



**Manchester
Metropolitan
University**

HUMAN RESOURCES DEPARTMENT

EQUALITY AND DIVERSITY POLICY

Date: September 2010

Equality and Diversity Policy

1. OUR COMMITMENT

1.1 Manchester Metropolitan University is committed to being an organisation which values diversity, promotes equality of opportunity and is free from unlawful discrimination on any grounds. Therefore the purpose of this policy is to ensure equality and fairness for all the protected characteristics identified within the Equality Act 2010:

- Age
- Disability;
- Gender re-assignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (including no belief)
- Sex
- Sexual orientation

1.2 We also recognise that equality issues are complex and disadvantage can occur for a wide range of reasons such as cultural and economic background, physical and social environment and ill health which may limit an individual's opportunity to access education or employment. We will take account of these issues in our approach to ensuring equality of opportunity for all.

(See Appendix 1: New Equality Legislation coming into effect in October 2010).

1.3 The University will continue to follow codes of practice and guidelines issued by the Equality & Human Rights Commission (EHRC), Government Equalities office (GEO) and the Equality Challenge Unit (ECU).

1.4 We will be proactive in all matters relating to equality of opportunity and diversity. We value and will celebrate the richness brought to our institution by a diverse population of staff, students and partners. We recognise and will seek to reflect the positive contributions brought to the University by the variety of its staff and students.

1.5 We will continue to strive to provide an environment in which people want to work and to be a model employer leading in good employment practice. MMU is committed to enabling each member of staff to achieve their full potential in an environment characterised by dignity and mutual respect. We will not tolerate

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix I

discrimination, victimisation, bullying or harassment of any kind by any party (this includes conduct near the workplace and at work-related social functions where relevant). Any action found to be in breach of any of these would be addressed in accordance with University Policies and Procedures.

- 1.6 We also recognise that the behaviours through which diversity is evident must be consistent with the values that underpin this policy document. MMU's values can be found within the MMU Institutional Strategic Plan 2007-2020 (*The 2020 Vision*): www.mmu.ac.uk/about/strategic-plan/sec03.html
- 1.7 Equality and Diversity strengthens all of our work and is at the heart of what we are and what we do.

2. SCOPE

- 2.1 The University acknowledges the following basic rights for all members and prospective members of its community:
- to be treated with respect and dignity;
 - to be treated fairly with regard to all functions, procedures, assessments and choices;
 - to receive encouragement to reach their full potential.
- 2.2 The policy applies to all employees, potential employees, students, and visitors, as well as any persons associated with the functions of the University.
- 2.3 The University takes its responsibility to these people seriously and seeks to ensure that they are treated with respect.
- 2.4 The policy applies to all areas of employment including recruitment applications, short-listing, selection, promotion, training, benefits, capability and performance, discipline, grievance, absence, conditions of service and reasons for termination of employment.
- 2.5 This policy is supported by the University's (Single) Equality Scheme (SES) and Action Plan (www.mmu.ac.uk/humanresources/equalities). Through them we aim to achieve the following objectives:
- To promote dignity, respect and understanding within the University and the wider community as well as promote good relations between different groups.
 - To attract, select and retain a diverse range of talented people to study at the University. To create an environment that encourages and supports all students to actively engage with the University and realise their full potential.

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix I

- To attract, select and retain a diverse range of skilled and competent people to work at the University. To create an environment that encourages and supports all staff to actively engage with the University and realise their full potential.
- To ensure campus buildings and infrastructure reflect the diverse needs of the University's community and provide an accessible and inclusive learning and working environment.
- To ensure that all the University's policies, practices and procedures are equality proofed.

This policy informs the following University policies:

- Bullying and Harassment in the Workplace Policy
- Recruitment and Selection Policy
- Staff Disciplinary Procedure
- Sickness Absence Code of Practice and Guidance Notes for Managers
- Staff Grievance Policy
- Student Complaints Policy

3. RESPONSIBILITIES

3.1 An Equality & Diversity Policy cannot succeed without the active support of the entire University community. The responsibility for delivering the policy extends to every member of the organisation including management, those with an explicit remit for diversity, and individual members of staff. The implementation of this policy is therefore a shared responsibility amongst staff employed by MMU. In addition, key individuals have specific responsibilities as set out below:

- Overall responsibility for the Policy will sit with the Vice Chancellor and the Director of HR. This includes responsibility for ensuring that the policy is communicated, implemented, monitored and continuously reviewed according to legislation.
- The Governing body will oversee the Universities progress with the policy through regular agenda items at meetings of the Board. An identified member of the Board is responsible for taking the lead on equality and diversity matters.
- The Diversity and Equal Opportunities Committee (DEOC) has a responsibility for ensuring that our aims regarding equality and diversity are met, for

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix I

fostering a working and learning environment in which all staff and students can fulfil their potential and for driving forward the implementation of the policy. The Staff Equality Fora¹ will support the implementation of the Policy, Equality Scheme and action plan. Their role will include consultation and involvement with equality proofing university policies through their involvement in Equality Impact Assessments (EIAs).

- The Head of Organisation Development, Training and Diversity (ODTD) will ensure that staff and managers are aware of their responsibilities under this Policy and provide appropriate training and support to enable them to fulfil them.
- Directorate, Heads of Department, managers and supervisors are responsible for promoting equality and diversity to students and staff. Additionally, line managers are responsible for ensuring that staff identified as having specific responsibilities engage with the policy and carry out actions arising from the Equality Scheme Action plan.
- The Chief Operating Officer and Financial Director will have responsibility for putting in place rigorous procurement systems for ensuring all contractors and tendering organisations comply with the University's Equality & Diversity Policy
- Trade Unions will provide advice, support and representation for their members. Engage with the University to promote equal opportunities and prevent unlawful discrimination.
- All members of staff, students, partners, service providers and suppliers in the University are expected to comply with the policy and action plan to ensure fair, equal and appropriate treatment in all aspects of work and study.

