



EQUALITY, DIVERSITY AND INCLUSION POLICY

Executive Sponsor	Corinna Fletcher, Chief People Officer
Policy Owner	Corinna Fletcher, Chief People Officer
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1. INTRODUCTION AND CONTEXT

The Equality Act (2010) supersedes all previous acts on equality, and commits everyone to standards concerning people, the workplace, and society. Within the Act, there are nine protected characteristics which are upheld, and the grounds on which equality is protected by law. The nine protected characteristics are:

- Age
- Disability
- Gender Reassignment
- Marriage and civil partnership
- Pregnancy and Maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The University is committed to ensuring that the Equality Act is upheld and adhered to across all levels of the university, and in relation to all individuals who have any engagements with the University, be it staff, students, visitors or others.

This policy is to be read together with other related HR policies and procedures as follow:

1. Flexible Working Policy
2. Disabled Workers Policy
3. Menopause Policy
4. Safeguarding Procedure
5. Work Life Balance Policy

2. SCOPE OF THE POLICY

2.1 Purpose of the Policy

This policy sets out the University's commitment to equality and diversity. In undertaking this commitment, the University acknowledges responsibilities under the following legislation:

- The Rehabilitation of Offenders Act, 1974
- The Education (No. 2) Act, 1986
- The Disability Discrimination Act, 1995
- The Human Rights Act, 2000
- The Equality Act, 2010
- The Counter-Terrorism and Security Act, 2015

As a public sector body, there are both general and specific duties on the University to:

- Eliminate unlawful discrimination, harassment, and victimization.
- Advance equality of opportunity between different groups.
- Consider how different people will be affected by proposed activities.
- Deliver policies and services which are efficient and effective, that are accessible to all and meet different people's needs.
- Foster good relations between different groups.
- Publish data to show compliance with the duty annually.
- Set equality objectives at least every 4 years.

2.2 Who is covered by the Policy?

The policy applies to all staff and students at the University. While senior members of the University Community have particular responsibilities for the implementation of legislation and policy, it is the responsibility of each member of the University Community to ensure that they adhere to both relevant legislation and University Policy in their treatment of other members or affiliates of, or visitors to the University.

The University is committed to ensuring that this policy is fully effective and staff and students who fail to act in accordance with it will be subjected to disciplinary action.

3. THE POLICY STATEMENT

Aston University undertakes to promote equality and diversity within the University Community in all aspects of its work and to create an inclusive environment in which individuals can operate at all levels regardless of their personal circumstances. Further, it aims to ensure through its admissions policies for students and its recruitment and selection processes for staff that it encourages applications from all groups represented in the wider community at a local, national, and international level. The University will endeavour not to discriminate unfairly or illegally, directly, or indirectly, against students or potential students, staff or potential staff, or visitors. This commitment applies to all functions of the University and to all stages of an individual's time at Aston.

4. DEFINITIONS

Discrimination

The law defines behaviors which constitute unlawful discrimination:

Direct Discrimination - treating someone less favourably on the basis of a protected characteristic.

Indirect Discrimination - the application of a provision, criterion or practice which is applied equally to persons of all groups, but which puts a person of a particular group at a disadvantage or which cannot be shown to be a proportionate means of achieving a legitimate aim and that there is no less discriminatory alternative.

Associative Discrimination - when an individual is treated less favourably because they are associated with an individual who has a protected characteristic.

Perceptive Discrimination - when an individual is treated less favourably because they are perceived, correctly or incorrectly, to belong to a particular group with protected characteristic.

Victimisation - treating someone less favourably or retaliating against someone because they have made a complaint or allegation of discrimination.

Harassment - defined as unwanted conduct (including unwanted conduct of a sexual nature) related to a protected characteristic which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, or humiliating environment.

Within the Law

There is no hierarchy of protected characteristics.

No individual can refuse to deliver a service to another of a particular characteristic on the basis of their privately held beliefs. There are some exceptions to this for faith schools or colleges but not to individuals.

It is irrelevant for the purposes of determining whether unlawful discrimination has taken place that the discriminator shares the victim's protected characteristic.

Aston University
Birmingham
B4 7ET, UK

+44 (0)121 204 3000
Aston.ac.uk

