



Equality and Diversity Policy

Title:	<b>Equality, Diversity and Inclusion Policy</b>
Approved by:	Equality and Diversity Advisory Group
Implementation Date:	June 2015

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**Nottingham Trent University  
Equality, Diversity and Inclusion Policy**

**SECTION 1 - INTRODUCTION**

**1.1 Context**

1.1.1 Nottingham Trent University is a vibrant place to study and work, enriched by the diversity of perspectives, cultures and backgrounds brought by its students, staff, visitors and local communities. The University is firmly committed to sustaining a highly effective learning and working environment characterised by fairness, equality of opportunity and the valuing of diversity.

**1.2 Purpose**

1.2.1 The purpose of the Equality, Diversity and Inclusion Policy (the 'Policy') is to set out the University's commitment to an inclusive and supportive environment for students, staff, contractors and visitors that is free from discrimination, where all are able to participate and where everyone has the opportunity to fulfil their potential. Equally, the Policy sets out the University's expectations, where each member of the University community has a responsibility to adhere to and uphold the Policy. These responsibilities are detailed in Section 4.

1.2.2 The Policy promotes positive attitudes towards inclusivity and valuing diversity. It also seeks to ensure that all who are subject to the University's policies, practices and procedures are treated fairly and are not treated less favourably on the grounds of any of the 9 protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. These protected characteristics are detailed in Appendix 1.

**1.3 Scope**

1.3.1 The Policy applies to all students, staff and visitors to the University, and those contracted to work at, or for, the University. This includes those with honorary contracts or 'Visitor' status and Visiting Professors and Fellows.

**1.4 NTU's Equality, Diversity and Inclusion Vision**

1.4.1 The University's equality, diversity and inclusion vision is to create an inspirational, inclusive learning and working environment: an environment characterised by inclusivity, respect and dignity, and free from discrimination, harassment and bullying. The University believes that in order for it to succeed in its ambitions to Create the University of the Future, equality, diversity and dignity must be embedded throughout the organisation. The University believes that every

member of the University community can make a difference and contribute to the success of this vision.

- 1.4.2 The implementation of a robust Equality, Diversity and Inclusion Policy is a key way in which the University seeks to meet both its statutory equality responsibilities and its own aspirations for an inspirational, inclusive learning and working environment.

## **1.5 Legislative Context**

- 1.5.1 The Policy is in accordance with relevant equalities related legislation, and in particular, the Equality Act 2010 (the 'Act'). As part of its responsibilities under the Act, the University is subject to the public sector equality duty and so must have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any conduct that is prohibited by or under the Act.
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The key behaviours prohibited under the Act are detailed in Appendix 2.

- 1.5.2 This policy has undergone equality analysis to comply with the University's legislative responsibilities.

## **SECTION 2 – POLICY STATEMENT**

- 2.1** The University is committed to embedding equality and inclusion in all of its practices and aims to establish an inclusive culture, that celebrates diversity, is free from discrimination and based on the values of dignity and respect.

## **SECTION 3 – GENERAL PRINCIPLES**

- 3.1** The University seeks to build capability across the institution in the development of this inclusive culture and resolution of obstacles to equality.
- 3.2** Equality, diversity and inclusion priorities align with and underpin the NTU Strategic Plan as well as operational planning at all levels.
- 3.3** The University adopts flexible approaches to engagement to ensure that the voices of stakeholders are taken into account as appropriate.

- 3.4** The University adheres to an evidence-based approach to underpin equality, diversity and inclusion planning.
- 3.5** The University complies with its legal responsibilities in carrying out both the general and specific public sector equality duties.
- 3.6** The University collects, stores and publishes equalities information appropriately, whilst protecting the confidentiality of personal information.
- 3.7** The University produces and publishes equality objectives aligned to the needs of the business that proactively seek to eliminate disadvantage and promote inclusivity.
- 3.8** The University conducts equality analysis on its policies, practices and procedures as a means of identifying any potential adverse impact and exploring possible solutions to mitigate these.
- 3.9** The University makes reasonable adjustments for students and staff in accordance with identified needs wherever possible within the statutory criteria. For students, the University recognises its anticipatory duty and will endeavour to make such adjustments as are reasonable and feasible.

