

## Equality and Diversity Policy and its implementation

### 1. SCOPE AND PURPOSE

- 1.1** Bournemouth University (BU) aims to create a work and study environment for students, staff and visitors to BU where different values and beliefs can be freely expressed and openly discussed and will do what it can to encourage open and respectful debate around equality and diversity issues.
- 1.2** As a central part of BU2018 the university strives to uphold the following Equality and Diversity values and encourage them in others:
- Valuing ourselves as individuals and valuing diversity itself
  - Welcoming opportunities to learn from other cultures and societies
  - Increasing diversity, equality, inclusivity and internationalisation
- 1.3** This policy has been created in response to the Equality Act (2010) and earlier equality legislation to which the University is required to respond as a public sector body.
- 1.4** The University is strongly committed to eliminating unlawful discrimination in any form under the Equality Act (2010). It is also focussed on advancing equality of opportunity and promoting good relations between all students, staff and visitors to BU.
- 1.5** BU will not tolerate unfair or unlawful treatment on grounds of the following characteristics:
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership
  - Pregnancy and maternity (including Paternity)
  - Race (colour, ethnic or national background)
  - Religion or Belief (including lack of belief)
  - Sex
  - Sexual orientation

In addition to the above this policy also covers:

- Trade union membership activity
- Political belief

**1.6** This policy and its appendices apply to all staff, students and visitors to BU. Any person found to be in breach of this policy will be subject to the appropriate disciplinary procedures or sanctions.

## **2. KEY RESPONSIBILITIES**

**2.1** Everyone in the BU community (students, staff, board members, contractors and visitors) has Equality and Diversity responsibilities.

**2.2** The Chief Operating Officer has executive responsibility for Equality and Diversity matters at BU.

**2.3** The Equality and Diversity Steering Group which is led by an Executive Dean has overall responsibility for developing and embedding BU's strategic commitment to Dignity, Diversity and Equality.

**2.4** The Equality and Diversity Adviser has overall responsibility for the daily operation of this policy, as well as ensuring that the university is complying with statutory duties under existing equality legislation and relevant codes of practice.

## **3 DEFINITIONS**

**3.1** For the purpose of this policy BU defines:

- **Dignity** as respecting all individuals who study or work at or visit the university
- **Diversity** as recognising, respecting and valuing people's differences, to enable people to realise their full potential in constructively contributing to BU's inclusive campus culture for all staff, students and members of the community.
- **Equality** as ensuring that every individual has an equal opportunity to make the most of their time whilst studying, working or visiting BU.

## **4 LINKS TO OTHER UNIVERSITY DOCUMENTS**

**4.1** There are a number of policies, procedures and codes of practice that sit alongside this policy including:

- BU Fair Access Agreement
- Dignity and Respect (Harassment) Policy and Procedures
- Data Protection Policy
- Equality Analysis Policy
- Reporting of alleged hate incidents and crimes

**4.2** Specific student and staff policies in relation to each protected characteristic can be found in Appendix 1.

## **5 IMPLEMENTATION, MONITORING AND REVIEW**

- 5.1** Specific implementation and monitoring responsibilities for Equality and Diversity lie with the:
- Finance and Resources Committee
  - Education & Student Experience Committee
  - University Executive Team
  - University Leadership Team
  - Equality and Diversity Steering Group
- 5.2** BU undertakes an equality analysis on all relevant policies and activities as a means of identifying any potential impact.
- 5.3** BU will make reasonable adjustments for students, staff and visitors with disabilities, in accordance with identified needs.
- 5.4** Publication and dissemination of appropriate student, staff and community data relating to equality and diversity matters, alongside identification of relevant actions.
- 5.5** All managers are responsible for:
- setting a good example by treating all members of BU according to the principles outlined in this policy
  - correcting unacceptable behaviour
  - ensuring staff and students know how to report any forms of discrimination, bullying, harassment and victimisation
  - ensuring that staff and students are encouraged and enabled to reach their full potential through promoting an inclusive study and work environment
  - developing a culture in which the principles of this policy are embedded into their work areas
  - identifying appropriate staff development to meet the needs of their respective areas
- 5.6** All BU students, staff and contractors have a responsibility to:
- uphold the principles of this and other relevant Equality and Diversity policies
  - contribute to a safe and inclusive environment that celebrates Equality and Diversity
  - challenge unacceptable behaviour or any discrimination
  - report unacceptable behaviour
- 5.7** All visitors to BU are responsible for upholding the principles of this policy and contributing to a safe and inclusive environment that celebrates Equality and Diversity.

- 5.8 A student or staff member who wishes to make a complaint about discrimination, harassment or victimisation should refer to the [Dignity and Respect \(Harassment\) Policy and Procedures](#).
- 5.9 Members of the community who wish to make a complaint about discrimination, harassment or victimisation should put the complaint in writing to either the Head of Regional Community Partnerships or the Head of Student Services.
- 5.10 A programme of work is set annually and is incorporated in the annual Equality and Diversity report which responds to our legal duties.
- 5.11 A Equality and Diversity report with a supporting video is produced annually. This work outlines how BU has responded to the legislative duties and outlines impact. The report is presented to the University Leadership Team and the Board via its sub-committees.

