



ESSEX AND LONDON COLLEGE

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POLICIES AND PROCEDURES

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POLICIES AND PROCEDURES

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The policy will be kept up to date, particularly as the business changes in nature and size. To ensure this, the policy and the way in which it has operated will be reviewed every year.

Signed by the Quality assurance Director: Mr. Faisal Ansir

EQUAL OPPORTUNITIES POLICY AND PROCEDURES

1 STATEMENT OF POLICY

1.1. ("the Company"- Essex and London College limited) is an equal opportunities employer. This means that it is the Company's policy that there should be no discrimination, harassment or less favourable treatment or victimization of any employee, job applicant, customer, provider of services or member of the public either directly or indirectly on the grounds of: (a) Race, nationality or ethnic origin; (b) Gender, gender re-assignment, marital or family status; (c) Disability; (d) Trade union membership or activity; (e) Sexual orientation; (f) Age (g) Religion or religious beliefs.

General Policy

Policy will be followed as:

- Treat everyone fairly and equally without any prejudice/differentiation of race, gender, age, nationality, religion, faith, believes, background, sexual orientation, physical ability and any other irrelevant consideration, and everyone in the company must be committed to providing equality of service to all clients/customers.
- Without any discrimination, bias, or personal interest, provide honest and professionally competent training, advice, and services to all the learners.
- Be professional by up to dating with the current knowledge, legislations/ laws, rules, and regulations so that can achieve the greatest level of standard for our customers and the OTHM.
- Keep our customers' entire file in locked filing cabinet and trainer and administration must not discuss openly customers' affairs/information their personal and related data, each other. The company would be complied with data protection act by following the OTHM 's procedure and rules. As a registered accredited member of OTHM, we are committed to keep the affairs of our clients and all information relating to our customers' confidential, except where the company is compelled to disclose information by reason of a legal or regulatory obligation.
- We will follow health and safety rules according to the health and safety legislation for our staff and learner's safety.

It is also Company policy that there should be no bullying of one employee by another for any reason.

1.2. In issuing this policy, the Company has three main objectives.

(a) To encourage its employees to take an active role in combating all forms of harassment and discrimination.

(b) To deter employees from participating in harassment or discriminatory behaviour; and

(c) To demonstrate to all employees that they can rely upon the Company's support in cases of harassment or discrimination at work.

1.3. The Company is fully committed to providing a good and harmonious working environment that offers equal treatment and equal opportunities for all its employees and where every employee is treated with respect and dignity.

1.4. The Company recognizes that the provision of equal opportunities in the workplace is not only good management practice; it also makes sound business sense.

The Company's equal opportunities policy will help all employees develop their full potential so that the talents and resources of the workforce will be fully utilized to maximize the efficiency of the organization.

1.5. Whilst the Company recognizes that the overall responsibility for the effective operation of this policy lies with the partners, all employees, whatever their position within the Company, have some measure of responsibility for ensuring its effective implementation. In this respect, employees should ensure that:

(a) They cooperate with any measures introduced to develop equal opportunities.

(b) They refrain from taking discriminatory actions or decisions which are contrary to either the letter or spirit of this policy.

(c) They do not harass, abuse or intimidate other employees, job applicants, customers, providers of services or members of the public in a manner contrary to either the letter or the spirit of this policy.

(d) They do not instruct, induce, or attempt to induce or pressurize other employees to act in breach of this policy.

1.6. Breaches of the Company's equal opportunities policy and procedures will result in the Company's disciplinary procedure being invoked against the individuals responsible or involved.

2. RECRUITMENT

2.1. No vacancy will be advertised or publicized (internally or externally) in a way which discourages applications from any sector of the population.

2.2. All applications will be considered on merit. Each individual will be assessed against a set of objectives, non-discriminatory criteria that will be directly related to the demands of the particular vacancy.

2.3. All advertisements, application forms and other recruitment material will clearly state that we are an equal opportunities employer and will avoid statements or questions which tend to discourage applications for employment from any sector of the population.

2.4. All interviews will be conducted in accordance with the terms and spirit of this policy. The questions asked of candidates will be closely related to the selection criteria and will be asked to elicit information which will give a fair assessment of that particular applicant's ability to perform the tasks required by the vacancy.

Specific questions will not be asked of candidates who make assumptions about a candidate's commitment or ability based on any of the grounds identified in the statement of this policy.

2.5. No one sector of the population will be disadvantaged or discriminated against in relation to the terms of employment offered or applied to them.

The Company will, where appropriate, make reasonable adjustments to its arrangements for interviews and conditions of employment for disabled applicants where necessary to ensure that existing arrangements or conditions of employment do not place such applicants at a significant disadvantage to other applicants.

