

Equality, Diversity and Dignity in the Workplace Policy

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1. Introduction

- 1.1 NMITE is committed in its pursuit of academic excellence to equality of opportunity and to a pro-active and inclusive approach to equality, which supports and encourages all under-represented groups, promotes an inclusive culture, and values diversity. This commitment is underpinned by NMITE's [Shared Principles, Values and Behaviours](#) and additional information can be found in the 'about us' section of our website www.nmite.ac.uk
- 1.2 As a Higher Education Institute, NMITE recognises and respects its legal responsibilities to assure freedom of speech, as described in the Higher Education (Freedom of Speech) Act 2023, and is committed to ensuring



members of its community and visitors on its premises can speak without fear of censorship or sanction.

2. Our Commitment to you

- 2.1 Our commitment to you is to create, foster and promote a positive inclusive culture that promotes a mutual respect for each other and the values, beliefs and individual differences we all hold. They are what make us individual and collectively are what creates diversity and strength within NMITE.
- 2.2 We will ensure equal opportunities to job applicants and employees of any age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 2.3 We actively encourage and will strive for equality and inclusion within NMITE and will not condone or tolerate discrimination or unacceptable behaviour in our recruitment or employment practices. We have a tolerant and social culture that benefits everyone.

3. The Equality Act 2010

- 3.1 Underpinning the policy is The Equality Act 2010 which came into force on 1 October 2010 and the Public-Sector Equality Duty from 5 April 2011. The Equality Act established 9 'protected characteristics, on the grounds of which it is unlawful to discriminate against a person:

Age - a person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

Disability - a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - the process of transitioning from one gender to another. To be protected from the gender reassignment discrimination, you do not need to undergo any medical treatment, or surgery to change from your birth sex to your preferred gender.

Marriage and civil partnership - marriage is a union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners



must not be treated less favourably than married couples (except where permitted by the Equality Act).

Pregnancy and maternity - pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race - refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex - a man or a woman.

Sexual orientation - whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

4. Our Key Principles

- 4.1 All employees, applicants, students and trustees will be:
- i. Treated fairly, respectfully and with dignity
 - ii. Recognised for the contribution they make as individuals and valued for who they are and what they will become
 - iii. Will be supported within the workplace
 - iv. Provided with fair and equal access to training, personal development, reward and developmental opportunities
 - v. Accountable for the impact of their own behaviour and actions and cognisant and aware of those of all those around them to be good citizens of the NMITE culture
- 4.2 **NMITE Employees and trustees** are all equally accountable for their own behaviours and have a duty to behave responsibly, with integrity and in a way which is respectful of others. All our colleagues have these accountabilities and so must support those around them to behave appropriately at all times.



4.3 NMITE Leaders and Managers are those assigned managerial roles and have a further responsibility to promote and implement the principles of this policy. They are also responsible for responding appropriately to any reports of harassment or discrimination and ensuring issues are dealt with in a timely fashion through appropriate channels and processes.

4.4 As a Higher Education Institute, NMITE recognises and respects its legal responsibilities to assure freedom of speech, as described in the Higher Education (Freedom of Speech) Act 2023 and is committed to ensuring members of its community and visitors on its premises can speak without fear of censorship or sanction.

5. Accessibility

5.1 NMITE will ensure that services and information are accessible to everyone. Documents will be provided in other suitable alternative formats where possible. This is also available through our NMITE staff portal.

6. Recruitment & Promotion

6.1 NMITE will advertise vacancies widely as to attract diverse candidates, advertisements for posts will give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post. Information about vacant posts will be provided in such a manner that does not restrict its audience in terms of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, disability, part time or fixed term contract status.

7. Employment

7.1 NMITE will not discriminate on basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, part time or fixed term contract status in the allocation of duties between employees employed at any level with comparable roles.

7.2 NMITE will put in place any reasonable measures and/or adjustments within the workplace for those employees who become disabled during employment or for staff with a disability. All employees will be



considered solely on their merits for career development and promotion with equal opportunities for all.

