

Equality & Diversity Policy



**Harper Adams
University**

April 2024

Contents

1. Equal opportunities statement
2. About this policy
3. Who is responsible for this policy?
4. Discrimination
5. The University as an employer
 - Recruitment and selection
 - Training, promotion and conditions of service
 - Termination of employment
 - Disabilities
 - Part-time and fixed-term work
6. The University as an education provider
 - Recruitment, admissions and selection
 - Teaching, learning and assessment
 - Progression
 - Widening participation
7. Working with third parties
 - Procurement and service provision
8. Breaches of this Policy
9. Equality Impact Assessments
10. Related Policies

Equal opportunities statement

Discrimination means treating someone unfairly because of who they are. The Equality Act 2010 protects you from discrimination at work. You will not be discriminated against for any of the following reasons (“protected characteristics”):

- age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race
- religion or belief
- sex
- sexual orientation

About this policy

This policy applies to all students of the University and to individuals working at all levels and grades within the University, including senior managers, officers, directors, employees, consultants, contractors, trainees, part-time and fixed-term employees, volunteers, visiting lecturers, casual workers and agency workers (collectively referred to as Staff within this Policy).

This policy sets out our approach to managing equality, diversity and inclusion including equal opportunities and the avoidance of unlawful discrimination. It applies to all aspects of working and studying with us, including recruitment, pay and conditions, volunteering opportunities, training, appraisals, promotion, conduct at work, student conduct, disciplinary and grievance procedures, termination of employment and access to support and advice.

This policy was developed by the Human Resources Department and Student Services in consultation with the University’s main stakeholders, including the local branch of the University and College Union (“UCU”) and the Staff Consultative Group (“SCG”).

This policy does not form part of any employee's contract of employment and the University may amend it at any time.

Who is responsible for this policy?

The Board of Governors has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility for this policy, including regular review of this policy, has been delegated to the Finance, People, and Resources Committee (FPR) for matters concerning Employees and to the Academic Board for matters concerning Students.

All managers must lead by example, set an appropriate standard of behaviour and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.

Managers involved in management or recruitment (of staff or students), or anyone with any questions about the content or application of this policy, should contact the Human Resources Department to request training or further information.

This policy is reviewed regularly by the Human Resources Department in consultation with employee representative groups and the Students' Union where appropriate. Staff and students are invited to comment on this policy and suggest ways in which it might be improved by contacting their representatives on either of these groups, or by making recommendations for changes directly to the Human Resources Department.

Discrimination

It is prohibited to unlawfully discriminate against or harass other people including current and former students, student representatives, employees, job applicants, clients, customers, suppliers and visitors on the basis of a Protected Characteristic. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts), and on work-related trips or events including social events. For students this applies to both academic and University organised or approved social settings, including work placements and voluntary roles.

The following forms of discrimination are prohibited under this policy and are unlawful:

- **Direct discrimination:** treating someone less favourably because of a Protected Characteristic;
- **Indirect discrimination:** a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and which cannot be justified;
- **Harassment:** this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them;
- **Victimisation:** retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment;
- **Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

The University as an Employer

Recruitment and selection

Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid unlawful discrimination.

Shortlisting should be done by more than one person and with the involvement of the Human Resources Department, where possible. The University has a Recruitment Policy and our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.

The University takes steps to ensure that vacancies are advertised to a diverse labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. They should include a short policy statement on equal opportunities and a copy of this policy will be made available on request.

Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the Human Resources Department.

Where necessary, job offers can be made conditional on a satisfactory medical check. The University is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the Human Resources Department or UK Visas and Immigration.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

Continuous Professional Development (“CPD”), promotion and conditions of service

CPD needs will be identified through regular Personal Development Reviews (“PDRs”). Staff will be supported and developed appropriately to enable progression within the organisation and all promotion decisions will be made on the basis of merit.

Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

The Human Resources Department is responsible for developing the HR Strategy which underpins the University Strategy in relation to equality and diversity matters, particularly in respect of staff recruitment, development, management and promotion.

Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

Termination of employment

The University ensures that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

The University also ensures that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

Disabilities and Accessibility

The University encourages staff who are disabled or become disabled to advise it of all relevant conditions in order to provide appropriate support.

Staff experiencing difficulties at work because of a disability, are advised to contact their line manager or the Human Resources Department to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Line managers, in conjunction with the Human Resources Department, will consult with Staff and their medical adviser as appropriate about possible adjustments. The University will consider the matter carefully and try to accommodate all individual needs within reason. If a particular adjustment would not be considered reasonable, the University will explain its reasons and try to find an alternative solution where possible.

The University will monitor the physical features of its premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, the University will take reasonable measures to improve access, including digital access.

Part-time and fixed-term work

Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

The University as an Education Provider

Recruitment, Admissions and Selection

All applicants will be given equal consideration during the selection process and will not be discriminated against on any of the Protected Grounds.

All selection processes should be based solely on the applicant's suitability for the course requirements. Candidate selection will be carried out thoroughly and objectively. Entry requirements for courses should only include those which are necessary and justifiable.

Recruitment practices should not exclude appropriately qualified applicants and efforts will be made to assess the equivalency of qualifications from outside the UK. Applicants with disabilities are encouraged to advise us at the earliest opportunity so that we may support them as appropriate. Policies pertaining to applicants and students with disabilities are available on our website.

The Global Impact Team is responsible for equality and diversity matters concerning student recruitment, admissions and retention and the pattern of teaching and learning and assessment and achievement.

Teaching, Learning and Assessment

The University ensures that its teaching, learning and assessment practices and systems are equitable, designed to encourage the academic and personal development of its students, and take the needs of its diverse student body into account.

Progression

All students will be treated equally when considered by the University's Subject Assessment Board (module grades) and Course Assessment Board (progression final awards).

Widening Participation

The University is committed to widening participation in higher education and is engaged in a range of activities with schools and potential students aimed at encouraging progression.

Working with Third Parties

Procurement and Service Provision

Contractors or suppliers who are unable to demonstrate compliance with relevant anti-discrimination legislation and codes of practice will be excluded from consideration for the award of contracts to provide goods and services to the University. The University's terms and conditions for the supply of goods and services require contractors and suppliers to comply with relevant anti-discrimination legislation, codes of practice and with this Policy. Non-compliance or a breach of these requirements may give rise to termination of contract.

Breaches of this policy

The University takes a strict approach to breaches of this policy, which will be dealt with in accordance with the relevant staff or student Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

Staff who believe that they have suffered discrimination can raise the matter through the University's Grievance Procedure or Dignity at Work Policy and Procedure as appropriate. Students should use the Complaints Procedure. Complaints will be investigated as appropriate.

There must be no victimisation or retaliation against staff or students who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under the University's Disciplinary Procedure.

Equality Impact Assessments

The University conducts Equality Impact Assessments ("EIAs") on its policies to ensure that they do not disadvantage or inadvertently discriminate against any individual or group of individuals with a

protected characteristic. An Equality Impact Assessment (“EIA”) is an analysis of the potential or actual effects of our policies which enables us to identify opportunities to improve and promote equality of opportunities, to encourage positive relationships and to consider then needs of our students, employees and the wider community.

Related policies

This policy is supported by the following other policies and procedures (not an exhaustive list):

- Access and Participation Plan
- Admissions Policy
- Career Break Policy and Procedure
- Complaints Procedure
- Dignity and Work Policy and Procedure
- Disciplinary Procedure
- EDI Action Plan
- Flexible Working Procedure
- Freedom of Speech, Academic Freedom and External Speakers Policy
- Grievance Procedure
- Learning, Teaching and Assessment Policy for Students with Disabilities and Guidance for Staff, Students and Applicants
- Maternity, Paternity, Adoption and Shared Parental Leave Policies
- Recruitment Policy
- Respect Policy
- Sexual Violence, Violent Behaviour, Harassment, Racism and Bullying Policy
- Social Media Policy