#### **SECTION 4 – RESPONSIBILITIES**

- 4.1** All University students, staff, contractors and visitors have equalities related responsibilities.
- 4.2 The University Executive Team is responsible for:**
- Ensuring that the University meets its legal obligations relating to equality;
  - Ensuring that equality analysis is carried out on all senior level proposed policies and decisions where appropriate.
- 4.3 Managers are responsible for:**
- Ensuring that procedures relating to staff recruitment, selection, career development, discipline and grievance are carried out in accordance with the statutory duties to promote equality and eliminate discrimination;
  - Fostering a culture in which equality and diversity considerations are embedded into their work areas;
  - Ensuring that staff and students are encouraged and enabled to reach their full potential;
  - Identifying appropriate staff development to meet the needs of their respective areas.

**4.4 Human Resources Managers are responsible for:**

- Supporting managers in ensuring that procedures relating to staff recruitment, selection, career development, discipline and grievance are carried out in accordance with the statutory duties to promote equality and eliminate discrimination.

**4.5 The Equality, Diversity and Inclusion Team is responsible for:**

- Leading and supporting the University in creating an inspirational, inclusive and diverse environment;
- Leading the University in meeting its statutory responsibilities. In particular, to lead NTU in fulfilling its Public Duty under the 2010 Equality Act which includes annual equality information reporting, equality analysis, monitoring and consultation;
- Ensuring that an effective policy, service and provision infrastructure is in place to support the University in both meeting its legal responsibilities and fulfilling its E&D vision;
- Providing advice, guidance and support on the application of this policy;
- Advising colleagues to address equalities related employment and student issues.

**4.6 Students are responsible for:**

- Upholding the principles of this policy;
- Contributing to a safe and inclusive environment that celebrates diversity.

**4.7 Members of staff are responsible for:**

- Upholding and implementing the aims of this policy;
- Promoting equality of opportunity;
- Contributing to a safe and inclusive environment that celebrates diversity.

**SECTION 5 - COMMUNICATION**

**5.1** The Policy is publicly available on the University website. Alternative formats of the Policy are available via the [Equality, Diversity and Inclusion Team](#)

**5.2** The Equality, Diversity and Inclusion website will facilitate communication with staff, students and members of the public. It will provide an opportunity to track the progress of initiatives and access published documents. It will also act as a repository for equalities data and guidance to assist staff.

**SECTION 6 – BREACH OF THE POLICY**

- 6.1** The University will take seriously any instances of non-adherence to the Policy by students, staff, contractors or visitors. Any instances of non-adherence will be investigated with the intent of resolving matters. Where appropriate, such instances may be considered under the relevant disciplinary policy and procedures.
- 6.2** The University strongly encourages informal and local resolution of issues or complaints and provides [Dignity and Respect Contacts](#) and a [Mediation Service](#) to support staff and students to this end.
- 6.3** Where appropriate, all student and staff complaints about breaches of the Policy should be raised at a local level in the first instance, with a view to informal and timely resolution. If such attempts to resolve complaints are not successful, or are inappropriate due to the nature of the breach of the Policy, then:
  - enrolled students who believe there has been a breach of the Policy in relation to the provision of a service or facility provided by the University may raise this through the [Student Complaints Procedure](#);
  - instances of students breaching the Policy may be investigated under the [Student Code of Behaviour](#);
  - students who believe there has been a breach of the Policy within the academic process, may access the [Academic Appeals Procedure](#) using the criteria outlined within the Academic Appeals Regulations;
  - employees who believe there has been a breach of this policy may raise this through the [Grievance Policy and Procedure](#).

Support is available for students and staff when these procedures are invoked. For students, support is available from the NTSU Student Advice Centre. For staff, advice and guidance is available from their manager or HR Team.

