

## **DIVERSITY AND EQUALITY POLICY**

**Policy owner:** Human Resources

**Scope:** Staff

**Date:** November 2014

---

UWC Atlantic College is committed to ensuring that all employees are treated with dignity and respect whilst at work and or any other work related activities or events. This is regardless of age, disability, sex, sexual orientation, trans-gender status, marriage, or civil partnership status, pregnancy and maternity, ethnic or national origin, race, or religion or belief. The Equality Act 2010 defines these as 'protected characteristics' and this policy is intended to fully meet the requirements of the Act.

It is the right of every employee not to be discriminated against, harassed, bullied or victimised. The college opposes all forms of unlawful and unfair discrimination or victimisation and intends for this policy to provide equality and fairness for all in our employment.

This policy applies to all aspects of employment including recruitment and selection, terms and conditions of employment, learning and development and career progression

### **DIFFERENT TYPES OF DISCRIMINATION**

#### **DIRECT DISCRIMINATION**

This occurs when the reason for a person being treated less favourably than another is a 'protected characteristic'.

#### **INDIRECT DISCRIMINATION**

This will occur when a condition, criterion or practice, whilst applicable to the whole workforce, or all job applicants, disadvantages people who possess a 'protected characteristic' and where the employer is unable to justify the condition as being a legitimate organisational requirement.

#### **HARRASSMENT**

This is unwanted conduct related to a 'protected characteristic' which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading or offensive environment for that person. Whether harassment has occurred will depend on the person's perception in the light of the circumstances involved.

#### **VICTIMISATION**

This occurs if a person is subject to detriment i.e. treated unfairly, by another because the person has raised a complaint concerning discrimination or harassment, or has provided evidence or information in connection with such a complaint. Such actions are considered as 'protected acts' within the Equality Act 2010.

## **DISCRIMINATION BY PERCEPTION**

This occurs where a person thinks that another person has a protected characteristic – even if they don't.

## **DISCRIMINATION BY ASSOCIATION**

This is where a person is associated with someone who has a particular protected characteristic.

## **RESPONSIBILITIES**

### Line Managers

- To lead by example and demonstrate respect and value for all employees
- Not to tolerate any form of behaviour that could be perceived as discrimination, harassment or victimisation
- To ensure that all employees are aware of this policy
- To take all reasonable steps to ensure that discrimination, harassment or victimisation does not occur.
- To appropriately address any concerns raised that are perceived by the person as discrimination, harassment or victimisation
- Make a record of any incidents and issues and taken to address

### Employees

- Not to display any form of behaviour that could be perceived as discrimination, harassment or victimisation
- To challenge any form of behaviour which could be perceived as discrimination, harassment or victimisation
- To inform your Line Manager if you become aware of discrimination, harassment or victimisation
- To Comply with this policy

## **DEALING WITH ALLEGED DISCRIMINATION/HARRASSMENT/DISCRIMINATION**

In the first instance, employees are encouraged to make it clear to the alleged offender, that their behaviour is unwelcomed and that it must stop immediately. Employees may find it helpful to keep a written note of the date time and detail of any incidents as this may help to describe the behaviour and/or assist in providing evidence for any subsequent formal action.

Where an employee wishes to address the concern informally but requires some personal support to do so, they may contact the Head of HR with a view to considering appropriate options.

If the unwanted behaviour continues or, the circumstances are such that the employee is unable to discuss the matter with the alleged offender, they should raise the matter with their

Line Manager (or Line Manager's Line Manager if they are the alleged offender) or the Head of Human Resources.

An appropriate manager, will then address the complaint by meeting with the alleged offender in an aim to resolve the matter informally. This will be regarded as a priority and the meeting will take place without delay.

### **FORMAL RESOLUTION**

If it becomes clear that the matter will not be resolved by informal resolution, or the unacceptable behaviour continues following any agreed information resolution, the matter will be considered as a potential disciplinary allegation and will be investigated in accordance with the UWC Atlantic College Disciplinary Policy.

### **PERSONAL SUPPORT**

Given the potential sensitivities, it may be appropriate to provide additional personal support to either or both parties. Depending on the particular circumstances, such support may be provided by the Head of Human Resources, the College Counsellor or a Manager who is outside the respective parties' normal reporting lines.

### **CONFIDENTIALITY**

The confidentiality of both parties will be a key consideration at all times. In particular circumstances, it may be necessary to share information in which case there will be appropriate discussion beforehand.

### **SUSPENSION/CHANGES TO WORK ARRANGEMENTS**

Where the employee and the alleged offender work in close proximity it may be necessary to consider suspension or changes to working arrangements for either party. Such action will not be considered as disciplinary action and will be for the shortest time possible.