



Transformation for excellence 2010-15

Equality and diversity strategy 2011-15

1 Outline strategy

1.1 The global context

Our new strategy for equality and diversity springs directly from *Transformation for excellence*.

The University of East London aspires to establishing a stronger global presence in the higher education sector. In short we will develop ourselves as an international academic business, offering research, knowledge exchange, learning and teaching.

UEL believes that approaching equality and diversity issues from this perspective will lead to a higher level of understanding of equality goals. The beneficiaries will be all our students, our staff and our partners. Equality and diversity makes good business sense as all, not some, potential is used.

If we are to succeed as a global higher education business and to help our students take up employment around the world, we need to educate and develop all our students and staff to adopt an international outlook, to operate across cultures and to take an inclusive view of the opportunities before them. Horizons will broaden. Developing an international outlook is not synonymous with equality and diversity aims but it is a context for realising them. This is because we expect that raising awareness of, and respect for, difference on an international scale will also encourage better understanding and management of the talents of all our staff and all our students.

A global context also allows us to compare systems for social justice and human rights within which our equality and diversity strategy must operate.

We are very fortunate in having many international and home students who, in experiencing diverse cultures, can raise the awareness of our staff. Students whose lives cross continents have an inherent conception of what might make a global enterprise. While our staff will lead our equality and diversity strategy, we will use this student potential and the diversity of the East London region.

1.2 Active organising principles

Our strategy has three active organising principles through which we hope to work towards our new equality goals. The number of principles is deliberately limited so that our approach is clear.

Focusing on career aspiration

Challenging behaviour

Taking positive action

1.2.1 Focusing on career aspiration

To help students and staff ‘succeed against the odds’ as UEL’s strategy states, we want to centre as much action as possible on ‘career aspiration’. As a university our business is about developing the knowledge, skills and wisdom of our staff and students and making them professional employable people within a global labour market.

The achievement of a degree and a first job leads to greater self-esteem. For some of us, promotion and development throughout our careers deepens our sense of personal achievement. For others international professional recognition of creative work or research has the same effect. All of this is UEL’s core business. We believe that education transforms lives. But we must analyse the ‘odds’ that have to be overcome first.

Ambition and tenacity is at the root of achievement. Fostering this for all staff and students will lead them to believe they can be successful. Managers must demonstrate that they appreciate the contribution of all staff and academic staff have to show that they believe in the potential of our students and have high expectations of them.

It is our belief that fostering professional ambition, in a global environment, will improve the life chances of all our staff and students and this is our first overall equality and diversity goal.

1.2.2 Challenging behaviour

Diversity brings conflict too. The nine protected characteristics under the Equality Act 2010 (see appendix 1) do not always sit in harmony together.

On our UK home campuses, we aim to create a tolerant community where freedom of belief and expression can be relied upon and where human rights are ensured.

Our codes of conduct will emphasise the value of being non-judgemental where difference is perceived and will show how rights are balanced with responsibilities. This is because there are fault lines in relationships between groups. Race, religion, sexual orientation, disability and gender relations can provide trigger points for prejudice, discrimination, harassment and aggression that cannot be legislated out of existence in a single community, let alone on an international scale.

But at UEL we do not accept this difficult position. We will analyse the fault lines and will challenge behaviour that does not tolerate, accept and respect the practices and dignity of all our colleagues and students. Some of us will need to challenge our own behaviour and to break out from the monocultures to which we sometimes cling.

We have stated that many of our international students bring a wide perspective to our home campuses and this is true of home students too. But we must also note that there are also cultures in our student body which do not readily embrace the full spirit of UK equality and diversity legislation.

On our overseas campuses, our international strategy - UEL global - must also explicitly consider the greater difficulty of asserting UEL's equality and diversity values in countries with different norms and in partner institutions with different traditions. This applies to some extent to distance-learning too.

Our approach to this can be neither combative nor self-righteous. We need to find a two-way relationship with other cultures, looking for common territory and areas where our influence may allow our equality and diversity values to gain ground.

Our second goal is to improve the confidence of staff and students effectively and proportionately to challenge and eliminate discriminatory and prejudicial behaviour on our home campuses, and to find common ground and areas of influence in relation to our overseas partnerships and campuses.