3. PROMOTION

3.1. Internal vacancies will, if possible, be filled by promotion.

3.2. [The Company will however consider enlarging the pool of applicants for promotion where this proves necessary to ensure that, in accordance with its equal opportunities policy, the pool of applicants is capable of fairly representing all sectors of the population].

3.3. Applicants for promotion will be considered only based on their skill, aptitude, experience and suitability for the vacancy.

3.4. Assessment of those qualities identified in clause 3.3 will be made objectively and without bias by reference to selection criteria related to the demands of the vacancy.

4. TRAINING

4.1. Employees involved in recruitment and the management or supervision of others will receive training to help them understand and comply with the law and our policy.

4.2. No employee will be denied access to training on discriminatory grounds.

4.3. Specific and/or additional training will be made available for disabled employees as is reasonably necessary.

5. MONITORING

5.1. The Company will regularly monitor the effectiveness of its equal opportunities procedures to ensure that they are achieving our stated aims.

6. HARASSMENT

6.1. Harassment is either:

(a) Unwanted conduct, whether verbal or not, which is of a sexual or racial nature or which refers to or is based upon a person's disability, or other conduct based on someone's race and/or gender and/or disability which affects the dignity of men or women at work; or

(b) Bullying of colleagues, especially junior colleagues, by intimidators behaviour; or

(c) Unfavourable conducts at work, whether verbal or non-verbal, towards someone based on his/her disability which could affect his/her dignity at work.

6.2. Harassment or any form of discrimination will not be tolerated under any circumstances. A member of staff who harasses or discriminates against another employee or client or customer of the Company will be subject to the Company's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

6.3. Harassment generally may include any unwanted verbal or physical abuse and/or advances and/or behaviour which an employee may find offensive and which causes them to feel threatened, humiliated, patronized, distressed, or harassed. It will not necessarily be a defence that such incidents consist of words or behaviour which might be claimed to be "common place" or which were intended as a joke or were not intended to be offensive.

6.4. Harassment may be deliberate or unconscious, open, or covert, direct or indirect, an isolated incident or a series of repeated actions. It may also include, in certain circumstances, off-duty conduct.

6.5. It is the duty and responsibility of the Company and every employee to stop all types of harassment and discrimination in the workplace. It is only through the efforts of individual employees that harassment and discrimination can be eradicated.

We must all recognize that every employee in the Company has the right not to be subjected to any form of harassment or discrimination.

6.6. Racial Harassment

(a) Racial harassment is racial discrimination and is contrary to the Company's equal opportunities policy.

It is also unlawful. This type of harassment will not be tolerated under any circumstances and the Company will take prompt action upon becoming aware that such incidents have taken place.

(b) Examples of racial harassment may include:

(i) abusive language and racist jokes.

(ii) racial name calling.

(iii) the display or circulation of racially offensive written or visual material including graffiti.

(iv) physical threats, assault and insulting behaviour or gestures.

(v) open hostility towards workers of a particular racial group, including organized hostility in the workplace.

(vi) unfair allocation of work and responsibilities.

(vii) exclusion from normal workplace conversation or social events, i.e., being "frozen out".

(c) The above examples are not exhaustive, and each incident of harassment or discrimination will be viewed on its individual facts.

6.7. Sexual Harassment

(a) Sexual harassment is similarly sex discrimination, unlawful and contrary to the Company's equal opportunities policy. It is defined as unwanted behaviour of a sexual nature by one employee towards another.

(b) Examples of sexual harassment may include:

(i) insensitive jokes and/or pranks.

(ii) lewd comments about appearance.

(iii) unnecessary bodily or physical contact.

(iv) displays of sexually offensive material, for example pin-ups and calendars.

(v) requests for sexual favours.

(vi) speculation about an employee's private life and/or sexual activities.

(vii) threatened or actual sexual violence.

(viii) threat of dismissal, loss of promotion etc for refusal of sexual favours.

(ix) exclusion from normal workplace conversation and social events.

(c) Whilst the above list gives examples of sexual harassment, harassment takes many forms from relatively mild sexual banter to actual physical violence. The above examples are not intended to be exhaustive.

(d) Harassment of an individual in this manner on the basis of their sexual orientation (i.e. because they are homosexual, transsexual or undergoing "sex change treatment") will also be regarded by the Company as sexual harassment and will not be tolerated.

6.8. Harassment on grounds of disability

(a) Harassment of an individual who has a disability or who has had a disability in the past is unlawful. It is also contrary to the Company's equal opportunities policy, which seeks to ensure that people with disabilities receive treatment that is fair, equitable and consistent with their skills and abilities.

