



**EQUALITY, DIVERSITY AND
INCLUSION POLICY 2019-25**

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OUR MISSION AND VALUES

The mission of the University is 'Excellence in education and research, for the benefit of individuals and communities'. This mission is underpinned by our values of inclusion, partnership, and community. Student success is at the heart of our mission and we are supported in this by committed partnerships between the University, the Students' Union and external partner organisations.

Our ability to achieve our mission is built on the talents and capabilities of our people. We are committed to nurturing a diverse community in which every member can work, live and study in an inclusive environment in which they feel safe, supported and able to reach their potential.

We recognise that policies and processes alone do not create inclusive environments and this is why we take a holistic approach, which places as much emphasis on how people behave as it does on policy and process.

POLICY STATEMENT ON EQUALITY, DIVERSITY AND INCLUSION

The University of Essex celebrates diversity, challenges inequality and is committed to nurturing an inclusive and diverse community that is open to all who have the potential to benefit from membership of it, and which ensures equality of opportunity for all its members.

We expect all members of our campus communities, employees, workers, contractors, students and visitors to be treated, and to treat others, with dignity and respect. We do not tolerate discrimination against any individual or groups of people because of their age, gender identity, marriage and civil partnership status, race, religion or belief, sex, sexual orientation, because they have a disability, or because they are pregnant, breastfeeding or have recently given birth.

To support our value-commitment to inclusivity, we extend protection from discrimination beyond our legal obligations to cover other forms of difference such as socio-economic background, political beliefs and affiliations, family circumstances, appearance, personal interests.

AIM

This policy document sets out our approach, in the context of our institutional mission, values and objectives as set out in our Strategic Plan, our People Supporting Strategy, our Education and Research Strategies and equalities legislation.

It supports our commitment to addressing under-representation where it exists, celebrating the diversity of our students and staff, nurturing communities of belonging in which all are accepted without exception, and promoting inclusion, well-being, resilience and empowerment to enable everyone to reach their full potential.

It applies to all employees, workers, contractors, students and visitors and is a means to ensure that every member of our community is aware of their rights and responsibilities.



ROLES AND RESPONSIBILITIES

Our Council is the executive governing body of the University and is responsible for ensuring the University complies with the requirements of the Equality Act 2010. Council receives an annual Equality, Diversity and Inclusion report which includes information that demonstrates how we are meeting our legislative obligations and the progress we are making towards achieving our Equality Objectives.

The Vice-Chancellor, supported by the senior management team (University Steering Group, USG), is responsible for ensuring that this policy is implemented effectively.

The Human Resources and Equality and Diversity Group is responsible for monitoring, reviewing and recommending to USG policy in relation to equality, diversity and inclusion.

Every member of our community has a responsibility to abide by this policy, to challenge inappropriate behaviour if they feel able to do so, in an appropriate way, and to report any behaviour that contravenes this policy.

OUR LEGAL OBLIGATIONS

Under the General Equality Duty set out in the Equality Act 2010 (the Act) the University has obligations as both an employer and as an education provider. This means that we must, in the exercise of our functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;

- Advance equality of opportunity between people who share a protected characteristic and those who do not;

- Foster good relations between people who share a protected characteristic and those who do not.

In addition, as a public authority, we must:

- Publish information to demonstrate our compliance with the General Equality Duty across our functions;

- Prepare and publish equality objectives.

Details of the types of discrimination and the protected characteristics covered by the Equality Act 2010 are in [Appendix A](#).

Our equality objectives are contained within the following documents:

- People Supporting Strategy action plan
- Education Strategy action plan
- Research Strategy action plan

OUR PERSON-CENTRED APPROACH

We place people at the centre of processes and systems and expect judgement and decision-making to be based on the principles of dignity and respect and our institutional values.

To ensure staff are aware of what is expected from them, and what they should expect from others, we have developed our *How we work at Essex* framework.

OUR ZERO TOLERANCE APPROACH TO HARASSMENT AND BULLYING

We expect the highest standards of behaviour from every member of our community and we have a **zero tolerance approach to harassment and bullying**. This means that all employees, workers, contractors, students and visitors are expected to be treated, and to treat each other, with dignity and respect.

Zero tolerance means that (i) we will take action and (ii) the action will proportionate to the circumstances of the case.

REPORTS OF HARASSMENT, BULLYING, SEXUAL VIOLENCE OR HATE CRIME

We will support those who experience harassment, bullying, sexual violence or a hate crime and take action to ensure the behaviour stops where possible. Any employee, worker, contractor, student or visitor to any of our campuses who experiences or observes any inappropriate behaviour is encouraged to report it through our **Report and Support** system.

This can be done anonymously, or reportees can ask to be contacted by an adviser.

Where an informal approach to dealing with harassment or bullying has not been successful or where the matter is sufficiently serious that informal approaches are not appropriate, employees, workers, students, contractors or visitors can use our **Complaints of Harassment or Bullying procedure** to make a complaint.

Complaints by students about other students are dealt with under the **Code of Student Conduct**; complaints by students about employees or workers should be made through the **Student Concerns and Complaints Procedure**.

How we work at Essex contains a set of values-based expectations that will be embedded through a comprehensive change project, covering our policies and guidance and our leadership and development programmes, and reinforced by our physical space and ways of working.

How we work at Essex supports our strategic objectives in three priority areas: People, Knowledge, Communities.

