

Equality and Diversity including:

- **Equality and Diversity Policy**
- **Disability Discrimination Policy**
- **Dignity at Work Policy**

Equality and Diversity Policy

Statement of Principles

Introduction

The Woolf Institute Board of Trustees is responsible for establishing and reviewing this policy for the Institute as a whole.

This policy applies to all employees of the Institute, members of the Institute Board of Trustees, all Institute Committees, Tutors, Supervisors and students who have personal responsibility for upholding the principles of equal opportunity. They are expected to comply with the provisions of the policy and help others to achieve the aims of this Policy. The Institute aims to be an equal opportunities employer and undertakes to apply objective criteria to assess merit. It aims to ensure that no job applicant, employee or worker receives less favourable treatment on the grounds of race, sex, pregnancy & maternity, marriage or civil partnership, sexual orientation, gender re-assignment, disability, age, religion or belief.

The Institute also recognises the right of any employee to belong to a Trade Union and will not allow any discrimination as a result of such membership.

The Institute is committed to meeting its obligations under the Equality Act. The following policies and information provides guidance on these obligations and details how the Institute implements them.

The Institute is committed to a programme of action to make this policy effective, to minimise the possibility of discrimination and find means of combating it whenever it arises.

Definitions

Direct Discrimination occurs when a person is treated less favourably than others in similar circumstances on the grounds of one of the nine protected characteristics (race, sex, pregnancy & maternity, marriage or civil partnership, sexual orientation, gender re-assignment, disability, age, religion or belief).

Indirect Discrimination occurs when a condition or requirement is imposed which adversely affects one particular group considerably more than another and cannot be strictly justified in terms of requirements for performing the job.

Harassment is defined as unwanted, unreciprocated and/or uninvited comments, looks, actions, suggestions or physical contact that is found objectionable and offensive and that might threaten an employee's job security, or create an intimidating working environment. Harassment is particularly liable to occur as part of sexual or racial discrimination.

Victimisation is defined as singling out of an individual for harsh treatment or unfair action/sanction because he/she has made allegations or complaints of discrimination, harassment or bullying or provided information about such allegations or complaints.

Third Party harassment is harassment from or by a third party who is connected to the business by some commercial relationship e.g. client.

Discrimination by Association is regarded as direct discrimination because the employee is associated with a person who has a Protected Characteristic.

Discrimination by Perception is regarded as direct discrimination because others believe the employee has a Protected Characteristic.

The Institute's Responsibility as an Employer

In order for the Equality and Diversity Policy to be fully effective, the responsibility for ensuring that its terms are adhered to will lie with the Executive Director. It is, however, the responsibility of each Line Manager and all other supervisory staff actively to promote equality of opportunity within their own programmes and spheres of responsibility. It should not be overlooked that harassment can take many forms e.g. age, religion, skin colour, sexual preference, disability - even dialect or accent - can all form the basis for unwanted aggression and attention. Victimisation in the widest sense of the word is also a form of harassment and those exposed to or subject to such action need protection.

The Institute will inform its employees of their responsibilities and opportunities under the Equality Legislation; will make sure that the Institute's Equality Policy is known to all staff and applicants. The Institute will take disciplinary action against employees who are found to infringe its Equality and Diversity Policy.

It is Woolf Institute policy that these matters are to be treated with absolute confidentiality and that no action will be taken without the willing consent of the person who feels he or she has been a target.

What the Institute expects from its Employees

While the main responsibility for providing equal opportunity lies with the Institute, individual employees at all levels have responsibilities too. Eradicating discrimination depends on everyone's collaboration.

Employees should not harass, abuse or intimidate other employees on any grounds.

Employees should co-operate with measures introduced by the Institute to make sure there is equal opportunity and non-discrimination. Employees must not victimise individuals on the grounds that they have made complaints or provided information about discrimination or harassment.

Disability Discrimination Policy

It is Institute policy not to discriminate against disabled persons whether in, or applying for, employment.

Access to Work

The Institute encourages all disabled job applicants and employees, and those with physical or mental health conditions, to apply to the government's Access to Work scheme for a grant. An Access to Work grant can pay for practical support to help you either start work or stay in work. How much you may be awarded depends on your circumstances.

