Equality and Diversity Policy

Your Student Union is committed to ensuring equality and diversity is embedded into all aspects of the Union. From the student support we offer through the Hub, to how we employ people, we are constantly striving to improve the way we create equal opportunities for all whist respecting diversity.

Your Union has worked hard to create conditions whereby students and staff are treated and selected solely on the basis of their merits, abilities and potential. Alongside this, our Liberation Groups campaign on many equality and diversity issues and raise awareness of injustices in the wider community.

**THE EQUALITY ACT 2010**

As an employer and a service provider, Your Union must adhere to Equality Act 2010. This Act updates and replaces previous equality legislation and outlines nine 'Protected Characteristics' which have to be defended under the legislation. These are:

* Age
* Disability
* Gender reassignment
* Marriage and civil partnership
* Pregnancy and maternity
* Race
* Religion or belief (including lack of belief)
* Sex
* Sexual orientation

**The Equality Act also introduces a public sector Equality Duty to:**

**Eliminate** discrimination, harassment and victimisation

**Advance** equality of opportunity between persons who share a protected characteristic and persons who do not share it

**Foster** good relations between persons who share a protected characteristic and persons who do not share it

**RELEVANT COMMITTEES**

We work very closely with the [University’s Equality and Diversity department](http://www.hw.ac.uk/equality/index.htm), and we share their [standards to equality and diversity](http://www.hw.ac.uk/equality/students.htm). Through our active membership of the University’s [Equality and Diversity Action Group](http://www.hw.ac.uk/equality/E%26DC.htm) (EDAG) we aim to fully eradicate negative beliefs or unfair or discriminatory practices within the University and Your Union. Through all of this work, Your Union is working with the University to help meet the University’s Public Sector Equality Duty.

Your Union has set up a Student Equality and Diversity Committee which feeds into EDAG to make sure the student voice is heard. This Committee is held around three times a year, and the members include your Liberation Officers and your Exec members who have remit for equality and diversity. If you have an equality and diversity issue, please get in touch with the appropriate Liberation Officer, or the President of the Union at president@hwunion.com

**Policy objectives:**

* To ensure students and staff are treated solely on the basis of their potential and abilities, and actively challenge inequality and less favourable treatment
* Encourage diversity and recognize the value of the contribution of our diverse population
* Tackle discrimination and eradicate inappropriate behaviour in the Union
* Ensure we understand and fulfill our legal obligations set out in this policy by delivering equality and diversity training for our Officers and staff
* Provide services, goods, and facilities that are accessible to all and free from unlawful discrimination
* Continue to campaign to promote the interests of people who define under the protected characteristics
* Promote equality and diversity by ensuring an environment which is accessible for all
* Provide entertainment which caters for the needs of both non-traditional and traditional student groups
* Support and develop an array inclusive student led societies
* Ensure fair and equitable treatment procedures are operated in relation to job interviews, recruitment, selection, and promotion of staff
* Ensure a fair and robust complaints procedure is in place to deal with any issues, and use disciplinary procedures when dealing with breaches of this policy
* Publicise and promote this policy and ensure that it is adhered to at all times

**Responsibility for implementation of the Policy**:

Responsibility for the implementation of this policy is shared by all staff and Officers within the Union, including the Executive Committee and all other student led Committees.

The Sabbaticals and the Chief Executive Officer have overall responsibility to ensure that the principles of equality and diversity and non-discriminatory practice are applied within the Union. The CEO is also responsible for ensuring that the policy is communicated effectively and being implemented on a day-to-day basis by the Staff working for the Union, and ensuring that all reasonable steps are being taken to prevent unlawful acts from happening.

**All Union Officers, volunteers, and staff have a responsibility to:**

* Comply with this Policy and co-operate with their Line Managers
* Treat others with respect at all times
* Participate in training as requested
* Ensure behaviours and actions do not unlawfully discriminate and that they are not harassing or bullying others
* Be fully accountable for their actions

**Definitions:**

Your Union aims to provide and environment where all staff and students are free from discrimination, victimisation and harassment. The following definitions apply in pursuing this goal:

**Direct discrimination** occurs when a person or organisation discriminates against another if, because of a protected characteristic, they treat them less favourably than they would treat others. **This also includes discrimination by perception and association.**

**Indirect discrimination** occurs when the effect of certain requirements, conditions or practices imposed by an employer or service provider appears to be neutral, but has an adverse impact on one group or other, and disadvantages people with a protected characteristic. Indirect discrimination can be justified if the provision, criterion or practice is shown to be a ‘proportionate way of achieving a legitimate aim’.