(b) In accordance with statutory requirements, the Company recognizes that a person with a disability is someone who has or has had a physical or mental impairment that has a substantial and long-term adverse effect on his/her normal day-to-day activities. Therefore, depending on individual circumstances' a person who has been seriously injured, has or had a progressive illness, significant learning difficulties or poor hearing, vision or mobility may be a person with a disability.

(c) Harassment on grounds of disability may include the following:

(i) abusive or insensitive language;

(ii) inappropriate jokes or pranks;

(iii) non-verbal offensive gestures (e.g. staring at a particular affliction);

(iv) inappropriate assumptions about the capabilities of a disabled person;

(v) unfair allocation of work and responsibilities;

(vi) exclusion from normal workplace conversation or social events;

(vii) physical mistreatment (e.g. jostling or assault).

(d) The above examples are not exhaustive and each incident of harassment or discrimination will be viewed on its individual facts.

(e) As part of the Company's equal opportunities policy we will make every effort, if a disabled person joins the Company or if an existing employee becomes disabled, to make such adjustments as are required by law, whether in their existing job or in a suitable available alternative.

(f) The Company will seek to ensure that the needs of people with disabilities are considered generally in both the context of the Company's working practices and in its premises and continuing services.

7 VICTIMIZATION

7.1. Victimization occurs when a member of staff treats another member of staff less favourably because that other person has:

(a) brought proceedings alleging that he or she has been discriminated against contrary to this Policy; or

(b) indicated that they intend to make such a claim or claims; or

(c) assisted a colleague to make a claim.

7.2. Victimization will not be tolerated under any circumstances and any member of staff who victimizes another employee will be subject to the Company's disciplinary procedure. In serious cases, such behaviour may constitute gross misconduct resulting in summary dismissal.

8 COMPLAINTS AND DISCIPLINARY ACTION

8.1. Where an employee believes that he/she is being harassed, victimized or discriminated against contrary to the law or to the equal opportunities policy, he/she can invoke the complaints procedure, whether formal or informal, against the harasser or discriminator.

8.2. Every complaint will be investigated and dealt with sympathetically without bias and as quickly as is practicable.

8.3. Every effort will be made to ensure that individuals who make a complaint in good faith will not suffer any further detriment or be victimized because of making such a complaint. Any complaint of victimization will be dealt with seriously, promptly and confidentially.

Victimization will result in disciplinary action, which may include summary dismissal.

8.4. Informal Procedure

(a) Prior to adopting the formal procedure set out below, an informal approach may be taken.

(b) If an individual feels that he/she is or has been subjected to harassment and/or discrimination or victimization and considers that the informal procedure is appropriate he/she should, if possible, advise the harasser that the behaviour is unwelcome, must be stopped and is interpreted as harassment and/or discrimination and/or victimization as defined by the Company's policy statement. If preferred, this may be in writing.

(c) If the behaviour does not cease or the employee finds approaching the harasser difficult, further informal assistance is available. Employees, who wish to discuss such a complaint in confidence, should contact the Customer Services Director.

8.5. Formal Procedure

(a) Where the informal method fails or serious harassment or discrimination occurs or if the individual prefers, employees are advised to bring a formal complaint against the alleged harasser or discriminator and to seek assistance as above in doing so.

The complaint should be made in writing and, where possible, state the following:

(i) the name of the alleged harasser/discriminator;

(ii) the nature of the harassment/discrimination/victimization;

(iii) the date and time when the harassment/discrimination or victimisation occurred;

(iv) the names of any witnesses to the harassment/discrimination or victimization; and

(v) details of any action, which may already have been taken by the complainant to stop the harassment/discrimination or victimization.

(b) The complaint should be sent or given to the Customer Services Director where a complaint of harassment, discrimination or victimization is received; consideration will be given to whether it would be helpful and/or practicable to separate the alleged harasser/discriminator from the complainant. This may involve the temporary transfer of the alleged harasser/discriminator or the complainant to another department or suspension with pay until the complaint has been resolved.

(c) The Customer Services Director will carry out a thorough investigation as quickly as possible, maintaining as much confidentiality as possible at all times. The complainant should be aware, however, that if the complaint is to be properly investigated, other employees may have to be asked for witness statements.

(d) All employees involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence.

(e) Copies of any witness statements taken will be made available to the alleged harasser and the complainant. Witnesses will be encouraged to appear at any hearing if requested by either party. It is acknowledged that some witnesses may be reluctant to do so. In these circumstances, the Customer Services Director will, if necessary, adjourn the hearing and ask supplementary questions of witnesses in private.

