

## **EQUAL OPPORTUNITIES STRATEGY**

### **AIMS**

To operate in a manner which provides equal opportunities for all and aims not to discriminate on improper grounds, for example in relation to gender, ethnic origin, religion, disability, age, ex-offender background, sexual orientation and marital status.

To treat all staff equally regardless of disability or impairment(unless these are relevant to the position held)

To pursue actively our equal opportunities policy which addresses the need and right of everyone to be treated with respect and dignity, in an environment in which a diversity of backgrounds and experiences is valued

To ensure all learners have equal entitlement to pursue excellence in their work

To provide training in equal opportunities to staff and learners

To place emphasis on work that promotes good practice in equal opportunities

To lead by example in our dealings with employers

To help employers to improve their equal opportunities practice

To monitor investment in equal opportunities to ensure that the commitments are being met

Equality of opportunity is a core part of our business. The Northern Racing College must ensure that awareness of equality and action becomes a full part of our mainstream organisational culture, business processes and decision-making. We are in an excellent position to lead positively in this field and go beyond the simple avoidance of direct discrimination by promoting and role modelling appropriate behaviour. The strategy that will put this in place will consolidate current good equal opportunities practice in all areas of our work, create new ways to deliver the less well-developed areas and challenge existing practices and perceptions. This strategy will address the following:

### **RECRUITMENT OF BOARD MEMBERS, STAFF AND LEARNERS**

To take whatever measures are needed to address under representation

To ensure recruitment practice is fair and non-discriminatory

To ensure that vacancies are seen by the widest possible audience and attract applicants from a wide field

### **EMPLOYMENT POLICIES AND PROCEDURES**

To revise policies and procedures to reflect changing legislation and best practice

To ensure that processes are fair and non-discriminatory

To be fair and consistent in the treatment of staff and learners

To make special provision for people with additional support needs

## **TRAINING**

To make training in equality issues mandatory for all staff

To give all staff equal access to training and development opportunities and appraisal interviews to identify the need and opportunities

To provide support for all learners and employers in understanding their obligations within equal opportunities

## **STRATEGIES AND POLICIES**

To ensure all strategies and policies take account of equal opportunities issues in order to embed good equal opportunities practice across the whole range of our activities

## **PREMISES**

To take action as necessary and appropriate to adapt our premises to make them accessible and welcoming to people with disabilities.

## **COMMUNICATION**

To ensure that we provide clear, accurate and unambiguous advice over the telephone and face-to-face to those seeking it

To ensure that we provide written information that is clear and easily understandable to learners, staff, employers and other stakeholders.

To ensure that we are able to provide information in a variety of formats when required

## **EXTERNAL PROMOTION**

To advocate good equal opportunities practice with all those with whom we come into contact

To encourage feedback on our services and modify our processes and public image accordingly

To provide a clear complaints procedure

To be transparent in our operations

To work in ways that are friendly and accessible

## **DATA ANALYSIS**

To acquire more detailed and accurate statistical data for equal opportunities monitoring purposes, from application forms, ILRs and the management information database.

To effectively monitor data on recruitment and performance by gender, ethnicity and disability and age.

## **EQUAL OPPORTUNITIES IN ASSESSMENT AND TRAINING OF LEARNERS**

To enable all learners to have access to training and assessment for their NVQ's and other qualifications irrespective of gender, ethnic origin, religion, disability, age, ex-offender background, sexual orientation and marital status. In order to achieve this we will endeavour to:

Make available a wide range of assessment methods including, where appropriate, accreditation of prior learning (APL) and simulation

Identify learners with additional support needs and provide the necessary resources to facilitate the assessment of learners

Not demand literacy, numeracy and verbal skills beyond those required to demonstrate occupational competence.

Ensure assessment decisions are free from discrimination on grounds other than competence

## **FUNDING EQUAL OPPORTUNITIES**

Funding to deliver the equal opportunities strategy is spread across the budgets, as there is an equal opportunities element in all that we do both internally and externally. Action points arising from advertising, recruitment, employment processes and training will impact on the training budget. Recommendations for any major adaptations to premises will have implications to the company's organisational budget.

