Welcome

Hello and welcome to Ulster University’s online equality and diversity awareness training. This training has been developed by People & Culture to give you a better understanding of what equality and diversity means; and why it is so important both for the University and for you as an individual.

Providing equality of opportunity in the workplace isn’t optional, it’s the law; and this training will look at the main equality legislation in place in Northern Ireland. This legislation applies to all University staff, but it also extends specific rights and responsibilities to you, and also covers you when you are on placement or in employment.

The training also covers the policies the University has in place to support equality and diversity.

The training should take approximately 40 minutes to complete and ends with a short quiz based on the information we have covered. There are also links to further reading materials both at Ulster and external organisations throughout the training.

We hope that you find this a useful resource and if you wish to continue the conversation about equality or would like any more information on the topics covered, please get in touch using my contact details provided below.

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EQUALITY & DIVERSITY

What is Equality and Diversity?

Some people think equality is about treating everyone the same. This isn’t the case.

Equality is about making sure people are treated fairly within the legislation. Equality recognises that people have different needs that are met in different ways and it gives everyone the opportunity to participate and fulfil their potential.

Diversity recognises, respects and values difference. Everyone is unique and a uniform approach to managing staff/dealing with colleagues does not achieve fairness for everyone. By taking account of people’s different backgrounds, personal needs, knowledge and skills you can harness a range of experience and have an effective, cohesive university community.

Unconscious Bias

Unconscious bias is our unintentional tendency to assign positive and negative attributes to people, as a result of stereotyping, the cultural environment and personal experiences.

You’ve heard the expression ‘first impressions count’. When you arrived at the University, it’s likely that you gravitated naturally towards people who are like you, who are in your ‘in group’. Without realising it, you formed opinions about other staff (and students) within the first 10-20 seconds of meeting them. These opinions are likely to remain throughout your (their) time at University, unless you challenge them by giving people in your ‘out-group’, who may seem very different to you, an opportunity to demonstrate that your assumptions about them were unfounded.
Your assumptions about staff (and students) are likely to be based on the stereotypes which you have formed throughout your life. They will influence how you relate to others (and how others relate to you). You may not be aware that you are doing it, but your feelings about other staff (and students) might show in your facial expressions, or your tone of voice etc. If these feelings are negative, then these subtle behaviours can be perceived as micro-aggressions. Left unchecked, decisions which are not based on evidence and sound rationale and/or 'micro-aggressions' can lead to inequalities and unlawful discrimination.

Be aware that we all have unconscious biases; but we also all have choices about how we manage them.

**Equal Opportunities Policy**

The University is an equal opportunities employer and aims to secure and maintain a good and harmonious working environment in which all staff are treated with dignity and respect.

Our commitment to equality and diversity is enshrined within our Equal Opportunities Policy and applies to current and prospective employees. The policy is not just about ensuring that we meet our legal obligations, but also reinforces our core values of valuing equality, diversity and inclusiveness.

Further information is available in the Equality Commission for Northern Ireland – A Unified Guide to Promoting Equal Opportunities in Employment.
Discrimination and the Law

Discrimination

People ‘discriminate’ when they make everyday decisions. This does not make their decisions unlawful or unfair. Unlawful discrimination is defined as being treated less favourably than others on the grounds of certain characteristics. Unlike Great Britain (where the Equality Act has been in place since 2010), a range of anti-discrimination legislation is in place in Northern Ireland (see below).

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*Although the University has a duty to promote equality of opportunity for persons with or without dependants under Section 75 of the Northern Ireland Act 1998, there is no protection for persons under this category who feel they have been unlawfully discriminated against.

It is not only illegal for the University to unlawfully discriminate against employees, past employees or job applicants; it is also legally accountable for the actions of its employees in the course of their employment.

**But this doesn’t mean that you do not have responsibility too!**

Employees are accountable for their own actions, and can be held **personally or jointly liable** with the University in an Employment Tribunal. Individuals can be named as co-respondents and be ordered to pay all or part of any compensation that the Tribunal may award to the victim, including costs.

**Therefore, it is important that staff understand their responsibilities under the anti-discrimination legislation.**
Anti-discrimination Legislation

Age

Employment Equality (Age) Regulations (NI) 2006; Employment Equality (Repeal of Retirement Age Provisions) Regulations (NI) 2011

The Regulations ban age discrimination in terms of recruitment, education, promotion and training. Age discrimination legislation does not currently cover the provision of goods and services, but this is likely to change soon.

The 2011 regulations repealed the Default Retirement Age (DRA) of 65 within the Age Regulations. As a result, staff can choose to work beyond the age of 65 until such times as they voluntarily resign.

Even without the DRA, it may still be possible to retire an employee lawfully at a set age provided that it can be objectively justified.

Case Study

Dale is 57 and has applied for a clerical post at the University. He has substantial experience in administration in both a junior and senior capacity. During his second interview he was asked how he would cope working for people who are younger than him.

Dale was unsuccessful in his application and when he challenged the decision he was told that he was too experienced for the post.

The employer cannot justify that having ‘too much experience’ makes Dale unsuitable for the post. This is more likely a case of discrimination against Dale’s age.

Further information is available in the ACAS Guide - Working Without the Default Retirement Age.

Disability

Disability Discrimination Act (DDA) 1995

Disability

A physical or mental impairment which has a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities

— Disability Discrimination Act
This can include people with:

- Physical or mobility impairments
- Visual impairments
- Hearing impairments
- Learning difficulties
- Mental health conditions (such as depression)
- Medical conditions (for example, epilepsy, arthritis, diabetes)

From 2007, the DDA extended its protection to cover people with HIV, cancer and multiple sclerosis from the moment of their diagnosis.

The Act places a duty on employers to make ‘reasonable adjustments’ to the workplace to accommodate people with disabilities. These might include changes to the physical feature of the premises, specialist equipment or a change to the working routine.

**Special Educational Needs and Disability Order (SENDO) (NI) 2005**

**SENDO** is an extension to the DDA and makes it illegal to discriminate against current, past or prospective students on the grounds of disability. It focuses on a range of areas specifically related to teaching and learning, for example the development of competence standards.

**Disability Discrimination (NI) Order (DDO) 2006**

As required by the DDO the University has a Disability Action Plan which outlines how it intends to promote positive attitudes to disabled people and encourage their participation in University life.

**Gender/sex and marital status**

**Sex Discrimination (NI) Order (SDO) 1976**

⚠️ Did you know…?

The University holds a Bronze Athena SWAN award which recognises and celebrates good employment practice in higher education for women working in science, technology, engineering and maths.