## 6 EQUALITY CHARTERS AND COMMITMENTS

- 6.1 BU is committed to ensuring best practice and being recognised with the very best organisations and as a result has signed up to a number of [equality charter marks and commitments](#) to further progress its commitment to DDE work. The university is a member of the following charter marks and commitments:
- Athena SWAN
  - Disability Two Ticks
  - Mindful Employer
  - Time to Change

## 7. AWARENESS AND DEVELOPMENT (ACTIVITIES AND EVENTS)

- 7.1 In order to embed the principles of Equality and Diversity, a programme of support activities is available to students, staff and the wider community. This is achieved by marking national Equality and Diversity events and other celebratory activities towards which faculties, professional services and the Students' Union are expected to contribute.
- 7.2 An annual programme of development events is available to all students and staff whether the event is provided by the university or the Students Union (SUBU)

## 8. SUPPORT

### 8.1 Support for staff:

- Line manager or any senior manager within BU
- Human Resources
- Trade unions
- Employee Assistance Programme

- Health and Safety (including the Occupational Health and Wellbeing Adviser)
- The Dignity and Wellbeing Advisers

## **8.2 Support for students and staff:**

- The Equality and Diversity Adviser
- The Multi-Faith Chaplaincy

## **8.3 Support for students:**

- Additional Learning Support
- Programme Leader/Framework Co-ordinator
- Programmes Administrator
- Students Union Advice Centre
- Student Wellbeing Service
- AskBU

## Appendix 1: BU policies and protected characteristics

Protected characteristic <sup>1</sup>	BU policy
<b>Age:</b> Where this is referred to, it refers to a person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 - 30 year olds).	<a href="#">Retirement</a> policy
<b>Disability:</b> A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.	Additional Learning Support guidelines (Students) <a href="#">Health &amp; Wellbeing at BU - A guide for Managers</a>
<b>Gender reassignment:</b> The process of transitioning from one gender to another.	Gender Reassignment Policy (Staff/Students)
<b>Marriage and civil partnership:</b> Marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couples. [1]. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act). [1] Section 1, Marriage (Same Sex Couples) Act 2013, Marriage and Civil Partnership (Scotland) Act 2014.	No specific BU Policy other than the Equality and Diversity policy underpinning all BU policies and procedure.
<b>Pregnancy and maternity:</b> Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.	Student parents policy (to be developed during 2016/17) <a href="#">Maternity Benefits Scheme</a> <a href="#">Adoption Benefits Scheme</a> <a href="#">Parental Leave</a> <a href="#">Paternity Leave</a> <a href="#">Shared Parental Leave Policy</a>
<b>Race:</b> Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.	No specific BU Policy other than the Equality and Diversity policy underpinning all BU policies and procedure.
<b>Religion and belief:</b> Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (such as Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.	<a href="#">BU Religion and Belief Policy</a> [Staff/Students]
<b>Sex:</b> A man or a woman.	Student parents policy (to be developed during 2016/17) <a href="#">Family &amp; Domestic Emergencies</a> policy [Staff] <a href="#">Right to Request Flexible Working</a> policy [Staff]
<b>Sexual orientation:</b> Whether a person's sexual attraction is towards their own sex, the opposite sex or	No specific BU Policy other than the Equality and Diversity policy underpinning all BU

<sup>1</sup> Information concerning the protected characteristics has been taken from the Equality and Human Rights Commission website. <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

Protected characteristic <sup>1</sup>	BU policy
to both sexes.	policies and procedure.

## Appendix 2: Legal framework

- The Equality Act came into force in October 2010 and replaced previous equality legislation. Sections of the Act apply to the provision of goods, facilities and services, premises, employment and education. The Equality Act outlines nine grounds upon which discrimination is unlawful. These are known as ‘protected characteristics’ and they are:
  - Age
  - Disability
  - Gender reassignment
  - Marriage and Civil Partnership
  - Pregnancy and Maternity
  - Race
  - Religion and Belief (including lack of belief)
  - Sex
  - Sexual Orientation
- **Discrimination**

Direct discrimination is defined as treating one person less favourably than another, because of a protected characteristic.

Discrimination by association is a type of direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Discrimination by perception is a type of direct discrimination against someone who is perceived to have a protected characteristic.

Indirect discrimination is when a provision, criterion or practice is applied, which particularly disadvantages people with a protected characteristic. Indirect discrimination can be justified, if it can be shown to be a proportionate means of meeting a legitimate aim.

Discrimination arising from a disability is when someone is treated unfavourably because of something arising as a consequence of their disability. This type of discrimination can be justified, if it can be shown to be a proportionate means of meeting a legitimate aim.

### Harassment

Harassment is defined as unwanted conduct that has the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for a person, or violating a person’s dignity. There is more information about harassment in the University’s [Dignity and Respect \(Harassment\) Policy and Procedures](#).

- **Victimisation**

Victimisation is defined as treating a person less favourably because they have complained about discrimination or harassment, or helped someone else to do so.

- **Positive Action**

The Act allows for “positive action” measures to be taken to help overcome disadvantage. Positive action can be taken in relation to employment as well as for students. Adopting positive action is voluntary and can help alleviate disadvantage experienced by people who share a protected characteristic, reduce underrepresentation in relation to particular activities, and meet particular needs

- **Reasonable adjustments**

The Equality Act 2010 places a duty upon higher education institutions to make reasonable adjustments for staff, students and service users in relation to:

- provisions, criteria or practices
- physical features
- auxiliary aids

These adjustments apply where a disabled person is placed at a substantial disadvantage in comparison to non-disabled people.

- **Public Sector Equality Duty**

BU is a public body and as such is subject to, and compliant with, the Public Sector Equality Duty. This is defined as the general duty which is supported by specific duties. The general duty requires the University to have “due regard” to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other prohibited conduct.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

There is no prescribed process on how to demonstrate due regard.

The specific duties require BU to:

- publish information to demonstrate its compliance with the equality duty. Information should be published every 12 months.
- prepare or publish equality objectives and last for 4 years.
- publish information and objectives in a manner that is accessible to the public.

