



Equality and Diversity Policy

Approved by: Board of Governors

Date last approved: December 2014

Review period: 3 years

Date reviewed: Reviewed 2017

Owner: Director of HR

STATEMENT FROM THE VICE CHANCELLOR

Our new Strategic Plans makes it absolutely clear that both equality and diversity are fundamental in our commitment to the extraordinary creativity of our staff and students:

We are committed to equality and widening participation and believe diversity is essential as the foundation of creativity." UCA Strategic Vision 2013-18

In the UK the standards we are required to adhere to are embodied in the 2010 Equality Act. Equally importantly is how these standards are evidenced through the values and behaviours of the University and the individuals of which it is comprised. As well as compliance with these standards we should in my opinion all be exemplars and role models. In terms of everyday actions, this means we should treat others with respect and dignity, and value their contributions because of, and not despite, our differences. I am personally committed to diversity and in this regard the University has the highest expectations of every employee and student alike.

Bashir Makhoul
Vice Chancellor
August 2017

POLICY STATEMENT

The University for the Creative Arts (UCA) recognises that discrimination and victimisation is unacceptable and that it is in the interests of the University, its employees and students to be inclusive. It is the aim of the University to ensure that no student, employee or job applicant receives less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of:-

- Age
- Disability
- Gender / Gender Reassignment
- Marriage / Civil Partnership
- Pregnancy / Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

Our aim is that our University will be truly representative of all sections of society and each employee and student feels respected and able to give their best.

We oppose all forms of unfair discrimination or victimisation. To that end the purpose of this policy is to provide equality and fairness for all.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, learning and development or any other benefit will be on the basis of aptitude, ability and potential. All employees will be helped, encouraged and supported to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

Our staff and students will not discriminate directly or indirectly, or harass customers, clients, other students or other employees because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of the University goods and services.

This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

OUR COMMITMENT

- To create an environment in which individual differences and the contributions of all our staff and students are recognised and valued
- That every employee and student is entitled to a working and studying environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
- That learning, development and progression opportunities are available to all staff
- To promote equality in the workplace which we believe is good management practice
- To review all our employment practices and procedures to ensure fairness.
- That breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings
- That this policy is fully supported by senior management and has been agreed with trade union representatives
- That the policy will be monitored and reviewed annually

RESPONSIBILITY OF BOARD OF GOVERNORS

The Board of Governors of the University holds ultimate responsibility for the implementation of this policy and for meeting the obligations under the Equality Act 2010.

The Board of Governors will consider annually:

- The information published under this policy
- The steps which have been taken to act upon any such information or otherwise to promote equality of opportunity or tackle all forms of discrimination; and
- Any proposals made by the Equality & Diversity Committee through the Leadership Team for the review of this policy

Following such consideration the Board of Governors may:

- Make additional recommendations in relation to any further steps which are considered desirable in view of the University's duties to promote equality of opportunity or tackle all forms of discrimination
- Review and amend this policy

RESPONSIBILITIES OF VICE CHANCELLOR (and Deputy)

- Ensuring that the policy is implemented and that sufficient resources are allocated for that purpose
- Designating the Human Resources Assistant Director of Human Resources to be responsible for facilitating, co-ordinating and monitoring the implementation of this policy on an institution-wide basis
- The Deputy Vice Chancellor, as Chair of the Equality & Diversity Committee, will advise the Leadership Team in relation to specific tasks to be carried out to fulfil the University's duties under the legislation and its commitments under this policy

DIRECTOR OF HUMAN RESOURCES

The Director of Human Resources or nominee will have overall responsibility for reporting compliance with this policy for all potential and actual employees and will institute appropriate monitoring and reporting mechanisms to ensure compliance including through the recruitment, selection, promotion, retirement, resignation and redundancy processes.

The Director of Human Resources will produce reports on employees for Governors and the Leadership Team on trends, compliance and risks associated with the operation of this policy.

ACADEMIC REGISTRAR

The Academic Registrar will have overall responsibility for reporting compliance with this policy for all potential and actual students and will institute appropriate monitoring and reporting mechanisms to ensure compliance.

An analysis of the information and findings in relation to students as a result of the assessment and monitoring referred to above will be considered by the Quality Enhancement Committee (QEC) as part of the annual academic monitoring process. Academic Board will consider a summary report.