The SDO makes it illegal to discriminate against:

- an individual on the grounds of his or her sex
- married persons in employment
- on the grounds of pregnancy and maternity leave.
Equal Pay Act (1970)

The Equal Pay Act gives men and women the right to equal treatment and equal pay for work of equal value.

Further information is available in Ulster University’s Equal Pay Policy and at Opportunity Now - Gender Equality.

Gender Reassignment

Gender Reassignment Regulations (NI) 1999

The 1999 Regulations amended the SDO to make it unlawful to discriminate on grounds of gender reassignment (sex change) in employment and training. Further amendments in 2008 introduced protection from discrimination on the grounds of gender reassignment in the provision of goods, facilities, services or premises.

Further information is available in Ulster University – Policy on Equality for Transgender Staff and Students and in the Equality Challenge Unit’s publication ECU – Trans Staff and Students in Higher Education.

Case Study

Sarah is an office manager. Her contract stipulates that her working week is 39 hours but that as manager she will be required to work ‘such hours as may be necessary’ to carry out her duties to the satisfaction of the University.

Following a period of maternity leave, Sarah is returning to work and has asked to adjust her contract to work fixed hours in order to make childcare arrangements. Her request was refused.

Unless the employer can justify their decision, Sarah has likely been subjected to discrimination on grounds of sex.
Race/Nationality/Ethnic Origin

Race Relations Order 1997

Did you know…?

- 11% of staff, 4% of Undergraduate students and 10% of Postgraduate students are from a minority ethnic group
- The Irish Traveller community is specifically identified in the Order as a racial group.

The Order makes it illegal to treat anyone less favourably on the grounds of colour, race, nationality, ethnic and national origin. Segregation on racial grounds also constitutes discrimination.

Further information is available in the Equality Commission for Northern Ireland’s publication – ECNI - New Migration, Equality and Integration and on the BBC - Religion and Ethics Website.

The University has a Race Equality self-assessment team which aims to improve the representation, progression and success of minority ethnic staff and students.

Religion/Political Opinion

Fair Employment and Treatment (NI) Order (FETO) 1998

University chaplaincy and prayer rooms
  Jordanstown – 5F01 (Chaplaincy) and 1D05 (Prayer Room)
  Coleraine – L101 (Chaplaincy) and L102 (Prayer Room)
  Magee – MC108 (Chaplaincy)

FETO makes it illegal to discriminate on the grounds of religious belief and/or political opinion. To ensure fair employment in Northern Ireland the law places five key duties on employers with eleven or more employees:

- Registration with the Equality Commission
- Monitoring the religious composition of applicants and employees and providing an annual return of these statistics to the Equality Commission
- Reviewing the composition of the workforce and employment practices every three years to ensure fair participation in employment
- Taking affirmative action if an under-representation of one community is identified within the workforce
- Setting goals and timetables to assist in evaluating toward fair participation.
Sexual Orientation

Employment Equality (Sexual Orientation) Regulations (NI) 2003; Equality Act (Sexual Orientation) Regulations (NI) 2006; Civil Partnership Act 2004

This protects against discrimination whether you are gay, lesbian, bisexual or heterosexual and also applies to those who are believed to be of a particular sexual orientation, regardless of whether or not they are.

The Civil Partnership Act provides a legal definition and parity of treatment for same sex couples and opposite sex couples in relation to employment benefits and pension rights.

A video relating to Sexual Orientation in the Workplace is available to view at: youtube.com/watch?v=Tqw03DVSCeg

Less Favourable Treatment

What is "less favourable treatment"?

Now you know the grounds on which it is illegal to treat someone less favourably, but what do we actually mean by “less favourable treatment”?

Under Northern Ireland legislation it can take four main forms:

- Direct Discrimination
- Indirect Discrimination
- Harassment
- Victimisation
Direct Discrimination

Palpable or overt less favourable treatment on the grounds of gender, race, disability, sexual orientation, religion/community background or age.

Some examples...
- Recruiting a man to a position rather than a more qualified woman
- Dismissing or excluding someone because they are gay
- Dismissing a female employee because she is pregnant
- Refusing to provide training to someone because they're disabled
- Advertising a job for “a young and dynamic professional”.

Indirect Discrimination

When a practice, policy or rule which applies to everyone has an unforeseen negative effect on some people.

Some examples...
- Placing a minimum height requirement on a manual role, with the effect of disadvantaging women who tend to be shorter than men
- Requiring higher English language standards than are needed for the safe and effective performance of a job which could disadvantage members of some ethnic groups
- Introducing a ‘No drugs’ policy, which would prevent people with diabetes from bringing their medication onto campus

Harassment

Unwanted conduct related to someone’s social identity (religious belief; political opinion; sex; gender reassignment; race; sexual orientation; disability; or age) which has the purpose or effect of violating a person’s dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Some examples...
- unwanted physical conduct ranging from touching to serious assault
- lewd comments by way of jokes and banter visual displays of posters, computer screen savers, graffiti
- isolation or non-co-operation at work, exclusion from social activities
- coercion, including pressure for sexual favours or participation in political or religious groups
- intrusion by pester ing, spying, following

A video relating to Harassment in the Workplace is available to view at: youtube.com/watch?v=LFy7nVbBDO4 – The Challenges of being a younger manager
Victimisation

When a person is treated negatively because they have made a complaint about discrimination or they have provided evidence to support someone who has made a complaint.

Some examples...

- being ignored by colleagues
- being overlooked for promotion
- denied access to training and development opportunities

Bullying

Bullying is different from harassment in that it is not related to social identity. It is persistent, offensive, abusive, intimidating, malicious or insulting behaviour, which amounts to an abuse of power or authority, which attempts to undermine an individual or group of employees and which may cause them to suffer stress.

Some examples...

- incessant nit-picking
- being coerced to do someone else’s work
- false allegations of under-performance

The University’s Policy on Bullying and Harassment

The University has a zero tolerance attitude to bullying and harassment and has a comprehensive policy and procedure for dealing with incidences of harassment and bullying. All staff are expected to comply with the policy, to challenge, rather than ignore any form of bullying and harassment.

Further information is available at Ulster University – Dignity at Work and Study.
Section 75

Section 75 of the Northern Ireland Act 1998

The University actively promotes equality of opportunity in the workplace and under Section 75 consideration is given to the following nine groups when decisions are being made:

1. People with different religious belief
2. People of different political opinion
3. People of different racial groups
4. People of different age
5. People of different marital status
6. People of different sexual orientation
7. Men and women generally
8. People with a disability and people without
9. People with dependants and people without

The University has a five-year Equality Scheme that demonstrates our commitment to equality of opportunity and good relations. This also outlines the importance we place on mainstreaming equality throughout all of our functions.