Other sources of funding should also be pursued. The Employment Services' Disability Service Teams and the Learning and Skills Councils can offer practical support for disabled people and their employers on adapting the working environment and will consider applications for funding to adapting premises or equipment to facilitate the employment of a disabled person or a person who has become disabled whilst in employment.

**Director  
Dawn Goodfellow  
September 2008**

## **EQUAL OPPORTUNITIES POLICY**

### **COMMITMENT**

The SYTT is committed to making full use of the expertise and resources of its employees and to ensuring that all participants of the services the organisation delivers, directly or indirectly through employers and suppliers, are guaranteed the same opportunity.

The SYTT is an equal opportunities employer and a provider of training, that is committed to the development and use of employment procedures and practices which do not discriminate on the grounds of gender, ethnic origin, religion, disability, age, ex-offender background, sexual orientation or marital status.

The equal opportunities policy has the full commitment of the Management Committee of the Trust.

This policy will be reviewed on an annual basis by the SYTT's Management Team.

### **RESPONSIBILITIES**

The SYTT recognises its responsibility and legal obligations in relation to:

Equal Pay Act 1970 (Equal Value amendment 1984)

The Rehabilitation of Offenders Act 1974

Sex Discrimination Act 1975 (Gender Reassignment Regulations 1999) (Indirect Discrimination & Burden of Proof Regulation 2001)

The Race Relations Act 1976

Disability Discrimination Act 1995

Protection from Harassment Act 1997

Human Rights Act 1998

The Learning and Skills Act 2000

The Special Educational Needs and Disability Act 2001

Race Relations Amendments Act 2001

Employment Act 2002

Employment Equality (Sexual Orientation) Regulations 2003

Employment Equality (Religion or Belief) Regulations 2003

Common Inspection Framework

Data protection Act 1998

Public Interest Disclosure Act 1998

Employment Equality (Age) Regulations 2006 (DRAFT)

***A summary of the key statutory requirements of these acts and advice on where to get further information can be found in Annex 2***

The responsibility for equal opportunities for the Trust is vested in the Chief Executive. In addition, there is also a member of staff whose responsibilities include providing advice and assistance in equality and diversity issues.

It is the responsibility of all employees and learners of the Trust, and, through its quality processes, its suppliers, employers and work-placement provider's staff to eliminate discrimination by ensuring the practical application of the equal opportunities policy and reporting incidents of discrimination to an appropriate person.

## **EMPLOYMENT PRACTICES**

### **Recruitment and Selection**

The SYTT will ensure that its recruitment procedures are fair and non-discriminatory.

#### *Staff*

All vacancies will be advertised appropriately to ensure that potential applicants are informed of available opportunities. Equal opportunities statements will be present in all job advertisements.

All recruitment publicity will be designed to positively encourage applications from suitably qualified and experienced people and will avoid any stereotyping of roles.

The SYTT will select the most suitable person for the job in respect of skills, experience, and qualifications, irrespective of gender, ethnic origin, religion, disability, age, ex-offender background, sexual orientation and marital status.

All those involved in recruitment processes will receive appropriate training.

#### *Learners*

All recruitment promotion material will be monitored to ensure that it is free from bias and all groups are reflected in a positive manner. An equal opportunities statement will be present on all promotional literature. The SYTT will ensure that such material is widely circulated and easily accessible to all groups.

Recruitment monitoring information will be obtained from applicants.

The recruitment practices of employers will be closely monitored using the 'Equal Opportunities Monitoring Form'

### **Training and Development**

Training is recognised as an integral part of promoting equal opportunities and ensuring that individuals have a clearly developed understanding of relevant issues.

All staff and learners will receive equal opportunities awareness training as part of their induction.

All staff and learners will receive equal access to training and development.

The SYTT will work with its employers to ensure that equal access is given to training and development, that materials are free from bias and that teaching styles give attention to all groups.

### **Promotions and Transfers**

All staff vacancies will be advertised to internal and external candidates. All internal promotions and transfers will be monitored accordingly.

### **Terms and Conditions**

All employees who are undertaking equal jobs will be treated equally with respect to pay and other conditions of their Contracts of Employment.

