

Equality and Inclusion Policy

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1 Policy Statement

1.1 The University is committed to maintaining and supporting a culture of equality of opportunity for all. Therefore, in support of this ideal, this policy does not actively identify individual groups. The University will maintain and further develop policies practices and guidelines that support a working and learning environment free from unfair or unlawful discrimination, for all its staff, students and associates.

1.2 The University community values the following:

- mutual respect and sensitivity;
- equality of access to the organisation, with equality of esteem and equality of opportunity within the organisation;
- continuous improvement of individuals stemming from a culture of ongoing review, development and enhancement;
- satisfaction of individual needs via supportive and flexible working/learning environments;
- encouragement of diversity of views, perspectives, values and issues, but opposition to and eradication of prejudice, unfair barriers and discrimination;
- transparency, equity, responsiveness and accuracy of procedure and process.

1.3 The University will meet the legal obligations under the Equality Act 2010 (see Appendix 1).

2 Responsibility

2.1 The Vice-Chancellor and Board of Governors have ultimate responsibility for the effective development and implementation of the University's Equality and Inclusion Policy, related policies and procedures, and for ensuring compliance with relevant legislation.

2.2 The formulation of policies and procedures will be the responsibility of the University Secretary and Executive Director of Legal Services, through the Equality and Inclusion Committee as appropriate, reporting to the University Executive Team.

2.3 The Executive Director of Human Resources (staff) and the Director of Student and Library Services (students) will have responsibility for co-ordinating the implementation, operation and monitoring of all appropriate policies/procedures across the University.

- 2.4 Deans of Schools and Directors of Departments will be responsible for the implementation of policies within their School/Department.
- 2.5 All members of staff and students are required to comply with the University's policies and procedures, and with relevant legal requirements. Any incidents identified as unjustifiable or unlawful discrimination (see Appendix 2) will normally lead to staff or student grievance or disciplinary.
- 2.6 It is the responsibility of the University to ensure that any individual associated with the University is made aware of all University policies, procedures and practices.

3 Implementation, Monitoring and Review

- 3.1 The commitment to acceptance of opportunity and to equality and diversity is a continuing process involving the implementation and review of policies and procedures to promote good practice, identifying and communicating those areas of good practice and setting objectives to ensure consistent implementation and continual improvement.
- 3.2 The University will ensure that staff, students and prospective staff/students are informed of the Equality and Inclusion Policy and associated policies and procedures.
- For staff and students, a copy of the Policy is included on the University website. For students, reference to the Policy will be made in the Student Charter and the Student Handbook. Attention will also be drawn to the Policy, and related policies, at all staff and student Induction Sessions.
- 3.3 The University will provide appropriate Equality and Inclusion Awareness training for all staff dependant on their job role. This training is mandatory. Appropriate training will also be provided for Elected Student Representatives and as part of the staff Recruitment and Selection training.
- 3.4 The monitoring processes will be regularly reviewed and used to inform the planning and decision making processes to:
- identify and promote good practice;
 - identify any issues or barriers to promoting equality of opportunity and inclusion.

- identify action to be taken to address disparities.
- formulate equality objectives.

The University will monitor a wide range of its activities providing statistical analysis, for assessment at the Equality and Inclusion Committee. These will include:

Staff:

Current staff diversity
 Recruitment and selection
 Promotion
 Staff development
 Staff seeking programmes of academic study
 Turnover
 Appropriateness of supportive infrastructure
 Level and resolution of all unfair or unlawful discrimination issues

Students:

Current student diversity
 Assessment
 Admissions
 Progression and level of achievement
 Retention and withdrawals
 Appropriateness of supportive infrastructure
 Level and resolution of all unfair or unlawful discrimination issues

3.5 The Executive Director of Human Resources (for staff), and Director of Student and Library Services (for students), will submit annual reports to the Equality and Inclusion Committee and the University Executive Team identifying achievements and areas of good practice across the University. This will include:

- details of methodologies for consulting on, assessing and monitoring, current and new functions and policies;
- a summary of the outcomes of such consultation, assessment and monitoring;
- clarification of the available options for future improvement;
- confirmation of the options chosen by the University;
- reviewing and updating equality objectives.

This will be published on the University Website (with provision in alternative format to students, staff and other interested parties).

3.6 This Policy and related policies and procedures will be reviewed at least every three years, but will be subject to continuous monitoring.

4. Associated Policies and Procedures

4.1 For staff: Bullying and Harassment Policy, Disciplinary Policy and Procedure, Grievance Procedure, Occupational Health Referral Guidance, Guidance for Providing Staff with Reasonable Adjustments, and Promoting a Mutually Respectful University Community document.

4.2 For students: Student Complaint Procedure and Promoting a Mutually Respectful University Community document.

The Equality Act 2010

The Equality Act came into force on 1st October 2010 and replaced previous anti-discrimination legislation including:

- the Equal Pay Act 1970;
- the Sex Discrimination Act 1975;
- the Race Relations Act 1976;
- the Disability Discrimination Act 1995;
- the Equality Act 2006, part 2
- the Employment Equality (Religion or Belief) Regulations 2003;
- the Employment Equality (Sexual Orientation) Regulations 2003;
- the Employment Equality (Age) Regulations 2006;
- the Equality Act (Sexual Orientation) Regulations 2007).

The Equality Act aims to harmonise the various discrimination strands which developed under previous legislation and defines direct discrimination as less favourable treatment because of a protected characteristic.

The protected characteristics under the Act are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Race
- Religion or Belief
- Sex
- Sexual orientation

Indirect discrimination against individuals because they have a relevant protected characteristic is also covered, although pregnancy and maternity does not come under the indirect discrimination provisions in the Equality Act 2010.

The Equality Act includes a Public Sector Equality Duty consisting of a General Duty and Specific Duties. The General Duty has three aims:

1. To eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
2. To advance equality of opportunity between people from different groups.
3. To foster good relations between people from different groups.

There are also three specific duties involving:

- publication of information
- equality objectives
- manner of publication.

Types of Unlawful Discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the Government and Acas) pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare his/her treatment with someone who has not made or supported a complaint under the Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behaviour could amount to victimisation.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.