1.2.3 Taking positive action

Diversity is a given in our global business. At UEL we are in the UK vanguard on this given the diversity of our student population. But it is not enough to rest on the laurels that our students bring to us by virtue of our location and their diverse origins. We must demonstrate that we are making a difference. No credence will be given to actions that are seen as tokenistic.

Bringing talent to the top, from whatever source, requires clear decisions to be taken by the Board of Governors and senior executive team which are mirrored throughout the business. They must positively champion the equality objectives and be accountable for reaching the goals. Committees, written strategies and good intentions are to no avail without clear management decisions to make a difference.

Our overall goals and the specific equality objectives below cannot be realised without positive action, taken legitimately under the law to increase the under-representation of members of particular groups.

UEL has a good track record in setting up clearly focused initiatives, for example the dedicated Black, Asian and Minority Ethnic (BAME) staff development and leadership programmes, the national mentoring scheme and the BAME and Lesbian, Gay, Bisexual and Transsexual (LGBT) staff networks but, with the greater emphasis on outcomes required by the new Equality Act (see appendix) we need to examine the evidence to see what difference these groups are making.

In addition to internal groups, including the Students' Union, we hope to work with external networks such as Stonewall and Athena Swan and with local and regional communities as part of UEL's strategy to support social and economic regeneration, inclusion and cohesion.

Our third overall goal is the promotion of positive action programmes to ensure equality of opportunity in academic achievement and career progression, linked directly to the equality objectives below and championed by the Board of Governors and Vice Chancellor's Group.

1.3 A commitment to quality

Underpinning our three active organising principles is a commitment to high quality in all we do. There is quality inherent in a diverse community. Far from diluting standards, diversity adds wisdom and perspective.

We should have the highest expectations of our students, emphasising to them that they should aim for the best in academic achievement and

professionalism. We want to ensure that our students do not just get a job but gain employment in highly competitive global markets with respected firms and companies or have the confidence to set up businesses or take a lead in the public or voluntary sector. They will be high quality people and we can thus assure employers that our graduates come with a UEL quality imprimatur. Our reputation will be enhanced.

We will provide quality assured learning and teaching, and a curriculum that recognises the global community of UEL. The student experience will be enhanced towards inclusivity and good customer service for all.

To achieve for our students, we need similarly high expectations for our staff and one of our strategic objectives is to develop an outstanding workforce. A quality assured approach is needed in selecting staff in the first place and then training, developing and promoting all our staff. We should challenge any attitude that settles for mediocrity or perpetuation of the status quo. We are seeking excellence: top talent.

Approved by the Board of Governors in July 2011

2 **UEL's equality actions 2010-15 (provisional and for consultation with programme boards)**

2.1 Under the Equality Act 2010 we are required to have one or more equality objectives, for confirmation by April 2012. One or a small number of high level objectives will be developed mainly from the three broad goals that we have described above, for approval by the Board of Governors.

2.2 However, in the meantime, we want to continue to be proactive. Provisionally a set of actions has been developed which will be consulted upon with the programme boards who will take ownership of them. They are derived from:

- The nine *Transformation for Excellence* objectives and the management structure for achieving these
- The three active organising principles of this equality and diversity strategy, together with the commitment to high quality
- Unfinished business – there are important actions in our previous race, disability and gender schemes which are unfinished but which remain important. We have conducted the relevant gap analyses about where we start from and where we hope to be. At UEL we surely want to demonstrate that we achieve better than average success rates for students and staff from groups with protected characteristics. At present this is not the case.
- The requirement under the Equality Act 2010 to undertake evidence-based work and to focus on outcomes.

A strong academic core

A 1 To audit and modify curricula and teaching styles in all schools to ensure that students from all protected characteristic groups have the opportunity to succeed and that international perspectives are included.

A 2 To improve the achievement of 1st class and 2.1 degrees among BAME students so as to reduce the current gaps in attainment between *Black/White students and *Asian/White students.

