



## Equality and Diversity Policy

Effective from:	December 2018
Review date:	December 2020
Status:	Non Contractual (consultation)
Policy owner:	Human Resources

## Contents

1.	Introduction .....	3
2.	Scope of this Policy.....	3
3.	Purpose of this Policy .....	3
4.	Legislation.....	3
5.	Policy Statement .....	3
6.	Programme of Action .....	4
7.	Responsibilities for the policy .....	5
8.	Communication.....	6
9.	Breach of the policy .....	6
	Appendix 1 – Definitions of discrimination .....	7
	Record of policy/procedure changes/update .....	9

## 1. Introduction

The University of Gloucestershire is committed to being a community in which equality of opportunity is a reality for all applicants, students; staff, full and part time, prospective staff and the governing body. It is developing an inclusive culture, free from discrimination, harassment and victimisation.

## 2. Scope of this Policy

This policy applies to all staff, job applicants, applicants, students and the governing body. Contractors and suppliers undertaking work on behalf of the University, individuals with honorary status are also required to act in accordance with this policy.

## 3. Purpose of this Policy

The key purpose of this policy is to clearly set out the University's commitment to equality and diversity, and how it aims to achieve these commitments in line with its values and strategic goals.

## 4. Legislation

This policy is set within the following legislation:

- Equality Act 2010
- Enterprise and Regulatory Reform Act 2013
- Racial and Religious Hatred Act 2006
- Part time workers (Prevention of Less Favourable Treatment) Regulations 2000
- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2000
- Race Relations (Amendment) Act 2000
- Protection from Harassment Act 1997
- Employment Rights Act 1996 (sections relating to maternity and dependent carer leave).
- Trade Union and Labour Relations (Consolidation) Act, 1992
- Rehabilitation of Offenders Act, 1974

A set of definitions used in this policy, associated with the legislation is set out in [Appendix 1](#).

## 5. Policy Statement

The University is committed to advancing equality and valuing diversity in all of its practices. It is developing a culture that actively respects and values differences, recognising that staff and students from different backgrounds, cultures and experiences bring valuable insight to the

University; that actively combats prejudice, discrimination and harassment by raising awareness and challenging attitudes. It continues to create fair and open policies and processes that encourage and facilitate staff and students to develop and progress, achieving their true potential.

In line with the Equality Act 2010, it will not discriminate unlawfully on the basis of sex, pregnancy and maternity, gender reassignment, age, disability, marriage and civil partnership, religion or belief, race and sexual orientation. These are referred to as the nine protected characteristics. Beyond the legislation, the University also recognises gender identity and socio-economic background.

The University will, in carrying out its activities, have due regard to:

- a) Eliminate unlawful discrimination, harassment and victimisation;
- b) Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- c) Foster good relations between people who share a protected characteristic and those who do not.

The University endorses the legal right of academic freedom as set out in the 1988 Education Reform Act, “to question and test received wisdom and put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or the privileges they may have”. However, academic freedom is never unlimited. The general laws of society, including those concerning obscenity, pornography and libel apply to academic discourse and publication.

## 6. Programme of Action

To achieve the commitments set out in this policy, the University has put in place a governance framework, a set of [Equality Objectives and an Equality Action Plan](#) that will be monitored on an annual basis. The following actions are included within the Plan:

- i) Work towards achieving a workforce that reflects both the student body and the diversity of local and national communities, taking positive action as appropriate;
- ii) Seek to increase levels of participation in the University community of those staff and students that are currently under-represented through appropriate positive action activities;
- iii) Monitor, analyse and report on staff and student data to senior managers and trade unions on an annual basis to inform University equality priorities;
- iv) Embed the process of equality impact assessments into institution wide projects and policy reviews;
- v) Support staff to meet their equality and diversity responsibilities through learning and development programmes and initiatives;

- vi) Monitor all stages of the employment process from selection, re-grading, incremental progression, promotion, training and development and take action to address any identified or potential inequality and under representation;
- vii) Monitor all stages of the student cycle – admissions, retention, progression and destination- and take action to address any identified or potential inequality and under representation;
- viii) Undertake an Equal Pay Review every two years, and comply with legal requirements in relation to gender pay;
- ix) Work in partnership with the Students' Union to identify and address issues specific to the student body;
- x) Monitor the impact of this policy on an annual basis via its [Equality Objectives and Equality Action Plan](#) and publish both in a timely and accessible format, whilst observing data protection; and
- xi) Review the policy at least every two years, or in line with legislative changes and experience of its application in practice.

## **7. Responsibilities for the policy**

The Vice Chancellor is responsible for the review and implementation of this policy. In doing so the Vice Chancellor entrusts the Pro Vice Chancellor and the Equality and Diversity Committee to advise and make recommendations on matters relating to the advancement and monitoring of equality and diversity, ensuring compliance with the Equality Act 2010 and good practice.