We also have an action plan detailing how we will promote equality of opportunity and address inequalities for the Section 75 categories.

Promoting Good Relations

Section 75 also requires us to promote good relations between persons of different:

- religious belief
- political opinion
- racial groups

Working to counter and reduce prejudice and to promote good relations is intrinsic to promoting equality.

In 2013, a Students’ Union Good Relations working group was established to promote good relations throughout the student body. Membership consists of staff and students with an interest in promoting good relations.

The Students’ Union Good Relations Policy is available at: http://uusu.org/downloads/file/good-relations-policy

Mainstreaming is the integration of equality into every stage of policy development and decision making processes.
Equality Screening and Impact Assessments

Did you know...?

- People & Culture consults with over 200 equality groups/organisations in Northern Ireland on equality screening of new/revised policies, action plans and equality impact assessments.

As part of its responsibilities under Section 75, the University is required to equality screen its policies to ensure that equality of opportunity and good relations is central to the policy making, policy implementation and policy review process.

If screening indicates that any policies have a differential, negative or adverse impact on equality of opportunity, or there is the potential to promote equality better, they must be subject to an equality impact assessment (EQIA).

An EQIA is a thorough and systematic analysis of a policy or practice to determine whether it has a differential impact on a particular Section 75 group. EQIAs can be undertaken in relation to both staff and student issues and policy changes. Equality impact assessments undertaken to date include:

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<thead>
<tr>
<th>Date</th>
<th>EQIA</th>
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<tbody>
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<td>Staff Recruitment and Selection Policy</td>
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<td>May 2006</td>
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<tr>
<td>May 2011</td>
<td>Policy for Physical Access and Egress for Disabled People</td>
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</table>

The University has a duty to consult and publish the results of equality screening and equality impact assessments. Public consultation exercises on the results of screening are held twice a year. Summaries of the feedback received and any action required during each consultation exercise are published on the University’s website.
Work/Life Balance

Legislation

In addition to the anti-discrimination laws, some staff have a number of statutory employment rights which aim to promote their equality of opportunity by assisting with their work/life balance.

These are set out in various laws such as:

- Employment Rights (NI) Order 1996 (as amended)
- Employment Relations (NI) Order 1999
- Maternity and Parental Leave etc. Regulations (NI) 1999
- Flexible Working (Procedural Requirements) Regulations (NI) 2003
- Flexible Working (Eligibility, Complaints and Remedies) Regulations (NI) 2003
- Work and Families (NI) Order 2006
- Work and Families Act (NI) 2015

Further information is available in Ulster University – Worklife Balance Policy.

Flexible Working

An employee may apply for a change to existing hours; a change to the times when they are required to work; or to work from home. Anyone can ask for flexible work arrangements, but some employees have a statutory right under the law. In these instances, your manager must consider any application you make but your application can reasonably be declined where there is a legitimate business ground.

Example…

If you are an employee and have worked for 28 weeks continuously before applying, you have the statutory right to ask if you:

- have or expect to have parental responsibility of a child aged under 17
- have or expect to have parental responsibility of a disabled child under 18 who receives Disability Living Allowance (DLA)
- are the parent/guardian/special guardian/foster parent/private foster carer/holder of a residence order/spouse/partner/civil partner of one of these and are applying to care for the child
- are a carer who cares, or expects to be caring, for an adult who is a spouse/partner/civil partner/relative or who although not related to you, lives at the same address as you.

Job Sharing

This is a full-time post divided between two people and both share responsibilities of the whole post. Normally staff must be full-time and have 26 weeks’ service. Job sharing involves the offer and acceptance of a new and permanent contract.
Career Breaks

This is unpaid leave for a minimum of 1 year and maximum of 3 years. Staff should normally have 2 years’ service before applying for a career break.

Maternity, Paternity, Adoption and Shared Parental Leave

Women have the right to take up to 52 weeks’ maternity leave but have the right to return to their old job after 26 weeks' leave. You are entitled to the same contractual rights whilst on maternity leave as you would if you were still working.

New fathers have the right to two weeks paid paternity leave and like maternity leave/pay there is a combination of University and statutory provision available.

Adoption leave is available to parents with one year’s service and both paid and unpaid leave is available depending on the age of the child.

From 2015, parents are able to share leave and take time off in a more flexible way in the first year of their child’s life, or a year after the child has been adopted. A mother can volunteer to end her leave early in order to ‘free up’ weeks to be taken as Shared Parental Leave. Parents sharing parental leave will also be entitled to Shared Parental Pay.

Further information is available in Ulster University – Maternity Procedures, Ulster University – Shared Parental Leave and Ulster University – Paternity Leave, Adoption Leave and Parental Leave Guidelines.

Parental Leave

This entitles employees with at least one year’s continuous service to take up to 18 weeks’ parental leave per child.

This leave is unpaid and must be taken by the child’s 18th birthday.

Further information is available in Ulster University – Paternity Leave, Adoption Leave and Parental Leave Guidelines.

Emergency Leave for Dependents

The University allows employees a reasonable period of paid leave to deal with an emergency involving a dependant (previously referred to as family responsibility leave).

1. What is a dependant?

This could be your husband, wife, partner, child, parent or anyone living with in your household as a member of your family. It could also be anyone who reasonably relies on you for help in an emergency, for example, an elderly neighbour.

2. What counts as an emergency?

An unexpected or sudden problem involving someone who is dependent upon you. This may involve implementing longer term arrangements but in the first instance will require
your support. Staff will not normally be granted emergency leave if they can be expected to know in advance that they will require time off.

Some examples…

- A dependent falls ill or is involved in an accident (this includes situations of mental distress)
- A childminder has fallen ill resulting in an unexpected disruption in your childcare arrangements
- Your child has been suspended from school without notice
- Where you need to deal with the death of a dependant
- Your partner goes into labour

3. What is reasonable time off?

There is a maximum of five days’ paid leave in any year but in most cases the paid leave granted will be one or two days to deal with the immediate crisis and put in place longer term arrangements where necessary.
Test Yourself Quiz

Almost There!

Source: (flickr.com/photos/usnavy/5600584959/)

Thanks for taking the time to read through this training program. We hope you found it interesting and that it has made you think more about equality and diversity and any steps you can take to improve in your area.

Please click the link below to access the quiz. A score of 32 or above is needed to pass but you can take the test as many times as you like.

