



Queen Margaret University
EDINBURGH

EQUALITY POLICY

**Approved by the Equality and Diversity Committee
May 2015 and University Court June 2015**

N.B. This Policy replaces the Statement of Equality of Opportunity, Equal Opportunities Policy, Race Equality Policy and the Equality and Diversity Strategy. The Equal Pay Statement is now a statutory duty and published alongside the Mainstreaming Report.

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1. Institutional Commitment

- 1.1 Queen Margaret University welcomes diversity amongst its students, staff, applicants, contractors and visitors, recognising the particular contributions to the achievement of the institution's mission that can be made by individuals from a wide range of backgrounds and experiences. The institution is committed to ensuring that all of its activities are governed by principles of equality of opportunities as this will help the institution to achieve its strategic aims. Equality is part of the University's vision and is integral in widening access and encouraging enthusiasm for learning.
- 1.2 Subject only to statutory provisions and necessary professional considerations, no students, staff, applicants, contractors or visitors will be treated less favourably than others because of any protected characteristic they possess. The protected characteristics are listed in Paragraph 2.1 below.
- 1.3 The University is committed to creating and celebrating a positive, inclusive atmosphere, based on respect for individuals' differences, in which students and staff are actively encouraged to reach their full potential. All staff and students have rights and responsibilities in relation to the promotion of equality.

2. Equality Framework in Scotland

- 2.1. The Equality Act 2010 came into force on 1 October 2010 and replaced previous equality legislation. It strengthens and extends protection to nine characteristics (called the "protected characteristics") which are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The Act is relevant to the institution as an employer, educational establishment and service provider.
- 2.2. The Act introduced the concept of the Public Sector Equality Duty where all public sector bodies have to have due regard in all actions and functions, and across the protected characteristics to:-
 - 2.2.1. The elimination of discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - 2.2.2. The advancement of equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - 2.2.3. The fostering of positive relations between people who share a protected characteristic and those who do not share it.

The Public Sector Equality Duty covers all of the protected characteristics except marriage and civil partnership (to which institutions are only required to have due regard to the need to eliminate unlawful discrimination in employment).

- 2.3. In Scotland, further specific Scottish duties were also introduced by the Scottish Parliament. These came into force on 27 May 2012. These duties are as follows:-

- 2.3.1. Report on progress in mainstreaming the duties under section 2.2 above into all functions;
- 2.3.2. Develop and publish a set of equality outcomes that cover all protected characteristics;
- 2.3.3. Assess the impact of policies and practices against the needs of the duties outlined above at section 2.2;
- 2.3.4. Gather and use information on employees;
- 2.3.5. Publish gender pay gap information;
- 2.3.6. Publish statements on equal pay for gender, race and disability;
- 2.3.7. Have due regard to the duties outlined at section 2.2. above in specific procurement practices; and
- 2.3.8. Publish information in a manner that is accessible.

In order to comply with these duties, the University published its' first Mainstreaming Report with Associated Equality Outcomes and Employment Information on 30 April 2013. Updates to this will be published at two year intervals.

2.4. Discrimination has been defined in the following ways.

- 2.4.1. **Direct Discrimination:** This occurs when someone is treated less favourably than another person because of a protected characteristic that they have or are thought to have or because they associate with someone who has a protected characteristic. A person can also be directly discriminated against due to discrimination based on perception. This occurs when a person is discriminated against because of the belief that they possess a particular protected characteristic, even when they do not.
- 2.4.2. **Indirect Discrimination:** This occurs 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.
- 2.4.3. **Discrimination from disability:** This occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be justified. It can only occur if it is known that a person has a disability or it can be reasonably expected that a person is disabled. The definition of disability under the Act is: "A person has a disability for the purposes of the Act if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities". This definition covers learning difficulties as well as physical, mental and sensory impairments. Discrimination under this heading may be avoided by the provision of reasonable adjustments. The University's Disability Policy has more detail on this section.
- 2.4.4. **Harassment:** The Act outlines three types of harassment. These are, firstly, unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violates the complainant's dignity (this applies to all protected characteristics except pregnancy and maternity and marriage and civil partnership). The second is unwanted conduct of a

sexual nature and the third is treating a person less favourably than another because they have either submitted to, or rejected, sexual harassment or harassment related to sex or gender reassignment. People are protected from harassment if they are perceived to have, or associate with someone with a protected characteristic.

2.4.5. **Victimisation:** This occurs when one person treats another less favourably because they have asserted their legal rights in accordance with the Act or helped another person to do so.

