

UNIVERSITY OF YORK STUDENTS' UNION

Equal Opportunities Policy

Contents

| Section | Page |
|---|------|
| 1. Equal Opportunities Policy Statement | 2 |
| 2. Principles | 2 |
| 3. Objectives | 2 |
| 4. Policy Implementation | 3 |
| 5. Role of the Trustee Board | 3 |
| 6. Code of Practice – Introduction | 3 |
| 7. Code of Practice – General | 3 |
| 8. Code of Practice – Membership Services | 4 |
| 9. Code of Practice – Marketing & Events | 6 |
| 10. Code of Practice – Commercial Services | 7 |
| 11. Code of Practice – Recruitment & Employment | 7 |
| 12. Complaints & Reporting | 11 |

Appendices:

A) Legal Framework

| | |
|--|---|
| Approved by: YUSU Trustee Board | on: 17 th November 2011 |
| Implementation date: | 18 th November 2011 |
| Review date (by): | 18 th November 2014 |
| Manager responsible for implementation: | CEO of YUSU |
| Trustee responsible for interpretation: | Chair of HR and Audit Sub-Committee |

1. Equal Opportunities Policy Statement

- 1.1. YUSU seeks to encourage a community in which all individuals may contribute as fully as possible without fear of unfair and discriminatory attitudes and practices.
- 1.2. In order to ensure that there is a positive atmosphere, YUSU seeks to create and sustain a welcoming environment for all of its members both in and outside of YUSU premises.
- 1.3. YUSU will take all reasonable steps to provide an environment in which all of its members are treated with respect and dignity, that is free of harassment based upon age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation

2. Principles

- 2.1. Discrimination, direct or indirect, based on gender, gender reassignment, appearance, ethnic, national, regional or racial origin, age, socio-economic background, disability, religious or political beliefs, sexual orientation, family circumstances, health, including HIV status, trade union membership or any other distinction which place people at a disadvantage, is unacceptable and will not be tolerated.
- 2.2. Such forms of discrimination represent a waste of human potential and are to the detriment of the individual and YUSU as a whole.
- 2.3. Equal opportunities policies can only succeed with the active support of the whole organisation and only if YUSU constantly seeks to involve all sections of students and staff in the continued development and implementation of its policy and related activities

3. Objectives

- 3.1. YUSU is a campaigning and representative organisation that needs to represent its diverse membership. YUSU recognises that inequality, oppression and discrimination exist and aims to work towards elimination of discrimination and the provision of equality of opportunity for its members and employees.
- 3.2. In recognising this, YUSU has the following objectives:
 - 3.2.1. To create and sustain a positive and welcoming environment for all members, visitors and staff;
 - 3.2.2. To increase the participation of all members;
 - 3.2.3. To increase the accessibility of information for students and staff;
 - 3.2.4. To ensure that activities and events meet the needs of the diverse membership.
 - 3.2.5. To ensure that officers and staff are aware of the diversity of the Union's membership;
 - 3.2.6. To ensure that the decision making bodies of the Union represent the needs of disadvantaged groups;

- 3.2.7. To address any attitudinal, organisational and physical barriers that may prevent equality of opportunity;
- 3.2.8. To increase awareness within the organisation of the needs of disadvantaged groups in order to provide more relevant service and prevent discrimination from occurring;
- 3.2.9. To ensure that the Union meets and where practicable exceeds legislative requirements.

4. Policy Implementation

- 4.1. This policy recognises the existence of University of York Regulations, and in particular the Equality and Diversity Policy, and relevant legislation. This policy exists to supplement, and not contradict these existing rules and regulations.
- 4.2. The specific requirements of the policy are outlined in the Code of Practice.
- 4.3. All staff members are responsible for ensuring that their individual actions and areas of responsibility comply with this policy and the code of practice.
- 4.4. Serious breaches of the policy may be treated as disciplinary issues. Issues when members break the policy may be dealt with via the provisions for discipline set out in the Bye-Laws of the Union. Issues with staff members breaching the policy may be dealt with via the Staff Disciplinary procedure.