**Harassment** includes any form of unwanted and unwelcome behaviour which may range from mildly unpleasant remarks to physical violence.Unwanted conduct has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant.

**Victimisation** is evident when a person or organisation treats another person less favourably because he or she has asserted their legal rights in line with the Act or helped someone else to do so.

Discrimination **‘by association’** can occurbecause of an association with someone with a protected characteristic (such as a friend, partner, child etc.) and **‘by perception’** where a person perceives another to have a protected characteristic and treats them less favorably.

**Implementation of the policy:**

# TRAINING AND DEVELOPMENT

Training and development plays a vital part in sensitising staff and student to relevant issues in their daily practice while also enabling them to realise their full potential in line with equality and diversity. The Union will therefore seek to:

* Inform students and staff about their obligations under the Equality Act and to provide guidance about how to interpret policy in practice
* Ensure that all training delivered is consistent with the equality and diversity policy and uses non-discriminatory language.

The University provide online Equality and Diversity training. Information on this and other training opportunities can be found at www.hw.ac.uk/equality

## POSITIVE ACTION

Positive action measures are allowed by law to encourage people from groups, which have previously been under-represented in a particular area of work, or at a particular level or activity. Positive action means adopting programmes designed to remove barriers, which can prevent equality of access and may:

* Encourage people with protected characteristics to participate in Union activities
* Provide the relevant support for the under-represented groups and encourage them to apply for promotions etc.
* Consideration of alternative events and activities to any disadvantaged groups

Positive Action should not be confused with positive discrimination at the point of selection, which is unlawful.

**MONITORING**

The Union will monitor the equality and diversity aspects of its all its activities. This will be done by:

* Developing a system where information and incidents related to the policy will be recorded and used in the case of a complaint being made (either internally or externally to an Industrial Tribunal)
* Monitoring progress towards equality and diversity through the Action Plan which sets out our legal compliance to the Equality Act
* Identifying and diagnosing problems and areas where discrimination may take place

**COMPLAINTS**

Complaints of discrimination shall be considered and dealt with seriously in accordance with the provisions of the appropriate compliant procedure. Incidents, which could be resolved quickly, are dealt with internally, whereas cases of a serious nature should be referred to the university.

Incidents of discrimination are investigated and dealt with as quickly as possible.

Disciplinary actions must be applied in accordance with the Union disciplinary procedure.

## REVIEW OF THE POLICY

It is the Unions intention to review this policy every two years to ensure that the commitment to equality and diversity is sustained.

**SOCIETIES AND GROUPS**

Student led societies and groups are a great way for students to get involved with student life, make friends, and gain transferrable skills. The Union will support our societies and groups to be inclusive and accessible and offer support on any reasonable adjustments that might be needed. All students can join any society or group they wish, and will have full membership of the society or group and the benefits that go with this.

**ACCESSIBLE COMMUNICATION WITH STUDENTS**

The Union will ensure that our communication strategy takes equality and diversity into account by ensuring that accessibility is built into all forms of communication. Our written materials can be requested in an appropriate format, and we will ensure that our website is accessible and laid out effectively.

**ACCESSABILTY TO OUR BUILDING**

THE Union has carried out a full Accessibility Audit of our building and has undergone a series of adaptations to ensure that we are fully accessible, regardless of physical impairments. We will carry out building audits every three years to ensure there are no barriers to entry in the building or any of the usable areas.

**DISCRIMINATION ARISING FROM DISABILITY**

The Equality Act 2010 introduces a new form of protection for disabled people by protecting them from being treated unfavorably because of issues connected to their disability. For this to occur, the Union must know, or could reasonably be expected to know, that the person is disabled. Your Union has a duty to make reasonable adjustments to ensure we accommodate disabled students in all aspects of Union life. This duty also applies to staff.

**Harassment:**

Personal harassment on any grounds can be a source of great stress to an individual. Any intimidating, hostile or offensive behavior by an individual or group against another individual or group will not be tolerated. This can include: derogatory name-calling, belittling remarks, ridicule, insults, verbal abuse, threats, physical assaults, sexual assaults. This list is not exhaustive. Harassment is an offence for which staff or students may be disciplined depending on the severity of the offence. Harassment can occur anywhere but it is generally recognised that certain groups of people are more vulnerable than others. Harassment occurs where any such conduct creates an intimidating, hostile or offensive environment for the individual or group in dealings within the University community. Some examples are described below, but these lists are not exhaustive.

