



## **Equality, Diversity and Inclusion Policy (2020)**

### **1 Introduction**

- 1.1 The University is an equal opportunities employer and is committed to promoting equality of opportunity, good relations and respect for diversity in the workplace and on campus generally.
- 1.2 This involves creating and sustaining an inclusive environment that values and celebrates the diversity of our staff and student body, in pursuance of the principle of equality of opportunity which is enshrined in our Charter of 1908.
- 1.3 The University seeks to be a place where all staff and students feel safe and welcome regardless of their identity or background, and to be a place where diverse perspectives are respected.

### **2 Policy Statement**

- 2.1 The University is opposed to all forms of unlawful discrimination and will seek to ensure that all staff and students are treated fairly and with dignity and respect.
- 2.2 The University will provide equality of opportunity and treatment to all, regardless of a person's gender identity/expression (this includes Transgender and Non-Binary people); pregnancy or maternity status; marital or civil partnership status; whether or not they have dependants (including caring responsibilities); religious belief or political opinion; race (including colour, nationality, ethnic or national origins, including Irish Travellers); disability; sexual orientation and age.
- 2.3 The University will ensure that its employment policies and practices do not unreasonably exclude or disadvantage staff, students and any applicants for employment or academic courses.

### **3 Scope of Policy**

- 3.1 This policy applies to:
  - (i) All staff, applicants for employment and anyone who works for the University on a paid or voluntary basis, (including members of Senate and its core committees) and relates to all decisions in respect of recruitment and selection, progression, promotion, access to training and the provision of terms and conditions of employment; and

- (ii) All students and applicants for courses and relates to all decisions in respect of the admission of students and the provision of all services to students including teaching and supervision, assessment, progression and award, and support services.

#### 4 Status of the Policy

- 4.1 This policy forms part of the formal contract of employment for staff and part of the agreement between students and the University as set out in the Student Charter.
- 4.2 All members of the University, staff and students, must abide by this policy and uphold the spirit and essence of it at all times.
- 4.3 All staff and students must treat each other with dignity and respect. They must not commit any acts of unlawful discrimination, bullying and/or harassment against any other person. Such behaviour will not be permitted or condoned.
- 4.4 Breaches of this policy may be regarded as misconduct or gross misconduct and may lead to disciplinary proceedings under relevant procedures.
- 4.5 All visitors and anyone providing services to, or those contracted to work at, the University including sub-contractors, are expected to comply with this policy. Breach of this policy could result in the termination of the contract.

#### 5 Commitment to Policy

- 5.1 The University is committed to:
  - 5.1.1 Fulfilling its legal obligations under employment, equality and human rights legislation and relevant Codes of Practice, taking lawful affirmative and positive action where appropriate;
  - 5.1.2 Fulfilling the commitments as set out in its institutional Equality Scheme and Action Plan and associated action plans;
  - 5.1.3 Actively promoting equality of opportunity, good relations and celebrating cultural diversity, United Nations international days of significance and national celebrations which align with the spirit and ethos of this policy;
  - 5.1.4 In line with guidance from the Equality Commission for Northern Ireland, promoting a  
“good and harmonious environment” – one which is free from any unlawful, discriminatory, hateful or intimidatory material or actions;
  - 5.1.5 Ensuring a zero-tolerance approach to all bullying and harassment, particularly where it arises as a result of any protected characteristic (listed in paragraph 2.2) which includes but is not limited to homophobic, bi-phobic and/or transphobic harassment and to sexual harassment;

- 5.1.6 Ensuring the University estate is, as far as reasonably practicable, accessible to all, and where required, ensuring that reasonable adjustments are implemented to enable staff and students with disabilities and/or long term conditions to not encounter any barriers, physical or otherwise, either on campus or within the workplace.

