

# **UPSU Policies and Procedures**

## **Equal Opportunities Policy**

September 2018

## Approvals and review details

<b>Approval Route:</b>	Governance and Appointments Committee -> Trustee Board
<b>Last administrative review</b>	September 2018
<b>Manager responsible:</b>	Director of Central Services

## About this policy

The Students' Union Equal Opportunities Policy is not contractual, but is a statement of intent to enable all members and staff to have equal opportunities and to seek to protect the rights and opportunities of members and staff.

## Scope

This policy applies to all UPSU casual and salaried staff, elected officers, volunteers and members of UPSU.

## Policy Statement

UPSU is committed to:

- Creating an environment in which individual differences and the contributions of all our workers are recognised and valued;
- Providing a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated;
- Making training, development and progression opportunities available to all;
- Ensuring that employment within our organisation is open to all and that decisions on recruitment are based on the best candidate for the role;
- Reviewing our employment practices and procedures to ensure fairness;
- Taking action if this policy is breached. Breaches will be regarded as misconduct and could lead to disciplinary proceedings. Serious breaches will be treated as gross misconduct which, depending on the circumstances, could result in dismissal without notice and without any money in lieu of notice; and
- Monitoring and reviewing this policy annually.

This policy has been prepared in accordance with:

- Equality Act 2010
- The Human Rights Act 1998
- Advice on good practice from the Equality and Human Rights Commission

## Purpose

- To support delivery of the Strategic Plan by supporting UPSU's values
- To promote equality and prevent discrimination
- To promote an inclusive culture
- To place a responsibility on staff and elected officers to work within the agreed protocol at all times

## Principles

UPSU seeks to enable all members to have equal opportunities and shall seek to protect the rights and opportunities of its members. UPSU recognises that certain groups and individuals in society are discriminated against and is committed to challenging and removing discrimination and barriers. UPSU will not tolerate prejudice or discriminate against its members or others.

UPSU shall act without discrimination in respect of: Gender, Racial Origin, Nationality, Sexual Orientation, Religious Belief, Political Belief, Disabilities, Age, Marital Status, Spent Criminal Convictions, Health, HIV and AIDS status, Language, Appearance, Class. This list is not exhaustive.

UPSU Board of Trustees has the responsibility for ensuring compliance with relevant legislation and promotion of good practice in Equal Opportunities matters.

## Clarification of Terms

**Direct discrimination** is when someone is treated less favourably than another person because of a protected characteristic. Direct Discrimination is not justifiable. Examples of direct discrimination would be refusing to recruit a woman because she is pregnant; or excluding one staff member from a team training event on account of their disability or race.

**Indirect discrimination** is when you have a condition, rule, criterion, policy or practice that applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim. An example of indirect discrimination would be a manager continually holding team meetings on a Monday, which is a day that a part-time member of the team does not work

**Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic. An example would be not promoting a staff member because they care for a parent who had a stroke. This is discrimination against the staff member because of their association with a disabled person.

**Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception by others that they have a particular protected characteristic. It applies even if the individual does not actually possess that protected characteristic. An example would be if colleague A harasses colleague B because they think colleague B has AIDS, even

though they do not, in fact, have the illness. Colleague A has made assumptions and discriminated against colleague B, based on a perception

**Discrimination arising from disability** is where an individual has been treated unfavourably because of something connected with their disability (so does not have to be the disability itself). An example would be disciplining a staff member for repeated spelling mistakes that are in fact caused by dyslexia, which amount to discrimination arising from disability. This type of discrimination is unlawful where the employer (or a line manager) knows, or could be reasonably expected to know, that the person has a disability

**Harassment** is unwanted conduct related to one of the protected characteristics that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It does not matter whether or not this effect was intended by the person responsible for the conduct. Employees can complain of behaviour that they find offensive even if it is not directed at them and the complainant does not need to possess any of the protected characteristics themselves

**Victimisation** is when an employee is treated badly and subjected to detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, 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. An example would be if a disabled staff member raises a grievance that the line manager is not complying with the duty to make reasonable adjustments and is then systematically excluded from all meetings; such behaviour could amount to victimisation

**Reasonable Adjustments** – The Equality Act also makes it unlawful to fail to make reasonable adjustments, as a result of a disability, to overcome barriers in employment or to using services. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical feature makes it impossible or unreasonably difficult for disabled people to make use of services. In addition employers and employees have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service, for example ensuring documents are available in alternative formats.

