



Human Resources Policy Statement - HRPS8

Equality and Diversity Policy

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Human Resources Policy Statement HRPS8

Equality and Diversity Policy

The General Statement of Equality and Diversity Policy

This policy and the use of the term 'employees' applies to EqualityDent

Statement of Equality and Diversity Policy as it applies to the Board of Governors

General Policy

17. The Board of Governors will ensure that its own activities fully conform to the University's

27. The constitution of recruitment and selection and promotions panels should be in accord with equality and diversity policy and practices.
28. Promotion procedures and agreements will be reviewed periodically with the appropriate trades unions. Part of this review will ensure that they are consistent with the Equality and Diversity Policy.
29. Employees who feel they have been unfairly discriminated against may legitimately 0.05 r

Code of Practice 2: Middlesex University as an Equality and Diversity Institution in relation to the Education of Students

Policy

42. The University is committed to ensuring that all students enjoy equality of opportunity during their studies at Middlesex and are free from any form of discriminatory practices by the institution or its members, as defined in the University's Equality and Diversity Policy.

Course Publicity and Student Recruitment

43. Course publicity will be disseminated in ways which ensure that it is brought to the attention of all sectors of society. This will include the active promotion of relationships with relevant local community organisations.

44. A

53. Language support will be provided, as required, for students for whom English is not their first language.

54. Leaders of all modules and programmes will ensure that the curriculum, pedagogy and treatment of students are consistent with the University's general Equality and Diversity Policy and Codes of Practice.

Code of Practice 3: Disabled Staff and Students

Policy

55. Middlesex University is establishing systematic programmes o

- (b) Students and staff with disabilities will enjoy the same equality of opportunity available to their peers however it is not unlawful to discriminate in favour of a disabled person. In accordance with the University's Equality and Diversity Policy, support systems, curricular development and information will be designed to be inclusive and not exclude individual students or staff who are disabled.
- (c) If necessary and with their permission, the Chair of the Interview Panel will inform relevant staff of the support or emergency needs of disabled staff or students on the Campus.
- (d) The Director of Library and Student Support shall, with regard to confidentiality, monitor that the ongoing needs (as reflected in point (c) above) of students who are disabled are being implemented and embedded as appropriate.
- (e) In cases where adjustments require assessment of contractual conditions, advice should be sought from Human Resource Services.

62. The University has produced a guide for managers on the [Employment of Disabled People](#) to help managers recruit and retain the very best employees, to recognise and benefit from the skills and experience disabled people can bring to the workplace and to assist disabled people to meet their full potential.

The Built Environment

63. Estates and Facilities Management Services and the Student Wellbeing Service will ensure that the built environment is monitored and undertake adaptations to meet the needs of staff and students with disabilities in line with our aim to be an inclusive university.

Complaints Procedure

64. Complaints will follow the same procedures as for harassment and discrimination where that is appropriate.

Code of Practice 4: Sexual Orientation, Religion or Belief, Gender/Sexual Reassignment and Transgender, Gender Identity and Expression

65. The Equality Act 2010 legislation outlaws discrimination, victimisation and harassment in vocational training and employment on grounds of sexual orientation, gender reassignment and religion or belief.

66. Middlesex University recognises the benefits a diverse workforce can bring to the workplace, and is committed to ensuring that all aspects of its employment practice and working conditions do not discriminate against particular groups of staff.

Sexual Orientation, Gender Identity, Gender/Sexual Reassignment, Transgender, Gender Identity and Expression

67. It is important to note that all students in higher and further education institutions are specifically included in the legislation.

68. Middlesex University values all its staff and students equally, regardless of their sexual orientation, gender identity and expression, sexual reassignment and transgender status. It recognises the extent of heterosexist assumptions in society. Through the implementation of its equality and diversity

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In addition to direct and indirect discrimination, protection remains for people undergoing gender/sexual reassignment from discrimination due to absence from work. Where a trans person is absent from work because of gender/sexual reassignment, the Equality Act 2010 provides that they should be treated no less favourably than if the absence was due to sickness or injury or another g p e . T j - 7 5 0 T 2 2 . 0 0 2 5 0 T d [w o] - 1 4 . 2 5 0 T d [d u] - 1 1 . 3 (,) T J 0 T c 0 T w 6 . 2 9 1

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Code of Practice 5: Unlawful Discrimination

Policy

85. The University is committed to a working and learning environment that is free from unlawful discrimination.

Definitions

86. The Equality Act 2010 gives a definition of direct discrimination which occurs when a person treats one person less favourably than they would another because of a protected characteristic. Unfair discrimination in the workplace or in higher education on the grounds of a protected characteristic is unlawful.

87. The Equality Act 2010 makes it unlawful for staff to discriminate directly or indirectly, or harass customers or clients because of the protected characteristics of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of goods and services. From 2012 discrimination in the provision of goods and services because of age is covered with some legal exceptions. The University includes discrimination on the grounds of gender expression and gender identity as a matter of good practice as it is not yet covered by the Equality Act 2010.

88. The concept of associative discrimination in the Equality Act 2010, which is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although this does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

89. Discrimination based on association can occur if, for example:

- x a student, whose child has attention deficit hyperactivity disorder, is refused access to a graduation ceremony because of fears about the child's behaviour
 - x an employee is overlooked for promotion because their partner has undergone gender reassignment
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(b) Indirect discrimination - This occurs when an apparently neutral provision, criterion or practice would put persons of a racial or ethnic origin at a particular disadvantage unless the provision, criteria or practice is objectively justified by a legitimate aim and means of achieving that aim are appropriate and necessary.