## 6 Cultural and Linguistic Diversity

- 6.1 The University recognises the existence of a wide variety of international, diverse, cultural and linguistic communities amongst its staff and student body.
- 6.2 The University recognises its responsibilities to promote awareness of and respect for a wide range of cultural communities and regional and minority languages, including, but not limited to, Irish and Ulster Scots.
- 6.3 The position regarding the University's official use of language(s) other than English rests with Senate. It will be reasonable and appropriate to the context in which the University operates – with the guiding principle of seeking to ensure that the University is a welcoming, inclusive and harmonious environment for all students, staff and visitors.
- 6.4 The University will seek to enhance good relations through the promotion of linguistic diversity and celebrate the significance of regional and minority languages through the implementation of its Equality Scheme Action Plan.
- 6.5 To this end, the University will proactively seek opportunities to work with staff, students, Student Union Sabbatical Officers, the Irish Language sector, the UlsterScots Language sector and others to promote the importance of linguistic diversity through outreach events, education, campus and off site activities, and through supporting staff and student access to language courses, networks, information and resources.
- 6.6 The University will continue to promote the range of opportunities for staff and students to learn new languages which are currently available through its Language Centre, which includes, but is not limited to, Irish and Ulster Scots.

## 7 Implementation

- 7.1 Senate has responsibility for approving the policy and for overseeing the arrangements in place to ensure its effective implementation. However, the practical application of this policy rests with all staff.
- 7.2 The Director of Academic and Student Affairs is responsible for ensuring that any student-related issues are effectively addressed through the appropriate procedure.
- 7.3 The People and Culture Director is responsible for ensuring that any staff-related issues are effectively addressed through the appropriate procedure.
- 7.4 In order to implement this policy the University will:

- (i) Communicate it to students, staff (paid or voluntary), applicants for employment, anyone applying to study at the University, and where appropriate, any service providers, persons or organisations such as external examiners, consultants, subcontractors or agencies and visitors;
- (ii) Through the implementation and delivery of its institutional Equality Action Plan, provide staff with access to a wide range of training, information, advice and support, to help promote and raise awareness of equality/diversity issues, engaging with external organisations and other subject matter experts as appropriate;
- (iii) Provide on-line diversity training to students and seek to mainstream a wide range of curricula that reflects the diversity of the student body;
- (iv) Seek to ensure that staff involved in either recruitment and selection, progression and/or promotion exercises receive appropriate training, including, but not limited to, unconscious bias and relevant equality legislation, guidance and Codes of Practice;
- (v) Take appropriate lawful affirmative or positive action to address issues of underrepresentation for specific minority groups, for example, including statements in job advertisements encouraging members of under-represented groups to apply for job opportunities and developing specific outreach activity; and
- (vi) Ensure that adequate resources, both human and financial, are made available to fulfil the objectives of this policy.

## 8 Monitoring

- 8.1 The University is registered with the Equality Commission for Northern Ireland for the purposes of the Fair Employment and Treatment (NI) Order 1998, and monitors the diversity of its student body, workforce and applicants for employment in accordance with its responsibilities under Section 75 of the Northern Ireland Act 1998.
- 8.2 The University maintains appropriate staff and student equality monitoring systems to assist with the effective implementation of this policy and compliance with its reporting responsibilities, both statutory and non-statutory.
- 8.3 Equality monitoring information relating to staff and applicants for employment is monitored by the University's Diversity and Inclusion Unit (People and Culture Directorate).
- 8.4 Equality monitoring information relating to students and applicants for courses is monitored by the University's Planning Office (Directorate of Academic and Student Affairs).
- 8.5 This information is handled in accordance with the University's Data Protection Policy and relevant legislation.

- 8.6 The University will consult with recognised Trade Unions, the Students' Union and the Equality Commission for Northern Ireland with respect to any proposed changes to this policy and have regard to our obligations under Section 75 of the Northern Ireland Act 1998.
- 8.7 The policy will be kept under review to reflect any future changes to the statutory framework in which we operate, including but not limited to, employment, equality and human rights legislation.
- 8.8 This policy has been equality screened for the purposes of complying with Section 75 of the Northern Ireland Act 1998 and a copy of the completed screening document is available online.

## 9 Complaints

- 9.1 Members of staff who believe they have suffered any form of discrimination, bullying, harassment or victimisation can raise the matter through the appropriate procedure.
- 9.2 Relevant procedures are available online, in hard copy or in alternative formats (upon request) from the People and Culture Directorate.
- 9.3 Students who believe they have suffered any form of discrimination, bullying, harassment or victimisation are entitled to raise the matter through the Student Complaints Procedure which is available online, in hard copy or alternative formats upon request from the Directorate of Academic and Student Affairs.
- 9.4 All complaints of discrimination, bullying, harassment or victimisation will be dealt with fairly, promptly and confidentially. If on investigation, it is established that discrimination, bullying, harassment or victimisation has occurred, disciplinary action will result and may warrant dismissal/expulsion.
- 9.5 Every effort will be made to ensure that any person accused of discrimination, bullying, harassment or victimisation will be dealt with fairly, promptly and confidentially.
- 9.6 Every effort will be made to ensure that any person making a complaint will not be victimised.