We would also ask that you take the time to complete our short feedback questionnaire to give us ideas on how we can improve your training experience.
Test Yourself Quiz

1. Who is responsible for equality and diversity at the University? (Tick one answer)
   a) People & Culture
   b) The Equality & Legal Manager
   c) All staff within the University

2. It is illegal to discriminate against a person because of their… (Tick all that apply)
   a) Gender
   b) Religious Belief
   c) Accent
   d) Nationality
   e) Disability
   f) Appearance
   g) Sexual Orientation
   h) Age

3. Age discrimination legislation applies to… (Tick all that apply)
   a) Employment
   b) Education and training
   c) Promotion
   d) Provision of goods and services

4. It is ok for an employer to refuse to appoint an applicant who is close to retirement age. (Circle the correct answer)
   True
   False

5. The Employment Equality (Age) Regulations (Northern Ireland) 2006 only apply to workers up to the age of 65? (Circle the correct answer)
   True
   False
6. Is a person with depression defined as disabled under the Disability Discrimination Act? (Circle the correct answer)

Yes  No

7. The extension of Special Educational Needs and Disability Order (SENDO) 2005 makes it illegal to discriminate against… (Tick one answer)

a) Current students
b) Past students
c) Prospective students
d) All of the above

8. Caoimhe has applied for a job at the University. In her application she indicated that she was deaf and would require someone to communicate using sign language if she were invited to interview. Caoimhe has met the criteria for the job, how should the University proceed? (Tick one answer)

a) Invite her to interview and provide a sign language interpreter
b) Invite her to interview but only provide a sign language interpreter if there is one available at that time
c) Do not invite her to interview

9. What are the grounds covered by the sex discrimination legislation? (Tick all that apply)

a) Sex
b) Married Status
c) Pregnancy
d) Gender Reassignment

10. The Race Relations Order covers discrimination on the grounds of? (Tick one answer)

a) Race, colour and national origin
b) Race, nationality and ethnic origin
c) Race, nationality, colour, ethnic and national origin
11. Irish travellers are specified as a racial group under the Race Relations Order? (Circle the correct answer)

True

False

12. The Fair Employment and Treatment Order outlaws discrimination on the grounds of…? (Tick all that apply)

a) Political Opinion
   
   □

b) Age
   
   □

c) Sex
   
   □

d) Unfairness
   
   □

e) Religious Belief
   
   □

13. Taking steps to correct an under-representation of either the Protestant or Catholic community is called…? (Tick one answer)

a) Positive discrimination
   
   □

b) Reverse discrimination
   
   □

c) Affirmative action
   
   □

14. Aman has applied for a job at the University. At his interview he wore a traditional Sikh turban and informed the panel that this was a part of his traditional religious dress. As a result, he is unable to wear the baseball cap specified as part of the department’s uniform. He scored the highest of all the applicants but he will only be offered the job if he agrees to wear the full uniform.

Is this decision…? (Circle the correct answer)

Right

Wrong

15. The Employment Equality (Sexual Orientation) Regulations outlaws discrimination on the grounds of? (Tick one answer)

a) Actual sexual orientation
   
   □

b) Actual and perceived sexual orientation
   
   □

c) Perceived sexual orientation
   
   □
16. Giuseppe is gay. He works in a small department that happens to be all male. Outside of work, his colleagues and their wives/girlfriends frequently meet up for social events. Giuseppe and his partner are never invited. Is this …? (Circle the correct answer)

Right          Wrong

17. View the following job advertisement and circle the mistake

[Image of a job advertisement]

18. Gina has been working in her department for 2 years. She gets on very well with all her co-workers but lately has noticed her colleague Lauren following her around. At first she thought this was just a coincidence but has now spotted Lauren outside her home. When Gina asked Lauren about this she denied being there. Gina is beginning to feel nervous. Is this…? (Tick one answer)

a) Discrimination
b) Bullying
c) Harassment

19. The Ulster University’s Bullying and Harassment Policy applies to…? (Tick one answer)

a) Staff
b) Students
c) Both staff and students
20. Which of the following is covered under Section 75? (Tick all that apply)
   a) Equality of Opportunity [ ]
   b) Good Relations [ ]
   c) Basic Pay [ ]
   d) Equality screening of policies [ ]
   e) Equality impact assessments [ ]

21. What does mainstreaming equality mean? (Tick one answer)
   a) Integration of equality into every stage of policy and decision making processes [ ]
   b) The equal distribution of resources [ ]
   c) Creating an equal space [ ]

22. Which of the following work life balance and flexible working arrangements are in place at the University? (Tick all that apply)
   a) Flexible working hours [ ]
   b) Parental Leave [ ]
   c) Maternity Leave [ ]
   d) Paternity Leave [ ]
   e) Adoption Leave [ ]
   f) Flexi-time [ ]
   g) Job sharing [ ]
   h) Career breaks [ ]

23. Who is classified as a dependant? (Tick all that apply)
   a) Spouse [ ]
   b) Pet [ ]
   c) Parent [ ]
   d) Childminder [ ]
   e) Partner [ ]
Test Yourself Quiz Answers

1. Who is responsible for equality and diversity at the University? (Tick one answer)
   
   a) People & Culture
   b) The Equality & Legal Manager
   c) All staff within the University

   Equality and diversity legislation protects staff from discrimination but also gives staff rights and responsibilities. Therefore, equality and diversity are the responsibility of every member of staff in the University. Employees are also accountable for their own actions, and can be held personally liable or jointly liable with the University in an Employment Tribunal.

2. It is illegal to discriminate against a person because of their… (Tick all that apply)
   
   a) Gender
   b) Religious Belief
   c) Accent
   d) Nationality
   e) Disability
   f) Appearance
   g) Sexual Orientation
   h) Age

   There is no legislation to protect people from discrimination on the grounds of their accent or appearance.

3. Age discrimination legislation applies to… (Tick all that apply)
   
   a) Employment
   b) Education and training
   c) Promotion
   d) Provision of goods and services

   Age discrimination legislation does not currently cover the provision of goods and services.
4. It is ok for an employer to refuse to appoint an applicant who is close to retirement age. (Circle the correct answer)

   True  False

5. The Employment Equality (Age) Regulations (Northern Ireland) 2006 only apply to workers up to the age of 65? (Circle the correct answer)

   True  False

   Until the 2011 Repeal of Retirement Age Provisions, the 2006 regulations only applied to workers up to the retirement age of 65.

6. Is a person with depression defined as disabled under the Disability Discrimination Act? (Circle the correct answer)

   Yes  No

   If a mental impairment/illness has a substantial, adverse and long-term effect on someone’s ability to carry out normal day-to-day activities then they are covered by the DDA.