- 7.3 Selection for employment at NMITE will be on the basis of aptitude and ability. Further detail is set out in NMITE's Talent Recruitment Policy & Procedure. Where possible, NMITE will capture applicants' diversity demographics as part of its recruitment processes to promote the elimination of unlawful discrimination.

8. Training

- 8.1 Employees will be provided with appropriate training regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, part time or fixed term contract status.
- 8.2 The Company will train all staff in the NMITE's policy on equal opportunities and in helping them identify and deal effectively with discriminatory acts or practices. Heads and Chiefs will be responsible for ensuring they actively promote equality or opportunity within the departments for which they are responsible.
- 8.4 You may also be required to participate in other additional training and development activities from time to time, to encourage the promotion of the principles of this policy.

9. Monitoring and Reporting

- 9.1 NMITE will regularly monitor the effects of selection decisions and personnel and pay practices and procedure in order to assess whether equal opportunity is being achieved. This will also involve considering any possible indirectly discriminatory effects of its working practices.
- 9.2 NMITE will monitor the demographics of the workforce and progress against meeting the commitments set out in the organisational aims and objectives, reporting these findings to the Board.
- 9.3 Using the Equality & Diversity Monitoring Form NMITE will monitor the recruitment and progress of all students and staff, collecting and collating equalities information and data as required by law and for the furtherance of NMITE's equality aims and objectives.

10. **Discrimination, compliance and complaints**

- 10.1 NMITE emphasises that discrimination is unacceptable conduct which may lead to disciplinary action under NMITE's Disciplinary Policy & Procedure.
- 10.2 Any employee who feels that they have not been treated fairly should normally take this matter to their Manager in the first instance.
- 10.3 If this approach does not solve the issue, the employee should raise the issue through the NMITE's Grievance Resolution Policy & Procedure. In situations where it is inappropriate to discuss the matter with their Manager, the HR Department should be contacted. Investigations of a complaint should be handled sensitively with due respect for the rights of all parties involved. Confidentiality should be maintained as far as possible.
- 10.4 Any employee who is found to have committed acts of bullying, victimisation, discrimination or harassment will be subject to Disciplinary action. Such behaviours may constitute Gross Misconduct and may result in dismissal.
- 10.5 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the appropriate procedure. NMITE will ensure that individuals who make such allegations in good faith will not be victimised or treated less favourably as a result. However, false allegations of a breach of this policy which are found to have been made in bad faith will be dealt with under NMITE's Disciplinary Policy & Procedure.
- 10.6 If it is resolved that the allegations of unfair treatment under the policy are not unfounded but have been raised in bad faith against an alleged person, the initial complainant will be subject to disciplinary action.

11. **Compliance, Evaluation and Review**

- 11.1 As a Public body, NMITE has additional duties to promote equality – The Equality Duty. The Equality Duty requires NMITE to have 'due regard' to the need to:
 - i. **Eliminate Unlawful Discrimination**, harassment and victimisation on the grounds of a protected characteristic
 - ii. **Advance equality of opportunity** between people who share a protected characteristic and those who do not; and



- iii. **Foster Good relations** between people who have a protected characteristic and people who do not.

Equality Impact Assessments (EIA) have been completed for all policies to support our commitment to the Equality Act 2010, these can be found with HR and on Sharepoint.

12. **NMITE's Equality, Diversity & Inclusion Strategic Advisory Group (EDI-SAG)**

- 12.1 NMITE are committed to the fulfilment of our Public Sector Equality Duty, the responsibility for the coordination and implementation of this Equality Scheme lies with the Executive Team who is accountable to the Board. The EDI Champion and Executive Lead is the Director of People & Operations.