### **Part-time and Flexible Working Arrangements**

Wherever possible, in line with the requirements of the business, consideration will be given to whether a position could be filled by two part-time workers instead of one full-timer and / or flexible working arrangements.

The SYTT will endeavour to be flexible in the provision of work-based training to accommodate those learners with child / family responsibilities.

### **EMPLOYERS**

The SYTT will ensure that all its employers are made aware of its equal opportunities policy.

Any employer that does not have its own equal opportunities policy will be required to sign an undertaking that it will adopt the policy and procedures of the SYTT.

### **BREACHES OF POLICY**

Any employee or learner who feels that they have been a victim of unlawful discrimination or suffered victimisation has the right to have their complaints investigated through the SYTT's grievance procedure. In the case of harassment or bullying these will be investigated under the SYTT's bullying and harassment procedure.

Learners who are on an employed status contract with an employer, who have a grievance in relation to equal opportunities which is connected to their training, e.g. they feel that they have been discriminated against or harassed by their assessor, should follow the procedures of the SYTT. Where it is an equal opportunities issue but not related to training, e.g. they are being bullied by work colleagues they should in the first instance, be encouraged and supported in using their own employer's grievance procedures, followed by those of the SYTT if they are not satisfied with the outcome.

All incidents of discrimination, victimisation, harassment and bullying will be regarded as a disciplinary offence and dealt with through the SYTT's disciplinary procedure.

### **MONITORING AND REVIEW ARRANGEMENTS**

In order to assess the effectiveness of its equal opportunities policy the SYTT will:

Monitor the composition of its workforce in relation to gender, ethnic background, disability and age, and report on this on an annual basis.

Monitor the composition of its learners in relation to gender, ethnic background, disability and age and report on this for each occupational area and type of programme on a monthly basis.

Monitor the gender, ethnicity, disability and age of those learners who leave training prior to completion and report on this for each occupational area and type of programme on a monthly basis.

Monitor the gender, ethnicity, disability and age of those learners who leave training with a qualification and report on this for each qualification level, occupational area and type of programme on a monthly basis.

Review and monitor the incidence and nature of complaints reported under the grievance, discipline and harassment procedures in relation to equal opportunities and report on this on a monthly basis.

*NORTHERN RACING COLLEGE QUALITY OPERATIONS MANUAL*

Monitor the promotion, implementation and effectiveness of equal opportunities policies of employers and report on this on an annual basis.

The SYTT will produce an annual plan which sets out clear targets for achievement for the forthcoming year in relation to equal opportunities and specific initiatives which it wishes to undertake in relation to addressing imbalances and raising awareness of equal opportunities issues. This will be shared with its partners and reviewed on an annual basis.

Reports from monitoring and review activities will be reviewed by the SYTT's Chief Executive and presented to the Management Committee of the trust on an annual basis

**Director  
Dawn Goodfellow  
September 2008**

## **RACE EQUALITY POLICY**

### **Introduction**

The Race Relations (Amendment) Act 2000 has introduced requirements upon the Trust to positively promote equality. It is intended that this statement will outline the Trust's policy and the actions it intends to take in this matter.

### **Our Commitment**

The Trust values the diversity brought to its workforce by individuals, and believes that the Trust will benefit from engaging staff from a variety of racial, ethnic and national backgrounds, thus allowing it to meet the needs of a diverse student population within a multi-cultural society. The Trust will treat all employees and students with respect and dignity, and seek to provide a positive working and learning environment free from racial discrimination, harassment or victimisation.

The Trust will seek not only to eliminate discrimination, but also to create a working and learning environment based on positive relations between members of different racial groups. To this end, the Trust undertakes to provide training and support for staff, to consult with black staff about their experience of the working environment, and to provide diverse images in any material which it produces for students and staff. The aim is to create a positive inclusive ethos where issues of racism, stereotyping and discrimination can be discussed openly with a shared commitment to challenging and preventing racism and discrimination, to respecting diversity and difference, and to encouraging good relations between people of different groups.

The Trust will work towards the elimination of racism whether overt or covert, and will seek to ensure that individuals and communities have equal access to learning programmes and facilities.

