

FINAL DRAFT

EDC16D007a



Title: Promotion of Race Equality for Staff – Code of Practice
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Issue

To inform the Committee of revision to the University's Race Equality policies relating to staff.

Recommendation

The Committee is asked to approve the new policy.

Resource Implications

None for the Committee to agree.

Risk Implications

The University's policies must be legally compliant and achieve best practice where possible.

Equality and Diversity

The focus of this initiative is the pursuit of race equality for all staff across campus.

Timing of decisions

n/a

Further Information

The policy draws on good practice across the sector and updates the University's policy to ensure compliance with the Equality Act 2010.

Background

The University has an increasingly diverse staff and student population with a wide range of nationalities on campus each year. University equality policies provide a framework for fair treatment and clarify boundaries to maintain a culture of dignity and respect for all. This paper is one of three raising awareness of the University's staff about race issues and their responsibilities under the Equality Act 2010. It also provides guidance to managers to ensure that staff from different racial groups are supported in their work activity at the University;

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PROMOTION OF RACE EQUALITY FOR STAFF: CODE OF PRACTICE

1.0 Introduction

- 1.1 The University of East Anglia, referred to as “the University” throughout this document, has developed this revised Code of Practice to demonstrate the steps that will be taken to ensure equality in respect of race and to ensure its compliance with the Equality Act 2010.
- 1.2 This Code of Practice is underpinned by the University’s Equality & Diversity Strategy/Action Plan and the Equality & Diversity in Employment Code of Practice, which can be accessed on the Human Resources Division’s intranet sites.
- 1.3 The University is an international and multicultural community which values and encourages diversity. As a public body the University has a particular responsibility to promote race equality. The University as a major employer and provider of education and other services, and a purchaser of goods, works and services, is committed to:
- ensuring that it makes every reasonable effort to promote race equality;
 - the removal of unlawful racial discrimination;
 - the promotion of good relations between people of different racial groups;
 - providing a supportive and inclusive environment to staff of all racial groups.

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1.4 The aim of the University is to remove barriers to the working environment and/or policies, procedures and processes which could disadvantage staff from different racial groups.

1.5 This Code of Practice should be read in conjunction with other key University documents, including but not limited to the Equality & Diversity Code of Practice and Recruitment & Selection Guidelines.

2.0 Purpose

2.1 The purpose of this Code of Practice is:

- to raise the awareness of the University's staff about race issues and their responsibilities under the Equality Act 2010;
- provide guidance to managers to ensure that staff from different racial groups are supported in their work activity at the University;

3.0 Scope

3.1 This Code of Practice applies to all staff employed by the University, individuals registered on UEA's staffing registers, individuals holding honorary and/or secondment contracts, individuals undertaking work experience and self-employed individuals.

3.2 The University also expects the following groups to behave in a manner which complies with the expectations set out for staff :

- Students
- individuals undertaking work experience on placements
- members of the public
- service users
- individuals employed by other organisations (such as recruitment agencies, Consortiums and Partnerships)
- suppliers and contractors.

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4.0 Responsibility of all staff

- 4.1 All staff are required to comply with this Code of Practice and with the relevant legal requirements. Anyone with responsibility for managing staff has additional responsibilities which are detailed in Section 5.0.
- 4.2 Staff are encouraged to disclose their nationality and ethnic origin and staff can update their personal circumstances online via 'MyView' accessible via the UEA Portal or in writing to Human Resources. See *Briefing Note 7 – Disclosing Nationality & Ethnic Origin* for further information about the disclosure process and why it is beneficial to do so
- 4.3 Staff should consider making their manager and/or Human Resources Manager aware of issues related to their personal circumstances, particularly where this relates to their wellbeing, health and safety in the workplace or a practice that could result in unlawful racial discrimination.
- 4.4 All staff have a responsibility to ensure that all members of the University community are treated with dignity and respect.
- 4.5 The Vice-Chancellor and Executive Team requires all staff to complete the online Equality and Diversity training module that can be accessed via the Equality & Diversity, Human Resources and CSED webpages; and to re-complete a refresher every two years.

