



Harper Adams
University

Equality and Diversity Policy

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Equality and Diversity Policy

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EQUALITY AND DIVERSITY POLICY

1. Introduction

This Equality and Diversity 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 Vision and 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.

This Policy was developed by the Human Resources Department in consultation with the University's main stakeholders, including the University and College Union (UCU) and the Staff Consultative Group.

2. Policy Statement

The University is committed to promoting a culture and environment in which its students, staff and others referenced at point 3, paragraph 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).

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.

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.

The University will provide facilities and specialised equipment wherever reasonably practicable, to allow for equal access by all staff, students and applicants to its employment, education and other services.

3. Application of Policy

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, visiting lecturers, casual workers and agency staff (collectively referred to as staff in this Policy).

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 the former staff members or former student's previous relationship with the University.

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 separate Harassment and Bullying policies for Staff (contact Human Resources) and Students (contact Student Services)).

4. Responsibilities

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.

The University

The University's governing body, the Board of Governors, 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. The Board, 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.**

The Board has delegated responsibility to the Staffing Committee for matters concerning Employees and the Academic Board for matters concerning Students, for the implementation and operation of this Policy.

The Staffing Committee of the Board of Governors and the Academic Board 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 equal opportunities training appropriate to their needs and areas of responsibility;
- ensuring that this Policy is effectively monitored which will enable the University to examine how our employment policies and processes are working and to identify areas where these appear to be impacting disproportionately on certain groups of staff. Monitoring will be done at a variety of different points in the employment cycle including recruitment, training, promotion, staff surveys, performance management, grievances and dismissals. The purpose of collecting this information is to look for differences between

groups, identify trends over periods of time, to investigate the reasons for these differences and to put suitable actions in place.

- ensuring that all individuals and companies who act on the University's behalf (including Agents and self-employed service providers, and or self-employed contractors) are informed of this Policy and directed 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 equality and diversity 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 in appendix B of this Policy.

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.

The Human Resources Department in conjunction with the Academic Registrar

The HR Department is responsible for developing the Human Resources Strategy, which underpins the University Strategy, in relation to equality and diversity matters; ensuring that appropriate policies and procedures are in place with respect to the University's obligations under equality and diversity 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.

The Academic Registrar's Department is responsible for equality and diversity matters concerning student recruitment, admissions and retention and the pattern of teaching and learning, and assessment and achievement.

Both departments are responsible for reviewing at least annually, the profile of staff and students and shall report annually to the Academic Board on the fulfilment of the University's statutory obligations in respect of equality and diversity.

5. The University as an Employer

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.

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 has a Recruitment Policy which details how we take 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 will be subject to the approval of the Human Resources department.

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

Conditions of Service

The University's terms and conditions of employment 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.

Career Development

The University will promote and develop its staff on the basis of merit and without reference to any of the protected characteristics.

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. Staff training needs will be identified through regular staff appraisals.

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

Recruitment, Admissions and Selection

All applicants will be given equal consideration during the selection process and will not be discriminated against on any of the Protected Grounds.

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.

Policies relating to applicants and students with disabilities are available at <http://www.harper-adams.ac.uk/learner-support/policies.cfm>

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.

Progression

All students will be treated equally when considered by the University's Subject Assessment Board (module grades) and the Course Assessment Board (progression final awards).

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 the University.

7. Procurement and Service Provision

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.

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.

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.

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

If a student or member of staff considers that he or she is suffering from unlawful discrimination, harassment or victimisation because he or she has one or more of the protected characteristics, he or she may make a complaint which will be dealt with as set out in the paragraph below.

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

This Policy will be monitored and reviewed by the Human Resources Department 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.

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.

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 is available from Student Services and Human Resources Departments.

11. Publication of Policy

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

APPENDIX A

Harper Adams University

Equality and Diversity Working Group

Terms of Reference

1. Purpose:

The aim of the Working Group will be to assist Harper Adams University in developing and promoting activity to support an ethos and culture of diversity throughout the whole of the organisation. It is anticipated that the group will meet three times a year.

