

OUR PEOPLE PRACTICES/ EQUALITY, DIVERSITY AND INCLUSIVITY: Policy

Created: 2010

Updated: 19.04.22

Version: 4.0

Owner: Human Resources / Equality and Diversity Team

Author: EDI

Approved by: EDI Strategy Group

Go Live Date: April 2022

Review Date: February 2025

Contents

1. Purpose
2. Scope
3. Policy Statement
4. Definition
5. Legal Framework
6. The University of Kent's Commitment
7. Students
8. Curriculum, Teaching and Assessment
9. Recruitment and Selection
10. Employment
11. Confidentiality
12. Responsibilities
13. Monitoring and Review
14. Communication and Consultation
15. Complaints
16. Further help and guidance
17. Review
18. Associated practices

1. Purpose

- 1.1 The University of Kent is committed to the creation and support of a balanced, inclusive and diverse community which is open and accessible to all students, staff, apprentices, visitors and members of the public; and where individuals are integrated, diversity is recognised, and there is flexibility to support differing aspirations and goals. By celebrating the diverse nature of our population we will meet, our obligations under current and future equality legislation.

2. Scope

- 2.1 This policy applies to all members of staff, students, apprentices and their employers,, visitors, contractors, sub- contractors, service providers, and any other persons associated with the functions of the University. This policy covers all sites on which the University carries out its activities including the Associate Colleges and off-campus delivery of apprenticeships.

2.2 Students and Apprentices

- 2.2.1 Students includes Full Time, Part Time and Apprentices.
- 2.2.2 In relation to apprentices, we are only responsible for making adjustments in the teaching/assessment and access to University facilities, not for reasonable adjustments as part of their employment, which falls to the employer

2.3 Visitors and Members of the Public

- 2.3.1 The University recognises that many members of the public use the services of the University for example: Library, Theatre and Sports Centre or attend conferences on site. The University takes seriously its responsibility to these people and affirms that they will be treated with respect for their rights. Likewise, it is not acceptable for staff, students or apprentices to be treated unfairly by service users or visitors.

2.4 Procurement

- 2.4.1 The University's Director of Commercial and Facilities Management and the Procurement department have rigorous systems in place for ensuring all contractors and tendering organisations comply with our Equality, Diversity and Inclusivity (EDI) policy.

3. Policy statement

- 3.1 It is the policy of the University of Kent that people are not privileged or subject to less favourable treatment on the grounds of sex, age, disability, race, marital or civil partnership status, sexual orientation, religion or belief, gender reassignment, pregnancy and maternity, national origin, socio economic background, carer status, Trade Union membership, type of contract (whether full time, part time or fixed term).
- 3.2 The University of Kent recognises that members of staff, students and apprentices may have a range of aspirations and goals and wishes to provide a positive working and learning environment where diverse skills and experiences are applied to learning and teaching, support services, research, consultancy, administration and management.
- 3.3 All staff and students and apprentices should have equal access to the full range of institutional facilities and adjustments to working and learning practices are considered wherever appropriate in order to accommodate a more diverse University community.
- 3.4 The University of Kent seeks to become an institution that empowers anyone who is

Our People Practices/ Equality, Diversity & Inclusivity: Policy disadvantaged, promotes good relations between members of all groups, and is representative of its local, national, and global community in terms of staff, student and apprentice profiles.

- 3.5 An Equality, Diversity and Inclusivity policy cannot succeed without the active support of the entire University community. The Council has ultimate responsibility, managers have direct day to day responsibility, and all members of staff, students and apprentices have personal responsibility for its implementation, as outlined below.
- 3.6 Equality, diversity and inclusivity are integral to University policy formulation, planning, projects and programmes. The University of Kent takes the above responsibilities very seriously and will investigate any allegations of discrimination and take action as appropriate. It will seek to resolve any conflicts arising from differences in culture, background or expectations in accordance with this policy.