(c) Discrimination by means of victimisation - this consists of treating a person less favourably than others are or would be treated in the same circumstances because that person has made a complaint or allegation of discrimination, or has acted as a witness or informant in connection with

100. Discrimination arising from disability can occur if, for example, a student with diabetes, carrying medication related to their condition, is refused entry by the University to an event with a no drugs policy – the University may be discriminating against the student unless the treatment can be justified. t0.002 Tw 0.283 0 Td(i)2.6 (ed.)Jw 1190-0 0 11.04 89.88 7 0 Tw (

Code of Practice 6: Harassment and Bullying

Policy

117. The University is committed to a working and learning environment that is free of intimidation or unlawful harassment

unwelcome or derogatory remarks regarding the sexual orientation or preference of an individual or a group;

- x unwelcome requests for social-sexual encounters and favours;
- x using computer networks for abusive social, sexual or racial messages;
- x criminal acts such as indecent exposure, sexual or physical assault.

All the above constitute sexual harassment to the recipient, particularly when they are accompanied by one or more of the following conditions:

- x explicit or implicit promises of rewards for cooperation (sexual or racial) or threats of punishment for non-cooperation.

Other forms of Harassment

123. There are other forms of harassment which equally can cause misery for the person suffering it. Such harassment may include, persistent teasing, comments about personal characteristics, practices or disabilities, and constant unfounded criticism of the performance of work task. Harassment because of sexual orientation or religious beliefs can also cause misery and suffering and the policy applies equally to this form of harassment.

124. The University regards harassment on the grounds of age as unacceptable.

Victimisation

125. Victimisation occurs when an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so, or being about to do so.

Bullying

126. Bullying frequently involves the misuse of power by someone in a position of authority (e.g. where a lecturer, manager or supervisor is able to affect another person's job, career or grade). However, it may also occur between people of the opposite sex or the same sex, between colleagues, or between students, between staff and student(s) or through upward bullying by a subordinate of their manager or by a student(s) of staff.

127. The University will not tolerate bullying as it can demean and undermine staff or students (individually or collectively) through negative acts or persistent behaviours, which leaves them hurt, frightened, angry or powerless.

128. Differences in culture and attitudes may mean that the person alleged to have caused offence may not have done so intentionally. However, the defining factor is the effect the behaviour has on the recipient and how this behaviour would be regarded by any reasonable person, not the intention of the alleged offender.

129. Staff and students need to be aware that not all bullying occurs face-to-face, it may be conducted by letter, electronically by e-mail or over the telephone and may include copying correspondence that is critical of someone to others who do not need to know.

130. For staff, there are other less direct (often unseen by others) forms of bullying such as unfair allocation of work and responsibilities or removal of the same without justification, monitoring work unnecessarily and intrusively.

131. Bullying can be an accumulation of small incidents, which have formed an underlying pattern of behaviour. However, a single occurrence may also constitute bullying.

134. The term 'manager' is used generically to encompass those who line manage staff as well as academic staff members and non-academic staff who provide support services to students. It should not be implied that bullying is only carried out by line managers. Students do not have managers but the principles outlined apply equally to students in their relationships with other students and members of staff.

135. Bullying is **not**:

- x legitimate and constructive and fair criticism of performance or behaviour;
- x action taken in response to misconduct or poor performance in a fair and consistent way in accordance with the University's policies and procedures, although staff and students may sometimes feel emotional and physical symptoms as a result;
- x vigorous academic debate; neither is it:
- x the action of a manager making reasonable but perhaps unpopular, work requests of their staff.

The test of reasonableness (i.e. the reasonable behaviour of a reasonable person) should be applied where differences in perception are apparent.

Academic Freedom

136. There is no specific exemption related to the concept of academic freedom in the Equality Act 2010, but there is reference to the curriculum. The purpose of this is to ensure that the Act does not inhibit HEIs from including a full range of issues, ideas and materials from multiple perspectives in their curriculum.

Code of Practice 7: Curriculum, Pedagogy and Assessment

Policy

143. The University is committed to an education for all students on all programmes and modules which actively promotes a curriculum reflecting a global outlook, drawing upon theorists from both western and non-western backgrounds. Programmes are to be designed that consider

where appropriate use anonymised

Code of Practice 8: The Language of Equality and Diversity

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Policy

149. Middlesex University is committed to using language spoken, written and visual which avoids language which could cause offence to those with a protected characteristic within the institution and in all its official documents, publications, committee reports and in promotional and advertising material. The goal is to achieve a writing 'house style' which embraces best practice.

Complaints Procedure

150. When the language used is perceived to be persistently offensive and discriminatory staff and students should consult either the Staff Equality and Inclusion Lead, Director of Student & Legal Affairs or Director of Human Resource Services or representative on the appropriate course of action under the various complaints procedures

What you should do if you believe you are the victim of:

- o Sexual, Racial, Disability or other forms of harassment;
- o Bullying;
- o Sexual, Racial, Disability or other forms of discrimination.

If you are a member of staff, you should use the University's Staff Complaints Procedure. Students should use the Student Complaints Procedure [[University Regulations](#)].

This policy was approved by the Board of Governors at its meeting on 12 July 1993. It was reviewed and updated during 1997 and the revised pov-0 07 1997-2Tj0(3)70 Tc 0 Tw (0 Tj5.0 15w0925c00