

UNIVERSITY OF ROEHAMPTON

EQUALITY AND DIVERSITY POLICY

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EQUALITY AND DIVERSITY POLICY

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EQUALITY AND DIVERSITY POLICY

1. Introduction

- 1.1 This Equality and Diversity Policy (“this Policy”) supports the University’s commitment to eliminating discrimination and promoting diversity and equality of opportunity in its practices, policies and procedures. It sets out provisions encompassing all areas of equality and diversity across the University and provides for the coordination and implementation of the University’s strategic objectives in this area as set out in its Strategic Plan as amended from time to time. The University will continue to develop other policies to support this Policy and specific areas of equality and diversity, as appropriate.¹
- 1.2 This Policy was developed by the Equality and Diversity Committee in consultation with the University’s main stakeholders, including the University and College Lecturers’ Union (UCU) and the GMB Union. This Policy will be reviewed by the said Committee on a regular basis and in any event, not less than every three years.

2. General Commitment

- 2.1 The University is committed to providing a culture and environment in which its students, staff and others referenced at subparagraph 3.2 below, are treated fairly and are not discriminated against without lawful cause, on the basis of race, religion or belief; gender (including gender reassignment); marital/civil partnership status; sex; sexual orientation; disability; age; parental, pregnancy or maternity status; social or economic group (referred to as “protected characteristics” in this Policy).
- 2.2 Victimisation is also prohibited under this Policy, as well as Harassment related to any of the protected characteristics. Discrimination, harassment and victimisation are defined in Appendix B to this Policy.
- 2.3 The University will comply with current and future anti-discrimination legislation as well as associated codes of practice or guidance issued by the Equality and Human Rights Commission and other relevant bodies. This Policy will be amended as appropriate to meet the requirements of any future legislation, codes of practice or guidance.
- 2.4 The University will provide facilities and specialised equipment wherever reasonably practicable, to allow for the equal access by all staff, students and applicants to its employment, education and other services.

3. Application of Policy

- 3.1 This Policy applies to students of the University and to individuals working at all levels and grades within the University, including senior managers, officers, directors, employees, consultants, trainees, part-time and fixed term employees, volunteers, interns, casual workers and agency staff (collectively referred to as staff in this Policy).

- 3.2 The principles of non-discrimination apply to the way in which the University treats applicants, visitors, clients, customers, and suppliers. They also apply to former staff members and former students, where the alleged unlawful discrimination or other behaviour prohibited under this Policy arises out of and is closely connected to a former staff member's or former student's previous relationship with the University.
- 3.3 All staff and students have a duty to act in accordance with this Policy and to treat each other with dignity at all times, and not to discriminate against or harass other members of staff or the student body, regardless of their status. (Please also note the University's [Dignity & Respect Policy](#)).
- 3.4 This Policy does not form part of any employee's contract of employment and may be amended at any time.

4. Responsibilities

- 4.1 The University, its staff and its students are all responsible for promoting and maintaining equality and diversity across the University and in all of its activities.

4.2 The University

The University's governing body, Council, has overall responsibility for ensuring that the University complies with the requirements of anti-discrimination legislation and in particular with the provisions of the Equality Act 2010 (the "Act") and the general duty under the Act. Council, in the exercise of its functions, will have due regard to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;**
- (b) advance equality of opportunity between people from different groups; and**
- (c) foster good relations between people from different groups.**

Council has delegated responsibility to the Vice-Chancellor for the implementation and operation of this Policy.

The Vice-Chancellor shall ensure that the University takes all necessary steps to ensure its compliance with the general duty, anti-discrimination legislation generally, and good practice. Such steps will include:

- removing or minimising disadvantages suffered by staff, students and others on the basis of any of the protected characteristics taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- encouraging persons who share a relevant protected characteristic to participate in activities within the University in which participation by such persons is disproportionately low;
- making all staff and students aware of this Policy;

- providing all staff with equality training appropriate to their needs and areas of responsibility;
- ensuring that this Policy is effectively monitored;
- ensuring that all individuals and companies who act on the University's behalf (including agents and contractors) are informed of this Policy and enjoined to comply with it when conducting business on the University's behalf;
- providing staff and students with an appropriate forum in which to discuss and address diversity and equal opportunity issues;
- endeavouring to reflect its commitment to equality and diversity in its marketing and communication activities.
- ensuring that its practices, policies and procedures do not amount to discrimination, harassment or victimisation as defined at end note 2 of this Policy.

4.3 Staff and Students

Staff and students are expected to support this Policy and to ensure that their behaviour and/or actions do not contravene its provisions.

