

## **Equality & Diversity Framework Element 1: Equality & Diversity Policy**

### **1 Introduction**

This Policy is part of the Equality & Diversity Framework which is made up of a number of elements which together encompass all formal policy, procedure and statement documents, including associated forms, relating to Equality & Diversity in Abertay University.

If you would like this document in a different format (e.g. large print, braille) or need any assistance to access or understand the policy/procedure please contact your School/Service designated HR Partner.

This procedure does not form part of any employee's contract of employment and it may be amended at any time. The University may also vary any parts of this procedure, including any time limits, as appropriate in any case. This procedure applies to all employees regardless of length of service.

### **2. Purpose and Scope**

Abertay University benefits from having employees and students from many varied nationalities and cultures. The University confirms its commitment to a policy of equal opportunities in its selection and treatment of students and employees. This policy aims to ensure that all individuals will be treated with dignity and respect and that an environment is achieved where unlawful discrimination is not tolerated.

The University believes that all employees and students have the right to expect, and that it has a responsibility to ensure, that no individual will be disadvantaged as a consequence of their age; disability; gender reassignment, marriage and civil partnership; pregnancy and maternity; race (including colour, nationality and ethnic or national origins); religion or belief; sex; or sexual orientation.

The policy reflects good practice as well as statutory obligations under national legislation. The University will adopt practices required under future legislation.

This policy is intended to assist the University to put this commitment into practice. Compliance with this policy should also ensure that employees and students do not commit unlawful acts of discrimination.

Striving to ensure that the University is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. The University has a separate Dignity at Work Policy (employees) and Dealing with Personal Harassment Policy (students) that further addresses these issues.

### **3. University Commitment**

The University is committed to ensuring that:

This Policy is communicated to all employees and students and that appropriate action is taken in accordance with established procedures against any employee or student who infringes this Policy;

- Fair and open procedures are operated in respect of the recruitment, selection, deployment, training, promotion and dismissal of employees;
- Procedures ensure fair and equitable treatment in relation to the selection, teaching and assessment of students;
- Equality of opportunity is enhanced and good relations fostered between people who share a protected characteristic and those who do not;
- Monitoring of these procedures will be carried out regularly along with monitoring of the
- University's workforce, student population (including course applicants) and job applicants to assess the University's progress in their commitment to promote equality;
- Training and guidance in the implementation of equal opportunities is provided for all relevant employees, particularly those who deal with the recruitment, support and career development of employees or the recruitment, guidance and/or support of students;
- All employees and students have equal access to University facilities wherever possible and steps will be taken to make reasonable adjustments where appropriate to ensure that this can be achieved;
- Language used in University correspondence and literature reflects the spirit of this Policy;
- Breaches of this policy are dealt with through the relevant employee or student University Discipline Procedure. The University takes a strict approach to serious breaches of this policy.
- Equality Impact Assessments will be carried out on all University policies and procedures
- to ensure no detriment to individuals with protected characteristics.

### **4. Equality Act**

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age; disability; gender reassignment, marriage and civil partnership; pregnancy and maternity; race (including colour, nationality and ethnic or national origins); religion or belief; sex; or sexual orientation. These are known as "protected characteristics". Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

It is the responsibility of employees and students to assist the University to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Individuals can be held personally liable as well as, or instead of, the University for any act of unlawful discrimination. Individuals who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees, students or customers/visitors are disciplinary offences and will be dealt with under the relevant

University Discipline Procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice or expulsion from the University, in the case of students.

The University encourages students and employees to share information if they have a disability or become disabled during their time at the University in order that appropriate actions can be undertaken and/or appropriate support can be provided. If an employee experiences difficulties at work due to a disability, they should contact their line manager and/or the School/Service designated HR Partner to discuss any reasonable adjustments (to the work environment, equipment, resources, etc.) that would help overcome or minimise the difficulty. The line manager and/or Human Resources and the employee may wish to consult with the Occupational Health Adviser for advice and guidance.

If a student experiences difficulties during their studies due to a disability, they are encouraged to contact the Disabilities Advisors.

The University will consider such matters carefully and endeavour to make reasonable adjustments where possible. In situations where a particular adjustment is not deemed as reasonable the University will provide an explanation and try to find other potential alternative solution(s) where possible.

It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments may include the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service. Managers should seek guidance from their School/Service designated HR Partner and/or the Occupational Health Advisor, and the Disabilities Adviser for cases relating to students.

## **5. Equal opportunities in employment**

The University will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person Specifications and Job Specifications will be limited to those requirements that are necessary for the effective performance of a job. Candidates for employment or promotion will be assessed objectively against the requirements identified. Consideration will be given to any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where it can be objectively justified.

The University will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

## **6. Monitoring of data**

Equality monitoring is the process we use to collect, store and analyse data about diversity. It is useful to highlight possible inequalities, investigate their underlying causes and remove any unfairness or disadvantage. Monitoring provides the data for the review of policies and for identifying areas requiring improvement and understand the impact of policies and procedures on people with protected characteristics.

The University collects equality monitoring information for a number of reasons broadly related to the Public Sector Equality Duty under the Equality Act 2010.

## **7. Suppliers, contractors and other people not employed by the organisation**

Employees should report any incidents of bullying or harassment by students, customers, suppliers, visitors or others to their line manager, who should notify their Head of School/Service in order to take appropriate action and seek advice from the School/Service designated HR Partner.

Students should refer to the relevant Head of School in the first instance, further guidance can be found in the Dealing with Personal Harassment: Policy and Guidelines – a document for students, and also the Student Complaints Procedure.

The University encourages all employees and students who have other protected characteristics to provide this information so that the University can be aware of the differences within employee and student population so that it can address more fully issues of equality.

## **8. Training**

The University requires all employees to undertake mandatory diversity awareness training, and further training will be provided for those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise. Support will be provided by the School/Service designated HR Partner to enable them to deal more effectively with complaints of bullying and harassment.

The University endeavours to ensure that all employees are given an opportunity to attend training and that accessibility of training provision is considered when offered to employees to ensure that location, time of day of training and types of training are appropriate. Refresher training for all employees will occur regularly. Attendance at such training will be mandatory.

## **9. Concerns/ Grievances**

If an employee believes they have been treated unfairly, then they may wish to raise the issue informally with your line manager in the first instance who will endeavour to resolve matters.

If an employee considers that they may have been unlawfully discriminated against, they may use the University's Grievance Procedure to raise the issue formally. If the complaint involves bullying or harassment, the Bullying and Harassment Guidelines should be referred to.

If a student believes they have been treated unfairly, they may wish to discuss the issue with the person involved informally in the first instance. Alternatively they should seek to discuss the complaint with the relevant Head of School/Service. Additional support can be provided from the Student Association. Students should refer to the Dealing with Personal Harassment: Policy and Guidelines – a document for students.

The University will take any complaint seriously and will seek to resolve any grievance that it upholds. Individuals will not be penalised for raising a grievance, even if the grievance is not upheld, unless the complaint is both untrue and made in bad faith.

## **10. Reviewing the Policy**

This policy will be monitored periodically by the University to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the University will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs

(including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act.

#### Document Information

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#### Version Control Table

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