



JAMES  
WATT  
COLLEGE

# **WORKFORCE EQUALITY (EMPLOYMENT MONITORING) GUIDANCE**

## 1. INTRODUCTION

1.1 We are committed to supporting and promoting dignity at work by creating an inclusive working environment. We believe that employees should be able to fulfil their potential in a workplace free from discrimination and harassment where diverse skills, perspectives and backgrounds are valued.

1.2 In order to achieve this, it is important that we collect, store and analyse data relating to our workforce. Workforce monitoring is a useful tool for the College to measure whether our equal opportunities and human resources policies and practices are effective.

1.3 We do not want to intrude in a person's personal life but the College does want to ensure that its entire employees can work in a safe and welcoming environment that allows them to fulfil their potential free from discrimination.

1.4 We have developed an e-form through which we will be asking employees to provide us with their personal equality data. For employees not able to access the intranet we will be using traditional paper based information capture. This will be repeated every two years.

1.5 The information provided will be treated with the highest standards of confidentiality and will only be used to improve employment practice to ensure that employees can work in an environment free from discrimination.

## 2. DEFINITION OF TERMS

### 2.1 DISABILITY

2.2 This refers to any physical or mental impairment which has a substantial **(i.e. not minor or trivial)** and long-term **(i.e. 12 months or longer)** adverse effect on your ability to carry out normal day to day activities. This could be anything, from being diagnosed with Cancer or HIV to having a mental health problem or a physical or sensory impairment.

2.3 It does **NOT** have to affect your ability to work now, or later, only normal day to day activities.

2.4 It includes:

- Long-term illness including **diagnosis** with Cancer, diabetes, HIV, heart disease etc
- Physical impairment, such as using a wheelchair and/or other mobility difficulty
- Sensory impairment, such as blind / visual impairment or deaf / hearing impairment
- Mental health condition, such as depression, schizophrenia or severe phobia
- Learning disability, such as Down's syndrome or dyslexia

### **3.0 ETHNIC GROUP**

3.1 Many employees have already recorded their ethnicity but this e-form survey provides another opportunity to do so. Classifications, which are supported by the Commission for Racial Equality (now part of the Equality & Human Rights Commission), are drawn from the 2001 Census, so that comparisons can be made with the local population.

3.2 Ethnicity has been defined as:

“shared origins or social background; shared culture and traditions that are distinctive, maintained between generations, and lead to a sense of identity and group; and a common language or religious tradition”.

Ethnicity is self-defined and may change over time.

### **4.0 RELIGION & BELIEF**

4.1 Classifications are drawn from the guidance produced by the Scottish government. If your religion is not listed please use the any other religion option.

4.2 A belief does not require faith in or worship of a god/gods and must be a profound belief affecting a person's way of life. Examples include atheism, humanism and paganism.

### **5.0 SEXUAL ORIENTATION**

5.1 Sexual orientation is part of human sexuality and describes the part of someone's personal identity that refers to their aesthetic, emotional, sexual and physical attraction to others. Some people think sexual orientation is fixed and lifelong, while others think that sexual orientation is fluid and changeable. There are various terms which people use to define their own identity.

5.2 This can include;

- Bisexual - a person who is attracted to men and women and if in a relationship this could be with a man or a woman
- Gay man - a man who is almost exclusively attracted to men and if in a relationship this will usually be with another man
- Heterosexual - a person who is almost exclusively attracted to a person of a different sex to themselves and if in a relationship this will usually be with someone of a different sex
- Lesbian/gay woman - a woman who is almost exclusively attracted to women and if in a relationship this will usually be with another woman

5.3 Homosexual is a medical term used to refer to a person who is exclusively attracted to someone of the same sex and if in a relationship this will be with someone of the same sex. It is also used to describe sexual behaviour as well as identity. It is not commonly used by people who are lesbian, gay or bisexual.

## **6. FREQUENTLY ASKED QUESTIONS**

### **Q1. Why aren't you asking employees about their age?**

**A.** We are not collecting this information as you provided it when you joined the College. We do not want to ask it again. However we value all employees of all ages. We are committed to removing all forms of discrimination experienced by our staff. The information we already have will help us to do this.

### **Q2. If religion or belief and sexual orientation monitoring is compulsory, won't you "out" people against their will?**

**A.** Absolutely not. This process is about protecting and reassuring our staff. There is no compulsion and we will safeguard the responses given by employees and access to this will be strictly controlled for the gathering of statistical data only. We will only use the information to look at trends within the organisation. We will not use it to identify or "out" individuals, this would be unlawful. Anyone releasing such sensitive information would be subject to disciplinary action. The data will be stored in the College's personnel management system (Trent) access to this will be strictly controlled.

### **Q3. Why are you asking employees for information about their religion or belief and, sexual orientation?**

**A.** We do not want to intrude in a person's personal life. We want to ensure that all our employees have the opportunity to work in a safe and welcoming environment that allows them to fulfil their potential free from discrimination. If we don't measure the diversity from different communities of interest amongst our employees and their numbers in promoted posts or specialist departments as a whole, we can't be sure that we and our systems are fair. We will never report in a manner that allows the identification of an individual.