In particular, staff and students are expected to ensure that the written and spoken language they use (including language used in teaching materials), does not cause unreasonable offence to others. Inappropriate terms or references relating to race, sex, gender, disability, age, sexual orientation, religion or any other protected characteristics should not be used.

For the avoidance of doubt, behaviour/acts that amount to bullying, harassment, discrimination or victimisation of individuals will not be tolerated.

Behaviour or actions that are contrary to the provisions of this Policy are grounds for discipline in accordance with staff or student regulations and may lead to dismissal or expulsion from the University. Any allegations will be taken seriously and dealt with as appropriate under the relevant procedures for complaints or grievances or the procedures for dealing with bullying and harassment.

4.4 The Equality and Diversity Committee

The Equality and Diversity Committee is charged with the responsibility of developing the University's Strategy in relation to diversity and equality matters; ensuring that appropriate policies and procedures are in place with respect to the University's obligations under diversity and equality legislation; monitoring the implementation and effectiveness of this Policy and its related procedures, and to recommending changes where appropriate, particularly in respect of: staff recruitment, development, management and promotion; student recruitment, admissions and retention and the pattern of teaching and learning, and assessment and achievement.

The Committee is responsible for reviewing at least annually, the profile of staff and students and shall report annually to the University Executive Board on the fulfilment of the University's statutory obligations in respect of equality and diversity.

The Committee's membership and terms of reference are on [the University's website](#).

5. The University as an Employer

5.1 The University aims to ensure that all applicants and all members of its staff are treated equally and fairly and do not suffer discrimination because of any of the protected characteristics.

5.2 Recruitment and selection

The University recognises the benefits of a diverse workforce and will take steps to ensure that its employment practices are lawful and in keeping with best practice; that employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit; selection criteria and processes are fair and are not discriminatory on any of the protected grounds.

The University takes appropriate steps to ensure that these objectives are met, including:

- reviewing its job selection criteria regularly to ensure that they are relevant to the job and are not disproportionate;
- ensuring that short listing of applicants is done by more than one person wherever possible;
- avoiding the use of wording in job advertisements that may discourage individuals with a particular protected characteristic from applying;
- advertising vacancies to a diverse labour market; and where relevant, advertising them to particular groups that have been identified as disadvantaged or underrepresented within the University; and
- not asking applicants about their health or disability before a job offer is made. The limited instances in which such questions may be asked, subject always to the approval of the Human Resources department, are set out at end note 3 below.ⁱⁱ

The University will ensure that any recruitment agency it engages is aware of the University's requirement not to discriminate.

5.3 Conditions of Service

The University's terms and conditions of services including those relating to working hours, maternity and other leave arrangements, and performance appraisal systems, will not discriminate against any member of staff on the basis of any of the protected characteristics.

The University aims to provide appropriate facilities and conditions of services that take the specific needs of staff into account.

5.4 Career Development

The University will promote and develop its staff on the basis of merit and without reference to any of the protected characteristics. Positive action measures may however be taken where lawful and in accordance with relevant anti-discrimination legislation in order to encourage members of under-represented groups to apply for job/promotion opportunities.

All employees will have access to training and other career development opportunities which are appropriate to their experience and abilities and commensurate with available resources. Positive action measures may however be taken where lawful, and in accordance with relevant anti-discrimination legislation, to provide special training and support for members of groups which are under-represented within the University's workforce and to encourage such groups to take up training and career opportunities.

Staff training needs will be identified through regular staff appraisals.

5.5 Termination of Employment

The University will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

The University will ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

6. The University as an Education Provider

6.1 Recruitment, Admissions and Selection

All applicants will be given equal consideration during the selection process and will not be discriminated against on the basis of any of the protected characteristics.

All selection processes will be based solely on the applicant's suitability to the course requirements. Candidate selection will be carried out thoroughly and objectively, and entry qualifications for courses will only include those that are necessary and justifiable.

Recruitment practices will not exclude appropriately qualified applicants and efforts will be made to assess the equivalency and to look positively on qualifications from countries outside the UK. Applicants with disabilities will be advised as soon as reasonably possible regarding the reasonable adjustments that can be made for them if they study at the University of Roehampton.

6.2 Teaching, Learning and Assessment

The University seeks to ensure that its teaching, learning and assessment practices and systems are designed to encourage the academic and personal development of its students, are equitable, and take the needs of its diverse student body into account.

6.3 Progression

All students will be treated equally when considered by the Programme Exam Board and the University's Awards & Progression Board for progression and assessment purposes.

6.4 Widening Participation

The University is committed to widening participation in higher education and is engaged in a range of activities with schools and potential students, aimed at encouraging the progression of the latter to University.