5. Role of the Trustee Board

- 5.1. The Trustee Board have ultimate responsibility for the oversight and implementation of the Equal Opportunities Policy and shall ensure that it is reviewed at least once every three years.
- 5.2. The HR and Audit subcommittee of the Trustee Board shall be delegated responsibility for ensuring that the Equal Opportunities Policy is adhered to for the purposed of recruitment and employment of Union staff and volunteers.
- 5.3. The Trustee Board delegate responsibility for the development and review of the Equal Opportunities Policy in relation to YUSU members to the committee of the Liberation & Welfare Assembly, including setting objectives and targets as may be required and compiling a report on its implementation for the Board.

6. Code of Practice – Introduction

- 6.1. The Code of Practice comprises the detailed implementation of the Equal Opportunities Policy. It shall be reviewed annually or more frequently if required by the Trustee Board and any changes shall be recommended for implementation to the Chief Executive and the Liberation and Welfare Assembly.

7. Code of Practice – General

- 7.1. YUSU will ensure that all of its premises, as far as is reasonably practicable, are accessible to disabled users and all new building projects will ensure that the views and needs of people with disabilities are taken into account.

- 7.2. YUSU will ensure that there is a permanent and clearly accessible sign in all premises declaring that it will not tolerate any harassment on its premises.
- 7.3. A notice will be displayed in all areas of Union premises outlining the Equal Opportunities policy. The notice will invite people who feel the Equal Opportunities Policy is being compromised to contact either on-duty staff or the Welfare Officer by email or in person. The receiver of the complaint will pass on the information to the appropriate Officer Trustee. An equivalent provision shall be put in place for online 'spaces'.
- 7.4. Staff working in YUSU outlets should provide an equal quality of service to all customers, whilst also recognising that some customers will require additional attention to ensure they can participate to an equal extent. YUSU will periodically provide training to all staff to ensure they are well-equipped in this regard.
- 7.5. All external contractors engaged by YUSU must have an Equal Opportunities Policy or must be made aware of the YUSU Equal Opportunities Policy and ensure compliance with it. Union staff or officers engaging contractors will be responsible for ensuring this.

8. Code of Practice – Membership Services

8.1. Advice + Support Centre (ASC)

- 8.1.1. The Advice + Support Centre will report as required to the Trustee Board with statistics relating to the make-up of students using the service, and will, where appropriate, respond to any discrepancies between the users of the service and the demographics of the University with action plans, which shall be approved by the Membership Services Manager.
- 8.1.2. The Advice + Support Centre will ensure that, as far as is reasonably practicable, those members who may have difficulty accessing the support information provided by the Advice + Support Centre and on the Union website are able to do so through other means.

8.2. Student Activities – sports, societies, volunteering

- 8.2.1. The Societies and Sports Development Coordinator will report as required to the Trustee Board with statistics relating to the make-up of the membership of Sports and Societies, if available, and will respond where appropriate to any discrepancies between the membership and the demographics of the University with action plans, which shall be approved by the Membership Services Manager.
- 8.2.2. All clubs and societies should be open to all members of the Union.
- 8.2.3. All publicity and literature produced by societies must be in accordance with the Equal Opportunities Policy and be sensitive to the Union's diverse membership.
- 8.2.4. The Union shall take all steps that are practicable to ensure that students with disabilities can access sporting and societies activities.
- 8.2.5. The Union shall ensure that at least one of its mini-buses is accessible for wheelchair users.

- 8.2.6. Club and Society Committees should receive a copy of the Equal Opportunities Policy and Code of Practice and receive training on equal opportunities issues and cultural issues at their initial induction training session.

8.3. Student Media

- 8.3.1. All forms of student media must conform to this policy and code of practice.
- 8.3.2. The Liberation & Welfare Assembly may periodically review the Union's media websites, publications and radio output for conformance to this policy.
- 8.3.3. Membership of all Media Group societies will be open to all students.
- 8.3.4. As far as is reasonably practicable, YUSU will ensure that those members who may have difficulty accessing student media will be able to do so through other means.

8.4. YUSU Volunteering

- 8.4.1. The Volunteering Coordinator will report as required to the Trustee Board with statistics relating to the make-up of registered volunteers, and will, where appropriate, respond to any discrepancies between the make-up of student volunteers and the demographics of the University with action plans, which shall be approved by the Membership Services Manager.
- 8.4.2. YUSU Volunteering will work towards ensuring that the volunteering opportunities available cater for all groups of students within the University.