Oversight by the Academic Core programme board, supported by the Mentor and Equalities Unit

*(This is an ambitious action and rather than describe it simplistically we would prefer to hand over to the programme board for measureable targets to be set and action plans to be developed. * We would intend to include action and analysis on sub-categories of black and asian students, as the objective itself is obviously oversimplified).*

An outstanding student experience

- A 3 To ensure a peaceful, harassment / prejudice free environment on our campuses, as evidenced by staff and student surveys, low number of Office of Independent Adjudicator and Employment Tribunal verdicts which are adverse to UEL and by promoting staff and student programmes that increase confidence in challenging discriminatory or prejudicial behaviour.
- A 4 To improve the satisfaction ratings of students with disabilities towards parity with their peers.
- A 5 To produce formal guidance on the practical handling of issues related to religion and belief, including the provision of special facilities.

Oversight by the Student Experience programme board, supported by the Mentor and Equalities Unit

Action plans to be developed

Sustainable student recruitment

- A 6 To recruit annually at least 200 white male students from socio-economic groups with low participation in higher education.

Oversight by the Student Recruitment programme board, supported by the Mentor and Equalities Unit

Action plans to be developed

Exceptional employability and enterprise

- A 7 To improve by the graduate employment record of BAME students and students with disabilities at the six months stage and later in their careers, in relation to their peers.
- A 8 To ensure that, within the overall objective of being Europe's leading university for female entrepreneurship, the achievement of BAME females and females with disabilities are positively promoted, monitored and recorded. In addition, to ensure that other protected characteristics such as age, marital status, sexual orientation, religion and belief are also explicitly taken into account in implementing the overall objective and monitoring its achievement.

Oversight by the Employability programme board, supported by the Mentor and Equalities Unit

Action plans to be developed

Global reach

- A 9 To promote, monitor and record the adoption of UEL equality and diversity principles and values by our collaborative global partners, influencing them in the required direction where this is not readily achievable.
- A 10 To ensure that the experience of international students is equivalent to that of home students and that their ideas are used in any internationalisation policies.

Oversight by the Global reach programme board, supported by the Mentor and Equalities Unit

Action plans to be developed

Best in London for sport

- A 11 To exploit the potential of the London Olympics and Paralympics for showcasing at UEL our equality and diversity principles, on the grounds that Olympic winners come from all races, religions, social backgrounds and personal histories.

Oversight by the Sport programme board, supported by the Mentor and Equalities Unit and LGBT network

Action plans to be developed

Outstanding support for businesses

- A 12 See 7 – though a special community-related objective could also be developed here.

Outstanding workforce

- A 13 Through positive action programmes such as talent management/ succession planning and other development programmes, to achieve the 2014 targets in the Staff Profile July 2010 in respect of the number of female, BAME and disabled staff in management grades (Professor, Reader, Principal Lecturer, Grades F and above¹) and to achieve an age/generational balance in these management grades and also in the Lecturer and Senior Lecturer academic roles where older staff are in the majority.

¹ There is currently a good gender balance in Principal Officer grades

- A 14 To improve the satisfaction ratings of staff with disabilities towards parity with their peers.
- A 15 To develop a wider equality and diversity mentoring framework, using the principles of the National Mentoring Consortium, supported by Equality and Diversity Leaders and Learning and Teaching Committees to further the career aspirations of staff and students with particular protected characteristics and of our international students.
- A 16 To build on and enhance the staff development and positive action programmes for BAME staff and to consider how to use this model to enhance the career aspirations of staff from other protected characteristics; to make use of networks such as Stonewall and Athena Swann.

Oversight by the Outstanding workforce programme board which will also monitor overall progress of the Equality and Diversity strategy from the office of the Secretary and Registrar with the Mentor and Equalities Unit and HR Services

Action plans to be developed

A positive reputation

- A 17 To devise an internal and external communications framework to make explicit our UEL equality and diversity goals and achievements, based on this strategy and the specific objectives above, and especially showcasing the success of our staff, students and alumni in an inclusive way.

Oversight by the Positive reputation programme board, supported by the Mentor and Equalities Unit

Action plans to be developed

Underpinning the objectives above

- A 18 To conduct a critical self-analysis of UEL's current compliance with UK equality and human rights legislation and the strength and maturity of our approach to all protected characteristics, with an emphasis on analysis of the leadership roles and capabilities of the Board of Governors, the Vice Chancellor and VCG/UMT members.

To proceed in parallel with all the objectives above – an in-depth review to be conducted by Kamlesh Patel and Jill Grinstead (and successor), supported by commissioned project workers, the Mentor and Equalities Unit and HR Services. This to be based on the UCLAN model updated to take account of the Equality Act 2000.