- **People:** We will support an inclusive working environment which recognises and harnesses the contribution of every member of the University, through inclusive policies and processes that put people at the centre and also by our behaviours, which will promote an environment where people learn from others and are supported through effective processes and partnership to take decisions on behalf of the organisation

- **Knowledge:** We will support staff and students to co-produce relevant, responsive and inclusive curricula that offer a diverse range of learning opportunities and that are agile, responsive to current issues/emerging challenges and designed to meet the needs, interests, learning styles, aspirations and backgrounds of our student community.

- **Communities:** We will create living and learning communities that foster students and staff to feel a sense of belonging, inclusion, well-being, resilience and empowerment.

INCLUSION AND ACADEMIC FREEDOM

We are a University that values both inclusion and academic freedom. These equal freedoms are balanced by equal responsibilities. Our commitment to inclusion demands that (i) we exercise our freedoms responsibly, respectfully and with due regard to the values we share as a community and (ii) academic freedom cannot be used as an excuse for subjecting an individual or group to bullying or harassment or for committing a hate crime.

Our dual commitments to inclusion and academic freedom are also enshrined in law. Section 43 of the Education (No.2) Act 1986 requires all those concerned in the governance of universities to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students, employees and visiting speakers.

Our **Policy on Academic Freedom and Freedom of Speech** affirms our commitment to promoting academic freedom, freedom of speech and inclusion within the law and our founding charter also enshrines academic freedom within the law.



APPENDIX A:

EQUALITY LEGISLATION AND DEFINITIONS

A.1 THE EQUALITY ACT 2010

The Equality Act 2010 (the Act) replaced the majority of previous anti-discrimination laws with a single Act. The Act protects people from discrimination on the basis of 'protected characteristics'.

The protected characteristics under the Act are:-

- **age**
- **disability** (a detailed definition can be found in B.7)
- **gender reassignment*** (defined as 'where a person has proposed, started or completed the process to change his or her sex'. Individuals do not have to be under medical supervision to be protected by the law).
- **marriage and civil partnership**
- **pregnancy and maternity**
- **race**
- **religion or belief** (religion is defined as 'any religion, including a lack of religion', belief is defined as 'a religious or philosophical belief, including a lack of belief')
- **sex** (or gender)
- **sexual orientation** (defined as person's sexual orientation towards persons of the same sex,

persons of the opposite sex or persons of either sex. This means the Act protects bi, gay, heterosexual and lesbian people)

*The University's policies go beyond the requirements of legislation and protect a broader group of people than those covered by the term 'gender reassignment'. Our policies cover all trans¹ people, including those with non-binary gender identities.

Staff and students must avoid discrimination on the grounds of any protected characteristic mentioned in the University Equality, Diversity and Inclusion Policy Statement, which includes those mentioned in the Act.

B.2 TYPES OF DISCRIMINATION

There are four types of discrimination; direct discrimination, indirect discrimination, harassment and victimisation. All of these are illegal and are defined under the Act as follows:-

B.3 DIRECT DISCRIMINATION

Direct discrimination occurs when someone is treated less favourably than another person **because of** a protected characteristic they have or are thought to have (**discrimination by perception**), or because they associate with someone who has a protected characteristic (**discrimination by association**). Under the Act, disabled people are protected from **discrimination 'arising from disability'** which

occurs when someone has been treated unfavourably because of something connected with their disability as opposed to 'because of' the disability itself.

B.4 INDIRECT DISCRIMINATION

Indirect discrimination occurs when a rule, policy or practice appears to be neutral but its impact particularly disadvantages people who share a particular protected characteristic.

B.5 HARASSMENT

Harassment is defined as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

Under the Act staff and students can complain of behaviour they find offensive even if the behaviour is not directed at them.

B.6 VICTIMISATION

Victimisation occurs when an individual is treated detrimentally because they have made a complaint about discrimination or harassment or have given evidence relating to such a complaint or because they are suspected of doing so.

B.7 DISABILITY

A disabled person is defined in the Act as someone with a physical or mental impairment which has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities. The Equality Act 2010 provides for certain people to meet the definition of disability without having to show that they have an impairment that has (or is likely to have) a substantial, adverse long-term effect on their ability to carry out normal day-to-day activities. This includes people who have cancer, HIV

infection, multiple sclerosis and people who are certified as blind, partially sighted, severely sight impaired or sight impaired by a consultant ophthalmologist.

B.7.1 WHAT DOES 'IMPAIRMENT' COVER?

It covers physical impairments and impairments affecting the senses such as sight and hearing. It also covers mental health conditions including learning difficulties and mental illness.

B.7.2 WHAT IS A SUBSTANTIAL ADVERSE EFFECT?

A substantial adverse effect is something which is more than a minor or trivial effect and includes progressive conditions where impairment is likely to become substantial such as cancer, multiple sclerosis, muscular dystrophy and HIV infection, genetic disorder or other diagnosed disorder. The requirement that an effect must be substantial reflects the general understanding of disability as a limitation going beyond the normal differences in ability which might exist among people.

B.7.3 WHAT IS A 'LONG-TERM' EFFECT?

A long-term effect of an impairment is one:

- which has lasted at least 12 months; or
- where the total period for which it lasts is likely to be at least 12 months; or
- which is likely to last for the rest of the life of the person affected.

What are 'normal day-to-day activities'?

They are activities which are carried out by most people on a fairly regular and frequent basis. The term is not intended to include activities which are normal only for a particular person or group of

¹The term trans is an umbrella term for people whose gender identity and/or gender expression differs from their birth sex.

POLICY CREATOR: HUMAN RESOURCES

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