8.5. Democracy and Representation

- 8.5.1. YUSU, as a democratic organisation, recognises that all members of the Union should be able and encouraged to stand for election. The Representation and Democracy Development Coordinator shall ensure that publicity encourages nominations from all members.
- 8.5.2. YUSU shall ensure that the make-up of its Assemblies and committees, and in particular the representative officers, represents the whole of the Union's membership.
- 8.5.3. The Union Chair and the committee of the Liberation and Welfare Assembly shall consider best practice for the effective involvement and consultation of the membership to ensure that the make-up of YUSU Assemblies and committees is representative of the membership.
- 8.5.4. The Returning Officer and their nominee(s) shall be responsible for ensuring that the promotion and running of elections is conducted in line with the aims and principles of this policy. The Returning Officer shall also monitor the behaviour of candidates in terms of Equal Opportunities.
- 8.5.5. All candidates in elections will receive a briefing on this Equal Opportunities Policy.
- 8.5.6. The Representation & Democracy Development Coordinator will report to the Trustee Board as required on the demographics of students who vote in each

Union election. Based on information gathered through this monitoring, the Representation & Democracy Development Coordinator may be required to draw up action plans regarding the promotion of elections to students in order to ensure that all students have an equal chance to be represented, which shall be approved by the Membership Services Manager.

8.5.7. Complaints about breaches of Equal Opportunities in elections shall be referred to the returning officer in line with the Election Rules.

8.5.8. The Union will ensure that all students have full access to election materials.

8.6. Other

8.6.1. YUSU shall develop activities that cater for all sections of its membership, and in particular develop activities and schemes that cater for students who have little time available to them, due to working, caring or other commitments.

8.6.2. YUSU shall endeavour to provide activities at little or no cost to individual students, and shall provide advice on accessing funding or subsidy for students for whom cost is a barrier to further involvement.

9. Code of Practice - Marketing & Events

9.1. Union Communications

9.1.1. Union communications should aim to reflect the diversity of the Union's membership and should ensure that they promote a welcoming and inclusive Union environment.

9.1.2. All communications, particularly promotional material, should avoid discriminatory stereotyping.

9.1.3. YUSU websites will work towards achieving internationally recognised standards designed to help people with disabilities access information online.

9.1.4. It is the responsibility of the editor or publicist of any Union communication to ensure that it abides by the Equal Opportunities Policy.

9.1.5. YUSU will ensure that, as far as is reasonably practicable, those members who may have difficulty accessing Union information will be able to do so through other means.

9.1.6. YUSU will not allow any external advertising that contravenes the spirit or specifics of this policy.

9.2. Entertainments and social space

9.2.1. YUSU will aim to ensure that the provision of entertainments reflects the diversity of the student population.

9.2.2. No-one should be excluded from Union events on the basis of any reason that contravenes the Equal Opportunities Policy.

- 9.2.3. Acts and artists that are deemed likely to contravene the Equal Opportunities Policy must not be engaged.
- 9.2.4. YUSU will ensure that, as far as possible, social space will be provided for students to participate in social and cultural activities that is a safe environment, free from any forms of discrimination or harassment.
- 9.2.5. If any person on YUSU premises is accused of an action that breaches the YUSU Equal Opportunities Code of Practice, the alleged perpetrator's name (and student number if they are student at the University) will be recorded and subsequent disciplinary action may be taken at the discretion of the Licensee. This action may include the following:
- a) A verbal apology;
 - b) A written apology;
 - c) A temporary suspension from the YUSU premises at some or all times;
 - d) Such other action as is deemed appropriate.
- 9.2.6. All bar, ents, venue and all other categories of YUSU staff will be made aware of this procedure. Any person who makes an allegation in bad faith or that is found to be malicious in intent will be subject to the same sanctions.
- 9.2.7. YUSU will ensure that, as far as is reasonably practicable, all of its events are accessible to members with disabilities.

10. Code of Practice – Commercial Services

- 10.1. YUSU, in its provision of commercial services, shall recognise the diversity of its customers and will seek, as is appropriate and practical to meet their needs.
- 10.2. YUSU will collect demographic statistics on people who lodge complaints about the Union's commercial services, including the Courtyard and your:shop, and report these to the Trustee Board as required.
- 10.3. The Bar Operations Manager will collect demographic statistics on those who are excluded from Licensed premises and report on these statistics to the Trustee Board as required.