12.2 **Public Sector Equality Duties**

The Equality Act 2010 broadens the Public Sector Equality Duties to cover all protected characteristics (except Marriage and Civil Partnership). Section 149 required public sector bodies to:

- Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by or under the Equality Act 2010
- Advance equality or opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 12.3 The purpose of the EDI Strategic Advisory Group is to advise the Executive team on NMITE's EDI agenda. This includes:

- Developing, overseeing and reviewing NMITE's EDI strategy, objectives, policies and initiatives, in order to advise and make recommendations to the Executive committee.
- Monitoring and reporting the performance of NMITE with regard to its equality, diversity and inclusion related strategic objectives and statutory obligations.
- Publishing on an annual basis a report highlighting key achievements and developments.



- Acting as a 'critical friend' in challenging NMITE's working practices.
- Advocate for NMITEs EDI approaches, and EDI concerns more generally, across the HE sector
- Identifying current and emerging strategic EDI issues, challenges and opportunities.
- Acting as a sounding board for policy and programme development, and helping determine development priorities.
- Promoting a working and learning environment that ensures equality, celebrates diversity and promotes inclusion for all.
- Sharing EDI best practice is identified and shared across the organisation., and where appropriate, externally

13. Feedback and Complaints

- 13.1 Any feedback or complaints regarding the Equality, Diversity & Dignity in the Workplace Policy should in the first instance be raised with HR.

14. Policy Status

- 14.1 This policy is not part of any contract of employment and does not create contractual rights or obligations. NMITE reserves the right to alter at any time although we will notify you of any future amendments.
- 14.2 This policy will be monitored and reviewed annually in August to ensure that equality and diversity is continually promoted in the workplace. NMITE will review employment practices and procedures when necessary to ensure fairness and to update policies to reflect any changes in legislation.

15. Glossary

Protected characteristics – A characteristic or trait of a person which may not be used as a basis for decision making in the workplace and, if used might constitute unlawful discrimination. Section 4 of the Equality Act 2010 defines the following groups as protected characteristics: Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief (including lack of belief), Sex and Sexual Orientation.



Direct Discrimination – occurs if you treat someone less favourably than someone else has been treated (or would be treated) because the person belongs to one of the protected groups.

Indirect Discrimination – occurs when an organisation makes a decision, or puts in place a particular policy, practice or procedure, which appears to treat everyone equally, but which in practice leads to people from a particular protected group being treated less favourably than others.

Harassment - Harassment is unwanted behaviour by one or more people, whether intentional or not, which violates a person's dignity and creates a feeling of anxiety, humiliation, distress or discomfort. It has three common features:

- It is unwelcome
- It makes the environment intimidating, degrading or offensive
- It is unacceptable to the complainant.

Bullying - is a form of harassment and describes a threatening or intimidating environment in which one or more people may become fearful because of negative or hostile behaviour.

Victimisation – is where an employee is treated less favorably than others because they have asserted legal rights against NMITE or assisted a colleague in doing so. For example, victimisation may occur where an employee has raised a genuine grievance against NMITE and is demoted as a result.



This form will be used for statistical monitoring only, if you prefer you may send the form directly to: Director of People & Operations, NMITE, Blackfriars Street, Hereford, HR4 9HS

Appendix 1 - Equality & Diversity Monitoring Form

Employees will not be discriminated against on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. The information that you provide on this form will help us monitor equality and diversity policies and make sure it is working in practice. It will be treated in strictest confidence and forms no part of the selection process.

Data Protection Act 2018



The data collected in this form will only be used for the purpose of statistical monitoring. This information will only be retained for as long as is considered necessary for monitoring purposes and then it will be destroyed. At all times it will be kept in accordance with the Act.

What is your gender?

- ☐ Male
- ☐ Female
- ☐ Other (please specify) _____
- ☐ Prefer not to say

What is your age?

- ☐ 0-15 years
- ☐ 16-24 years
- ☐ 25-29 years
- ☐ 30-44 years
- ☐ 45-59 years
- ☐ 60-64 years
- ☐ 65-74 years
- ☐ 75+ years
- ☐ Prefer not to say

Do you have a disability, long-term illness or health problem (12 months or more) which limits daily activities or the work you can do?