7. The extension of Special Educational Needs and Disability Order (SENDO) 2005 makes it illegal to discriminate against… (Tick one answer)

   a) Current students
   b) Past students
   c) Prospective students
   d) All of the above  ✓

8. Caoimhe has applied for a job at the University. In her application she indicated that she was deaf and would require someone to communicate using sign language if she were invited to interview. Caoimhe has met the criteria for the job, how should the University proceed? (Tick one answer)

   a) Invite her to interview and provide a sign language interpreter  ✓
   b) Invite her to interview but only provide a sign language interpreter if there is one available at that time
   c) Do not invite her to interview
9. What are the grounds covered by the sex discrimination legislation? (Tick all that apply)
   a) Sex ✓
   b) Married Status ✓
   c) Pregnancy ✓
   d) Gender Reassignment ✓

10. The Race Relations Order covers discrimination on the grounds of? (Tick one answer)
    a) Race, colour and national origin
    b) Race, nationality and ethnic origin ✓
    c) Race, nationality, colour, ethnic and national origin

11. Irish travellers are specified as a racial group under the Race Relations Order? (Circle the correct answer)
    True ✓ False

12. The Fair Employment and Treatment Order outlaws discrimination on the grounds of…? (Tick all that apply)
    a) Political Opinion ✓
    b) Age
    c) Sex
    d) Unfairness
    e) Religious Belief ✓

13. Taking steps to correct an under-representation of either the Protestant or Catholic community is called…? (Tick one answer)
    a) Positive discrimination
    b) Reverse discrimination
    c) Affirmative action ✓

Positive discrimination favours disadvantaged groups. It is the practice of setting aside training or employment resources or positions for members of disadvantaged groups such as members of ethnic minorities, people with disabilities or women.

Reverse discrimination is the practice of favouring members of a historically disadvantaged group at the expense of members of a historically advantaged group.
14. Aman has applied for a job at the University. At his interview he wore a traditional Sikh turban and informed the panel that this was a part of his traditional religious dress. As a result he is unable to wear the baseball cap specified as part of the department’s uniform. He scored the highest of all the applicants but he will only be offered the job if he agrees to wear the full uniform.

Is this decision…? (Circle the correct answer)

Right  Wrong

15. The Employment Equality (Sexual Orientation) Regulations outlaws discrimination on the grounds of? (Tick one answer)

- a) Actual sexual orientation
- b) Actual and perceived sexual orientation [✓]
- c) Perceived sexual orientation

16. Giuseppe is gay. He works in a small department that happens to be all male. Outside of work, his colleagues and their wives/girlfriends frequently meet up for social events. Giuseppe and his partner are never invited. Is this …? (Circle the correct answer)

Right  Wrong

17. View the following job advertisement and circle the mistake

Student Services
Head of Health and Wellbeing

Closing date: 2 September 2014  Ref: 1X2J59B

We are seeking an experienced Student Services professional to be responsible for the leadership and management of the Health and Wellbeing Service.

She will have responsibility for the Service which includes the Student Centre and Main Reception services, and a team of mental health and advice workers.
18. Gina has been working in her department for 2 years. She gets on very well with all her co-workers but lately has noticed her colleague Lauren following her around. At first she thought this was just a coincidence but has now spotted Lauren outside her home. When Gina asked Lauren about this she denied being there. Gina is beginning to feel nervous. Is this…? (Tick one answer)

   a) Discrimination
   b) Bullying
   c) Harassment

Harassment is unwanted conduct related to religious belief, political opinion, sex, gender reassignment, race, sexual orientation, disability or age.

Discrimination is unfavourable treatment on the grounds of gender, race, disability, sexual orientation, religion/community background or age.

19. The Ulster University’s Bullying and Harassment Policy applies to…? (Tick one answer)

   a) Staff
   b) Students
   c) Both staff and students

20. Which of the following is covered under Section 75? (Tick all that apply)

   a) Equality of Opportunity
   b) Good Relations
   c) Basic Pay
   d) Equality screening of policies
   e) Equality impact assessments

21. What does mainstreaming equality mean? (Tick one answer)

   a) Integration of equality into every stage of policy and decision making processes
   b) The equal distribution of resources
   c) Creating an equal space
22. Which of the following work life balance and flexible working arrangements are in place at the University? (Tick all that apply)

   a) Flexible working hours ✓
   b) Parental Leave ✓
   c) Maternity Leave ✓
   d) Paternity Leave ✓
   e) Adoption Leave ✓
   f) Flexi-time
   g) Job sharing ✓
   h) Career breaks ✓

23. Who is classified as a dependant? (Tick all that apply)

   a) Spouse ✓
   b) Pet
   c) Parent ✓
   d) Childminder
   e) Partner ✓
External Sources of Advice and Guidance:

Equality Commission for Northern Ireland
Equality House
7-9 Shaftesbury Square
Belfast
Phone: +44 28 905 00600
Website: www.equalityni.org

Labour Relations Agency
2-16 Gordon Street
Belfast
Phone: +44 28 903 21442
Website: www.lra.org.uk

Inspire Workplaces
Phone:
Website: www.inspirewellbeing.org/workplaces
## GLOSSARY

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Acquired/Affirmed gender</td>
<td>The new gender of a person who has had their gender reassigned and/or legally recognised. It is possible for an individual to transition fully without surgical intervention.</td>
</tr>
<tr>
<td>Action Plan</td>
<td>Under the race, disability and gender public sector duties, all public sector authorities (including HEIs) must set out in an action plan what they are going to do to address race, disability and gender equality issues to accompany the respective policy or scheme. There are legal requirements to report annually on progress in carrying out the action plan and for the scheme to be reviewed every three years.</td>
</tr>
<tr>
<td>Admin-eo mailbase</td>
<td>Admin-eo is a mailbase for those interested in giving and/or receiving information regarding equal opportunities in higher education. To join admin-eo email in the subject line: join admin-eo [your first name and last name] email to: <a href="mailto:jiscmail@jiscmail.ac.uk">jiscmail@jiscmail.ac.uk</a></td>
</tr>
<tr>
<td>Adoption Leave and Pay</td>
<td>Adoption leave and pay are statutory rights available to employees that allow one member of an adoptive couple to take paid time off work when their new child starts to live with them. Paternity leave and pay may be available for the other member of the couple, or an adopter's partner.</td>
</tr>
<tr>
<td>Affirmative Action</td>
<td>In addition to the statutory minimum rights, individual institutions may also have an occupational adoption leave and pay scheme for employees with a minimum amount of qualifying service. The amount of time and leave available may depend on the age of the child being adopted, and the employee's length of service.</td>
</tr>
<tr>
<td></td>
<td>Affirmative action is an American public policy approach that aims to eliminate the current effects of past discrimination. In practice, it means that positive steps are taken to increase the representation of historically disadvantaged groups - women and people from ethnic minorities, in employment and education, for example.</td>
</tr>
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</table>
|                             | Affirmative action programmes seek to remedy the effects of discrimination on the grounds of race, gender or ethnicity, or combat ongoing institutionalised and unintentional practices. Preferential selection i.e. selection on the basis of race, ethnicity or gender (which is not
allowable in the UK), is a controversial form of affirmative action and has been legally challenged in the USA. [N.B. Affirmative Action is also the term used in Northern Ireland in relation to actions taken under the Fair Employment and Treatments (Northern Ireland) Order 1989].