11. Code of Practice – Recruitment & Employment

11.1. Job Descriptions

- 11.1.1. All job descriptions will state clearly the main duties of the position
- 11.1.2. The personal specification will outline the essential and desirable competencies needed to perform the job satisfactorily.
- 11.1.3. Any qualifications, skills, work experience and personal qualities stated as required must only be those which are necessary to perform the job satisfactorily.

- 11.1.4. Care must be taken to ensure that job descriptions do not indirectly discriminate by setting a requirement that cannot be met by a particular person or group of persons and is not a requirement to do the job e.g. setting a restriction such as a radius to work from home location.

11.2. Advertising

- 11.2.1. Student Staff positions will be advertised internally only, with advertisements placed on the main Jobs Notice Board and through all student email.
- 11.2.2. Any permanent position will be advertised internally and externally. If there is a position which is a promotion opportunity for permanent staff this may, after due consideration, be advertised internally in the first instance.
- 11.2.3. Any advertisement must not discourage persons who are eligible for the post from applying and must clearly reflect the job description accurately.

11.3. Application Forms

- 11.3.1. YUSU job application forms will include a section for Equal Opportunities Policy monitoring purposes and a record should be kept in order to provide any statistics upon request.
- 11.3.2. A large print version of the application can be made available, upon request.
- 11.3.3. Application forms will be reviewed regularly to ensure that it is in line with our Equal Opportunities Policy and any changes to employment legislation.
- 11.3.4. The application form will include a section, which enable applicants to state any special requirements or arrangements should they be invited to attend for interview.
- 11.3.5. Applicants will be informed that they are welcome to ask for feedback on their application and the reasons given if rejected.
- 11.3.6. Records will be kept for a period of one year from the date of the interview.
- 11.3.7. YUSU application forms will make no reference to age or gender.

11.4. Selection

- 11.4.1. No person will be allowed to be involved in the recruitment and selection process unless they have had training in the YUSU Recruitment and Selection Procedure and Equal Opportunities Policy issues connected with selection and recruitment. Such issues include stereotypical views, general assumptions and prejudices about race, age, sex, sexual orientation, gender, gender reassignment, family circumstances, socio-economic background, religion or political beliefs, age, health and disabilities.

- 11.4.2. One staff member and one Full-time Officer will carry out short-listing for student posts. For permanent staff, where possible, two permanent staff members and one Full-time Officer will carry out any short-listing.
- 11.4.3. The Selection Panel will document the reasons for their rejection/selection of candidates at each stage. All short-listing and selection paperwork will be returned to the CEO at the end of the recruitment process.

11.5. Interview

- 11.5.1. Membership of the Selection Panel must be in line with the principles of equal opportunities.
- 11.5.2. Membership of the Selection Panel must not change during the course of the interviews for a position. In exceptional circumstances however, if a member of staff or Full-time Officer was unable to continue interviewing for special reasons a suitable replacement would be found and the position explained to the candidates affected by the change.
- 11.5.3. One member of the Selection Panel will be appointed to Chair the interviews and ensure that the interview is conducted in accordance with YUSU Equal Opportunities Policy and Code of Practice.
- 11.5.4. All interview questions will be prepared in advance and the Selection Panel will meet prior to the interviews to ensure that the questions asked are agreed and comply with the principles of equal opportunities.
- 11.5.5. The Selection Panel must ensure that the same questions are asked of all candidates and that all questions relate only to the requirements of the position and could not be deemed discriminatory.
- 11.5.6. All candidates must be made aware of YUSU commitment to equal opportunities, equality and diversity.
- 11.5.7. If there is any selection test involved in the interview process, care must be taken to measure only the criteria required to do, or to train for, the job in question.
- 11.5.8. If an interviewed candidate does not meet the personal specification of the position, the reasons must be clearly documented by the Chair of the Selection Panel.
- 11.5.9. Any complaint received regarding equal opportunities, equality and diversity issues during the recruitment and selection process must be investigated by a panel of two staff members and one member of the Full-time Officers' Committee who were not on the Selection Panel in question. One of the staff members should act as the Chair of the investigating panel and provide a report on the findings will be made to the Full-time Officers' Committee.

