

RESERVED POLICY

**Imperial College Union**

**EQUAL OPPORTUNITIES POLICY**

*Passed by Union Council on 11<sup>th</sup> June 2007*

**Statement of intent**

1. Imperial College Union as an employer, a service provider and a representative body for students is committed to a policy of equal opportunities for all. The Union wishes to develop and maintain an environment that encourages all to contribute fully to the life and work of the Union and which is supportive of the dignity and self-esteem of individuals.
2. Any election, selection, promotion and training of officers and staff will be based solely on merit, competence and skills. Unfair discrimination and harassment are not permitted in any area of Union activities.
3. All staff, job applicants, students and other people having dealings with the Union will receive equal treatment regardless of race, colour, sex, nationality, ethnic origin, marital status, disability, parental status, religious and political belief, socio-economic background, HIV status, trade union membership, sexual orientation, age, degree status, degree subject and degree year (all subject to the law). Unequal treatment upon these grounds constitutes unfair discrimination.
4. It is the shared responsibility of all staff and students to help foster an environment free of unfair discrimination and harassment. However the burden falls upon the shoulders of the Union Officers and permanent staff to ensure that Imperial College Union is free from institutional bias, hatred, unfair discrimination and harassment.
5. The Union also recognises its role under law (particularly section 43 of the Education (No.2) Act 1986 and the Human Rights Act 1998) to secure freedom of speech, within the law, for its members, guests and visitors, and not to deny use of its premises on any ground connected with the beliefs or views of an individual or of any member of a body, or the policy or objectives of that body; to the extent permitted by law.
6. It is recognised that some of the athletic and recreational clubs and societies may provide activities or enter competitions which discriminate on certain grounds (such as separate men's and women's teams or age requirements). Such discrimination shall be considered fair, but only to the extent that it is permitted by law and is reasonable.
7. It is recognised that, in exceptional circumstances and as a consequence of the Union's duty of care for its members, there may be a requirement to prohibit individual involvement of students in some activities where the student's actions,

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through negligence, recklessness or lack of skill could cause danger to themselves or others.

### **Implementation**

#### ***Policy***

8. The Deputy President (Education and Welfare) has overall responsibility to the President for the formulation, implementation and monitoring of this Policy.
9. Imperial College Union will ensure that all staff are made aware of the Policy - all permanent staff will be issued with a copy and it will be referred to in the student staff handbook and at training. All new staff members will be provided with a copy of this Policy in their employment packs. Students will be made aware of this policy on regular occasions - via the Student Handbook, posters and other awareness events. All clubs and societies will be provided with a copy of this Policy.
10. Imperial College Union will ensure that all published material is consistent with this Policy.
11. Any member or employee of the Union who fails to comply with this policy may be dealt with under the "Removal of officers" and "Removal of members" procedures outlined in the Clubs and Societies Policy, under the Union Disciplinary and Complaints Regulation, Disciplinary Policy or staff disciplinary procedures.
12. Any club or society which fails to comply with this Policy or which promotes aims and objectives in conflict with this Policy shall be suspended by the process outlined in the Clubs and Societies Policy and will cease to be granted the use of Union resources and facilities, including those under its control.
13. The Representation and Welfare Board should review this Policy every year, and this review reported to the Council. This Policy needs to be re-tabled at the Council in June 2010.

#### ***Subordinate Union rules***

14. Any Union policy (except that of the Council), subordinate constitution or other Union rule which contravenes this policy may be struck down by the Union Court. The Union Court may draw to the Council's or Trustee Board's attention any of its policies or resolutions which breach or appear to breach this policy.

#### ***Employment practices***

15. Day-to-day implementation of this Policy in respect of staff falls to the General Manager.

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16. Imperial College Union can only enforce this Policy within the bounds of applicable law.
17. All posts lasting longer than six months will be advertised externally.
18. All job advertisements will carry the statement "Imperial College Union is striving to be an equal opportunities employer".
19. No application form for employment will require information that could be used to discriminate against applicants on the grounds stated in section 2, except in a detachable and voluntary form for the sole purposes of monitoring the composition of applicants by reference to age, sex and marital status.
20. The composition of applicants regarding age, sex and marital status will be monitored, as will the composition of the Union's staff.
21. A flexible hours working arrangement will be adopted for all posts, where such an arrangement does not impinge on the availability or quality of Union services.
22. Imperial College Union will consider job sharing for all appropriate posts.
23. Where possible the provision of childcare for the children of staff will be pursued in negotiations with College.
24. The attention of all members of selection panels will be drawn to the requirements of this Policy and no one shall be appointed to such a panel who does not accept it.

**Harassment**

***Statement of intent***

25. Imperial College Union is committed under its Constitution to advance the education of its members and to promote, without prejudice, their welfare at all times.
26. It is the responsibility of all staff and members to ensure that individuals do not suffer from any form of harassment and that they are supported in any way necessary.
27. However, a larger burden must fall on Union officers and senior managers with regard to ensuring the Union is free from bias and harassment and to ensure that those who may have suffered harassment are offered support and advice with taking the complaint forward.
28. Imperial College Union holds any case of harassment as serious. Action may follow under the Union Disciplinary Policy, or the case may be referred to College. The Union Disciplinary Policy provides a mechanism for a fair appraisal of the complaint, support for those suffering and punishment for those deemed to have harassed others. Such mechanisms will also be flexible enough to deal with cases where false

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allegations may have been made maliciously or mischievously. The Union Disciplinary Policy will be used against those found to have made such false allegations.