3.2 In our work to create a world-class University, we aim to support the needs of all members of our community and achieve the highest possible standards in education delivery, employment practices and decision-making.

4. IMPLEMENTATION

4.1 The Head of ODTD is responsible for the overall implementation and monitoring of the policy and the Scheme's action plan and will provide progress reports on an annual basis. The Equality and Diversity Team within ODTD will provide support to those responsible for delivering specific actions.

¹ Networks include: BME, Disabled, Gender and LGBT

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix I

- 4.2 All students should be provided with information about the policy on registration and abide by its principles.
- 4.3 New employees must receive information on equal opportunities obligations and provisions from their managers at an early stage in their employment. The MMU Induction Programme includes Equality and Diversity awareness. All employees should familiarise themselves with this policy and ensure their practices are consistent with its contents and legislation. A continuing programme of equality and diversity training is provided to all staff. Individual members of staff should inform their line manager, their HR Advisor and/or Trade Union representative if they think that unlawful discrimination is taking place.
- 4.4 In order to ensure their effectiveness, all university policies and procedures will be monitored and reviewed through undergoing an Equality Impact Assessment (EIA). MMU provides EIA training, guidance and support for policy owners.

5. COMMUNICATION

- 5.1 It is important that employees at all levels are aware of this policy in order to comply with its requirements. A copy is available on the internet and copies must be made available to staff who have limited access to a computer.
- 5.2 The University will consult periodically with relevant stakeholders in order to ensure representation of equality groups and try to improve the options to eradicate discrimination (refer to The *E&D Communication, Consultation & Engagement Strategy* for further information).
- 5.3 An Annual Report drafted by the E&D Team will be made available on the progress of the SES and Action Plan and will be published on the University website (it will be made available to members of the public on request). The report will include specific measures adopted to promote equal opportunities, progress on priorities; the outcome of the relevant year's monitoring of statistics, targets and EIAs.
- 5.4 The Policy will be published online and made available in hard copy and alternative formats as required.

6. COMPLAINTS

- 6.1 The University will take seriously any instances of non-adherence to the Equality and Diversity policy by students, staff or visitors. The University will ensure that all staff and students are given opportunities to pursue reasonable means to follow procedures should they feel they are experiencing discrimination. Complaints of discrimination on the grounds of the areas covered by this policy

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix I

should be brought using the appropriate Grievance Procedures for staff and students.

- 6.2 Any instances of non-adherence will be investigated and where appropriate will be considered under the relevant disciplinary policy for staff or students. With regard to any breach of the policy by visitors, the University will take appropriate action in relation to the nature of the incident.
- 6.3 Cases involving bullying and harassment in the workplace may be referred initially to one of the Anti-Bullying & Harassment Advisors (ABHA) named on the list found in the Bullying & Harassment at Work Policy or on the Equalities website. Should this approach not lead to a satisfactory resolution of the problem, information on how to proceed with a complaint is given in the guidelines.
- 6.4 Applicants for employment concerned about the application of the policy should consult the Human Resources Department.

7. RATIFICATION SIGNATURES, POLICY AUTHORS & DATES

Organisation Development, Training & Diversity

Drafted: September 2010

Review Date: October 2011

APPENDIX 1

New Equality Legislation coming into effect in October 2010

From the 1st of October, the first phase of new equality law in the Equality Act comes into force. Within the legislation, the definitions around disability and discrimination have been amended. The main new areas are:

- **Direct disability discrimination** - applies to workforce (as previously) and now with regard to the provision of goods and services. Although discrimination in the provision of goods and services because of age is not yet covered by the Equality Act 2010, it should be included as a matter of good practice.
- **Indirect disability discrimination** – is now the same as for gender and race e.g. requiring that employees be six feet tall, as this would disproportionately disadvantage women.
- **Discrimination arising from disability** – If a decision, policy, function or course of action results in a negative impact relating to the person's actual disability i.e. if the

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix I

disability itself was adversely affected, not the individual directly e.g. locating signs in a position that makes it difficult for wheelchair users to read.

- **'Reasonable adjustments'** - now goes further. Previously grounds for a duty to make 'reasonable adjustments' were if for e.g. access to a building would be impossible without a ramp. Now the duty will be in effect if disabled people are found to be at a 'substantial disadvantage'.
- **People who support a disabled person to make a complaint** - who subsequently allege they are being mistreated as a consequence, now only have to show that they have been treated 'badly' i.e. they do not have to provide as much evidence as they did previously
- Extending **positive action** in recruitment
- Measures to make **gender pay** discrepancies more transparent
- Widening definition of direct discrimination and harassment to cover claims based on **"association"** and **"perception"** for all protected grounds, including sex, pregnancy and maternity, sexual orientation, or gender reassignment but not marriage and civil partnership, and pregnancy and maternity.
 - Discrimination by **'association'** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic
 - Discrimination by **'perception'** is where an individual is directly discriminated against or harassed based on a perception that he or she has a particular protected characteristic when he or she does not, in fact, have that protected characteristic
- New powers for **Employment Tribunals** – decisions will no longer just benefit the individual but will apply to other members of the workforce in similar situations.
- **Victimisation** occurs when an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he or she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so, or being about to do so. The definition is no longer based on less favourable treatment
- **Third-party harassment** occurs where an employee is harassed and the harassment is related to a protected characteristic (although this does not cover harassment because of marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable, the harassment must have occurred on at least two previous occasions; it must be aware that the previous harassment has

Manchester Metropolitan University

Organisation Development, Training & Diversity

Appendix I

taken place; and it must have failed to take reasonable steps to prevent harassment from happening again.