4. Definitions

- 4.1 This Policy uses the following definitions from current employment legislation and advisory bodies such as the Advisory, Arbitration and Conciliation Service (ACAS) and the Equality and Human Rights Commission (EHRC).
- 4.2 Diversity describes the range of visible and non-visible differences that exist between people.
- 4.3 Discrimination takes place when an individual or a group of people is treated less favourably than others because of factors unrelated to their merit, ability or potential. It is unlawful to discriminate against people because of a legally protected characteristic. The protected characteristics are:
- Age
 - Sex
 - Race
 - Disability
 - Gender reassignment
 - Sexual orientation
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Religion or belief
- 4.4 Direct discrimination occurs when factors unrelated to merit, ability or potential of a person or group are used as an explicit reason for discriminating against them.
- 4.5 Discrimination based on association is a form of direct discrimination which occurs when an individual or group of individuals are treated less favourably because of their association with another person who has a protected characteristic.
- 4.6 Discrimination based on perception is a form of direct discrimination which occurs when an individual is treated less favourably because you mistakenly think that they have a protected characteristic.
- 4.7 Discrimination because of pregnancy and maternity. It is discrimination to treat any person less favourably because they are or have been pregnant, have given birth in

the last 26 weeks or are breast/chestfeeding a baby who is 26 weeks or younger. It is direct sex discrimination to treat any person less favourably because they are breast/chestfeeding a child who is more than 26 weeks old.

- 4.8 Indirect discrimination occurs when a provision, criterion or practice is applied to all, it puts a group with a protected characteristic at a disadvantage when compared with another group, and the employer cannot show it to be a proportionate means of achieving a legitimate aim.
- 4.9 Discrimination arising from a disability occurs when you treat a disabled person unfavourably because of something connected with their disability and cannot justify such treatment. The only justification to this discriminatory conduct would be if there exists a genuine legitimate objective that will be met in a fair, objective and reasonable way. Discrimination arising from disability can only occur if it is known that a person has a disability or it can be reasonably expected that a person is disabled.
- 4.10 Equal pay means that men and women must be paid the same rates or be on the same scales where they are doing the same work, or work of equal value, or like work.
- 4.11 Positive action is the deliberate introduction of measures to eliminate or reduce discrimination, or its effects. It is not about special treatment for any one particular group, but the fair treatment of all people. It is distinct from positive discrimination which is unlawful.
- 4.12 Reasonable adjustments. There is a statutory duty under the Equality Act to make reasonable adjustments to both working practices and the working environment, to ensure that disabled people are not disadvantaged in comparison with someone who does not have a disability.
- 4.13 Victimisation occurs when someone is treated less favourably because they have made or supported a complaint, or raised a grievance under the Equality Act 2010.
- 4.14 “Whistleblowers” Act offers protection to workers who disclose information outside the organisation in cases where the matter has been raised internally and not been resolved as a result. Further information can be sought from the Whistleblowing/Fraud/Risk Management policies.

5. Legal framework

- 5.1 The main piece of legislation governing equality in the UK is the Equality Act (2010), which replaced nine pieces of legislation and over 100 regulations when it came into force. The Equality Act is the main legal framework protecting the rights of individuals and advancing equality of opportunity.
- 5.2 Under the Equality Act, and as part of upholding our Public Sector Equality Duty, the University of Kent will ensure that in carrying out its activities it will have due regard to:
- eliminating unlawful discrimination, harassment and victimisation;
 - advancing equality of opportunity across all University activities;
 - fostering good relations between people of diverse backgrounds.
- 5.3 Additional legislation covering equality and diversity in the UK includes:
- Civil Partnerships Act (2004)
 - Gender Recognition Act (2004)
 - Racial and Religious Hatred Act (2006)

- Marriage (Same Sex Couples) Act (2013)
- The Work and Families Act (2006)
- Employment Rights Act (1996)
- Maternity and Parental Leave etc. Regulations (1999)
- Part time Workers (Prevention of Less Favourable Treatment) Regulations (2000)
- Employment Act (2002), including Fixed Term Workers (Prevention of Less Favourable Treatment) Regulations
- Public Interest Disclosure Act (1998) [“Whistleblowers” Act]
- Rehabilitation of Offenders Act (1974) as amended
- The Human Rights Act (1998)
- Protection from Harassment Act (1997)