5.0 Responsibility of all managers

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- 5.1 All individuals with management and supervisory responsibility are responsible for the implementation of this Code of Practice within their Service, Faculty, School, Department, Office areas.
- 5.2 Managers need to be aware of their responsibilities under this Code of Practice and under the Equality Act 2010 and ensure that they are carried out appropriately.
- 5.3 Managers must take steps to ensure that policies, procedures and practices in their areas of responsibility do not have an adverse impact for staff from different racial groups and to assess whether the cause of this different outcome might constitute unjustifiable discrimination.
- 5.4 Where inappropriate behaviour is brought to a manager's attention, the manager is responsible for taking appropriate action. This includes addressing the behaviour of individuals not employed by the University as referred to in paragraph 3.2 of this document. Managers can seek advice and support from Human Resources in dealing with such matters.

6.0 The Legislation – Equality Act 2010

- 6.1 The main provisions of the Equality Act 2010, referred to as “the Act” throughout this document, came into force on 1 October 2010 and the provisions relating to positive action in recruitment and the public sector duty came into effect on 1 April 2011.
- 6.2 The Act consolidated the many equality and anti-discrimination laws, including the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000, into a single Act covering nine protected characteristics:
 - Age
 - Disability

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- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including Caste)
- Religion or belief
- Sex
- Sexual orientation

6.3 The Equality and Human Rights Commission indicates that race in the Equality Act can pertain to an individual's colour, nationality, citizenship, ethnic or national origins, ethnic or racial groups.¹ Current case law also means that race in the Equality Act can also pertain to caste.

6.4 The Act makes it unlawful to discriminate on the grounds of race. Acts of discrimination can occur in a number of ways, which include:

- **Direct discrimination** where an individual is treated less favourably than another individual because of their race.
- **Indirect discrimination** occurs where a condition, rule, policy or practice that is applied equally to everyone has the effect of disadvantaging a particular group of individuals who are from a particular racial group.
- **Harassment** is unwanted conduct related to a person's race that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

¹ Source: Equality and Human Rights Commission <https://www.equalityhumanrights.com/en/advice-and-guidance/race-discrimination>

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- **Victimisation** happens when an individual is treated less favourably because they have made or supported a complaint of race related discrimination.

6.5 Please refer to Briefing Note 8 – Different Types of Race Discrimination for examples of discrimination in the workplace.

6.6 For further information on how to deal with race hate incidents and hate crime please refer to Briefing Note 9 – How to deal with Race Hate Incidents and Crime.

7.0 Monitoring and Review

7.1 The Human Resources Division, on behalf of the University, is responsible for monitoring and reviewing the implementation of this Code of Practice to ensure its effectiveness.

7.2 The University will continue to monitor and review the impact of its policies, procedures and practices on staff and applicants for employment from differing racial groups and take positive action where appropriate to ensure that its policy on race is fully implemented.

7.3 Such action will include the provision of training and awareness, particularly for key staff groups where monitoring indicates that an area of policy, procedure or practice requires revision.

7.4 The Human Resources Division will monitor the completion rates for the Equality & Diversity module and provide a regular report to the Equality & Diversity Committee.

7.5 The University will develop and keep under review indicators of the impact of its policies and practices in employment and the provisions of other services.

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These indicators will be reported to the Equality & Diversity Committee on an annual basis. These will include as a minimum a race profile for:

- Staff employed at the University
- Applicants for and those obtaining employment
- Applicants for and those receiving training
- Applicants for and those completing probation and obtaining promotion and awards
- Staff being appraised
- Staff whose attendance at work is being measured through the sickness absence guidelines
- Staff whose performance is being measured through the formal capability process
- Staff involved in formal disciplinary and grievance processes (including the outcome of said processes)
- Staff leaving the University

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Review frequency	Annually
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