

EQUAL OPPORTUNITIES POLICY AND CODE OF PRACTICE FOR STAFF

1. GENERAL STATEMENT

i. The University of Sheffield is an Equal Opportunity Employer. The following statement, relating to staff, has been approved by the University Council:

The University of Sheffield, in accordance with the general intention of its Charter, confirms its commitment to a comprehensive policy of Equal Opportunities in employment in which individuals are selected and treated on the basis of their relevant merits and abilities and are given Equal Opportunities within the University. The aim of this policy is to ensure that no job applicant or employee should receive less favourable treatment on any grounds not relevant to good employment practice. The University is committed to a programme of action to make this policy fully effective.

It is the University's policy as an employer to treat all people with dignity and respect, equally irrespective of any of the 'Protected Characteristics' as defined by the Equality Act 2010. The protected characteristics are age, disability including mental health, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and the University will not tolerate discrimination against employees on any of these grounds. The University's Policy on the Recruitment and Employment of Ex-Offenders will also be taken into account.

ii. Our Public Sector Equality Duties

The University remains fully committed to eliminating all forms of unfair discrimination and to promoting equality of opportunity and good relations between people of different groups in all of its functions and activities. Arrangements for achieving this are set out within the University's Equality and Diversity strategy and action plans – Excellence Through Inclusion – and progress is reported on regularly to the University Council via the Equality Diversity & Inclusion Committee (ED&IC) and will be linked to published equal opportunities action and implementation plans as necessary.

2. CODE OF PRACTICE

i. The purpose of this code of practice is to outline practices by which the University statement of policy may be given full effect, and to ensure that the University fulfils its obligations under the Equality Act 2010 and, until the public sector single equality duty comes into force, our duties under other relevant legislation. Within the terms of the Equality Act 2010 direct discrimination, treating one person less favourably than another because of a protected characteristic they have or are thought to have, as defined by the Act is illegal. The Act also prohibits discrimination by association, which is direct discrimination because somebody associates with another person who possesses a protected characteristic, and perceptible discrimination, which is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. Indirect discrimination is conduct which may appear fair, but which has a disproportionate impact on people with a protected characteristic. It occurs, for example, when a condition is applied to a post which although it applies to everyone, is one with which some persons with disabilities, or a considerably smaller proportion of one particular group covered by equality legislation, may not be able to comply.

ii. Under the Equality Act 2010 the employer has a duty to make reasonable adjustments for disabled persons who are placed at a substantial disadvantage, and a failure to do so will amount to discrimination if it cannot be justified. An employer cannot justify less favourable treatment if, by making a reasonable adjustment, it would remove the reason for less favourable treatment.

iii. The co-operation of all members of the University is essential for the successful promotion of equal opportunities. All members of the University staff are responsible for actively promoting equality of opportunity and assisting in the

removal of any discriminatory practices that may exist in the University by drawing them to the attention of the Director of Human Resource Management.

iv. Communication - Language and Visual

It is the University's policy to make every effort to avoid the use in all its communications of gender-biased language and oppressive, pejorative or offensive terminology and imagery, and to promote inclusive language and imagery.

v. Recruitment and Selection of Staff

The University will state its commitment to being an Equal Opportunity Employer on all recruitment material, including job advertisements and About the Job documents sent to prospective applicants.

The University will normally advertise the majority of vacancies externally and as widely as possible to ensure that notices of job vacancies reach all potential applicants. It is recognised that it is necessary occasionally to restrict the field of applicants to internal candidates. In such cases, advertisements will be widely circulated throughout the University.

The University will give fair consideration to all applicants for employment, supported through the use of transparent procedures. This will include the utilisation of job descriptions and person specifications, both of which are essential in the selection process, as they clarify the purpose and duties of a post and enable the provision of objective selection criteria, thereby ensuring appointments are based on individual merit. It is now unlawful for employers to ask medical questions (and for the purposes of the Act this includes disability related questions) of prospective employees and this has been reflected in the University's recruitment and selection procedures. However, there are certain limited exceptions where questions relating to health and disability can be asked, as detailed below:

- Establishing whether the applicant will be able to comply with the requirement of attending an interview
- Establishing whether the employer will have to make reasonable adjustments for the individual to undergo an interview or any other assessments
- Establishing whether the individual will be able to carry out a task which is intrinsic to the employment
- Monitoring diversity in the applications

When a job is advertised externally the job vacancy will be circulated as widely as possible and a copy of the job vacancy will be sent to all appropriate agencies and groups.