### ***Defining harassment***

29. **Racial harassment** - is committing or inciting any hostile or offensive act or expression by a person of one racial or ethnic origin against a person of another and which is motivated by racial or ethnic difference. Such behaviour includes derogatory name calling, insults, and racist jokes, racist graffiti, verbal abuse and threats, physical attack, and ridicule of an individual because of cultural differences.
30. **Sexual harassment** - occurs in a variety of situations that share a common element i.e. the inappropriate introduction of sexual activity or comments into any situation. It often involves relationships of unequal power and may contain elements of coercion. Sexual harassment includes: unwanted sexual advances, sexually explicit remarks or innuendoes, intentional physical contact, the display of pornographic, sexually offensive or inappropriate material, verbal threats or abuse, and other actions which cause the person to feel threatened or humiliated. Members of either sex can experience sexual harassment.
31. **Other forms of harassment** - can include bullying or repeated reference to personal traits, appearance, sexual orientation, disability, religion and age. Actions designed to undermine an individual's professional competence or confidence are a misuse of power or position. Such actions may include public or persistent unwarranted criticism or exclusion from normal activities. The distinction between strong management / leadership and bullying is that, whilst the former is intended to promote desired work performance, the latter is intended to hurt or undermine the individual.
32. These are examples of well-observed forms of harassment, however they are not meant to be exhaustive. Differences in culture or attitude, and misrepresentation of certain social signals, can mean that what is perceived as harassment by one person may not seem so to another.
33. This Policy shall take behaviour that is intimidating to the recipient and would be regarded as harassment by any reasonable person as the defining feature of harassment.

### ***Dealing with harassment***

34. Some forms of harassment can be remedied by approaching the person, explaining the nature of the complaint and stating that such behaviour is unacceptable.
35. If such behaviour does not stop, then the complainant can advise the person that they will make a note of the details and dates of any relevant incidents (to include the

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way in which the behaviour may have effected his/her day-to-day activities) with a view to bringing a formal complaint if the behaviour does not stop.

36. Should the complainant wish to take things further (for example if the behaviour does not stop after advice from the complainant or the complainant does not wish to speak to the alleged harasser due to fear of approaching the alleged harasser) they should approach the Deputy President (Education and Welfare), or the Union Adviser for confidential advice.
37. If the first approach does not result in satisfactory progress the complainant is encouraged to approach either the Deputy President (Education and Welfare), President or the Union President.
38. In cases of alleged harassment as an employee of the Union it may be appropriate to first approach the Union General Manager for confidential help and advice.
39. Those approached are required to deal with all complaints of harassment with all possible speed. Investigations should be handled in a professional, independent fashion, remain objective and handled confidentially with respect to the rights of both the complainant and the alleged harasser. The officer approached is encouraged to seek consent from the complainant to liaise with the Deputy President (Education and Welfare) for help and advice in proceeding with the complaint.
40. Any initial discussions with the alleged harasser will not take place without the permission of the complainant nor will the complainant's name be released without prior agreement from the complainant. Further investigation under the Union Disciplinary Policy or Disciplinary and Complaints Regulation will require that the complainant's name be made available to the alleged harasser.
41. If the complaint is considered serious and the majority of the alleged actions occurred in Union areas, then complainant should be passed onto the Union President and action will be taken under the Union Student Disciplinary Policy or Union Disciplinary and Complaints Regulation.
42. If the complaint is serious and the alleged harasser is a member of the College staff, the complainant would be encouraged to follow the appropriate action laid down in College's Equal Opportunities Statement with full support from Imperial College Union.
43. Incidents of physical assault in Union areas will be dealt with under the Union Disciplinary Policy. Serious incidents or those occurring elsewhere that have been brought to our attention by the complainant will be followed up with College and could potentially result in a College Discipline Hearing.

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44. It should be stressed that should the complainant feel unable to approach the alleged harasser, any subsequent action / investigation should not normally be impeded by such a decision.
45. Imperial College Union will seek to be part of the College's network of support advisers - intended to provide trained confidential and informal support to members and staff who feel they are being harassed. Those participating in the scheme will hopefully include the officers mentioned in 31 above.

### **Disability**

#### ***Statement of intent***

46. Imperial College Union is committed to protecting the rights of disabled people to work and use the Union as any other member of Imperial College Union's staff and membership. As part of this protection the Union may make "reasonable adjustments" if the employee arrangements or premises places disabled people at substantial disadvantage compared with those who are not disabled.
47. Imperial College Union recognises the definition of disability as laid down in the Disability Discrimination Act 1995 - a physical or mental impairment which has substantial and long-term adverse effects on the ability to carry out normal day-to-day activities. As such the Union will not discriminate in terms of employment, service provision or representation for any reasons relating to disability.
48. The Union should foster an environment free of any negative bias, discrimination or harassment with regards to disability within the bounds of this Policy.

### **ICU Representation and Welfare Board**

49. The Representation and Welfare Board should regularly review this Policy in context with other Union Policies and events and aid the Deputy President (Education and Welfare) in its review and the subsequent reporting to Council on an annual basis as laid down in section 12.