To qualify for an Access to Work grant in relation to employment you must:

- Have a disability or physical or mental health condition that affects your ability to work;
- Be aged 16 or over;
- Live in England, Scotland or Wales; and
- Have a paid job or be about to start a job, work experience or an apprenticeship.

In addition, your disability or health condition must either make it hard for you to do parts of your job or get to and from work or mean you have to pay work-related costs, for example special computer equipment.

If you are awarded a grant, the money can pay for things like special equipment, adaptations to the equipment you use, fares to work if you can't use public transport and a support worker or job coach to help you in the workplace.

You can apply for an Access to Work grant either online (<https://www.gov.uk/access-to-work/apply>) or by phoning the Access to Work scheme on 0800 121 7479. Once you have applied, an Access to Work advisor will then contact the Institute with your agreement and may also wish to visit you at work to assess your needs.

Access to Work is a government scheme and eligibility is strictly governed by the terms set by the government from time to time. It is also entirely the government's decision as to whether to award you a grant. The Institute has no responsibility or liability for decisions made by the government.

Dignity at Work Policy

The Institute requires all employees to treat each other with dignity and respect and to understand that behaviour that they may find acceptable may not be regarded as such by others.

It is never acceptable for any employee to act in a way which may lead them or others to be drawn into extremist or terrorist-related activity. The Institute has a statutory duty to protect its employees from such radicalisation while having particular regard to ensuring freedom of speech and academic freedom (under the Counter-Terrorism and Security Act 2015). Every employee has a duty to report any concerns about such activity or possible activity to their Line Manager or direct to the Director of Services and Administration.

The Institute is committed to dealing with any form of harassment, bullying, intimidation or other inappropriate behaviour, which causes offence, whether intentional, or not. Such behaviour can take place via words as well as actions, via the telephone and email as well as face to face. It is likely to be ongoing but could be a single incident.

Behaviour which constitutes harassment is any conduct unwanted by and offensive to the recipient, which could be based on personal characteristics such as their:

- Race, ethnic origin, nationality or colour;
- Gender or sexual orientation;
- Religious or political convictions;
- Willingness to challenge harassment leading to victimisation;
- Disabilities;
- Status as ex-offenders;
- Age; or
- Any conduct based on these characteristics or others which affects the dignity of any individual at work.

This is not intended to be an exhaustive list.

Bullying is defined as persistent behaviour against an individual which is intimidating, offensive or malicious and which undermines the confidence and self-esteem of the recipient. Bullying is also unacceptable behaviour and will be regarded as gross misconduct. A complaint of bullying will be dealt with in the same way as harassment.

Line Managers are required to act and react to all employees (and any other persons with whom they may be in contact) with respect and dignity.

Line Managers are also required to ensure those under their control act in a similar way in their relationships with each other. They should immediately correct and take appropriate action, when faced or notified of any unacceptable behaviour.

Line Managers are expected to familiarise themselves with and apply the Institute policy to ensure the Institute procedure is known to all, in the event of an employee wishing to raise a complaint. Such complaints will be dealt with immediately, objectively and fairly.

Line Managers should:

- Encourage genuine concerns to be raised rather than be hidden;
- Endeavour to eradicate victimisation and/or retaliation.

Under the Criminal Justice Act 1994, harassment is a criminal offence punishable by a substantial fine and/or a prison sentence of up to six months and under the Protection from Harassment Act 1997 to unlimited fines and imprisonment of up to five years.

You can help to stop bullying and harassment by:

- Being aware of its existence and alert to its consequence;
- Setting a good example and making sure conduct does not cause offence or misunderstanding;
- Not being afraid to make a stand against the injustice of harassment or bullying, whether personally involved or providing support for a colleague.

If you think that you are being harassed or bullied, you can:

- Ask the person to stop;
- Ask for help on an informal basis;
- Ask for help as outlined below.

If an incident is reported the following procedure should be followed:

- Make a note of the time, date, place and any other relevant data;
- Make a note of any witnesses, or persons in the immediate neighbourhood who may not have witnessed the event but may at least be able to corroborate that the persons involved were at the location at the time stated.