## **Access to UPSU Building and Services**

In accordance with the Equality Act, UPSU shall make every effort to ensure that all areas are accessible, regardless of mobility. Wherever necessary and possible, aids will be installed to ensure full access (e.g. Handrails, clear signpost, ramps etc.) Access to racks, counters notice boards etc. shall be reviewed and relocated where applicable.

Any alterations or new developments to Union premises should be made with the requirements of people with diverse needs in mind.

This Union recognises the right of students to take an active role in Union democracy and, as such, will regularly review provisions and actions to ensure that this is possible. Facilities/provisions are to be upgraded/introduced where feasible, to ensure that full participation is possible.

UPSU shall maintain adequate levels of lighting, for the safety of users or visitors to Union premises.

Clear and concise instructions shall be formulated to deal with the emergency evacuation of all members and staff and made clear to all staff'

Services shall be regularly reviewed to ensure that, where possible, they include the needs of all groups of the student population.

This Union recognises that a large number of religious faiths is represented across the campus and will seek to ensure the accessibility to available facilities and opportunities for students who adhere to a recognised faith.

## **Clubs and Societies**

All Clubs and Societies will be encouraged to take up an Equal Opportunities Policy within their Constitution.

The conduct and activities of Clubs and Societies shall be monitored to ensure that they are in keeping with the ethos and provisions of this Policy.

## **Posters and Publications**

All posters and publications displayed or distributed through this Union should include a fair representation of the student body. Care should be taken to avoid stereotypical, sexist, racist, ageist, heterosexist or otherwise discriminatory images or language. Positive images should be used wherever possible.

This Union recognises the role of language in the shaping and definition of attitudes and behaviour. This Union endorses the use of non-discriminatory language in all Union literature, and by both students and staff.

## **Recruitment of staff**

The recruitment of staff will comply with this Equal Opportunity Policy.

UPSU actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates. UPSU selects all candidates for interview based on their qualifications and experience.

All Union job advertisements and recruitment drives shall be aimed at as wide a group of suitable qualified and experienced people as possible and shall include a statement of commitment to Equal opportunities.

HR will ensure that Job Descriptions and Person Specifications do not unjustifiably exclude disabled people or any other protected group. Adverts will not be discriminatory and HR will be involved in all aspects of recruitment to ensure this.

It is UPSU policy to offer casual positions to students when possible. This is acceptable as UPSU is satisfied that PU recruits students in line with Equal Opportunities legislation and best practice. All student jobs must be advertised widely to PU students by HR.

Statistical data will be collected and recorded on the diversity of applicants. See the section on Monitoring below for more information.

No one shall take part in recruitment and selection without attending a training course approved by HR. The interview panel will preferably include members from each gender. In the case of disabled candidates who require reasonable adjustments, these will be taken into account by HR when making arrangements for the interviewing procedure.

### **Monitoring of opportunity**

Equal Opportunity statistics or recruitment and staffing are collated by HR and presented to F&S committee each month. If there are any indications that members of any group have received less favourable treatment than members of others, the situation must be investigated and appropriate action taken.

### **Bullying and Harassment**

UPSU is committed to promoting a working environment where everyone is treated with respect and dignity, where no-one feels threatened or intimidated and where we can all do our work free from harassment and/or bullying.

Further information is available in the Bullying and Harassment Policy available on the website.

### **Training**

All elected officers and staff who have regular contact with students/outside parties, will have equal opportunity training.

### **Complaints**

Any complaints of unfair treatment in accordance with this policy should be referred to the Chief Executive for investigation and appropriate action. An annual report on complaints received should be kept.

Complaints concerning the possible breach shall result in a full investigation in accordance with the UPSU Code of Conduct, with possible disciplinary action.

## **Links with others**

All outside organisations which operate with UPSU should be made aware as to the Union's Equal Opportunities Policy and Code of Practice, and encouraged to act in accordance with them. These are available on the website.

University of Plymouth Students' Union will continue to be active members of the University Equality and Diversity Committee and will campaign to raise awareness on Equal Opportunities issues.

This Union will strive to represent the needs of individuals/groups of students through appropriate channels, to the relevant bodies, to ensure that their needs are met.

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**For further help and advice, please contact the HR Department**

**END OF POLICY**

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