### **Definitions and Scope**

The Trust recognises that institutional racism can exist, and that no organisation is immune to it.

This policy is applicable to both Trust staff and student matters.

**Our Statutory Duties**

Under the Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000), the Trust has a general duty to have due regard to the need to:

- Eliminate unlawful race discrimination
- Promote equality of opportunity
- Promote good relations between people from different racial groups.

It also has specific duties to:

- Prepare and maintain a written race equality policy
- Assess the impact of its policies on students and staff from different racial groups
- Monitor the admission and progress of students and the recruitment and career progress of staff by racial groups

**Meeting Our Duties**

We will seek to ensure that:

Trustees, staff and students (including work placement providers) are aware of our racial equality policy and the action needed for its implementation

Staff and students (including work placement providers) are aware of the value placed upon equal opportunity and that action will be taken in the event of any breach of the policy

We will also ensure the Trust's publicity materials present appropriate and positive messages about minority racial groups

### **Monitoring Our Progress**

The monitoring process will be used to ensure that members of staff are treated equally in terms of promotion, staff development, grading etc.

To inform the setting of targets and the measurement of our progress in achieving them, we will collect and analyse the following information by racial group origin.

For Students:

Racial group profiles

Applications, success and failure rates for admission to programmes

Retention rates

Achievement rates

Work placements success rates

Disciplinary action

Complaints by students or their sponsors

Student surveys

### **Positive Action**

In specific circumstances, the Act allows positive action as a way of overcoming racial inequality.

Positive action allows the Trust to:

Provide facilities or services, in training, education or welfare, to meet the special needs of people from particular racial groups

Encourage applications from racial groups that are under-represented

The Trust undertakes, once the results of monitoring are available, to consider targets to reduce any disadvantage suffered by ethnic minority employees and students. If monitoring reveals that specific racial minority groups are disadvantaged, some targets may relate to those specific groups.

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

**Division of Responsibilities**

Trustees are responsible for ensuring that:

The membership of the Trust reflects the diversity of the communities served by the College, which is a national training provider serving the racing industry

The College's strategic plan includes a commitment to race equality

Equalities training features as part of the College's strategic plan

They are aware of the Trust's statutory responsibilities in relation to race legislation as an employer and training provider

They receive and respond to the racial group monitoring information on students and staff

The Trust's Management is responsible for ensuring that:

The Chief Executive with the Management Team are responsible for taking the lead in creating a positive, inclusive ethos that challenges racist or inappropriate behaviour on the part of managers, staff or students.

They are aware of the Trust's statutory duties in relation to race legislation

All aspects of Trust policy and activity are sensitive to racial issues

Racial group monitoring information is collected and analysed

Targets are set for the recruitment, retention and achievement of students based upon the analysis of the racial group monitoring information

Teaching observation reports include criteria on racial issues where appropriate

Internal verification procedures include scrutiny of racial groups

The procedures for the recruitment and promotion of staff enshrine best practice in equal opportunities

Targets are set on the recruitment and promotion of staff based upon the analysis of racial group monitoring information

The Trust's publicity materials present appropriate and positive messages about minority racial groups

Student induction programmes and training programmes reflect the Trust's commitment to promote equality of opportunity

Appropriate training and development is provided to support the appreciation and understanding of diversity

*NORTHERN RACING COLLEGE QUALITY OPERATIONS MANUAL*

Staff are responsible for ensuring that:

They are aware of the Trust's statutory duties in relation to race legislation

Their schemes of work, lesson content and teaching resources demonstrate sensitivity to issues of cultural diversity

They challenge inappropriate behaviour by students, work placement providers, outside contractors or other members of staff

The Trust and each of its individual staff confront racism, whether witting or unwitting, explicit or implicit, whenever it occurs

To Students:

All students will receive a summary of this policy in the student guide.