A 19 To establish by 2012 reliable ways of collecting, storing, monitoring and reviewing data on all protected characteristics under the Equality Act 2010, encouraging disclosure by individuals of all sensitive personal data and conducting and publishing equality impact assessments.

To be delivered by HR Services and the Planning Unit.

Appendices

1 Compliance with the Equality Act 2010

Appendix to Equality and Diversity Strategy

Compliance with the Equality Act 2010

This guide provides a brief explanation of the nine protected characteristics, the types of discrimination covered by the Equality Act 2010, our public sector duties and, briefly, how we will comply with the legislation and carry out our duties.

1 Protected characteristics and prohibited actions

1.1 The 2010 Act has rationalised Britain's discrimination laws and provided a set of definitions of protected characteristics and prohibited actions that apply, with minor exceptions, throughout the legislation.

1.2 The nine are:

Sex, race, disability, sexual orientation, religion or belief, age, marriage and civil partnership, gender reassignment and pregnancy and maternity.

1.3 The Act also provides standardised definitions of prohibited conduct which embrace direct discrimination, indirect discrimination, harassment and victimisation. For disability there are two additional types of discrimination: discrimination arising from disability and the failure to make reasonable adjustments.

2 Definition of types of discrimination:

2.1 Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are perceived to have, or because they associate with someone who has a protected characteristic.

2.2 Associative Discrimination

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

2.3 Perceptive discrimination

This is direct discrimination against an individual because other think they possess a protected characteristic.

2.4 Indirect discrimination

Indirect discrimination occurs when condition, rule, policy or practice that applies to everyone but disadvantages people who share a protected characteristic.

2.5 Harassment

Applies to all protected characteristics except pregnancy and maternity and marriage and civil partnership. Employees can now complain about behaviour that they find offensive even if it is not directed at them.

2.6 Third party harassment

The Equality Act makes employers liable for harassment of employees by third parties such as customers. So potentially a university can be liable for harassment of staff by students.

2.7 Victimisation

If a person has complained about discrimination and is subsequently disadvantaged this may amount to victimisation.

3 The public sector equality duty

- 3.1 The general public sector equality duty is as follows and it will cover all protected groups other than marriage and civil partnership which is only covered by clause (i).

General duty as stated in the Equality Act 2010:

A public authority must, in the exercise of its functions, have due regard to the need to –

(i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 3.2 The **specific public sector duties** are still under consultation with a closing date of 15 June but it is clear that we must -

Publish one or more objectives that we think we should achieve to meet one or more aims of the general equality duty (by 6 April 2012).

4 Positive action

Positive action, under section 158 of the Act, will be allowed if it is a proportionate means of addressing needs for disadvantages shared by members of a protected group. It will also be allowed to encourage wider take up in activities where the participation of members of a protected group is low. Explicitly we will have to show that a positive action:

- a) enables or encourages people who share a protected characteristic to overcome a disadvantage suffered which is connected with the protected characteristic;
- b) meets the different needs of people sharing a protected characteristic;
or
- c) enables or encourages the participation of people sharing a protected characteristic where their participation is disproportionately low.

5 Employers' obligations under the Equality Act 2010

There are some new provisions, of which three are worth mentioning here:

- A slightly modernised version of the Equal Pay Act has been incorporated. A loophole which previously allowed some claims to fall between the equal pay and sex discrimination legislation has been closed, and the genuine material factor (GMF) defence has been tightened.
- There is a new provision which will make it unlawful to ask certain health-related questions to prospective employees before the short-listing stage. The purpose is to prevent employers using preliminary questions to weed out candidates, say with a history of mental illness, before they are even considered for the job.
- Among the limited positive action provisions in the Act there is a clause which would, in certain circumstances, allow employers to recruit or promote a worker with a protected characteristic in preference to another equally qualified candidate. Many employers are likely to be wary of using this power, at least until it becomes clear exactly how equal the candidates must be for the exception to apply.

6 Education provision related obligations under the Equality Act 2010

6.1 Admissions

If widening participation remains a policy objective for the next few years, the Equality Act contains a positive action provision in section 158 of the Act which will have an impact (see 4 above). Universities will be able to take action which is intended to alleviate disadvantage experienced by people who share a protected characteristic, reduce under-representation of people sharing a protected characteristic, or meet the particular needs of those sharing a protected characteristic.

