



FINANCIAL SUPERVISORS ACADEMY

FSA Equal Opportunities Policy and Procedures



Financial Supervisors Academy

17th February 2020



Contents

1. Purpose.....	3
2. Scope.....	3
3. Definitions.....	3
4. FSA Equal Opportunities Policy	3
5. FSA Equal Opportunities Procedure	4
6. Other matters.....	6

FSA Equal Opportunities Policy and Procedures

1. Purpose

The Financial Supervisors Academy is committed to a policy of equal opportunities in all aspects of employment and delivery of training. This policy applies to all Financial Supervisors Academy employees, trainers and participants, and all staff has an obligation to respect and act in accordance with it.

2. Scope

This document gives an overview of the Academy's practices ensuring that its employees, the MFSA staff, trainers and participants are able to participate in any training event irrespective of any age, race, gender, disability or background.

3. Definitions

Equal opportunities refers to the prohibition of discrimination against age, race, gender, disability or background of any Academy staff, MFSA employees, trainers and participants. This also requires the Financial Supervisors Academy to take action and overcome barriers to ensure equal opportunities for all.

Discrimination may take the form of direct discrimination, in which a person is treated less favourably than another person in a comparable situation and indirect discrimination where an apparently neutral provision (criterion or practice) would put a person at a particular disadvantage compared with other persons (unless this is objectively justified by means of a legitimate aim, which is appropriate and necessary).

The Financial Supervisors Academy affirms that both forms of discrimination are not acceptable in its practices and procedures and any forms of discrimination will not be tolerated.

Types of discrimination can be directed towards a person's age, disability, ethnic or national origin, race, socio-economic background, gender, pregnancy and maternity, political or religious beliefs or family circumstances including marriage and civil partnership, sex or sexual orientation.

Equality Representative is responsible for acting as point of contact with employees in relation to equality and/or harassment matters. In addition, the Equality Representative will be responsible for the review of policies and measures introduced within the Academy, and to identify any possible implications these might hold from an equality perspective.

The Equality Representative is responsible for ensuring the employees are aware of the equality principles and initiatives undertaken within the Academy.

4. FSA Equal Opportunities Policy

A complaint will be accepted if submitted within four weeks from the date of the incident. Following such period, the basis for the complaint shall normally be deemed to have elapsed.

The Financial Supervisors Academy is committed to ensure an environment free from discrimination and intolerance in all forms and one in which everyone is treated with dignity and respect. The Financial Supervisors Academy is a multi-cultural community that values and promotes equality and diversity.

We are demonstrating our commitment by ensuring an inclusive and accessible environment for all while embedding equality and diversity practices in the Academy.

We aim to ensure a positive working and learning environment where all members of the Academy community treat one another with mutual respect and dignity. The role of the Equality Representative is to ensure that the policies and procedures of the Academy reflect this commitment.

Discrimination may take the form of direct discrimination, in which a person is treated less favourably than another person in a comparable situation and indirect discrimination where an apparently neutral provision (criterion or practice) would put a person at a particular disadvantage compared with other persons (unless this is objectively justified by means of a legitimate aim, which is appropriate and necessary). The Academy affirms that both forms of discrimination are not acceptable in its practices and procedures.

- The Head of the Financial Supervisors Academy, in the capacity of Equality Representative, has a general responsibility for ensuring that all the Academy's policies and procedures conform within the policy on equal opportunities.
- In addition, the Owner of the Academy has a specific responsibility for ensuring that decisions affecting individuals are taken on non-discriminatory grounds and ensuring that this policy statement is disseminated to all levels throughout the Academy.
- Operating methods and selection criteria in internal and external call for applications will be regularly reviewed and monitored to ensure that individuals are selected, trained, promoted and treated on the basis of individual merit and ability.
- Employees in the same class of employment are entitled to the same rate of remuneration for work of equal value.
- Participants/staff must be treated equally on the basis of their merits and eligible criteria, regardless of age, race, gender, disability or background.
- The Financial Supervisors Academy is committed to support all groups to achieve the most they are capable of as MFSA staff or participants.
- The Financial Supervisors Academy is also committed to comply with all laws, regulations and directives on equal opportunities and these shall prevail whenever they conflict with any provisions of this Policy.

5. FSA Equal Opportunities Procedure

5.1. Confidentiality

Confidentiality will be maintained throughout any investigation to the greatest extent possible, consistent with the requirements of a fair investigation.

All individuals involved in the procedure are expected to maintain the utmost confidentiality on the subject. However, the Academy will of course be obliged to disclose the details of any complaint to such persons and to such extent as is necessary to properly and fairly investigate the complaint.

5.2. Discrimination Complaints Procedure

i. Submitting a Complaint:

A signed, written Discrimination Complaint Form (Annex 1 contained herein) must be filed within 180 days of the alleged discriminatory act.

The Equality Representative will investigate all complaints reported to the office of the Equality Representative. The individual against whom the complaint is made will be notified of the complaint by the Equality Representative.

ii. Investigation of Complaint

The Equality Representative will investigate the complaint, which may include the following:

- Interview the aggrieved person (complainant).
- Interview the accused individual (respondent).
- Interview witnesses.
- Take statements from the complainant, respondent, and witnesses.
- Review documents provided by the complainant, respondent, witnesses, or the function.
- The Equality Representative will make findings of fact and determine if those facts support a charge of discrimination.
- Finally, if the findings support the charge of discrimination, the Equality Representative will consult with the Owner of the Academy to determine the appropriate response and action.
- Subsequently, the findings, along with a statement detailing the basis for them, will be submitted by the Equality Representative to the Owner of the Academy.
- The complainant and the accused will receive a copy of the findings.
- Where discrimination has been substantiated or disciplinary action resulted, the records will be placed on the personnel file of the accused.
- Where discrimination has not been found, the records will be held centrally by the Director of Studies.

No one will not be disadvantaged as a result of lodging a discrimination complaint.

iii. Disciplinary Action

A decision may be taken to impose one or more of the following disciplinary actions:

- Verbal warning
- Written warning
- Unpaid absence from work
- Corrective Actions/Counselling
- Disciplinary meeting with appropriate supervisor or manager
- Detraction of benefits
- Indefinite suspension or demotion
- Dismissal/termination

iv. Appealing the Decision

The accused may appeal the decision in writing to the Equality Representative within fifteen (15) days of the date of the decision.

5.3. Incidents involving Senior Management

In the event that any member of Senior Management is the subject of the complaint the Owner of the Academy should be contacted directly. Where the Owner of the Academy is the subject of complaint formal complaints should be made directly to the MFSA CEO.

6. Other matters

The Equality Opportunities Policy for the Financial Supervisors Academy will be reviewed and updated on an annual basis to take into account any changes to the policies and procedures or any legislative changes.

Annex 1 - Discrimination Complaint Form

Date: _____

Complainant's Name _____

Complainant's Office/Department _____

Complainant's Contact Information

Address:

Phone number(s): Home: _____ Work: _____

Mobile number: _____

E-Mail address: _____

Period of Unfair Treatment: _____

Tell us how you believe you have been treated unfairly. Please state below the basis on which you believe these unfair actions were taken. For additional space to respond, you may use page 2 or the back of this form. If you or someone you know believes he/she has been discriminated against, please contact the Equity Representative.

Harassment: _____

Race: _____

Colour: _____

National Origin: _____

Sexual Misconduct: _____

Age: _____

Disability: _____

Employment: _____

Other: _____