The induction programme for students will highlight the Trust's commitment to racial equality, the action to be taken by students who suffer discrimination and the action to be taken against such perpetrators of discrimination

Staff will reinforce this information during training or work-based monitoring visits

To work placement providers:

All work placement providers will receive a summary of their responsibilities under the policy and will signify their understanding of, and agreement to, these responsibilities

The Trust will promote the requirement of students from under-represented groups to providers

To staff:

All staff will have access to a full copy of the policy

The staff induction programme will highlight the College's commitment to racial equality, action to be taken by staff who suffer discrimination and the action to be taken against any perpetrators of such discrimination

### **Complaints**

The Trust will seek to provide a supportive environment for those who make claims of discrimination or harassment.

Acts of racial discrimination (direct or indirect), harassment, victimisation or abuse will be treated as a serious disciplinary offence.

Members of staff who feel they are being discriminated against on racial grounds by other members of staff should raise the matter under the Trusts Grievance Procedure, which will, if the accusation is upheld, be treated as a serious disciplinary offence.

If, in the course of their work, staff who suffer racial discrimination from members of the public, the Trust will take appropriate action and provide appropriate support.

Any racist behaviour directed against staff by students will be dealt with under the student disciplinary procedure.

### **Review**

This policy will be reviewed on a regular basis in accordance with legislative developments and the need for good practice.

**Director**

**Dawn Goodfellow**

**September 2008**

ANNEX TWO

**STATUTORY REQUIREMENTS SUMMARY / FURTHER ADVICE**

Training providers are responsible for ensuring that no unlawful discrimination on grounds of gender, ethnic origin, religion, disability, age, ex-offender background, sexual orientation and marital status, takes place in the provision of its services to local people, or against applicants for jobs.

**Equal pay Act 1970 (Equal Value amendment 1984)**

Purpose is to eliminate discrimination between men and women in pay and other contractual terms

Applies equally to men and women of all ages

Three grounds for bringing a claim: like work (i.e. of a broadly similar nature); work related as equivalent (a job evaluation has shown job to have equal value); equal value - amendment 1984 (i.e. a job rated as having equal value under headings such as effort, skills and decision making).

**The Rehabilitation of Offenders Act 1974**

Some criminal convictions can become spent after a rehabilitation period;

It is unlawful for an employer to discriminate against a person on the grounds of a spent conviction;

Some kinds of employment are exempted from the Act and include work involving national security, work in contact with vulnerable groups, such as young people under 18, the elderly and mentally impaired, certain professions with legal protection, self regulatory organisations and professional bodies providing financial services.

**Sex Discrimination Act 1975** (Gender Reassignment Regulations 1999) (Indirect Discrimination & Burden of Proof Regulation 2001)

It is unlawful to discriminate against someone on the grounds of sex and marriage;

Covers direct and indirect discrimination;

The Sex Discrimination (Gender Reassignment) Regulations 1999 prevent discrimination against transsexual people. The regulations encompass pay and treatment in employment and vocational training. The European Court of Justice has ruled that it is contrary to the European Equal Treatment Directive to discriminate against transsexual people in the above areas;

The Sex Discrimination (Indirect Discrimination & Burden of Proof) Regulation 2001 widens the definition of indirect discrimination under the SDA; shifts the burden of proof towards the employer. All criteria used in recruitment, promotion etc. whether described as essential or not, will require justification and should be reviewed.

### **The Race Relations Act 1976 (Race Relations Amendment Act 2000)**

It is unlawful to discriminate against someone on the grounds of race, colour, nationality, national or ethnic origin;

Covers direct and indirect discrimination.

*Race Relations Amendment Act 2000*: strengthens and extends the scope of the 1976 Race Relations Act - it does not replace it. The new Act strengthens the 1976 Act in two major ways:-

It extends protection against racial discrimination by public authorities;

It places a new, enforceable positive duty on public authorities.

The Act also introduces other important changes:

It makes Chief Officers of Police liable for acts of discrimination by officers under their direction or control;

It allows complaints of racial discrimination in certain immigration decisions to be heard as part of "one-stop" immigration appeals;

It prohibits discrimination by ministers or government departments in recommending or approving public appointments, and in the terms and conditions, or termination, of such appointments, or in conferring honours, including peerages; the Act will apply to any new arrangements for appointing members of the House of Lords;

It allows complaints of racial discrimination in education to be brought directly before county courts without having to be referred first to the Secretary of State for Education; it limits the circumstances in which "safeguarding national security" can be used to justify discrimination.