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

If yes, please specify:

- ☐ Learning difficulty (eg. dyslexia)
- ☐ Learning disability
- ☐ Mental ill health
- ☐ Mobility difficulty
- ☐ Progressive/chronic illness (eg. MS/Cancer)
- ☐ Sensory Impairment
- ☐ Prefer not to say

How would you describe your national identity?



- | | | |
|--|---|----------------------------------|
| <input type="checkbox"/> English | <input type="checkbox"/> Scottish | <input type="checkbox"/> British |
| <input type="checkbox"/> Welsh | <input type="checkbox"/> Northern Irish | <input type="checkbox"/> Irish |
| <input type="checkbox"/> Prefer not to say | | |
| <input type="checkbox"/> Other (please specify): _____ | | |

What is your sexual orientation?

- | | | |
|---------------------------------------|----------------------------------|--|
| <input type="checkbox"/> Heterosexual | <input type="checkbox"/> Gay | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Bisexual | <input type="checkbox"/> Lesbian | <input type="checkbox"/> Other (please specify): |

What is your religion or belief?

- | | | |
|--|--|--|
| <input type="checkbox"/> Agnostic | <input type="checkbox"/> Atheist | <input type="checkbox"/> Bahai |
| <input type="checkbox"/> Buddhist | <input type="checkbox"/> Christian | <input type="checkbox"/> Humanist |
| <input type="checkbox"/> Jewish | <input type="checkbox"/> Muslim | <input type="checkbox"/> Pagan |
| <input type="checkbox"/> Rastafarian | <input type="checkbox"/> Scientologist | <input type="checkbox"/> Sikh |
| <input type="checkbox"/> Zoroastrian | <input type="checkbox"/> No religion or belief | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Other (please specify): | | |

How would you describe your ethnic group? (tick one box only):

- | | | | |
|--------------------------|--|--|---------------------------------------|
| White | <input type="checkbox"/> British | <input type="checkbox"/> Irish Traveller | <input type="checkbox"/> Romany/Gypsy |
| | <input type="checkbox"/> Other White background (please write in): | | |
| Black or | <input type="checkbox"/> African | <input type="checkbox"/> Caribbean | |
| | <input type="checkbox"/> Other Black background (please write in): | | |
| Black British | | | |
| Asian or | <input type="checkbox"/> Indian | <input type="checkbox"/> Pakistani | <input type="checkbox"/> Bangladeshi |
| | <input type="checkbox"/> Other Asian background (please write in): | | |
| Asian British | | | |
| Chinese or | <input type="checkbox"/> Chinese | | |
| Chinese British | <input type="checkbox"/> Other Chinese background (please write in): | | |
| Mixed or | <input type="checkbox"/> White & Black | <input type="checkbox"/> White & Black Caribbean | |
| | <input type="checkbox"/> White & Asian | <input type="checkbox"/> White & Chinese | |
| Mixed British | <input type="checkbox"/> Other Mixed background (please write in): | | |
| Other | <input type="checkbox"/> Any other background (please write in): | | |
| Prefer not to say | <input type="checkbox"/> | | |



What is your marital status?

- ☐ Civil partnership
 - ☐ Cohabiting
 - ☐ Married
 - ☐ Prefer not to say
 - ☐ Other:
- ☐ Single
 - ☐ Widow(er)
 - ☐ Separated
-

Author of Policy	Samantha Lewis, Director of People & Operations
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Related Policies, Procedures, Guidance, Forms or Templates	Shared Principles, Values and Behaviours Grievance Resolution Policy & Procedure Disciplinary Policy & Procedure Bullying & Harassment Policy Equality & Diversity Monitoring Form
Policies/Rules Superseded by this Policy	N/A
Summary of changes made to this version	Added in about staff portal and widened definition on gender reassignment.