11.6. Terms and Conditions of Employment

- 11.6.1. All employees must be issued with a copy of YUSU Equal Opportunities Policy and Code of Practice.
- 11.6.2. All employees must be made aware, during induction, of their obligation to uphold the principles of YUSU Equal Opportunities Policy Statement and Code of Practice. Employees must be made aware that any breach would be investigated and if proven would result in disciplinary action being taken against them.
- 11.6.3. The only consideration in recruitment, training, appraisal, promotion and general treatment of employees must be how the genuine requirements of the post are met, or are likely to be met, by the person under consideration whether during the recruitment process or during their employment.
- 11.6.4. All new staff should be the subject of the same length of probationary service, i.e. three months. Although this can be extended after the end of probationary period if performance, attitude or skills are in question.
- 11.6.5. All criteria and procedures for promotion, regarding, training/personal development and discretionary increments must be reviewed and be in accordance with YUSU Equal Opportunities Policy and Code of Practice.
- 11.6.6. The Training Policy of YUSU reflects its Equal Opportunities Policy by displaying and circulating all training and development activities to ensure that all employees and Executive are aware of them.
- 11.6.7. Any training material must meet legal requirements and YUSU Equal Opportunities Policy and Code of Practice.
- 11.6.8. Training must take account of the personal and domestic responsibilities of staff.
- 11.6.9. All staff should be made aware of YUSU Grievance and Disciplinary Procedures and how they can be invoked to enable investigation of any alleged discrimination, harassment or bullying by another member of YUSU Staff, elected Student Representatives and Officers.
- 11.6.10. YUSU must give consideration to any staff member whose personal circumstances change and base any decision, subject to operational needs, on the principles of equal opportunities, equality and diversity.
- 11.6.11. YUSU is committed to allowing paternity leave and leave for adoptive parents (See Staff Handbook for conditions).
- 11.6.12. All staff and Officers will be given the opportunity to raise matters for discussion in various forums, e.g. staff meetings, departmental meetings, personal reviews etc.
- 11.6.13. YUSU aims to ensure that each individual member of staff and officers are kept informed of important events in the Union by cascading information through the line management system.

12. Complaints and Reporting

12.1. Complaints about members of the Union

- 12.1.1. Contravention of the Equal Opportunities Policy by a member of the Union should be reported in line with the YUSU Code of Conduct and will be investigated using the procedures set out in that Bye-Law.

12.2. Complaints about staff

- 12.2.1. Any individual member of YUSU having cause for complaint or raising a grievance on a matter relating to any individual or group of staff employed by YUSU, should, in the first instance, raise the matter with the Union President.
- 12.2.2. The President shall raise the matter with the CEO who will investigate the complaint and report back to the President within 10 working days.
- 12.2.3. The President and CEO shall determine what, if any, further action is to be taken in relation to the complaint. YUSU discipline and grievance procedures may be invoked.

APPENDIX (A) - LEGAL FRAMEWORK

This policy has been written in accordance with the following (non-exhaustive) list of relevant legislation:

Equality Act 2010

Civil Partnerships Act 2004

Equality Act 2006

Racial and Religious Hatred 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

The law covers the following:

- Recruitment
- Terms of employment (including pay)
- Treatment while employed (including access to training and promotion)
- Dismissal
- Direct discrimination
- Indirect discrimination
- Victimisation and harassment

In law, discrimination takes three forms:

- **Direct discrimination:** Treating a person less favourably than another does on grounds of sex, marital status, race or disability.
- **Indirect discrimination:** Occurs when an unjustifiable rule or condition which applies equally to everyone has a disproportionately adverse effect on people from a particular racial, gender or disability group. to performance of the job. In short, both employers and employees are responsible for making sure that everyone is treated equally and fairly.
- **Dual Discrimination:** Dual discrimination protects people who experience direct discrimination because of a combination of two protected characteristics (age, disability, gender, gender reassignment, race, religion or belief, or sexual orientation).

All legislation is available from <http://www.legislation.gov.uk>

ACCESSIBLE FORMAT INFORMATION

This document can be made available in large print and electronically upon request. If you require another alternative format please contact us to discuss your requirements.

Contact Details:

YUSU

The Student Centre

James College

Newton Way

Heslington

York

YO10 5DD

Telephone: 01904 32 3724

Fax: 01904 32 4664