7. Procurement and Service Provision

- 7.1 The University recognises that by integrating equality and diversity into its procurement practices, it can further its equality objectives. Consequently, when selecting and evaluating contractors and suppliers, it will consider the extent to which they comply with anti-discrimination legislation including the Equality Act 2010 and its related Codes of Practice.
- 7.2 Contractors or suppliers that are unable to demonstrate compliance with relevant legislation and codes of practice will not be considered for the award of contracts to provide goods or services to the University.
- 7.3 The University's terms and conditions for the supply of goods and services will require contractors and suppliers to comply with equality and diversity legislation and with this Policy. Non-compliance with or breach of these requirements will give rise to a right of termination of contract by the University.
- 7.4 Where appropriate, the University shall monitor and review on a regular basis the extent of contractors' and suppliers' compliance with legislation, codes of practice and with this Policy.

8. Complaints of discrimination

- 8.1 If a student or member of staff considers that they are suffering from unlawful discrimination, harassment or victimisation because they have one or more of the protected characteristics, they may make a complaint which will be dealt with as set out in sub-paragraph 8.2 below.
- 8.2 The University will treat all complaints of breaches of this policy seriously and will take appropriate action where necessary. Complaints may be brought by members of staff, students or other third parties and will be investigated in accordance with the University's grievance, disciplinary and/or complaints procedures. The complainant will be informed of the outcome of the University's investigation.

9. Monitoring and Review

9.1 This Policy will be monitored and reviewed by the Equality and Diversity Committee on a regular basis to judge its effectiveness and to determine whether it is meeting the requirements of anti-discrimination legislation and the University's equality objectives. These procedures will be undertaken in consultation with the University's main stakeholders.

9.2 The University will monitor and record as appropriate (but without requiring individuals to provide information should they not wish to do so):

- the gender and ethnic composition of its staff and students as well as the number of disabled individuals within these groups;
- the gender, ethnicity and disability of all job applicants, short-listed applicants and successful applicants for jobs;
- where it is possible to do so, and where doing so will not cause offence or discomfort to those whom it is intended to protect, the sexual orientation and religion or belief of staff and students;
- the number and outcome of complaints of discrimination made by staff, students and other third parties.
- disciplinary action (if any) taken against members of staff.

9.3 Information obtained will be used to review the effectiveness of the policy and the progress that it is making in helping the University to achieve its equality and diversity objectives. The University will implement any changes that are required.

10. Advice and Support

Advice and support relating to discrimination, harassment and bullying will be available for both staff and students. Sources of staff advice and support will include Human Resources and Working Relationship Advisers. Sources of student advice and support will include the Chaplaincy, Student Welfare Officers and such other student support officers as may be specified under the Dignity and Respect Policy from time to time.

11. Publication of Policy

This Policy is available on the University's website. Alternative formats of this Policy can be provided on request.

Definitions of Discrimination, Harassment and Victimisation

Discrimination

Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics. For example, rejecting an applicant for a staff vacancy on the grounds of their sexual orientation because they would not “fit in with the team” would be direct discrimination.

Indirect discrimination occurs where someone is disadvantaged by an unjustifiable provision, criterion or practice that also puts other people with the same protected characteristics at a particular disadvantage. For example, a requirement to work full- time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

Harassment

There are three types of harassment:

1. Unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant’s dignity (General Harassment).
2. Unwanted conduct of a sexual nature (Sexual Harassment).
3. Treating a person less favourably than another person because they have either submitted to, or did not submit to, sexual harassment or harassment related to sex or gender reassignment (Rejection of or submission to conduct of a sexual nature).

Victimisation

Victimisation occurs where a person treats another less favourably because he or she has asserted their legal rights in line with the Equality Act 2010 or helped someone else to do so.

Notes

i The University has a number of policies, procedures and guidance that support this Policy including; [Disability Policy](#), [Dignity and Respect Policy](#), [Transgender Guidance](#), [Paternity Leave and Time Off for Dependents Policy](#), [Paternity Leave and Pay Policy](#) and the [Maternity Leave and Pay Policy](#).

ii Applicants should only be asked about their health or disability before a job offer is made in limited cases and only with the prior approval of the Human Resources (HR) Department.

These cases include:

1. Where it is necessary to establish whether an applicant can perform an intrinsic part of the job (subject to reasonable adjustments).
2. To establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
3. Where positive action is necessary to recruit a disabled person.
4. Where information is needed for equal opportunities monitoring (which will not form part of the decision-making process).

Questions about past or current pregnancy or future intentions related to pregnancy, or questions about matters related to the protected characteristics should not be asked without the prior approval of HR. In all cases HR will consider whether such issues are relevant and may lawfully be taken into account in the circumstances.