The Academic Registrar will produce reports on students for Governors and the Leadership team on trends, compliance and risks associated with the operation of this policy.

RESPONSIBILITIES OF MANAGEMENT

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Vice Chancellor. Executive Deans, Directors /Line Managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. Each manager will ensure that:

- All their staff are aware of the policy and the arrangements, and the reasons for the policy
- Equality and Diversity are discussed as part of Performance Management
- Staff are able to take advantage of L&D opportunities in this area
- Grievances concerning discrimination are dealt with properly, fairly and as quickly as possible
- Proper records are maintained.

Human Resources will be responsible for monitoring the operation of the policy in respect of employees and job applicants, including periodic departmental audits.

RESPONSIBILITIES OF STAFF AND STUDENTS

Responsibility for ensuring that there is no unlawful discrimination rests with all staff and the attitudes of staff are crucial to the successful operation of fair employment practices.

In particular, all members of staff should:

- Understand, promote and embrace diversity as a core competence and undertake Learning and Development in this area if a need is identified
- Comply with the policy and arrangements; not discriminate in their day to day activities or induce others to do so
- Not victimise, harass or intimidate other staff / students or groups who have, or are perceived to have one of the protected characteristics
- Ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic
- Inform their manager if they become aware of any discriminatory practice

RESPONSIBILITIES OF STUDENTS

Students are expected to behave in a considerate manner towards staff, fellow students, and visitors. Students should not victimise, harass or intimidate other staff/students or groups who have, or are perceived to have one of the protected characteristics. If students become aware of any discrimination practice they should report this in accordance with the University Harassment and Bullying Policy.

THE EQUALITY AND DIVERSITY COMMITTEE

The Equality & Diversity Committee is responsible to the Leadership Team for the oversight of the operation of the Equality and Diversity Policy throughout the University's activities in relation to staff, students and visitors. It is responsible for:

- Acting as a forum in which significant equality and diversity opportunities (age, disability, ethnicity, gender, religion or belief, sexual orientation, or any other relevant distinction), implications and issues are discussed
- Promoting awareness of equality and diversity opportunities and practices across the whole University and disseminating information regarding the Equality and Diversity Policy and related issues
- Promoting opportunities and mechanisms which will enable all constituencies within the University to voice their views and concerns, regarding issues relating to equality and diversity opportunities
- Monitoring changes in relevant legislation to ensure compliance and the promotion of best practice within the University
- Monitoring progress towards reaching equality and diversity targets within the University and against the Single Equality Action Plan
- Reviewing reports on the number, type and outcomes of complaints of discrimination and/or harassment made by members of staff and students
- Providing the Leadership Team with an annual overview report on equality and diversity for submission to the Board of Governors
- The Equality & Diversity Committee is responsible for considering the

findings of the reports and for making recommendations for how the University will respond to the information provided in view of its obligations. These recommendations will form the basis of the University's action plan for the promotion of good relations and the elimination of all forms of discrimination.

THIRD PARTIES

Third-party harassment occurs where an employee is harassed, and the harassment is related to a protected characteristic, by third parties such as clients or students. The University will not tolerate such actions against its staff, and the employee concerned should inform their manager / supervisor at once that this has occurred. The University will fully investigate and take all reasonable steps to ensure such harassment does not happen again.

RELATED POLICIES AND ARRANGEMENTS

All employment and student policies and arrangements have a bearing on equality of opportunity. University policies will be reviewed regularly and any discriminatory elements removed.

LEARNING & DEVELOPMENT

Equality information will form part of the staff and student induction programmes. Learning and Development opportunities will be provided to managers on this policy and the associated arrangements. All managers who have an involvement in the recruitment and selection process will receive specialist learning and development as necessary.