The University will provide comprehensive guidelines and training on recruitment for all those involved in the recruitment process and will continue to keep under review the criteria governing recruitment and selection of all staff and the associated policies and practices.

vi. Conditions of Service

The University is committed to encouraging all members of staff to contribute fully, through their work, to the life of the University.

Discriminatory behaviour, such as actions or words calculated to cause offence, and cases of personal harassment may be subject to disciplinary action.

Consideration will be given to requests from members of staff who wish to change from full-time to part-time employment in any of the following circumstances on a permanent or temporary basis - when returning to work after maternity leave, when personal circumstances change due to the acquisition of a physical or mental health condition, when an existing medical condition progresses in such a way as to impede their capacity to continue in full-time employment, or where personal domestic circumstances alter radically, e.g. through needing to provide sustained care and support to someone else.

The review and development of University staffing policies and procedures will include an assessment of their impact upon all staff groups. The University has developed a process for carrying out Equality Impact Assessments and training for staff is available via an online training package or from HR.

vii. Development and Progression

The University is committed to offering all members of staff opportunities for guidance, training and development and

promotion within the terms of their employment on the basis of their role, relevant qualifications, abilities and performance.

Individuals, Departments, and Committees concerned with staffing matters, will be given guidance to ensure that there is no unfair discrimination in the consideration of grading cases or in the provision of training.

The University will continue to keep under review the criteria governing promotion and overall progress of staff to ensure that there is no unfair discrimination.

viii. Training and Communication on Equal Opportunities

The University will provide appropriate training on equal opportunities for members of staff, and in particular for those who are responsible for staff management and recruitment and selection (see above).

Appropriate training will be provided to enable staff to perform their work effectively. In assessing the training needs of individuals within their career structure, the University will have regard to the possible particular needs of individuals, for example, those staff with disabilities or those returning to work after a career break, or those with language difficulties.

The Equal Opportunities Policy will be made widely available to all staff, to ensure that all staff are aware of their entitlements and their responsibilities in association with equal opportunities and the policy will be communicated to new staff as part of the induction process. Arrangements for the effective communication of this policy and for regular updates for staff and representatives on equal opportunities will be set out in action and implementation plans, as necessary.

Review of actions undertaken and planned on equal opportunities take place regularly via reports to the Equality Diversity & Inclusion Committee, and the Human Resource Management Committee.

A statement will be published annually to all staff and Campus Unions which, in addition to this policy, will set out the activities undertaken and planned on equal opportunities, including monitoring and assessment.

iv. Disciplinary, Grievance and Harassment Procedures

Any member of staff who alleges that they have been the subject of discrimination or harassment because of a protected characteristic as defined by the Equality Act 2010 by the University or by one of its members of staff may invoke the University's established grievance or harassment procedures. Where necessary, advice on procedural matters may be obtained from the Department of Human Resources.

Harassment is "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". Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

In appropriate cases the University may utilise the disciplinary procedure where behaviours or actions have been found to be discriminatory.

As with all other policies (see below) the application of disciplinary, grievance and harassment procedures will be monitored to ensure that they are being operated consistently with this policy.

v. Monitoring, Assessment and Review

The University will monitor practice across the University, in accordance with the Information Commissioner's Code of Practice on Data Protection, to ensure compliance with statutory legislation, to identify areas for improvement and to develop action plans as necessary. The University will undertake consultation with staff and representatives and adopt and publish appropriate action and implementation plans, for tackling any issues identified.

The University will assess and review the effectiveness of the Equal Opportunity Policy, and the impact of all other relevant policies and practices on all staff.

3. RESPONSIBILITIES

- i. The Chief HR & Corporate Officer will report annually, following discussion with the Campus Unions, through the University HRM Committee and the Equality Diversity & Inclusion Committee, to the Council, on progress in implementing the EO policy for staff and associated action plans, relating to staff.
 - ii. Heads of Departments and all other staff with managerial responsibilities have responsibility for the implementation of the EO policies, through tackling discrimination and establishing and promoting good practice.
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4. REVIEW

- i. The Equal Opportunity Policy was revised in October 2010 and will continue to be reviewed on a regular basis to ensure compliance with relevant statutory legislation. Any revisions necessary will be approved by the University Council.

Document control

Last updated: 08/17

Date of next review: 08/18