

Equality & Diversity Policy

(Implemented November 2019 with
Review Date of November 2021)

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Approved by:	Board of Trustees	Date:	18 November 2019
Implementation date:	November 2019		
Review date:	November 2021		
Manager responsible:	Deputy Chief Executive		

About this policy

The Falmouth & Exeter Students' Union (The Students' Union) Equality and Diversity 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.

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
- Ethnicity
- Gender
- Gender reassignment
- Religion or belief
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity

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

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 manager is accountable for delivering the equality commitments in their areas of responsibility. Trustees and managers will ensure that:

- Staff and Students are aware of the equality and diversity policy and the procedures for making a complaint.
- Equality is taken into consideration, where appropriate, 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.
- Managers and staff are provided with appropriate equality training and development.
- Compliance with the Equality and Diversity 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 and Diversity 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. As other Human Resources policies are due for review we will aim to undertake Equality Impact Assessments as part of our programme for continuous improvement.

Complaints of Discrimination

The Students' Union will take any complaints of discrimination, harassment or victimisation seriously and they will be dealt with in accordance with agreed procedures.

Any student or staff members who believe they have suffered any form of discrimination, harassment or victimisation should report this, in the first instance to their line manager/other appropriate manager, or to the Chief Executive Officer. The Students' Union will make every effort to ensure complaints are dealt with promptly and victimisation of the complainant does not occur.

The right to report instances of discrimination, bullying and harassment or victimisation extends to any staff member or student who witnesses an incident which infringes on the Equality and Diversity Policy even if they are not a direct victim themselves. In the first instance the matter should be reported to an appropriate manager.

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 will use flexitime or flexible working to assist with issues such as religious observance and caring for dependants, in line with the relevant legislation. The Students' Union will make reasonable adjustments to an individual's working environment to enable a disabled employee to carry out their job.

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.

Recruitment and Selection

All appropriate qualified candidates will be given equal consideration during the recruitment process and will not be discriminated against on the grounds of any of the protected characteristics.

An Equal Opportunities 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 Business Partner will anonymise candidate applications and replace candidate names with A, B, C, D and so on.

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.

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.

The Students' Union welcomes applications from suitably qualified disabled people and will make reasonable adjustments to the selection process and to the workplace and working arrangements to accommodate successful disabled candidates.

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 than others would be treated in the same circumstances on the grounds of having a protected characteristic.

Indirect Discrimination occurs when applying a provision, criterion or practice which puts someone from a group with a protected characteristic at a particular disadvantage. In exceptional circumstances this may be justified if it is a 'proportionate means to achieving a legitimate aim' (in other words if there is a sound business reason for doing so). Being proportionate means being fair and reasonable and demonstrating that less discriminatory measures have been considered before decisions were made.

Discrimination by Association is direct discrimination against someone because they associate with another person who possesses a protected characteristic (for example discriminating against someone who may care for a disabled person).

Discrimination linked to a Perceived Characteristic is indirect discrimination against an individual because of a belief they possess a protected characteristic. It applies even if the person does not actually possess that characteristic (for example, discrimination against someone thought to be gay, even though they are not).

Harassment is defined as being 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership.

Employees are entitled to complain of behaviour they find offensive even if it is not directed at them and if they do not belong to the group with the protected characteristic in question. Employees are also protected from harassment because of perception and association and from harassment by third parties.

Victimisation takes place where one 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. This includes making a complaint, taking legal action, or providing evidence related to proceedings. However, an employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Genuine Occupational Requirements (GOR's) Under current legislation, any job may be restricted to a particular characteristic if the characteristic is a genuine occupational requirement (GOR) for the job, or for the context in which the job is carried out.