

EQUAL OPPORTUNITIES IN EMPLOYMENT: CODE OF PRACTICE

1.0 Introduction

1.1 The University of East Anglia is an equal opportunities employer and is committed to the promotion of Equal Opportunities for all its staff.

1.2 The following statement of intent has been approved by the University Council.

The University of East Anglia is an equal opportunities employer. It aims to ensure that no job applicant or employee will receive less favourable treatment on the grounds of sex, marital status, gender reassignment, race, colour, nationality, ethnic origin, disability, religion or belief, political belief, sexual orientation, pregnancy or childbirth, membership of a trade union, part-time working, or age. It aims to ensure that job applicants and employees who are disabled, become disabled, or have had a disability receive no less favourable treatment than others on the grounds of their disability unless, after making reasonable adjustments, there remain material and substantial reasons why it is not possible to do so. Selection practices, promotion criteria, and access to training and development activities will be kept under review to ensure that the selection, promotion, training and development of individuals are carried out on the basis of the job requirements and individuals' relevant skills and abilities alone. The University is committed to a programme of action to make this policy fully effective.

The University recognises that as a public body it has a particular responsibility to promote race equality. The University as an employer, an education and service provider, and a purchaser of goods, works and services, is committed to the elimination of unlawful racial discrimination and the promotion of good relations between people of different racial groups. It will monitor and review the impact of its policies and procedures on race equality and will take steps to ensure that all members of the University community are aware of their responsibilities under the University's Codes of Practice on the Promotion of Race Equality.

1.3 The policy statement in Paragraph 1.2 recognises the University's legal obligations as an employer (see Section 2 for further details) and also those which derive from its own Charter. The University recognises that there are many other factors which may lead to unfair discriminatory practices in employment, even if these are not unlawful.

This Code of Practice is designed to promote equality of opportunity for all employees and to ensure that individual employment decisions are related only

to the relevant merits and abilities of individuals.

- 1.4** 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 as defined by statutory legislation and as amended from time to time and under European law.

2.0 Legal Obligations

- 2.1** It is unlawful to discriminate on a number of grounds including, but not limited to, sex, marital status, or racial group (including colour, race, nationality or ethnic/national origins) in employment areas covered by

- the recruitment of employees
- the terms of employment
- access to promotion, transfer or training
- dismissal or subjection to any other detriment

- 2.2** There are two forms of unlawful discrimination.

- 2.2.1** Direct discrimination occurs when a person is treated, on the grounds of sex or race, less favourably than a person of a different sex or race is or would be treated in the same circumstances.

- 2.2.2** Indirect discrimination occurs when a condition is applied equally to both sexes and to all racial groups but in practice is one with which a "considerably smaller proportion" of one sex or racial group can comply. If the requirement cannot be shown to be justifiable in terms of the job to be done and is to the detriment of one sex/racial group it will be unlawful.

3.0 Responsibility

All members of the University community are required to comply with this code of practice and with the relevant legal requirements and are encouraged to assist in the removal of any unlawfully discriminatory practices that may exist in the University by drawing them to the attention of the Pro-Vice-Chancellor with special responsibility for equal opportunities matters via the Director of Human Resources.

4.0 Communication

In order to promote practices which will lead to an increase in equality of opportunity, all staff should be made aware of the University's statement of policy and of this code of practice. Copies will be issued to current and new staff and will be available from Human Resources.

5.0 Recruitment and Selection of Staff

- 5.1** The University will encourage and promote fair and equal opportunities for applicants for employment.

- 5.2** 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.

5.3 The University will ensure that clear and justifiable job criteria are provided for each vacancy to be used as the basis for each stage of the recruitment and selection process to ensure objectivity and avoid unlawful bias.

5.4 In line with section 48 of the Sex Discrimination Act and Sections 37 and 38 of the Race Relations Act, the University will take positive action to encourage ethnic minorities and people from one gender group (male or female) to apply for jobs in which they have been under represented or totally absent in the previous 12 months. The University will not give preference on these grounds at the point of selection for jobs, as this would represent unlawful discrimination.

5.5 Every effort will be made to ensure that the membership of selection committees/panels includes, wherever reasonably practicable, both sexes.

5.6 The recruitment and selection processes will be recorded and monitored at each stage of the procedure.

5.7 The University will work towards providing appropriate training for all staff with responsibility for the recruitment and selection of employees.

5.8 The University will develop a code of practice for all those involved in the preparation of recruitment material and to all shortlisting and interviewing panels setting out acceptable practice under this code and in law.

6.0 Terms and Conditions of Service

6.1 The University is committed to encouraging all members of staff to contribute fully, through their work, to the life of the University by ensuring that unlawful discriminatory practices do not prevent this.

6.2 The University will continue to ensure accessibility for staff regardless of physical disability as far as is reasonably practicable having regard to the nature of the University buildings and other environmental limitations.

6.3 The University will take account of the special needs of individual members of staff, and wherever reasonably practicable will use part-time/flexi-time and/or other special contractual terms on a permanent or temporary basis to assist with issues such as disabilities and caring for dependants.

6.4 Discriminatory behaviour, such as actions or words calculated to, or liable to cause offence or harassment may be subject to disciplinary action under the terms of the University's Guidelines for Dealing with Harassment.

6.5 The University will continue to review and monitor the implementation of the terms and conditions of employment for all staff.

7.0 Promotion and Career Development

7.1 The University is committed to offering all members of staff opportunities for guidance, training and promotion within the terms of their employment on the

basis of their relevant qualifications, experience and abilities.

- 7.2** The University will provide appropriate training and development opportunities including appraisal to enable staff to perform their jobs effectively and to achieve their own personal development.
- 7.3** In line with the provisions of the Sex Discrimination Act and the Race Relations Act, the University will take positive action to provide special training for ethnic minorities and for people from one gender group (male or female) in order to equip them to achieve equality by being able to compete more effectively for jobs or promotion opportunities.
- 7.4** Individuals, units, and committees concerned with staffing matters, will be given guidance to ensure that there is no unlawful discrimination in the consideration of grading cases or in the provision of training.
- 7.5** The University will continue to keep under review and monitor the criteria and procedures for promotion and for the provision of training and development.

8.0 University Procedures

- 8.1** It is the University's policy to avoid the use of gender biased language wherever possible in its publications and other communications.
- 8.2** The University will keep under review the membership and criteria for membership of its Committees to ensure fair and equal opportunities for participation.

9.0 Monitoring, Consultation and Review

- 9.1** The University will take steps to monitor the implementation of its Equal Opportunities Policy and Code of Practice to ensure its effectiveness. A confidential monitoring system will be introduced to collect relevant data that will allow assessment to be made by the University and by the campus unions on the progress of developing an effective policy.
- 9.2** The Pro-Vice-Chancellor with special responsibility for Equal Opportunities matters will report annually, following discussion with the campus unions, through the Human Resources Policy Committee to the University Council, on the steps taken to implement the Equal Opportunities Policy and Code of Practice.