If the person generating the alleged harassment/bullying is:

- An employee of the same or junior status: the matter should be reported to your Line Manager with an indication of the required action;
- Senior to, but not your Line Manager: the matter should be reported to the Director of Services and Administration with an indication of the required action;
- Your immediate Line Manager: the matter should be reported to the Director of Services and Administration with an indication of the required action;
- If no one else is appropriate to hear your concern, you must report it to a Director.

Whenever possible, the anonymity of the person complaining of harassment or bullying should be maintained.

The person to whom the complaint is made should record in writing as many details as possible regarding the complaint, including details of any witnesses etc.

Within no later than five working days and sooner if possible, the person receiving the complaint must report back to the complainant with details of action taken and any resolution achieved. A resume of the action taken and any resolution must be given to the complainant in writing and a copy held with the notes regarding the complaint. If the solution is satisfactory to the complainant, the matter should be concluded. Any notes relating to the case will be held under confidential control.

If the solution is not satisfactory to the complainant, the matter should be discussed further and an alternative solution attempted to be agreed. This may require the person receiving the complaint to make further investigations and to take the matter to a higher authority.

If the matter is referred to a higher authority (i.e. someone not involved in any way with the matter previously), then the investigation by that person and subsequent decision will be made known to the complainant within five working days. This decision will be binding and conclude the enquiry internally.

If in the course of the investigations at whatever level, it is proved, or it is admitted that harassment/bullying did take place, the matter must be referred to the Line Manager of the person responsible for the harassment. Since harassment and bullying are regarded very seriously, appropriate disciplinary action must be taken. In extreme cases dismissal may be the only solution.

If victim and harasser/bully normally work in close proximity, consideration should be given to relocating one or the other.

If, on investigation, it is discovered that not only has the complaint little substance but indeed appears to have been made out of malice, the Institute will take appropriate action against the employee concerned.

Age Discrimination

The Institute will not discriminate against any member or potential member of their staff either directly or indirectly as a result of a persons' age. Staff management, including recruitment, selection for promotion, awarding of benefits, training and development and, if necessary, redundancy will not be influenced by age. Each person will be assessed purely in the light of their own skills and possible contributions to the Institute.

If you believe you have been discriminated against, as a result of your age, you should submit a grievance, preferably in writing, to the Executive Director of the Woolf Institute.

Sexual Harassment

Unwanted/unwelcome sexual advances or promises/threats related to sexual activities will be considered as a serious offence under the disciplinary procedure. Such conduct includes both physical action and verbal comment of a sexual nature, independent of gender. The appropriate penalty for such an offence will be either a final written warning or dismissal.

Any such incidents should normally be reported through your Line Manager. Incidents include those caused, allegedly, by Third Parties.

Where the grievance is considered to be of a serious personal nature, the employee instigating the complaint should raise the matter with the Director of Services and Administration.

The employee must be able to demonstrate that they have reasonable grounds for wishing to bypass stages of the procedure in this way.

Each stage of the procedure will be implemented as promptly as is reasonably practicable and shall not be subject to undue or wilful delay.

Any allegation of harassment will be dealt with seriously and confidentially and employees making such an allegation will be protected against victimisation.

Recruitment

Candidates will be selected on their perceived ability or potential ability to carry out specific roles and will not be discriminated against on the grounds of a protected characteristic (race, sex, pregnancy & maternity, marriage or civil partnership, sexual orientation, gender re-assignment, disability, age, religion or belief) nor TU membership (or otherwise).

Promotion

Promotion within the Institute is made without regard to a protected characteristic (race, sex, pregnancy & maternity, marriage or civil partnership, sexual orientation, gender re-assignment, disability, age, religion or belief) nor TU membership (or otherwise) and is based solely on merit and commercial requirements.

Employees accepting either promotion or transfers must be aware that no guarantees can be made about the outcome. Should both or either party consider that the promotion or transfer has not been a success, the Institute will make every effort to consult with the employee concerned and seek to identify alternative employment, including different or lower status employment (demotion) if considered suitable. All options will be considered but employees accepting promotion or transfer may face potential loss of employment if there is no viable alternative if the change has not been successful.

The Woolf Institute

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