John MacNicol (Age Discrimination: an historical and contemporary analysis: 2006:6) defines ageism as “application of assumed age-based group characteristics to an individual, regardless of that individual’s actual personal characteristics.” As an example, in an interview the panel may assume that ‘older’ candidates are less able to learn new skills or ‘younger’ candidates are less likely to be committed to the organisation. Such assumptions may mean that the panel members fail to consider the individual’s skills, experience and personal characteristics. Age discrimination can be experienced by anyone, at any age, young and old. The Employment Equality (Age) Regulations 2006 prohibit direct and indirect discrimination, harassment and victimisation against anyone on grounds of their age. These laws are designed to protect people in employment and currently they do not extend to ageism in relation to goods and services. However, in the Higher Education context, the regulations do cover the provision of education and services to students.

Standard or traditional ways of presenting information are not always accessible to all people. Whether preparing printed materials or holding an event, consideration should be given to alternative ways of communicating and providing information. Alternative formats include Braille, audio or video formats, large print, human readers, notetakers, British Sign Language interpreters, palantypists and other communication support workers, computer screen readers, CD-ROM, other IT data storage devices and specific IT packages. TechDis has produced a guide to obtaining publications in alternative formats and a good practice guide for organising accessible events. Under the Disability Discrimination Act (DDA), disabled students’ and visitors’ requirements for alternative formats must, where possible, be anticipated by an institution, which must offer course and relevant materials in an alternative format, and the DDA requires employers to make reasonable adjustments to accommodate the needs of existing or potential staff. This includes providing any recruitment material in an alternative format if it is requested. Advice on how to provide materials in an alternative format can be obtained from a number of sources including the EHRC, Royal National Institute of the Blind, TechDis and ECU. In addition, each institution’s student support services or
disability team will have good knowledge of local service providers. The person who has requested an alternative format is the best person to ask about what exactly is required.

Anti-Semitism is hostility towards or prejudice against Jews or Judaism. It has been defined by the European Monitoring Centre on Racism and Xenophobia (EUMC) as 'a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of Anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.'

AMOSSHE brings together those who are responsible for the management or co-ordination of a range of learner support and guidance services for students. It serves as a forum in which members can discuss matters relevant to the provision, quality and effective management of support guidance services. Its mission is: To provide comprehensive, professional support for the heads of student services in the UK and, through effective representation, promote policy change to enhance the student experience. [http://www.amosshe.org.uk/](http://www.amosshe.org.uk/)

Assumptions are the judgements made, or opinions held, about people. For example, assumptions can be based on experience of past behaviour e.g. 'he has always let me know when he’d be late; therefore (since he hasn’t contacted me to say otherwise) I’m assuming he will be on time for our appointment'.

However, assumptions become problematic when they are based on partial or flawed information, or where the attributes commonly ascribed to particular groups of people are applied to individuals. For example, it might be assumed that there are no female Muslim students in a class because none of the women in it wears the hijab, or that there may be no disabled people in a department because no one uses a wheelchair. Actions that are taken as a result of any erroneous assumptions could result in discriminatory behaviour.

<table>
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<tr>
<th>Term</th>
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<tr>
<td>BAME</td>
<td>Black and Asian Minority Ethnic</td>
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<tr>
<td>Belief</td>
<td>Belief is the acceptance of a fact, opinion, or proposition as true, without the full intellectual knowledge to know it’s true.</td>
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Belief is associated with religion in the Employment (Religion or Belief) Regulations 2003.

Religion or belief is currently defined as ‘any religion, religious belief or philosophical belief’. Whether a particular belief comes within the scope of the Regulations will be for individual tribunals and courts to decide. In determining whether the belief is protected, it is likely that they will consider, among other things, such factors as collective worship, whether there is a clear system of belief, and the profundity of the belief in affecting a way of life or view of the world. ‘Philosophical belief’ covers not only non-religious beliefs, such as atheism, along with the absence of religious belief, but potentially beliefs that amount to a “world view or life stance”. House of Lords debates concerning the latter point indicate that further clarification on this should be provided by the Equalities and Human Rights Commission.

BEM
Black and Ethnic Minority

A bisexual person has an emotional and/or sexual orientation towards people of the same sex and people of the opposite sex. Some members of bisexual communities prefer the definition: ‘a changeable sexual and emotional attraction to people, where gender may not be a defining factor’. People who are bisexual sometimes feel they are ignored in equal opportunities provision because society views sexual orientation as binary, i.e. people are commonly construed to be either heterosexual, or lesbian, or gay.

Black
Traditionally, Black was used to describe someone who was of African descent. Politically, it can also encompass those who have Asian ancestry. However, not everyone with Asian heritage defines themselves as Black.

BME
Black and Minority Ethnic

The British Council is a registered charity that is a non-departmental public body sponsored by the Foreign and Commonwealth Office. Its purpose is to build mutually beneficial relationships between people in the UK and other countries, and to increase appreciation of the UK’s creativity and achievement.

British Council
As part of its role, the British Council promotes British education by encouraging and sponsoring international student study in the UK. It also offers a range of resources to ensure that students get the most from their education.
The resources include information on courses, qualifications, institutions, English requirements, visas and travel. [https://www.britishcouncil.org/](https://www.britishcouncil.org/)

Bullying can be defined as offensive behaviour which violates a person’s dignity, or creates an intimidating, hostile, degrading or offensive environment, or which humiliates or undermines an individual or group. Such behaviour can be vindictive, cruel or malicious.

Bullying can cause stress and employers may fail in their duty of care to safeguard the health, safety and welfare of employees, if they do not take steps to prevent it. Most HEIs now have policies, guidelines and codes of practice covering bullying, sometimes within a policy framework dealing with ‘harassment’.

Bullying can take various forms, from name calling, sarcasm, teasing, and unwarranted criticism, to threats of violence or actual physical violence. The Health and Safety Executive estimates that bullying costs employers up to 80 million working days a year in lost productivity and over £2 billion a year in lost revenue. Bullying can also cause low morale and produce a high turnover of staff.