6. The University of Kent’s commitment

- 6.1 The University of Kent takes seriously its responsibility to its staff, students, apprentices and wider stakeholders in providing a safe, open and fair community in which all individuals are encouraged to thrive.
- 6.2 The University does not accept any form of discrimination, harassment, or bullying and takes great pride in its inclusive ethos, diverse community, and strong academic rigour. The University recognises that individuals may have diverse needs, for example because of culture, religion or disability, and it seeks to meet these wherever practicable. For example, prayer times, dress codes or specialist access or equipment.
- 6.3 Any staff member, job applicant, student, apprentice and prospective student/Apprentice, or visitor who believes that they may have been the victim of discrimination, harassment or victimisation shall have full right of protection under this policy, as well as the University’s Dignity at Work policy and/or Respect at Kent policy and associated grievance resolution and disciplinary procedures. The University is committed to investigating and resolving all complaints under this policy in line with best practice.
- 6.4 The University monitors the protected characteristics for both staff, students and apprentices in order to ensure equal opportunity and advancement of all groups. All personal data is treated with strict confidentiality. Where we have gaps in our data collection and monitoring we will seek to improve these systems in order to provide more robust data analysis, which is published annually in the EDI Report.

6.5 Type of Contract

- 6.5.1 The University recognises its responsibilities under the Part-Time Workers (Prevention of Less Favourable Treatment) Directive (2000) and Fixed-Term Work Directive (2002), to ensure that part-time and fixed-term workers are in no less favourable position than staff with permanent and/or full time contracts.

7. Students/Apprentices

- 7.1 The University of Kent considers applicants solely on the basis of their merits, abilities and potential, regardless of sex, gender, ethnic or national origin, age (subject to the University regulations on minimum age), disability, religion, sexual orientation or any other irrelevant distinction.

- 7.2 The University is committed to widening participation, employing positive action in recruitment strategies when appropriate, using fair and transparent admissions criteria and developing student assistance programmes that facilitate the admissions of students/apprentices irrespective of their background or financial situation.
- 7.3 The University will ensure that all staff members who are involved in applications and admissions procedures, panels, and all support services, are trained in line with the University's policies on equality and diversity.
- 7.4 The University will put in place the recommendations of any relevant Impact Assessments; and this will include:
- benchmarking against appropriate groups;
 - complaints by applicants;
 - Progression Analysis Tool processes to monitor student/Apprentice applications, admissions, progress and achievement by ethnic origin, sex, gender, age and disability;
 - Postgraduate/Scholarship applications made direct to departments;
 - Student/apprentice appeals by faculty;
 - Student/apprentice complaints of harassment and bullying.
- 7.5 Details of the composition of the current student(including apprentices) population with regard to age, sex, gender, ethnic origin and disability may be found on the EDI Intranet page within the current Valuing Everyone Equality and Diversity report. Tutors (or relevant responsible person within the Department/Faculty) should bring to the attention of the Equality and Diversity Manager cases where equal opportunities issues may be involved in withdrawal or intermission.

8. Curriculum, teaching and assessment

- 8.1 The University, will ensure that teaching, learning and ancillary facilities (including those utilised in the delivery of apprenticeships) are organised to ensure practical and reasonable equality of access, through curricula which are accessible, relevant, appropriate and responsive to a variety of student/apprentices needs. In addition to the protected characteristics, this applies particularly to students / apprentices with caring responsibilities, religious requirements, physical or mental impairments, non-traditional educational backgrounds, and non-native English speakers but does not replace the need for students to have sufficient proficiency in English/BSL to engage with their studies. The curriculum must be more representative of students and reflective of different groups' needs, valuing and nurturing an increasing diversity among students and be open to a wide variety of social and cultural perspectives.

9. Recruitment and selection

9.1 Advertisements

- 9.1.1 The University of Kent will advertise posts outlining the relevant skills, qualifications, knowledge, competencies, and experience necessary for the job in order to attract the best applicants, unless it is to take [positive action](#) to welcome applications from groups which do not usually apply, or are underrepresented in the workforce or in the grade being advertised;

- 9.1.2 When positive action is appropriate and in response to meeting the needs of a particular group who may be under-represented, the University will consider placing advertisements in appropriate publications.

9.2 Shortlisting and interviews

- 9.2.1 The University will produce a shortlist of job applicants who, from the evidence available, appear to have the necessary skills and abilities in relation to criteria stipulated in the job description/person specification.
- 9.2.2 In line with HR guidance on the role of the Chair, all interview panel chairs must ensure they have had recent training in recruitment and selection within the last three years and have completed the Online Unconscious Bias training. Both training modules can be found in Staff Training Moodle. Additionally all staff should complete the Diversity in the Workplace e-learning module (as referenced in section 10.4). The e-learning modules are available via the [EDI website](#) and on Staff Training Moodle
- 9.2.3 The University will aim to monitor job applications, short listing, interviewees and appointments, in application for both permanent and temporary positions, with regards to Equality, Diversity and Inclusion. If monitoring reveals evidence of any form of discrimination, remedial action will be taken to redress it.
- 9.2.4 Recruitment guidelines are available on the [Human Resources](#) website.