2. Terms of Reference

1. To monitor and promote the progression of Equality and Diversity at Harper Adams University.
2. To act as a discussion forum on topics relating to equality and diversity, taking input from other groups and networks and providing advice where necessary.
3. To monitor progress on the Single Equality Action Plan 2011 – 2013
4. To report to Senior Management Team in addition to other Committees on equality issues as appropriate
5. To oversee and monitor the Equality Impact Assessment process

3. Role of Representatives

The Equality and Diversity Groups shall comprise of:

Management Representatives:

Chairperson	:	University Secretary
Secretary	:	Human Resources Officer

Staff Representatives:

Members of the E&D Working Group are volunteers and it is hoped that members will be representative of all occupational groups of staff employed by the University. As work of the group progresses, membership may be encouraged from under represented areas.

4. Operation and Administration

Frequency of meetings

Formal meetings will normally be held 3 times per year. Representatives will be required to attend all scheduled meetings. Additional meetings may be convened at the discretion of the Chairman if, in his/her opinion, circumstances so dictate.

The Secretary will be responsible for arranging the date and location of the meeting and for advising all parties at least one month before the date of the meeting.

Agenda

Staff representatives may submit items for inclusion in the agenda, together with any supporting documentation, to the Secretary at least 2 weeks before the date fixed for the meeting.

Items for the agenda may not include issues of an individual or personal nature which should more appropriately be addressed through the line management structure and University policies and procedures.

The finalised agenda will be circulated to representatives at least one week in advance of the date of the meeting.

Minutes of meetings

Minutes of meetings will be distributed to staff representatives normally within a period of 3 working weeks of the meeting. It is intended that the minutes of the meeting be communicated as widely as possible to all members of staff, using normal communication channels.

Confidentiality

In order to maximise the spirit of openness and free exchange of views, all members attending any meeting of the E&D Working Group must undertake not to misuse or divulge any information that is supplied to them on a confidential basis. This obligation will continue after the conclusion, for whatever reason, of their term of office or employment for as long as the information remains confidential. Any breach of this provision would be viewed as a serious disciplinary offence.

EQUALITY AND DIVERSITY WORKING GROUP MEMBERS

Composition	Member
University Secretary (<i>Chair</i>)	Dr Catherine Baxter
Secretary	Jackie Cameron
Academic Representative	Geoff Black
Lay Chaplain	John Fowler
LGBT Society (Chair)	Sarah Icely
Director of Communications	Lorraine Westwood
Human Resources Officer	Kerry Allman
End User Support Manager	Clive Wells
Learner Support Co-ordinator	Jane Hill
International Student Support	Jo Rawlinson
Domestic Services Manager	Michelle Pryce
Business Services Manager	Lisa Chapman
Senior Lecturer	Zorka Besevic

APPENDIX B

Definitions of Discrimination, Harassment and Victimisation

Discrimination resulting in unequal opportunities is unlawful, not acceptable and will not be tolerated.

- a. Direct discrimination
Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below).
- b. Discrimination by association
This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- c. Perception discrimination
This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.
- d. Discrimination arising from disability
This is treating a disabled person unfavourably because of something connected to their disability where there is no objective justification. This only applies if an employer knows or could reasonably have been expected to know that the person is a disabled person.
- e. Indirect discrimination
Indirect discrimination can occur when a condition, rule, policy or practice is applied to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if an employer can show that they acted reasonably in managing their business, i.e. that it is a 'proportionate means of achieving a legitimate aim'.
- f. Harassment
Harassment is described as unacceptable behaviour which can range from violence and bullying to more subtle behaviour such as ignoring an individual at work. It subjects an individual or a group to unwelcome attention, intimidation, humiliation, ridicule or offence.
- g. Victimisation
Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.