**Approved by Senate: 7 April 2020**

**Appendix A**

**Glossary of Terms**

## **Biphobia**

The fear or dislike of someone who identifies as bisexual based on prejudice or negative attitudes, beliefs or views about bisexual people.

## **Discrimination**

The anti-discrimination laws prohibit the following forms of discrimination:

- Direct discrimination;
- Indirect Discrimination;
- Disability Discrimination;
- Victimisation; and
- Harassment.

Brief descriptions of these above terms follow:

### **Direct discrimination**

This generally occurs where a person is treated less favourably than another person, in the same or similar circumstances, on one or more of the statutory non-discrimination grounds.

### **Indirect discrimination**

Indirect discrimination generally occurs where an employer applies to all persons a particular provision, criterion or practice, but which is one that has the effect of placing people who share a particular equality characteristic (e.g. the same sex, or religious belief, or race) at a particular disadvantage compared to other people.

### **Disability discrimination**

Discrimination against disabled people may also occur in two other ways: namely, (a) *disability-related discrimination*, and (b) *failure to comply with a duty to make reasonable adjustments*.

### **Victimisation**

This form of discrimination generally occurs where a person is treated less favourably than another person, in the same or similar circumstances, because the person has or is believed to have previously exercised his/her rights under the anti-discrimination laws, or has assisted another person to do so or intends to do so.

### **Harassment**

Harassment generally occurs where a person is subjected to unwanted conduct that is related to a non-discrimination ground with the purpose, or which has the effect, of violating their dignity or of creating for them an intimidating, hostile, degrading, humiliating or offensive environment.

## **Dependant**

A dependant is the spouse, partner, child or parent of an employee. A dependant could also be someone who lives in the household with the member of staff and is dependent on them, for example, an elderly aunt or grandparent who lives in the household.

## **Equality of opportunity**

The prevention, elimination or regulation of discrimination between people on grounds of characteristics including sex, marital status, age, disability, religious belief, political opinion, dependants, race and sexual orientation.

The promotion of equality of opportunity entails more than the elimination of discrimination. It requires proactive measures to be taken to secure equality of opportunity.

## **Equality Scheme**

A document which outlines a public authority's arrangements for complying with its Section 75 obligations.

## **Gender**

Often expressed in terms of masculinity and femininity, gender is largely culturally determined and is assumed from the sex assigned at birth.

## **Gender expression**

How a person chooses to outwardly express their gender, within the context of societal expectations of gender. A person who does not confirm to societal expectations of gender may not, however, identify as trans.

## **Gender identity**

A person's innate sense of their own gender, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.

## **Homophobia**

The fear or dislike of someone, based on prejudice or negative attitudes, beliefs or views about lesbian, gay or bisexual people. Homophobic bullying may be targeted at people who are, or who are perceived to be, lesbian, gay or bisexual.

## **LGBT**

The acronym for lesbian, gay, bisexual and trans.

## **Northern Ireland Act 1998 ("Section 75")**

The Northern Ireland Act, implementing the Good Friday Agreement, received Royal Assent on 19 November 1998. Section 75 of the Act created the statutory equality duties.

## **Non-binary**

An umbrella term for people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

## **Regional or Minority Languages**

Languages traditionally used within a given territory of a state by nationals of that state who form a group numerically smaller than the rest of the state's population; they are different from the official language(s) of that state, and they include neither dialects of the official language(s) of the state nor the languages of migrants.

### **Section 75 of the Northern Ireland Act 1998**

Section 75 of the Northern Ireland Act 1998 states that each public authority is required, in carrying out its functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity between:-

- persons of different religious belief, political opinion, racial group, age, marital status and sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependants and persons without.

### **Sex**

Assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions. Sometimes the terms 'sex' and 'gender' are interchanged to mean 'male' or 'female'.

### **Trans**

An umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth.

### **Transphobia**

The fear or dislike of someone based on the fact they are trans, including the denial/refusal to accept their gender identity.