The burden of proof refers to the legal standard required to prove a case. In civil cases of discrimination, the person making a complaint has the burden of proving the facts from which unlawful discrimination could be established. If they succeed in doing this, then the burden shifts to the person or organisation alleged to have committed the act(s) to prove that unlawful discrimination did not occur – whether by relying on an exemption or proving a defence.

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<th>C</th>
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<td></td>
<td>Cis-gender</td>
<td>At birth we are assigned a sex (male or female) and from that moment on we are expected to adopt the expected gender role and expression that society assumes appropriate for that sex. Additionally, there is a general expectation that we will be attracted to individuals of the &quot;opposite&quot; sex. When all of these expectations are fulfilled a person may be described as Cis-gender.</td>
</tr>
<tr>
<td></td>
<td>Civil Partnership</td>
<td>The Civil Partnership Act 2004 came into force on 5 December 2005 and gives same-sex couples the right to obtain legal recognition of their relationship. Couples who form a civil partnership have a new legal status, that of ‘civil partner’. Civil partners have equal treatment to married couples in a wide range of legal matters, including:</td>
</tr>
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tax, including inheritance tax employment benefits
most state and occupational pension benefits
income-related benefits, tax credits and child support
duty to provide reasonable maintenance for your civil
partner and any children of the family ability to apply for
parental responsibility for your civil partner’s child
inheritance of a tenancy agreement recognition under
intestacy rules access to fatal accidents compensation
protection from domestic violence recognition for
immigration and nationality purposes.

Class is the way society is divided into groups based on
significant income and/or wealth and/or occupational
differences or inequalities. The Census acknowledges
differences (previously defined as social class groupings)
relating to both income and occupational grouping.
Previous simple class groupings (‘upper’, ‘middle’, ‘working’
classes) have become more complex and been
increasingly sub-divided. Some argue that class
distinctions no longer exist or are reducing, whilst others
say that social class distinctions are getting wider and are
more entrenched than ever. Global debate is focused on
the creation of new ‘class’ distinctions between rich and
poor countries. The case is often made that widening
educational access (e.g. to higher education) to social
classes that have previously been excluded will reduce
class distinctions over time and create a more equal and
fairer society.

Codes of Practice have been issued by the three legacy
commissions in Great Britain to explain and illustrate the
legislation. They can be either statutory or advisory.
Additional Codes of Practice are also in place in Northern
Ireland.

A statutory code is one that has been approved by
Parliament. It means that the code is admissible in
evidence in any legal action, and a court or tribunal should
take the code’s recommendations into account. On its own,
the code does not place any legal obligations on anyone.
Only the courts can give a complete statement of the law.

Technically, an advisory code is not a legal document, nor
does it constitute professional legal advice. However, it can
be used as evidence in legal proceedings under the
appropriate equality legislation. Organisations to which
advisory Codes of Practice apply are therefore encouraged
to follow their guidance in order to develop and implement
institutional good practice, and — in the event a
discrimination claim is brought against them — to help
them avoid institutional liability.
Some codes are specific to certain sections of legislation, and/or certain types of organisation. For example, the former Disability Rights Commission’s Code of Practice Post-16 relates to the provisions of the Disability Discrimination Act 1995: Part 4 (SENDA), and applies to providers of post-16 education and related services.

The CRE was an independent, non-departmental public body, which had (until 2007) statutory responsibility for overseeing the advancement of race equality. From October 2007 the CRE merged with the EOC and DRC to form the Equality and Human Rights Commission (ECHR).

Although currently this term relates in the main to schools and local government, the principle of community cohesion is equally relevant within higher and further education (for example in relation to the Widening Participation agenda), and the terminology is becoming increasingly familiar as part of the overall equality and diversity picture.

The Education and Inspections Act 2006 inserted a new section 21(5) to the Education Act 2002 which introduces a duty on schools’ governing bodies to promote community cohesion. This came into force in September 2007. Ofsted have included the implementation of the duty in their inspection from September 2008. The legislative requirements on schools to meet this duty are in the Equality Act 2006 and outlined in the Race Relations Amendment Act (2000).

The national Community Cohesion Standards are framed by four strategic aims, which are to:

- Close the attainment and achievement gap.
- Develop common values of citizenship based on dialogue, mutual respect and acceptance of diversity.
- Contribute to building good community relations and challenge all types of discrimination and inequality.
- Remove the barriers to access, participation, progression, attainment and achievement.

The accepted definition of ‘community cohesion’ agreed by the Improvement and Development Agency (IDeA), the LGA and the Home Office was first published in the LGA’s 2002 ‘Guidance on Community Cohesion’. The definition states that a cohesive community is one where:

- there is a common vision for all communities, with emphasis on what binds communities together rather than the differences which divide them, a
sense of belonging, of identifying with the neighbourhood and of ‘looking out for each other’.

- there is a commitment to equality and social justice,
- the diversity of people’s different backgrounds and circumstances is appreciated, respected and protected, in order to support integration and cohesion in changing communities.
- people have similar life opportunities, irrespective of background.
- everyone understands their rights and responsibilities and is encouraged to participate at all levels.
- strong and positive relationships are developed between people from different backgrounds in the workplace, in schools and within neighbourhoods.

A competence standard is defined by Section 28S of the DDA Part 4 as “an academic, medical or other standard applied by or on behalf of an [education provider] for the purpose of determining whether or not a person has a particular level of competence or ability”.

Competence standards apply to all aspects of courses: in admissions (entry criteria), on-course assessments (exams) and awarding qualifications. All HEIs are responsible for implementing competence standards in a non-discriminatory way. It will therefore be important for institutions to review their competence standards for all courses and exams to ensure that they are non-discriminatory.

For further advice on competence standards refer to “Understanding the Disability Discrimination Act – A guide for colleges, universities and adult community learning providers in Great Britain”, Disability Rights Commission, 2007, also available online from the Equality and Human Rights Commission.

Cultural diversity reflects the characteristics that make one individual culturally different from another. This may include race, ethnicity, nationality, religion, language, gender, age, class, socioeconomic group and education, but may also be applied to patterns of lifestyle – such as dress, morality, traditions, ideals, values and beliefs.