(f) The complainant may if he/she wishes, be supported throughout the procedure and hearing by a colleague of his/her choice. The employee accused of harassment or discrimination will have the right to be accompanied at the hearing in accordance with the Company's disciplinary procedure.

(g) If the offence is proved the severity of the penalty imposed on the harasser will be consistent with those detailed in the disciplinary procedure. Serious harassment or acts of discrimination or victimization may result in summary dismissal. Where a lesser penalty is appropriate, for example, a written warning, this may be coupled with action to ensure that the complainant is able to continue working without embarrassment or anxiety.

After discussion with the complainant the Customer Services Director may transfer the harasser to a different work area, or arrange for an amendment of working practices to minimize contact between the two employees. If the complainant wishes, his/her own transfer will be arranged, subject to practical limitations. The result of the hearing will be confirmed in writing to both employees.

(h) If the complainant is not satisfied about the way his/her complaint has been handled he/she may appeal to the Managing Director. The appeal should be made in writing within 5 working days of the first hearing. The decision of this second hearing will be sent in writing to both parties which will be final.

(i) An employee who receives a warning or is dismissed for harassment or discrimination may appeal against the penalty in accordance with the appeals procedure in the Company's disciplinary procedure.

9 DISCIPLINE

9.1 Any acts of discrimination or acts which contravene this policy will result in the disciplinary procedure being invoked against the individuals responsible or involved.

9.2 In severe cases, summary dismissal may be justified.

9.3 All members of staff are encouraged to use the procedure outlined in this Policy if they are harassed, discriminated, or victimized. The Company takes all allegations seriously.

However, if an allegation is made which the Company (after investigation) believes has been made dishonestly or maliciously, the Company may invoke the disciplinary procedure against the complainant. In serious cases, such behaviour may constitute gross misconduct and result in summary dismissal.

10 MALPRACTICE

Policy on Malpractice

- Malpractice is defined as any actions that undermine the integrity of the qualification. The centre and candidate will follow these actions:
- Meet award approval requirements;
- Advise/inform the institute of any changes with regard to the delivery of the award;
- Comply with the institute procedures for candidate registration and certification;
- Follow agreed procedures for the assessment or internal verification of CQF candidates;
- Centre will not claim for non-active candidates, who will attend I.Q's recommended credit hours, will be considered as an active candidate;
- Centre will claim only for correct units or awards
- Centre will not claim for fictitious candidates
- Centre will not claim a certificate for candidates who have not undergone appropriate assessment or completed the assessment process;
- Centre management will keep examination material and mark schemes secure;
- Centre will not offer excessive amount of help in producing assessed work;
- Centre will not allow candidates to include evidence that assessors know is not the candidates own work;
- No one, in the Organisation, will change / falsify records or certificates;
- Head of centre/organisation will be responsible for any breach of malpractice policy and will also prevent centre from:
- Cheating in examination;

- Plagiarism including copying large amounts of work from other sources and not acknowledging or referencing this work;
- Pretending to be someone else (candidate);
- Fabricating record, evidence or results;
- Changing results or certificates;
- Bringing unauthorised materials in the examinations;
- In cases of suspected malpractice by candidates, centre staff should make candidates aware that their final results may be void if the case is proven
- The organisation will ensure that all centres, its own staff and awarding body receive copies of this document 'Malpractice policy'.

11 SPECIAL CONSIDERATIONS FOR LEARNERS

Special arrangements for the assessment of learners with special needs will be made and allowed wherever possible.

Alternative assessment arrangements

The following arrangements may be allowed:

- Additional time;
- Alternatives may allow the learner to demonstrate skills in a particular area.

Centre may appoint an appropriately qualified person to provide support to learners with particular needs but must ensure that the level of support provided does not advantage or disadvantage the learner.

Special Consideration

There may be occasion where unforeseen circumstances affect the assessment outcome, for example, learners may be temporarily ill, injured or indisposed at the time of a set examination, or may have been affected by a bereavement or serious disturbance that took place during the examination. In such situation, centre may apply special consideration rules.

- An explanation or description of the circumstances;
- Medical evidence, where appropriate;

If organisation accepts the case for special consideration, it may:

- Review the learner's performance and make a decision based on evidence available;
- Offer the learner the opportunity to re-sit the examination/assessment at a suitable date to be arranged.
- Offer an alternative solution as appropriate.

Request for special consideration should be made within 10 working days of the assessment taking place.