### **Positive action**

It is lawful under both acts to provide training and special encouragement for people of a particular racial group, or either sex, who have been under-represented in certain occupations during the previous 12 months. Special encouragement might include targeted advertising and recruitment literature, reserving places for one sex on training courses.

### **The Disability Discrimination Act, 1995**

Disability is defined as a "physical or mental impairment, which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities";

It is unlawful for employers with 15 or more staff to discriminate against someone because of a disability;

Employers are required to make reasonable adjustments to physical features and arrangements;

Part 3 of the DDA Access to Services, became operational in October 1999. It applies to everyone who offers services, not just companies of 15 or more;

The Special Educational Needs and Disability Act 2001 makes it:

Unlawful to discriminate against disabled learners

Reasonable adjustments to provision

Adjustments to auxiliary aids and service adjustments to premises

### **Protection from Harassment Act 1997**

It is a criminal and civil offence to cause harassment, alarm or distress to a person;

The Act covers verbal as well as other forms of sexual harassment;

Reasons for the harassment can include race, sex, sexual orientation and disability;

There is no limit to compensation that can be awarded when a claim is successful.

### **Human Rights Act, 1998**

The act incorporates the European Convention on Human Rights into UK law, so that cases can be heard in national courts rather than at Strasbourg. The most relevant articles for employment are article 8, which guarantees privacy for someone's home life and correspondence, and which underpins the Data Protection Act, and articles 10 and 11, which guarantee freedom of expression, association and assembly. This will apply to trade union membership and activities, and prevent employers from keeping and using information on such matters.

Section 1 of the Act specifies which of the convention rights are covered by the Human Rights Act. These are:-

Article 2 - Right to life

Article 3 - Prohibition of torture

Article 4 - Prohibition of slavery & forced labour

Article 5 - Right to liberty & security

Article 6 - Right to a fair trial

Article 7 - No punishment without law

Article 8 - Right to respect for private & family life

Article 9 - Freedom of thought, conscience & religion

Article 10 - Freedom of expression

Article 11 - Freedom of assembly & association

Article 12 - Right to marry

Article 14 - Prohibition of discrimination

Article 16 - Restrictions on political activity of aliens

Article 17 - Prohibition of abuse of rights

Article 18 - Limitation on use of restrictions on rights

### **The Learning and Skills Act, 2000**

Gives the LSC the power to attach conditions to payments it makes to training providers, including the requirement that providers publish statements in respect of their facilities for disabled people.  
The Special Educational Needs and Disability Act 2001

Gives all publicly funded post-16 providers new responsibilities. It is unlawful to treat a disabled learner (as defined under the DDA) less favourably than non-disabled people. Part of not discriminating is to make reasonable adjustments (for example to policies and practices, accommodation, support and course provision) so that the person is not placed at 'a substantial disadvantage'.

### **Race Relations Amendment Act, 2001**

The Race Relations Amendments Act makes it unlawful:

For any person who performs functions of a public nature to discriminate on racial grounds whilst carrying out those functions

For private agencies carrying out public functions such as training providers to discriminate on racial grounds

The critical feature of this new legislation is that it will be enforceable. It will place a duty on training providers to develop race equality schemes, showing clearly how they will address and incorporate race equality in their provision.

### **Employment Act 2002**

Increase in length of maternity leave and level of maternity pay

Introduction of adoption and paternity leave & pay

New right for employees with children under six (18 if children are disabled) to request a flexible working pattern

Introduction of equal pay questionnaires to allow employees to request key information from their employer before deciding whether to pursue a claim

Implementation of the EC Directive on fixed term working which prevents pay and pension discrimination against fixed term employees

Right to time off for trade union learning representatives

### **Employment Equality (Sexual Orientation) Regulations 2003**

Prohibit direct and indirect discrimination on grounds of sexual orientation by employers, trade organisations, bodies conferring professional and trade qualifications, training providers, employment agencies and further and higher education institutions.

Protect employees, contract workers, office holders and partners in firms.