10. Employment

10.1 Equal pay

- 10.1.1 The University upholds the principle of equal opportunities in employment and in pay, and endeavours to provide pay which is equal where work is broadly similar, work which is rated as equivalent and for work of equal value;
- 10.1.2 The University recognises its responsibility to uphold this fundamental principle of European Community Law and Equal Pay legislation (1970) and recognises that to achieve equal pay for staff members undertaking equal work, a rewards system which is transparent should be operated, based on objective criteria and free from any bias.

10.2 Job descriptions

- 10.2.1 All staff members have a job description, which outlines a clear view of their role within the University and of the results they need to achieve. These expectations will be made clear at the start of employment.
- 10.2.2 If a member of staff changes roles during their employment they will be given a job description for the new role.
- 10.2.3 All job descriptions will be kept up-to-date following regular review by discussion between the individual staff member and the line manager.

10.3 Appraisals (Reflect, Plan, Develop)

- 10.3.1 The Reflect, Plan, Develop Framework (RPD) is the University's system for appraisal, which all members of staff participate in on an annual basis. RPD offers a flexible conversation-based opportunity to review an individual's role,

development, and wider University processes.

10.4 Training, development and promotion

10.4.1 All staff must complete the Diversity in the Workplace e-Learning module available on the [EDI website](#) and within Staff Training Moodle

10.4.2 All staff members have equal rights to training, promotion and other aspects of career development. Merit, ability and requirements of the job will be the only justification in promoting or training a staff member;

10.4.3 Additionally all staff must complete the equality training on a range of diversity topics which can be found within Staff Training Moodle. Other equality training is offered regularly and can be accessed individually or in small group settings via staff connect

10.5 Work-life/home-life balance

10.5.1 The University recognises, accepts and values staff members' different needs including childcare, eldercare and personal development. A flexible working policy is available on the [HR website](#).

10.5.2 The University has a number of policies covering work-life/home-life balance and family friendly options including; maternity, adoption and paternity leave and pay, parental and special leave.

10.5.3 All flexible working practices will be considered at all levels. There must be justifiable operational reasons if it is not possible to achieve them, and the University will use its best endeavours as far as reasonably practicable to do so.

11. Confidentiality

11.1 The University will protect the confidentiality of any equal opportunities monitoring data on staff or students (including apprentices), and will safeguard any information disclosed voluntarily within the regulations set by the Data Protection Act (2018). The information will be used for statistical purposes only and the University will safeguard the confidentiality of personal information disclosed.

12. Responsibilities

12.1 Council and Executive Group

12.1.1 Council, through the Vice-Chancellor, has primary responsibility for this policy, which it will carry out through regular reports and monitoring;

12.1.2 Each member of the Executive Group and Senior Management Team, has responsibility for ensuring that this policy is put into practice in the areas for which they have responsibility. Senior staff also have prime responsibility for the promotion of equality as outlined in the public sector duties of current legislation, shown in section 5.2.

12.2 Equality, Diversity and Inclusivity Strategy Group

12.2.1 The EDI Strategy Group oversee the implementation, monitoring and reviewing of all activities relating to staff and student EDI at the University of Kent. It is also the group charged with empowering the disadvantaged, promoting good relations between members of all groups, and ensuring that the University is representative of its local, national, and global community in terms of staff and student (including apprentices) profiles;

12.2.2 The EDI Strategy Group's Terms of Reference state:

The EDI Strategy Group has overarching responsibility of University of Kent EDI Governance, Strategy and resource allocation. It will champion EDI throughout the University, identifying and removing barriers to change and empowering all staff and students including apprentices at every level of the institution. It will define and celebrate success and identify and advise on priorities for EDI.

12.2.3 Further information, including group membership is available via [Equality, Diversity and Inclusivity - University of Kent](#)

12.3 Executive Group champions

12.3.1 All EG members have made a public commitment to the principles of equality and inclusivity. This includes a joint commitment to eliminating discrimination, advancing equality of opportunity, fostering good relations, and supporting the continued development of positive cultural messages across the entire university community. EG members will also attend and complete the mandatory equality training.