- 6.4** Any visitor, or service user other than students, who believes there has been a breach of this policy may complain in writing to the [Head of Equality, Diversity and Inclusion](#)

**SECTION 7 – DOCUMENT GOVERNANCE**

**7.1 Responsibility**

<b>Policy Owner</b>	Director of Organisational Development and Business Improvement
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## 7.2 Version Control and Change History

Version Number	Approval Date	Approved by	Amendment
1.0	June 2015	University Executive Team	New

## 7.3 Document Review

- 7.3.1 The policy will be reviewed by the Head of Equality, Diversity and Inclusion in association with the trade unions, employee representatives (where appropriate) and managers in response to statutory changes, changes in University procedures or structures or as a result of the monitoring of the application of the policy. In any event, the policy will be reviewed every two years.

## Appendix 1: Equality Act 2010 Protected Characteristics

Protected Characteristic	
<b>Age</b>	The Act protects people of all ages. However, different treatment because of age is not unlawful direct or indirect discrimination if you can justify it, i.e. if you can demonstrate that it is a proportionate means of achieving a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination.
<b>Disability</b>	Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
<b>Gender Reassignment</b>	The Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected – so a woman who decides to live as a man but does not undergo any medical procedures would be covered. Where transsexual people are absent from work or study because they propose to undergo, are undergoing or have undergone gender reassignment, it is discrimination to treat them less favourably than they would be treated if they were absent because they were ill or injured.
<b>Marriage and Civil Partnership</b>	The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.
<b>Pregnancy and Maternity</b>	A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled.
<b>Race</b>	For the purposes of the Act 'race' includes colour, nationality and ethnic or national origins.
<b>Religion or Belief</b>	In the Equality Act, religion includes any religion. It also includes a lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or

	<p>philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or sects within a religion can be considered a protected religion or religious belief. Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.</p>
<b>Sex</b>	<p>Both men and women are protected under the Act.</p>
<b>Sexual Orientation</b>	<p>The Act protects bisexual, gay, heterosexual and lesbian people.</p>

## Appendix 2: Equality Act 2010 Prohibited Behaviours

Prohibited Conduct	
<b>Direct Discrimination</b>	<p>Section 13 of the Act defines direct discrimination to be where people are treated less favourably than others on grounds related to their identity as one of the protected groups (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation).</p> <p>The definition of direct discrimination extends protection based on association and perception.</p>
<b>Discrimination by Association</b>	<p>Applies to age, disability, gender reassignment, race, religion and belief, sex and sexual orientation.</p> <p>This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.</p>
<b>Discrimination by Perception / Perception Discrimination</b>	<p>Applies to age, disability, gender reassignment, race, religion and belief, sex and sexual orientation.</p> <p>This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.</p>
<b>Indirect Discrimination</b>	<p>Applies to age, disability, gender reassignment, marriage and civil partnership, race, religion and belief, sex and sexual orientation.</p> <p>Section 19 of the Act defines indirect discrimination as occurring when a provision, criterion or practice is neutral on the face of it, but its impact particularly disadvantages people with a protected characteristic, unless the person applying the provision can justify it as a proportionate means of achieving a legitimate aim. Ultimately, if tested, it will be for a court of law or tribunal to determine what is justifiable.</p>
<b>Discrimination Arising from Disability</b>	<p>This can occur when a disabled person is treated unfavourably because of something connected to their impairment and the treatment cannot be justified.</p>

<p><b>Failure to make Reasonable Adjustments for Disabled People</b></p>	<p>The Equality Act 2010 places a duty upon higher education institutions to make reasonable adjustments for staff, students and service users in relation to:</p> <ul style="list-style-type: none"> <li>• provisions, criteria or practices</li> <li>• physical features</li> <li>• auxiliary aids</li> </ul> <p>These adjustments apply where a disabled person is placed at a substantial disadvantage in comparison to non-disabled people.</p>
<p><b>Bullying</b></p>	<p>Bullying is defined as offensive, abusive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power which undermines, humiliates, denigrates or injures the recipient.</p> <p>The behaviour is unwelcome and may be carried out as a deliberate act or unconsciously.</p>
<p><b>Harassment</b></p>	<p>Harassment is unwanted conduct which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.</p>
<p><b>Victimisation</b></p>	<p>Section 27 of the Act defines victimisation as less favourable treatment of someone because they have made or might make a complaint about discrimination under one of the above Protected Group categories.</p> <p>An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.</p>

## Equality, Diversity and Inclusion

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