Sexual orientation is defined as orientation towards persons of the same sex, opposite sex or both sexes. Therefore the Regulations protect lesbians, gay men, heterosexuals and bisexuals.

Will cover discrimination based on both perceived and actual sexual orientation.

Discrimination against someone after the working relationship ends is also unlawful.

### **Employment Equality (Religion or Belief) Regulations 2003**

Prohibit direct and indirect discrimination on grounds of religion or belief against discrimination by employers, trade organisations, bodies conferring professional and trade qualifications, training providers, employment agencies and further and higher education institutions.

Protect employees, contract workers, office holders and partners in firms.

Religion or belief is defined as being any religion, religious belief or similar philosophical belief. Doesn't include political or philosophical belief unless that belief is similar to a religious belief.

Tribunals will consider a number of factors when deciding what is a religion or belief – such as collective worship, clear belief system, profound belief affecting way of life or view of world.

### **Common Inspection Framework**

Equal opportunities runs through the requirements of the '*Common Inspection Framework*'. The role of management in leading on equal opportunities is stressed. Providers will be inspected once every four years. The Adult Learning Inspectorate (ALI) will report on equal opportunities as a separate category under the leadership and management sections.

### **Data Protection Act 1998**

Stipulates that all personal information, however it is stored, is subject to eight data protection principles. These require that the data must:

Be processed fairly and lawfully;

Not be used for a purpose for which it was not collected;

Be adequate, relevant and not excessive for the purpose;

Be accurate and up to date;

Not be kept longer than necessary;

Be processed in accordance with the data subject's rights;

Be kept secure and protected from unauthorised processing, loss or destruction;

Be transferred only to those countries outside the European Economic Area that provide adequate protection for personal information.

In addition, the act restricts the processing of sensitive information and the use of automated decision-making (e.g. psychometric tests). Individuals have access to, and can correct, any personal data, including manual files. "Data controllers" are liable for damages caused by breaches of the act. Data collections must be notified to the Data Protection Commissioner, who can issue enforcement orders in respect of a breach. Breaches of notification requirements and the procurement or sale of personal data are criminal offences.

### **Public Interest Disclosure Act 1998**

Employees are protected against adverse actions by their employer if they disclose information relating to:

- a crime;
- a failure to comply with legal obligations;
- a miscarriage of justice;
- a health and safety threat;
- damage to the environment.

Before going public, the employee must inform their employer or a relevant organisation, unless they believe they will suffer detrimental treatment on doing so, or that any evidence will be destroyed. It must be "reasonable" to make the disclosure. Awards for dismissal in breach of the act are likely to be uncapped.

### **Employment Equality (Age) Regulations 2006 (DRAFT)**

These regulations cover employment and vocational training and are due to come into force on 1st October 2006. They protect people of all ages, both young and old and include access to help and guidance, recruitment, promotion, development, termination, perks and pay. Upper age limits for unfair dismissal and redundancy will be removed. A national default age of 65 will be introduced making compulsory retirement under age 65 illegal. All employees will have the "right to request" to work beyond the default retirement age of 65 or any other retirement age set by the company and all employers will have a "duty to consider requests" from employees to work beyond 65.

### **WEB SITES FOR FURTHER INFORMATION**

<a href="http://www.ali.gov.uk">www.ali.gov.uk</a>	Adult Learning Inspectorate
<a href="http://www.cre.gov.uk">www.cre.gov.uk</a>	Commission for Racial Equality
<a href="http://www.drc-gb.org/drc">www.drc-gb.org/drc</a>	Disability Rights Commission
<a href="http://www.dfes.gov.uk">www.dfes.gov.uk</a>	Department for Education and Skills
<a href="http://www.eoc.org.uk">www.eoc.org.uk</a>	Equal Opportunities Commission
<a href="http://www.lsc.gov.uk">www.lsc.gov.uk</a>	Learning and Skills Council
<a href="http://www.lsda.org.uk">www.lsda.org.uk</a>	Learning and Skills Development Agency
<a href="http://www.ofsted.gov.uk">www.ofsted.gov.uk</a>	Ofsted (Office for Standards in Education)