

Equality, Diversity and Inclusion Policy

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Manager responsible:	Chief Executive		

About this policy

The Falmouth & Exeter Students' Union (The Students' Union) Equality, Diversity and Inclusion Policy is not contractual but sets out The Students' Union commitment to promote equality of opportunity and to eliminate any unlawful or unfair discrimination and harassment in the workplace.

Scope

This policy applies to all employees, Trustees and members of The Students' Union.

This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. This includes job advertisements, recruitment and selection, training and development, HR policy development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

Introduction

This policy sets out The Students' Union's commitment to promote equality of opportunity and work and to eliminate any unlawful or unfair discrimination and harassment in the workplace. We are committed to providing equality for all irrespective of:

- Age
- Disability
- Gender reassignment
- Marital or civil partner status
- Pregnancy or maternity
- Race
- Colour
- Nationality
- Ethnic or national origin
- Religion or belief
- Sex or sexual orientation

Under the Equality Act (2010) these are known as 'protected characteristics'.

Definitions

Equality

Equality means making sure that everyone is treated fairly and with dignity and respect. It means challenging discrimination and removing barriers, so that everyone has opportunities to achieve their desired outcomes.

Diversity

Diversity is about recognising the benefits of different values, abilities, and perspectives, and celebrating people's differences. This means promoting an environment that welcomes and values diverse backgrounds, thinking, skills and experience.

Inclusion

Inclusion is providing a space where everyone has equal access to opportunities and resources, and where everyone feels valued and accepted. Everyone should be able to contribute and have a voice. This may mean making reasonable adjustments to facilitate participation.

Discrimination

You must not unlawfully discriminate against or harass other people, including current and former staff, job applicants, students, members of the partnership, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with students, suppliers or other work-related contacts), and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.

Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.

Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-harassment and Bullying Policy.

Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment. This includes where someone mistakenly believes that the person victimised has done so.

Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Policy Objectives

The purpose of this policy is to:

- Value diversity and promote equality of opportunity for all.
- Promote respect and encourage good relations within and between groups.

- Aim to meet the different needs of different groups, as appropriate, whilst promoting shared values.
- Promote an inclusive and harmonious place of work where there is mutual respect and where harassment and bullying, intimidation or violence is not tolerated.
- Prevent unlawful discrimination and victimisation.
- Comply with our legal obligations.

The Students' Union will take seriously any breach of this policy.

Policy application

The policy applies to all aspects of staff and student activities within The Students' Union. Everyone is required to promote a culture free from illegal discrimination and all forms of harassment and bullying. Any incidents of discrimination, harassment or bullying will be investigated and may provide grounds for disciplinary action or dismissal.

We will work to ensure that all our students, employees, Trustees and visitors, as well as those who apply or seek to apply to work with us, are treated fairly and are not subjected to discrimination by The Students' Union on the grounds of any of the protected characteristics listed above.

The Board of Trustees has ultimate responsibility for ensuring that this policy is fully implemented. Each Head of Department is accountable for delivering the equality commitments in their areas of responsibility. Trustees and Heads of Department will ensure that:

- Staff and Students are aware of the Equality, Diversity and Inclusion policy and the procedures for making a complaint.
- Equality is taken into consideration in policies, strategies, and procedures to ensure they promote equality and do not unlawfully discriminate.
- Procedures are in place for the fair appointment, promotion and development of staff, free from unjustifiable discrimination.
- Heads of Department and staff are provided with appropriate equality training and development.
- Compliance with the Equality, Diversity and Inclusion Policy is part of the job descriptions of all staff.
- There are sufficient resources in place to implement this policy effectively.

All staff will ensure that:

- They support and implement the Equality, Diversity and Inclusion Policy.
- Their behaviour and/or actions do not amount to discrimination or harassment in any way.

Policy Review and Equality Impact Assessments

This policy will be reviewed annually, or in accordance with any change in legislation.

We will continue to review the effectiveness of this policy to ensure it is achieving its objectives. As part of this process we monitor the composition of job applicants and the benefits and career progression of our staff.

Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the People and Governance Manager.

Breaches of this policy

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination and victimisation may amount to gross misconduct resulting in dismissal.

If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter through our Anti-Bullying & Harassment Policy. If you are uncertain which applies or need advice on how to proceed you should speak to your line manager, another appropriate Head of Department, or HR. Complaints will be treated in confidence and investigated as appropriate.

There must be no victimisation or retaliation against staff who complain about or report discrimination. If you believe you have been victimised for making a complaint or report of discrimination, or have witnessed it happening to someone else in the workplace, you should raise this through our Grievance Procedure.

We encourage the reporting of all types of potential discrimination, as this assists us in ensuring that diversity, equity and inclusion principles are adhered to in the workplace. However, making a false allegation in bad faith, or that you know to be untrue, will be treated as misconduct and dealt with under our Disciplinary Procedure.

Language and Communications

Prejudice and discrimination may arise and be reinforced by our use of language, which may not be neutral and value-free. Words and phrases can be associated with apparently negative attitudes and may unwittingly give offence to people including members of groups that are subject to prejudice, harassment or discrimination.

Everyone is expected to seek to ensure that their written, spoken and electronically transmitted or published material does not contain language or images that may knowingly cause offence to others. Rather than be prescriptive about the use of language, staff are asked to exercise good judgement and be aware of common, or inappropriate, or offensive references in relation to the protected characteristics.

Social Networking

In accordance with The Students' Union Social Media Policy, staff are expected to exercise caution and good judgement when using social media and are not expected to use language or images which may be inflammatory or discriminatory or which may constitute harassment and bullying or victimisation.

Working Conditions

The Students' Union will take account of the needs of the individual members of staff and wherever reasonably practicable, assist with issues such as religious observance and caring for dependants, in line with the relevant policies and legislation.

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

Part-time and fixed-term work

Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

Staff Development

The Students' Union will not discriminate on any grounds in the provision of training and development to assist staff to perform their jobs more effectively. Staff will be provided with, and expected to undertake, appropriate development to enable them to implement the Equality and Diversity Policy. Training and Development will be recorded and monitored.

Termination of Employment

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

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

Recruitment and Selection

Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. When recruiting or promoting, we will aim to take steps to improve the diversity of our workforce and provide equality of opportunity. Selection criteria for all posts will be clearly defined and reflected in the Job Description and Person Specification. Short listing and interviewing processes will be thorough and carried out objectively and without illegal discrimination and always include more than one person. All staff involved in these processes will be appropriately trained in recruitment and selection and be aware of relevant employment legislation. Whenever possible, recruitment panels will include a mix of genders. An Equality and Diversity Monitoring Form will be sent with all application packs.

Information on this form will not be used in the selection process and will only be used for monitoring purposes. In addition, The Students' Union HR will anonymise candidate applications and replace candidate names with A, B, C, D and so on. Our recruitment procedures will be reviewed regularly to ensure that individuals are objectively assessed on the basis of their relevant merits and abilities.

Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. They should include a short policy statement on equal opportunities and the SU's commitment to diversity, equity and inclusion in the workplace and state that a copy of this policy will be made available on request.

Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

Job applicants should not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. This can only be done with approval from HR. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in the Equality and Diversity Monitoring form, which must not be used for selection or decision-making purposes.

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Visas and Immigration.

Forms of Discrimination (Equality Act 2010)

The legal definitions vary, but broadly speaking discrimination can occur either directly or indirectly.

Direct Discrimination occurs when a person is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not “fit in” would be direct discrimination.

Indirect Discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic 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.

Disability discrimination includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Bullying and Harassment Policy.

Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else’s complaint.