Falling within this section will be outreach activities targeted at specific groups of people or services or facilities that would appeal particularly to those groups or which compensate for a disadvantage. The Explanatory Notes to the Act give an example of providing supplementary mathematics lessons exclusively for white male pupils where it has been identified that white boys are underperforming in mathematics.

It is important to note that the section in the Act permitting more favourable treatment in recruitment of disadvantaged or under-represented groups applies only to employment. Therefore selecting a student applicant because he/she has a protected characteristic would be unlawful discrimination.

6.2 Harassment of, and by, students

The Act harmonises the definition of harassment on grounds of a person's protected characteristic. Unwanted conduct that has the purpose or effect of violating the person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment will be harassment. Conduct of a sexual nature is specifically included within the definition, although both marriage/ civil partnerships and pregnancy/maternity are not included as protected characteristics for harassment.

An employer is required to take reasonably practicable steps to prevent a third party (ie, someone other than a manager or other employee) from harassing an employee. This section, which imposes liability on the employer when it knows that the employee has been harassed on at least two other occasions by a third party, means that a university could be liable both when a member of staff harasses a student (which includes applicants and graduates) and when a student harasses a member of staff.

Harassment of one student by another would not appear to be caught directly by the harassment provisions. But this does not necessarily mean

HEIs will avoid liability. Failing to act in response to an allegation of harassment could itself be discriminatory or lead to a claim based on the institution's own rules.

6.3 Bursaries

Many bursaries and scholarships have restrictions on who can qualify for them. Where those restrictions are based on a protected characteristic - frequently nationality or gender - there is potential for unlawful discrimination to occur. The positive action provisions of the Act in section 158 are likely to operate in a way that provides universities with protection from successful discrimination claims. However, the university will need to be able to show that the bursary/scholarship fulfils one of the goals in 4 above.

In the event of a challenge, the HEI would need to show that it reasonably thought that the disadvantage, need or under-representation exists and that the bursary/scholarship is a proportionate means of overcoming, meeting or addressing it.

In addition section 193 of the Act allows charities to restrict the provision of benefits to people sharing protected characteristics where certain conditions are met.

6.4 Students' unions and clubs

The majority of students' unions are not legally a part of the parent institution. Many have their own legal personality (for example as a company limited by guarantee) and others are unincorporated associations. The Equality Act 2010 applies to an independent students' union in its own right and to its student clubs and societies. The union will need to ensure that it does not discriminate unlawfully in the provision of its services to its members, guests and the public.

The Act confirms that sports may be divided along gender lines and that there are circumstances where religious groups can confine their membership to those who sign up to tenets of faith.

The Act maintains the previous position that the enhanced equality duties do not apply to students' unions, although it is to be expected that the parent institution, in carrying out its obligation to have due regard to promote equality of opportunity and eliminate unlawful discrimination will require its students' union to act in a manner consistent with that duty.

Our Students' Union has adopted UEL policies on equality and diversity.

7 How we will comply with the Equality Act 2010

**To make active progress
we will carry out our
approved Equality and Diversity Strategy and related actions**

To fulfil our general equality duty we will take action under our approved strategy and more generally:

- take steps to remove disadvantages that pertain to specific protected characteristics,
- meet the requirements of people with specific protected characteristics even if this means treating them more favourably in certain circumstances,
- encourage participation in university life by people with protected characteristics
- tackle prejudice and promote understanding between people with different protected characteristics
- continue to train managers, other staff and students in equality issues
- consider how to advance equality through the academic curriculum, teaching methods and research
- take a global view of equality and promote an international outlook
- consider how to advance equality in decision-taking
- conduct equality impact analysis on policies, procedures and changes in operations
- promote equality through commissioning and procurement
- promote equality through business reporting
- promote equality through leadership, governance and management.

To fulfil our specific public duties we will:

- prepare and publish specific measureable equality objectives by April 2012.
- collect equality information at least on an annual basis across all protected characteristics by 2013 and report to Academic Board and the Board of Governors
- act on further guidance issued nationally when the results of the government consultation is known.