3. Equality Framework at the University

- 3.1. In order to comply with its duties under the Equality Act 2010, set out in section two above, Queen Margaret University published the first iteration of its Mainstreaming Report with Associated Equality Outcomes and Employment Information in April 2013. A progress report was published in April 2015 which details the University's progress with mainstreaming equality and in achieving the outcomes published. This report has to be updated and published every two years.
- 3.2. This Equality Policy sits alongside that Report, and together they provide the key strategic guides for equality and diversity at the University. For clarity, this Policy highlights the overarching aims of the University in relation to Equality and Diversity, and these aims are reflected in the remit of the Equality and Diversity Committee. The remit and structure of the Equality and Diversity Committee and how this ties into the institutional structure is set out in the Appendix to this Policy. The Mainstreaming Report with Associated Equality Outcomes and Employment Information provide detail on the manner in which these aims are being implemented and the extent to which Equality Outcomes are being achieved. Progress in the mainstreaming of Equality will be overseen by the Equality and Diversity Committee.
- 3.3. The University aims to work collaboratively with internal and external stakeholders in order to achieve its equality aims.
- 3.4. The University will ensure that, in the conduct of all its activities, steps are taken to promote equality of opportunity, to promote good relations between diverse groups, and to avoid the occurrence of discrimination, whether direct or indirect. The promotion of equality and diversity will be central to staff development activity.
- 3.5. The University will ensure that it assesses the impact on equality of all policies, practices and provisions. The University has established a systematic and thorough assessment process which requires a consultation on the effects of the proposed policy on different groups.

4. Aims of this Policy

- 4.1 Staff and students at the University are expected to treat others with respect at all times and are expected to challenge discriminatory behaviour, attitudes or practices whenever they occur.
- 4.2 The University will provide opportunities for staff and students to participate in learning opportunities that will enable them to consider their own prejudices and adopt good practice.
- 4.3 The University will publicise and raise awareness of this policy amongst staff and students (including visitors and contractors where relevant).
- 4.4 In relation to *staff*, the policy and practice of the institution require that all staff are afforded equal opportunities within employment, and that entry into employment with the institution and the progression within employment will be determined only by personal merit and the application of criteria which are related to the duties of each particular post and the relevant salary structure. In all cases, the ability to perform the job effectively, safely and fairly is a primary consideration.
- 4.5 We are committed to ensuring that our staff population is representative of the wider community. It is in the best interests of the University and everyone who works within the University to ensure that whenever employment opportunities arise, we consider the human resources, talents and skills available throughout the community. Within the framework of the law, we are committed, whenever practicable, to achieve and maintain a workforce that broadly reflects the community in which we operate and this will include using diverse sources of recruitment and adverts which target specific groups where permissible. The University will also provide fair and accessible opportunities for training and promotion for staff.
- 4.6 In relation to *students*, the institution aims to promote entry to and provide education at undergraduate and postgraduate level for all students, whatever their background. We are committed to enhancing the student experience through delivering equality across the protected characteristics and creating an inclusive learning environment. This applies to recruitment and admissions, to the curriculum, teaching and assessment, to welfare and support services, and to staff development and training. The Equality and Diversity Committee will take active steps to implement appropriate benchmarks, and to address any imbalance. The University encourages early disclosure of disability to allow for the provision of suitable reasonable adjustments prior to entering the institution.
- 4.7 Queen Margaret University is fully committed to exceeding the requirements of the general duty, set out fully in section 2.2. above, to eliminate unlawful discrimination; promotion of equality of opportunity; and promotion of good relations. This is the shared responsibility of all staff and students and all should adhere to these principles.
- 4.8 Any discriminatory behaviour, including harassment or bullying by individuals or groups, will be viewed extremely seriously and may be regarded as grounds for disciplinary process, which may result in expulsion or dismissal.