Those with line management responsibility are responsible for:

- i) Ensuring that policies and procedures relating to staff are carried out in accordance with the statutory duties to eliminate all forms of discrimination and harassment and advance equality.
- ii) Responding proactively and positively to any complaints of discrimination, harassment or inequality.
- iii) Fostering a culture in which equality and diversity considerations are embedded into their work areas;
- iv) Supporting, implementing and behaving in accordance with this policy;
- v) Ensuring staff and students (where appropriate) are encouraged and empowered to reach their full potential irrespective of background or protected characteristic.
- vi) Ensuring reasonable adjustments are made available for staff and students, in accordance with the requirements of the legislation.

Members of staff are responsible for:

- i) Supporting, implementing and behaving in accordance with this policy.
- ii) Using their role to advance equality of opportunity and challenge discrimination.

- iii) Contributing to the development of an inclusive environment that values and celebrates diversity.

Students are responsible for;

- i) Supporting, implementing and behaving in accordance with this policy.
- ii) Engaging with initiatives and activities which support equality, diversity and challenge discrimination.
- iii) Raising complaints of discrimination, harassment or inequality through the University's prescribed mechanisms (see [9. Breach of the policy](#))

## 8. Communication

This policy is available to all employees and students and members of the public via the University's website, and it is included as part of the induction for new staff. It is referenced in the University's on-line Equality and Diversity training module, mandatory for all new staff, and located on the University's HR Staffnet site. It is also communicated at School and Departmental team meetings.

It is referenced in the [Student Charter](#) and is located online with the student related policies and procedures. The policy will be made accessible to contractors, suppliers and agency staff, who will be expected to comply with it.

## 9. Breach of the policy

The University will take seriously any breach of this policy. All instances will be investigated and, where appropriate, may be considered under the relevant disciplinary policy and procedure for staff and students.

Staff who believe there has been a breach of this policy should raise their concern through the line management structure appropriate to them, where it can be explored. Alternatively, they may prefer to get advice from a Dignity Adviser or their Trade Union Representative.

Students who believe there has been a breach of this policy can get advice from a Dignity Adviser, their local Helpzone or the Students' Union. Alternatively, they can raise a concern through "[Students Complaints](#)".

## Appendix 1 – Definitions of discrimination

### Definitions outlined in the Equality Act 2010:

#### **Direct discrimination:**

Less favourable treatment because of a protected characteristic.

#### **Indirect discrimination:**

Applying a provision, criterion or practice equally to everyone within the relevant group including a particular member of staff;

the provision, criterion or practice puts, or would put, people who share that protected characteristic at a particular disadvantage when compared with people who do not have that characteristic;

the provision, criterion or practice puts, or would put, the employee at a disadvantage; and

the employer cannot show that the provision, criterion or practice is a proportionate means of achieving a legitimate aim.

#### **Discrimination by association:**

Treating a person less favourably than someone else because of their association with a person who has a protected characteristic.

#### **Discrimination by perception:**

Treating a person less favourably because you think they have a protected characteristic.

#### **Discrimination arising from disability:**

Treating a disabled person unfavourably because of something connected to their disability unless it is objectively justified.

#### **Harassment:**

3 types of harassment are identified within the Act:

Unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment, or violating a person's dignity;

Unwanted conduct of a sexual nature;

Treating a person less favourably because they have submitted to, or rejected unwanted conduct of a sexual nature or that is related to gender reassignment or sex.

**Victimisation:**

Treating a person badly or victimising them because they have complained about discrimination, helped someone else complain or have done anything to uphold their own or someone else's equality law rights.

**Hate Crime and Hate Incident**

People can be victims of prejudice and hate which impact on their daily lives. Many of these incidents go unreported. Due to the damaging effect on their lives, it is important that all such incidents are reported.

A **hate incident** is “any incident which may or may not constitute a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate”. A **hate crime** is any such incident which constitutes a criminal offence. (Taken from Gloucestershire Police).

Such incidents are targeted at individuals or groups on the basis of their perceived or real ‘difference’ and vulnerability, because of their: disability, gender-identity, race, religion or sexual orientation.

They can happen anywhere: in the street, in the vicinity of the victim’s home, on public transport, social venues, fast-food outlets or against religious buildings.

For more information, or if you wish to report such an incident, you can click on the link below.

<https://www.gloucestershire.police.uk/campaigns/recognise-hate-crime-report-it/>

## Record of policy/procedure changes/update

**Status:** Non-Contractual (consulted)

**Policy Owner:** Human Resources

Effective date	Change/update:	Policy agreed at JNCC:	Policy agreed at RHRC (or equivalent)
Dec 18	Reviewed – no updates required	n/a	n/a
Nov 16	<p>* update *</p> <p>This Policy has been updated in line with legislative changes and cultural changes implemented across the University.</p> <p>Please note the following policies and procedures have been removed:</p> <p>4.1 Equalities policies and codes of practice          4.2 Raising concerns about discrimination          4.4 Equalities Legislative Framework and Principles          13.2 Promotion of Equalities policy</p>	14 Oct 2016	-