MONITORING

- The University deems it appropriate to state its intention not to discriminate and assumes that this will be translated into practice consistently across the organisation as a whole. Accordingly, a monitoring system will be introduced to measure the effectiveness of the policy and arrangements
- The system will aim to involve the routine collection and analysis of information on employees by gender, marital status, ethnic origin, sexual orientation, religion or beliefs, grade and length of service in current grade. Information regarding the number of staff who declare themselves as disabled will also be maintained
- There will also be regular assessments to measure the extent to which recruitment to first appointment, internal promotion and access to learning and development opportunities affect equal opportunities for all groups
- UCA will maintain information on staff who have been involved in cases covered by certain key policies including Disciplinary, Grievance and Bullying and Harassment
- Where appropriate **equality impact assessments** will be carried out on the results of monitoring to ascertain the effect of the University policies and our services may have on those who experience them
- The information collected for monitoring purposes will be treated as confidential and it will not be used for any other purpose

- If monitoring shows that the University, or areas within it, are not representative, or that sections of our workforce are not progressing properly within the University, then an action plan will be developed to address these issues

GRIEVANCES/DISCIPLINE

Employees have a right to pursue a complaint concerning discrimination or victimisation via the University Grievance or Harassment and Bullying Procedures. Discrimination and victimisation will be treated as disciplinary offences and they will be dealt with under the Disciplinary Procedure.

Students have a right to pursue a complaint concerning discrimination or victimisation via the University harassment and Bullying Procedures. Such offences are deemed serious and will be dealt with in accordance with the Rules for Student Conduct and Students complaints Policy.

REVIEW

The effectiveness of this policy and associated arrangements will be reviewed annually under the direct supervision of the Vice Chancellor.

PUBLICATION

A summary of this policy will be available to every student and member of staff of the University via the University's website at www.ucreative.ac.uk.

Appendix A

Definitions (extract from Harassment and Bullying Policy)

Harassment

A legal definition of harassment (as applied to sexual orientation, religion or belief, race, ethnic and national origin): 'Unwanted verbal, non-verbal or physical conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment'. The essential characteristic of harassment is that the action(s) is unwanted by the recipient.

General Harassment

Harassment can take many forms and may be directed in particular against women and ethnic minorities or towards people because of their age, sexual orientation, physical or mental disability or some other characteristic. It may involve action, behaviour, comment or physical contact which is found objectionable or which causes offence; it can result in the recipient feeling threatened, humiliated or patronised and it can create an intimidating environment. It may also be harassment where conduct of this nature, whilst not explicitly about the individual's sex, race or disability, singles them out for this reason. For staff this may include unfair allocation of work or pressure about the speed and/or quality of work in a way that differs from the treatment of other comparable employees. The following are examples of harassment and the list is by no means exhaustive or comprehensive. If you feel you are being harassed or bullied and your experiences do not fit these descriptions, please contact one of the sources of support detailed later in this policy for further help and advice.

Sexual Harassment

Sexual harassment is unwelcome physical, verbal or non-verbal conduct of a sexual nature. It includes demeaning comments about a person's appearance; indecent remarks; questions about a person's sex life; sexual demands by a member of the same sex or opposite sex; and unwelcome physical contact and other conduct of a sexual nature that violates the person's dignity or creates an intimidating, hostile, degrading or humiliating or offensive working environment for them.

Gender dysphoria, transsexuals and those in the process of gender transition can also experience difficulties, for example in the provision of use of facilities and this is now unlawful.

Racial or Sectarian Harassment

Racial or sectarian harassment may take the form of actual or threatened physical abuse or it may involve offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature or offensive remarks about a person's skin colour, dress, physical characteristics, religion or belief. It may also include repeated exclusion of a person from an ethnic or religious minority from conversations and be inflicted through the use of patronising remarks.

Ageism

Remarks about a person's ability to learn, exclusion from social activities and derogatory comments are also forms of harassment. Age legislation makes it unlawful to subject you to harassment or victimise you should you make a complaint of discrimination on the grounds of age.

Disability

Comments made about an individual's disability, whether seen or unseen, may have impact of undermining their confidence and self-esteem. Harassment includes uninvited touching and invasion of personal space, unwelcome discussion about the impact a disability has on an individual's home life, offensive jokes, unnecessary assistance with duties or prejudging of capabilities.

Bullying

Bullying is the intimidation or belittling of someone through the misuse of power or position, which leaves the recipient feeling hurt, upset, vulnerable or helpless. It is often inextricably linked to the areas of harassment described above.

Victimisation

Harassment also covers victimisation, which is defined in law as:

When a person is treated less favourably than another because that person has, for example, asserted rights under any of the discrimination laws or has helped another person to assert such rights or given information to the relevant statutory body, or because it is suspected that the person might do any of these things.