude is unjustifiable and must be discouraged;
- in relation to active trade union members, employees should act at all times in accordance with the general spirit and intention of this Code and, where appropriate, follow the good practices and measures described in other sections.

4.6 Discrimination on the grounds of sexual orientation, religion or belief

Sexual orientation:

- lesbian, gay and bisexual individuals are particularly vulnerable to harassment at work and this is not necessarily confined to individuals who are open about their sexuality;
- employees should make sure their conduct is non discriminatory and gives no offence

Religion or belief:

- discrimination on the grounds of any religion, religious belief, or similar philosophical belief is unlawful, whether direct or indirect.

Differences must be respected, and policies and procedures must be non discriminatory and take into account the special needs of employees from different cultures and with different religious beliefs.

HEFCW warmly welcomes diversity amongst its employees.

Appendix A

| | Discrimination on the grounds of: | | | |
|--|-----------------------------------|-----------------------|------------|-----|
| | Gender and marital status | Race or ethnic origin | Disability | Age |
| Recruitment, promotion and personal development | | | | |
| Criteria specific to any job must not discriminate, directly or indirectly, against applicants. All criteria must be genuinely necessary for the job. | ✓ | ✓ | ✓ | ✓ |
| Recruitment literature must describe jobs objectively, without bias. | ✓ | ✓ | ✓ | ✓ |
| Avoid assumptions – e.g. do not assume that a blind individual cannot operate a computer, or make assumptions about childcare responsibilities or background. | ✓ | ✓ | ✓ | ✓ |
| Inform recruitment agencies, job centre plus, career offices etc of HEFCW's commitment to equal opportunities and diversity. A copy of the Equality of Opportunity and Diversity policy is available on our website. | ✓ | ✓ | ✓ | ✓ |
| Where appropriate, place adverts in the minority press, community centres, ethnic radio stations, disability publication according to the location of the vacancy/seek advice. | | ✓ | ✓ | ✓ |
| All job advertisements will refer to the HEFCW's commitment to equality and diversity. | ✓ | ✓ | ✓ | ✓ |
| Consider alternative criteria to educational qualifications or number of years experience by using selection tests, where available. Make adjustments if necessary for disabled candidates when taking tests eg;- an individual with dyslexia may need longer. | ✓ | ✓ | ✓ | ✓ |
| Promote flexibility in working patterns. | ✓ | | ✓ | ✓ |
| Consider restructuring post, or providing equipment to enable a disabled individual to carry out the functions of a post. | | | ✓ | |
| Do not separate applications at the pre shortlisting stage (e.g. into male/female piles). | ✓ | ✓ | ✓ | ✓ |
| Use sift or selection criteria that are specifically related to the job and are as objectively measurable as possible. | ✓ | ✓ | ✓ | ✓ |
| Overseas qualifications should be correctly evaluated and given due weight in relation to corresponding UK qualifications. | | ✓ | | |
| Where possible, include representation from each sex on the interview panel. | ✓ | | | |
| Ask candidates if they are comfortable in the interview environment. | | | ✓ | |
| Selection or rejection must be made on clear criteria and recorded (refer to details in the recruitment and selection literature). | ✓ | ✓ | ✓ | ✓ |
| Base training and development recommendations etc on the capabilities, performance and potential of the employee. Do not make assumptions about ability or possible length of future service. | ✓ | ✓ | ✓ | ✓ |

| | Discrimination on the Grounds of: | | | |
|--|-----------------------------------|-----------------------|------------|-----|
| | Gender and marital status | Race or ethnic origin | Disability | Age |
| Consider positive action measures that may include welcome messages (e.g., where one gender/race is underrepresented “Applications from women (or men)/ethnic minority groups are particularly welcome”). | ✓ | ✓ | ✓ | |
| Age or length of service restrictions must not be imposed. | ✓ | | | ✓ |
| Training and development | | | | |
| Line managers at all levels to be made aware of, and trained in, their employee development role so that they can ensure employees have the opportunities to rise to their full potential. | ✓ | ✓ | ✓ | ✓ |
| Employees should be encouraged to take suitable opportunities for training in order to develop skills and talents and to aid personal development. Maternity leave must not be regarded as an obstacle to progression/career development. | ✓ | ✓ | ✓ | ✓ |
| Employees returning to work following a lengthy absence (e.g. career break/maternity leave, sickness absence) should be considered for refresher training | ✓ | | ✓ | |
| Consider the timing of training in respect of employees working flexible working patterns or cultural/religious needs. | ✓ | ✓ | ✓ | ✓ |
| Enable employees to participate in training sessions by arranging for sign language, interpreters, subtitled videos, Braille handouts etc. | | | ✓ | |
| Where possible provide an alternative to residential training for employees who have caring commitments and who prefer not to be away from home. | ✓ | | ✓ | |
| Flexible working arrangements | | | | |
| Consider seriously requests for alternative working patterns from employees, making adjustments where possible subject to the needs of the organisation. | ✓ | ✓ | ✓ | ✓ |
| Ensure familiarisation with the Special leave and other related policies so as to be armed with knowledge that may be useful in addressing an issue. | ✓ | | | |
| Where flexible working arrangements cannot be accommodated provide a full, clear and objective reason. | ✓ | ✓ | ✓ | ✓ |
| Appraisals | | | | |
| Be vigilant against bias. | ✓ | ✓ | ✓ | ✓ |
| Rely on evidence and not supposition or assumption. | ✓ | ✓ | ✓ | ✓ |
| Assess performance on the basis of Key Activities, Values and objectives. | ✓ | ✓ | ✓ | ✓ |