12 COMPLAINT PROCEDURES

Definition of formal complaint

A formal complaint is an expression of dissatisfaction concerning (Company)'s product or service, when the complainant has drawn his or her concern to the attention of one of (Company)'s employees and is not satisfied with the response.

(Company) take all complaints extremely seriously and all staff are trained and committed to rectify any problem as soon as it is brought to their attention. It is recognized that a customer who has a complaint dealt with to their complete satisfaction is likely to become a more loyal customer.

Making a formal complaint

If you are dissatisfied with the way your problem has been dealt with by a front-line

member of staff, we encourage you to ask to speak to the manager for the section concerned. If the manager is unavailable, you should ask to speak to the Customer Services Director. You have the choice as to whether you wish to have your formal complaint dealt with by telephone or by letter, fax or e-mail.

If you prefer to have your complaint dealt with in writing. Please forward details of the complaint to (Company details). You should include as much information as possible, including the nature of the problem, the date the problem occurred and details of who you have spoken to at (Company) about the problem. You should also tell us what you think we should do to resolve your complaint. Please remember to provide full details of the address where you would like the response to be sent.

Receipt of the complaint will be acknowledged on the same day that it is made by fax or e-mail. Letters will be sent out first class on the day of receipt.

We undertake to treat the complaint confidentially and to investigate it impartially and thoroughly. A written report will be sent within 10 working days, although every effort will be made to respond in five working days. Details of the investigation and our proposed remedial action will be included within the response.

Details of all complaints will be kept on the complaint file and used to assist staff training and annual performance appraisals.

If you are still unhappy with the response you receive from the department manager you may request that the Customer Services Director reviews your complaint and the way in which it was dealt with. The Director will ensure that your complaint has been dealt with fairly in line with our policies and procedures.

You will receive a further written response from the Customer Services Director within 14 working days of your appeal being received, although our target is 7 days.

13 APPEAL PROCEDURES

Procedures for the Conduct of Appeals

Notes on the Procedures for the Conduct of Appeals established under the Regulations relating to Academic Appeals.

Introduction

1. The Regulations relating to Academic Appeals define the circumstances under which a delegate may appeal against a recommended grade for any examination result.

2. It is the responsibility of a delegate to notify their Nominated Tutor at the earliest opportunity if there are any extenuating circumstances which might have a bearing on their examination performance, so that, wherever possible, this may be brought to the attention of the Board of Examiners at the appropriate time. It is also the delegate's responsibility to check his or her examination results.

3. A delegate wishing to appeal must make a written application to the Centre Contact in which they are registered. Please use the Centre appeals form. If an application is received within the specified time limits (i.e. within 14 days) but is insufficiently detailed to enable the Centre Contact to form a judgment, the delegate should be asked to provide the necessary additional information.

4. If after consulting with the Nominated Tutor, the Centre Contact is satisfied that no prima facie case is established, the delegate should be notified in writing of that decision.

Procedure for an Academic Appeals Committee

5. If the Centre Contact decides to establish an Appeals Committee, the delegate must first be given notice in writing of that decision and invited to opt either for the appeal to be dealt with:

(a) on written submissions, or;

(b) at an oral hearing.

Committee Procedure

6. Where the appeal is to be dealt with on written submissions, the delegate will be required to submit these by a specified date. Comments made by the Centre Contact should be supplied to the delegate, with an invitation to submit any response to those comments by a specified date.

7. Where there is to be an oral hearing, the delegate should be informed of the date, time and place of the hearing. They should be asked to confirm in writing not later than three days in advance of the hearing whether a friend or adviser will be present and, if so, to provide the name and status of that friend or adviser and an indication of whether or not they are legally qualified. The delegate should also notify the Centre Contact at least 3 days beforehand of the names of any witnesses they may wish to call. The Centre Contact should inform the delegate of the membership of the Committee (if applicable) in advance of the hearing. If the delegate objects to any member, the reasons for that objection should be provided in writing to the Centre Contact. The Chairman of the Committee will then determine whether or not that member should be excluded from consideration of the case. If the delegate objects to the Chairman, the Centre Contact should be informed in writing and the members shall determine whether the delegate's objection should be upheld.

8. The conduct of the hearing is governed by Regulation 8. If the delegate fails to attend the hearing, the Committee may, if it is satisfied that due notice had been given, proceed in the delegate's absence on the basis of the material available to it, or may adjourn to a later date.

9. After the meeting of the Academic Appeals Committee, the Centre Contact will notify the delegate in writing of the decision.

Recourse to Delegate Complaints Procedure

10. Where an academic appeal has not been resolved to a delegate's satisfaction, there is an opportunity to make application for a review under the Delegate Complaints Procedure.