## BULLYING

Bullying is characterised as any offensive, malicious, intimidating, or insulting behavior, and any abuse or misuse of power. Examples of bullying include:

* abuse of authority or power
* verbal, written and/or physical intimidation
* persistent unjustified criticism
* public humiliation
* using patronizing nicknames
* spreading malicious rumors
* unwarranted exclusions
* demeaning comments about a person’s appearance
* any other conduct that ridicules, intimidates or is physically abusive of an individual or group

## SEXUAL HARASMENT

Sexual harassment is defined as any form of unwanted sexual conduct including verbal, non-verbal or physical conduct that is intimidating, hostile, degrading or offensive to the recipient. Both women and men can be victims of sexual harassment, and both women and men can perpetrate sexual harassment. Sexual harassment can, of course, occur between members of the same sex as well as members of the opposite sex Examples include:

* Unwanted physical contact
* invasion of personal space
* indecent assault or rape
* lewd or unwanted comments on appearance or dress
* unwanted demands for sex
* sexual jokes
* suggestive looks or remarks
* displays of sexually suggestive or degrading pictures or objects
* verbal threats
* derogatory name calling and/or belittling remarks
* offers of providing certain service in return for sex (or threats of disadvantage if refused)

**ZERO TOLERANCE TO SEXUAL HARRASMENT POLICY**

The Union takes a Zero Tolerance approach sexual harassment, and has received a Zero Tolerance Award from the NUS Women’s Campaign. Our policy defines this as:

* Unwanted sexual comments, including comments about someone's body or private life.
* Unwelcome sexual invitations, innuendoes and offensive gestures.
* Wolf whistling, cat calling or offensive sexual noises.
* Groping, pinching or smacking someone's body.
* Moving or grabbing someone's clothes without agreement.
* Exposure of sexual organs without consent

More information can be found here: <http://www.hwunion.com/content.asp?id=557>

## DISABILITY HARRASSMENT

Harassment on grounds of disability against another person based on their physical or mental impairment, learning difficulty or disfigurement includes:

* offensive or patronizing language, action or behavior
* jokes or inappropriate comments
* questions which cause offence to the individual or group of individuals concerned
* display of offensive material
* derogatory name calling
* belittling remarks
* verbal abuse and threats simply on the grounds of the disability

## RACIAL HARASMENT

Racial or religious harassment may be defined as unacceptable conduct of one person against another or others, where the motivation is the colour, race, ethnic origin or religion of the target.

 Such behavior might include:

* derogatory name calling
* insults and/or racist jokes
* display of racially offensive material
* racially abusive language
* verbal threats
* physical attack
* incitement of others to commit any such acts
* comments which imply that race or religion impairs the person's ability to perform their role in the academic community

**RELIGIOUS HARRASSMENT**

Religious Harassment includes any behavior deliberate or otherwise, pertaining to religious belief or other philosophical belief systems. Examples of harassment include:

* offensive jokes
* ridicule
* display of religiously offensive material
* unwanted conduct violating a person's dignity
* intimidating, degrading, or humiliating behaviors

**SEXUAL ORIENTATION HARRASSMENT**

Homophobia is a term used to describe hatred and rejection of people who are gay or lesbian and self-define as homosexual. Bi-phobia is a term used to describe hatred or rejection of bisexuals. It is the right of each individual to choose whether they wish to be open about their sexuality, so to 'out' someone, whether staff or student, without their permission is a form of harassment, and will be treated as such. Examples of harassment include:

* homophobic abuse
* name-calling
* derogatory or offensive jokes or comments
* ridicule
* unacceptable or unwanted behaviour
* intrusive questions about sexuality or sexual orientation
* homophobic propaganda
* verbal threats
* innuendos
* gossip
* physical attack
* incitement of others to commit any of the above

**GENDER RE-ASSIGNMENT HARRASSMENT**

Harassment on the grounds of gender re-assignment is prohibited. Examples of harassment include:

* suggestive remarks or sounds
* unwanted comments on dress and appearance
* verbal threats
* intrusive questioning about a person's gender
* intrusive questions about the reassignment process

## AGE HARRASSMENT

Age discrimination occurs when an individual receives less favorable treatment than others in similar circumstances because of their age. Ageism can affect younger student as well as mature students. Examples include:

* assumptions regarding a person’s inability to learn
* offensive remarks
* exclusion on the basis of age