12.4 The Staff Networks

12.4.1 Information on all of the staff networks with their members and terms of reference can be found on the [Equality, Diversity and Inclusivity - University of Kent](#) page.

12.5 Director of Division/Directorate and Heads of Profession

12.5.1 Director of Divisions and Directorates are responsible for ensuring that this policy is applied within their Division/Department, and should attend training and briefing sessions to keep themselves up-to-date with developments and legislation. It is their duty to:

- attend to any issues in the first instance;
- ensure staff are properly briefed and trained;
- comply with this policy.

12.5.2 Director of Divisions/Directorates and Heads of Profession should also ensure that external consultants (including external examiners and those who provide franchised services) comply with this policy.

12.5.3 Directors of Divisions/Directorates and Heads of Professions should also ensure that where applicable sub-contractors and employers engaged in relation to apprenticeships provision comply with this policy.

12.6 Members of staff

12.6.1 All members of staff have the responsibility to:

- comply with this policy and co-operate with their line managers;
- treat others with respect at all times;
- actively discourage discriminatory behaviour/practice;
- participate in training and wider learning opportunities to eliminate prejudice and extend good practice.
- Actively challenging and report discriminatory behaviour/practice as appropriate

12.7 Students / Apprentices

12.7.1 All students/apprentices (and their employer) are provided with information about the EDI policy on registration, and are expected to be aware of both this, the Respect at Kent policy, and complete the Expect Respect module within Student Moodle and to abide by its principles. In particular they should:

- treat everyone with respect and dignity, whatever their background;
- avoid degrading and stereotypical images or such references to minority groups;
- treat other students/apprentices as individuals and refrain from discriminatory or harassing behaviour which relates to current or historical conflict between people of different racial groups.

13. Monitoring and review

13.1 The University will maintain a statistical record of the protected characteristics of staff from application stage through recruitment and career progression of staff, and recruitment and academic achievement of students.

13.2 The University will publish an annual Equality Report including high-level statistical data, available to all members of the University community and external viewers and is available on the Equality Diversity and Inclusion website.

14. Communication and consultation

14.1 The University will publish an [Annual Report](#) demonstrating activities and progress around EDI initiatives and action plans for the coming year. This report will be made available at [Equality, Diversity and Inclusivity - University of Kent](#)

15. Complaints

15.1 Complaints of discrimination on the grounds of the areas covered by this policy should be brought using the appropriate grievance resolution procedures for staff or students/apprentice and apprentice employers.

- 15.2 Cases involving bullying or harassment may be reported via one of the Online Tools available for staff and students Information Harassment Contacts are also available on the University EDI website Should an approach to one of the contacts not lead to a satisfactory resolution of the problem, information on how to proceed with a complaint is given in the guidelines within the Dignity and work policy.
- 15.3 Students, staff or members of the public may approach the Head of EDI at any time if they believe there has been a contravention of these policies or procedures.

16. Further help and guidance

- 16.1 For further help or guidance please contact the Head of EDI

Address:

University of Kent
The Registry
Canterbury
Kent
CT2 7NZ
UK

E-mail: equalityanddiversity@kent.ac.uk

Web: [Equality, Diversity and Inclusivity - University of Kent](#)

17. Review

- 17.1 As and when required, this policy will be reviewed in accordance with UK employment legislation.
- 17.2 As and when a full review is undertaken, trade union and representative partners will be consulted as part of the EDI Strategy group and any other bodies, as required.

18. Associated practices

- 18.1 This policy complies with all relevant UK employment legislation.
- 18.2 In addition, other relevant University of Kent People Practices include:
- Organisational Change
 - Disability in Employment
 - Recruitment practices
 - Reflect; Plan; Develop (RPD) – appraisal scheme
 - Ordinance 41: Redundancy
 - Ordinance 42: Grievance Resolution
 - Ordinance 43: Fixed Term Contracts

Accessible format information:

This document should be full accessible electronically. If you would like it to be sent to you in a particular format please contact us to discuss your requirements.

Head of EDI
The Registry
University of Kent at Canterbury
Canterbury, Kent.
CT2 7NZ

Email: equalityanddiversity@kent.ac.uk

This policy has been checked for accessibility and is accessible to all