- 4.9 Failure to comply with the University's Equality Policy could lead to the individual and the institution being in breach of the law. The University will take action if there is any attempt by its students, staff or other service providers to discriminate.
- 4.10 The University will operate fair and transparent procedures for student assessment, progression, attainment of awards and involvement in other University activities.
- 4.11 The University will promote the use of inclusive language and avoid the use of words or phrases which are discriminatory or exclusive in all University publications and correspondence.
- 4.12 The University will introduce new and update existing policies and procedures which support our equality and diversity programme.
- 4.13 The University will ensure that all other University policies, procedures, functions, activities, strategy and decisions, take account of its stated aims for promoting and achieving equality and diversity. In conjunction with this, the University will ensure all policies and procedures are available in all formats.
- 4.14 The University is committed to widening access and participation to students who have previously been inhibited from entering higher education for social, economic or cultural reasons. The University seeks to increase student numbers from non-traditional groups; extend collaborative working relationships; promote staff understanding of diverse student groups and create an appropriately supportive infrastructure.
- 4.15 The University is committed to providing a clear and visible statement from the Court and the Court shall always be represented on the Equality and Diversity Committee. The Court shall promote equality policy and mainstreaming and ensure equality is an integral part of the planning process. The Court shall further ensure that equality impact assessment is undertaken and published. The Court shall promote regular policy review in light of these aims. The Court shall also take active measures to encourage diversity in membership and the business of the Court and actively involve students in decision making and policy development.
- 4.16 The University will demonstrate equality in the student experience from pre-application stage to graduation and shall ensure criteria for assessment is fair and clear. The University will ensure that a sound understanding of equality and diversity underpins all teaching, learning and assessment. The University will ensure a visible commitment to equality in modules and programmes and that all teaching is equality proofed. The University will celebrate and promote good practice in this regard.
- 4.17 In research, the University will continue the current good practice under the Research Excellence Framework and will build on this good practice in the future. The University will celebrate and promote good practice in research by the use of case studies and promotional material. The

University will maintain its Athena SWAN awards and seek to obtain further recognition to promote its good practice.

- 4.18 The University will ensure that all campus and administration services are equality and diversity compliant and will ensure all staff are provided with sufficient training. The University will ensure that all contractors have robust equality and diversity policies during any tendering process.
- 4.19 The University will work with the local community to build and develop links with local equality and diversity groups to encourage greater dialogue and participation in those groups.

5. Monitoring

- 5.1. The Equality and Diversity Committee will ensure that this policy and the aims hereunder are enacted throughout the University by the scrutiny of emerging policy and procedure under the Equality Impact Assessment regime and through reporting on mainstreaming and the equality outcomes.
- 5.2. Student recruitment, retention and progression statistics will be monitored and feedback under student surveys reviewed to ensure the student experience is mapped to this policy.
- 5.3. Employment statistics will be reviewed by the Equality and Diversity Committee and published in line with the Scottish specific duties to ensure that, in terms of employment, the University is meeting the aims under this policy.
- 5.4. The University will continue to monitor its teaching and learning practice via Annual Monitoring Reports for both Schools and through the quality assurance and quality enhancement process.
- 5.5. The University will commit to maintain its Athena SWAN awards and the good practice established through the Concordat and the Research Excellence Framework.

6. Complaints

Any person seeking to bring a matter of complaint under this policy to the University's attention should refer to the University's Complaints Procedure.

Appendix – Remit of the Equality and Diversity Committee

Purpose

To set the strategic framework for equality in service provision and in employment across the University.

Function

To promote equality of opportunity and respect for diversity in all aspects of the University's business. Specifically, to aim to eliminate discrimination, advance equal opportunities and foster good relations by tackling prejudice and promoting understanding, thereby ensuring the University avoids the potential for discrimination on grounds of the protected equality strands.

To advise the Senior Management Team, Executive Board and the University Court on the implementation of all aspects of the University's Equality and Diversity Strategy and Equal Opportunities Policy.

Remit

1. To work appropriately within the remit of the committee to support delivery of the objectives of the University's Strategic Plan.
2. To monitor, review and determine the impact of changes in equality legislation for the University, amending practice and policy to ensure legislative compliance.
3. To develop, prioritise, implement and monitor the progress in delivery, of the University's Mainstreaming Report and Equality Outcomes and the Single Equality Scheme and Action Plan.
4. To prepare, update and/or instigate appropriate equality policies and guidance and to monitor the implementation of such policies, including equality impact assessments.
5. To request and/or receive reports relating to equality issues from across the university.
6. To provide advice across the University on the interpretation of the Equal Opportunities Policy and supporting policy statements.
7. To identify areas that may require equality work and establish working groups to investigate and report as appropriate.
8. To recognise, communicate and promote examples of good 'equality of opportunity' practice from both internal and external sources.
9. To maintain and develop effective networking and liaison in equality and diversity issues. This applies internally to include University Committees as well as externally, sector-wide with working relationships with professional equality professionals and equality bodies such as Equality and Human Rights Commission and Equality Challenge Unit.
10. To provide advice on, and receive updates in relation to, the University's SFC Outcome Agreement with particular reference to learners from different protected characteristic groups.

11. To report regularly to the Executive Board and to Court providing an update on equality progress.

Quorum	One-third of the committee membership, to include the Convener
Meeting Frequency	Four times per academic year
Reporting	University Court and to Executive Board.
Minutes Distribution	Court, EDC Intranet Site, Secretaries of: Executive Board, Student Experience Committee and Research Strategy Committee.
Reporting Committee	International Student Forum