### **Q5. Will there be racial, religious or other quotas for recruitment or promotion?**

**A.** No, there will be no quotas. We believe our systems are fair but, if we don't measure, we can't know for sure. If it was shown that discrimination was occurring we would of course try to eliminate. Our approach would be about education/training or through updating HR policies and practices. We need long-term measures looking at all equality strands including gender and race in addition to disability, age, religion or belief, sexual orientation.

**Q6. Isn't this political correctness gone mad?**

**A.** In workplaces across Scotland and the UK some people experience disadvantage, harassment, bullying and sometimes violence simply because of who they are. No one deserves to be sacked because they have reached fifty or is pregnant, passed over for promotion because they are gay or experience any other discrimination because of their age, gender, disability, race or ethnicity, religion or belief or sexual orientation. James Watt College is committed to a workplace with equality of opportunity for all, where employees can work with dignity and fulfil their potential. In order to put this into practice, it is crucial that the College asks some questions, in confidence, of its employees about who they are. This is not just political correctness; making systems fair for those people who may be subject to discrimination makes systems fair for everyone.

**Q7. What will you do with this information?**

**A.** Most importantly we will keep the information provided safe and secure and access will be strictly controlled. The information provided will be analysed to ensure that no discrimination is taking place in James Watt College. Reports will be produced that do not identify individuals. For example we will report to the Equality & Diversity Steering Group and Employee Task Group as well as the HRD Committee on a regular basis on statistical trends only. We will discuss these trends at the Leadership Team so as to be able to take corporate decisions on any actions to make improvements. We will share best practice on successful actions and compare statistical trends across other Colleges within Scotland. We will not share individual details with anyone, regardless of their position within the organisation.

**Q8. In a largely Christian country, what use would you make of the information if I declare that I am a Muslim?**

**A.** The data collected will be used only for monitoring purposes to ensure that we reflect the community we serve and are not discriminating in recruitment or during employment. If operationally feasible, we already allow employees from various faiths to time their breaks or days off to coincide with prayer or service times and for special religious festivals. Because of this very personal nature, data collected under this category will be treated with the strictest confidence and access will be strictly controlled.

**Q9. What is a belief?**

**A.** Under the legislation, a belief is defined as similar to a religious belief (although it does not require faith in or worship of a God/Gods) and must be a profound belief affecting a person's way of life. It must "attain a certain level of cogency, seriousness, cohesion and importance". It must be worthy of respect in a democratic society and not incompatible with human dignity. Examples are atheism and humanism but not support of a political party or football team.

**Q10. As an employee of James Watt College, what does it matter what my sexual orientation is?**

**A.** You are right, it doesn't matter, and it will be about how you do your job. Your contribution to the organisation will be valued on that basis alone, not on your sexual orientation, gender, race or any other issue. We are monitoring sexual orientation and the other equalities fields to make sure that this is the case and so we can demonstrate and prove that this is what is happening.

**Q11. If I tell you this information once why would I need to complete a form every two years?**

**A.** We recognise that employees were asked to share this information when they joined the College however, situations change and we believe that you should have the opportunity to update your details. For instance someone may develop a disability which they did not have the previous year; someone may have changed their religion since last completing the survey. When we ask you again we will do so in an e-form which will be quick and easy to complete.

## **Q12. What will happen if I tell you I have a disability?**

**A.** Some people are concerned that if they disclose a disability their colleagues or management will treat them poorly or attempt to dismiss them. This is contrary to the law and is not James Watt College policy. If you have a disability which you feel may affect your work, you should consider informing your line manager as the College has a duty to arrange appropriate support where practicable and reasonable. Across the UK it is estimated that there is approximately 11 million adults that are likely to be considered disabled and there is a disabled person or a person with a long-term illness, living in just over one in three households. We want to ensure that James Watt College is employing, retaining and developing as many employees with disabilities as we can. Telling us about your disability, if you have one, will help us make sure we are doing that.

## **Q13. Why do you ask a question if someone has the same gender now as at birth?**

**A.** We acknowledge that the numbers of employees who have or intend to change their gender is going to be small. We also acknowledge that the disclosure Scotland process will identify potential employees who may have changed their gender some years ago. The fact that this is going to be a rare occurrence increases the importance of making sure that we have the appropriate support and processes in place to support new employees and to assist existing employees. Again because of the small numbers the College will not use the data in any way where individuals could be identified.

## **7. USEFUL WEB LINKS**

Equality and Human Rights Commission

<http://www.equalityhumanrights.com/en/Pages/default.aspx>

Disability statistics

[www.employment-studies.co.uk/pdflibrary/wp1.pdf](http://www.employment-studies.co.uk/pdflibrary/wp1.pdf)

<http://www.capability-scotland.org.uk/>

Age Positive

<http://www.agepositive.gov.uk/>

Stonewall

<http://www.stonewall.org.uk/>

<http://www.lgbtyouth.org.uk/get-involved/glasgow.htm>

Interfaith Organisations

<http://www.scottishinterfaithcouncil.org/>

Press for Change

<http://www.scottishtrans.org/>