A community, group or institution is said to be culturally diverse or multi-cultural if its members are drawn from a variety of different groups - representing a multiformity of races, ethnicities, nationalities, languages, religions, socioeconomic groups, etc.
<table>
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<tr>
<th>Term</th>
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| Dependants           | Employees are entitled to take time off for unforeseen emergencies in respect of their dependants. Dependants are defined as being the employee’s spouse, child or parent, or anyone who lives in the same household (except employees, tenants, lodgers or boarders). The right provides for immediate, short-term absence to attend to the dependant’s immediate needs and make provision in the longer term. It does not allow for longer-term absence from work.  
|                      | There is no statutory right for dependency leave to be paid, though in practice many institutions do in certain circumstances provide for some pay.                                                                                                                                                                                                                                                                 |
| Dignity              | Dignity is the human quality of being worthy of esteem or respect. Dignity at work refers to a set of principles, values and practices which ensures that all individuals are able to maintain their self-esteem and work in an environment free from all types of harassment and bullying.                                                                                                                                                                          |
| Direct Discrimination| Direct discrimination is one of the four main categories of unlawful discrimination, and applies where a person is treated less favourably on the grounds of gender, race, disability, sexual orientation, religion or belief or age. For example, recruiting a male applicant to a position rather than a more appropriately qualified woman because of irrational, prejudicial or stereotypical views, or not accepting a disabled person on to a course because it is assumed they would not be able to meet the required course standards due to their being disabled would constitute direct discrimination. Intentions and motives are irrelevant in cases of direct discrimination, because it is the act that is unlawful, not the intention behind it. The other categories of unlawful discrimination are harassment (which may be regarded as a form of direct discrimination), indirect discrimination (or failure to make reasonably adjustments in relation to disability), and victimisation. |
| Disability           | The Disability Discrimination Act’s definition of disability was amended in 2005. For the purposes of the Act, a person is considered to be disabled and is therefore protected from discrimination if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. Long-term effects are those which have lasted longer than 12 months, or are likely to last at least 12 months or for the |
rest of a person’s lifetime. A reoccurring condition is also considered to be a disability if it is likely both to recur, and to do so at least once beyond the 12-month period following the first occurrence. A 'substantial' adverse effect is a relatively low threshold and has been defined in case law as an effect that is greater than minor or trivial.

People who have had a past disability are also protected from discrimination under the DDA. Anyone who has a diagnosis of HIV, cancer or multiple sclerosis is automatically treated as being disabled under the DDA 2005.

The Disability Discrimination Act (DDA) 1995 introduced anti-discrimination legislation to protect disabled people. Disabled people’s rights are now protected in the areas of:

- employment
- education
- access to goods, facilities and services
- membership of private clubs
- buying or renting land or property, including making it easier for disabled people to rent property and for tenants to make disability-related adaptations
- use of public and private hire transport.

Disability Leave

Disability leave is paid time off work for a reason related to someone’s disability. It may be for a long or short period of time, and may or may not be pre-planned. Disability Leave is distinct from Sick Leave, and includes time when an employee is well but absent from work for a disability-related reason. Disability leave is a ‘reasonable adjustment’ under the Disability Discrimination Act, and is in accordance with good employment practice. However, not
all disabled employees will necessarily need to take disability leave.

Disability leave should not be included for the purposes of assessing performance, promotion, attendance, selection for redundancy, and similar issues. To do so might discriminate against the disabled employee.

There is no maximum duration of disability leave. All employees who are disabled using the definition in the Disability Discrimination Act 1995 are entitled to disability leave.

The DRC was an independent, non-departmental public body, which had (until 2007) statutory responsibility for overseeing the advancement of disability equality in society. From October 2007 the DRC merged with the CRE and EOC to form the Equality and Human Rights Commission (EHRC).

The medical model of disability is a deficit model which defines disability with reference to how a disabled person is different from non-disabled people. The ‘problem’ of disability is situated within the individual’s impairment and any effect it has on the functioning of that person’s mind or body; the causation of pain and fatigue, and the effect on communication. Modern disability equality legislation is based on both the medical and social models of disability.

In the social model, disability is defined as a problem created by society – specifically the way in which organisations, services and systems are designed or organised, which have historically taken little or no account of people who have impairments. People with impairments are therefore frequently disabled by society and excluded from mainstream activities. Thus ‘disability’ is not about medical terms but is about the barriers (physical, social, attitudinal and environmental) that result from the way society is organised and the way people with impairments are viewed.

In the social model, disability should be distinguished from impairment and ill health and should be seen as disadvantage experienced by an individual resulting from barriers to independent living or educational, employment or other opportunities that impact on people with impairments and/or ill health. Regardless of the model we use to define disability, it is essential that we ensure that everyone is treated equally and is valued.
Disclosure

Disclosure is the process by which an individual declares personal equality information, such as their sexual orientation, ethnicity or whether they are disabled.

Equality legislation imposes specific duties on institutions with regard to monitoring the diversity of prospective, current and past staff and students. If institutions want to ensure they have an accurate picture of the diversity of their workforce and student profile they must create an appropriate atmosphere in which individuals feel comfortable in disclosing. It is important that the reasons and benefits for disclosure, and the support services available, are effectively communicated to staff and students. For example, information disclosed in regard to disability status can be used to provide reasonable adjustments that will help the individual to realise his/her full potential in their career or studies.

Unlawful discrimination is understood as unlawful behaviour which encompasses the legally defined ‘prohibited acts’, namely direct and indirect discrimination, harassment and victimisation.

In terms of the equality legislation, it is unlawful to discriminate against someone on the grounds of their gender (including pregnancy/maternity, marital status and gender reassignment), race, disability, sexual orientation, religion or belief, and age.

In addition, in Northern Ireland it is unlawful to discriminate against someone on the grounds of their perceived ‘community background’ (i.e. Protestant or Roman Catholic) or political opinion.

Outside the equality field, there is also separate legislation providing protection on grounds of for example membership of a trade union, and part time status.

Diversity

Diversity recognises that everyone is different in a variety of visible and non-visible ways, and that those differences are to be recognised, respected and valued. They may include, but are not limited to, differences protected by anti-discrimination legislation. marital status and gender reassignment), race, disability, sexual orientation, religion or belief, and age.

Duty of Care

As employers, HEIs have a duty of care for all their staff while they are at work or otherwise deemed to be on institutional business. The duty of care covers health, safety and welfare, which includes such things as ensuring stress levels are not unreasonable. HEIs must ensure that
members of staff do not suffer undue stress from such things as discrimination, harassment and bullying. HEIs are not regarded as being in place of parents (in loco parentis), but they do have a duty of care in respect of the health, safety and welfare of their students when they are taking part in any institutionally directed activity including while on placements, overseas study, etc. This also includes protection from discrimination, harassment and bullying. There are additional duties of care for students who are under the age of 18 and for students with disabilities.

HEIs also have a public liability duty of care towards visitors and members of the public when they are on the institution’s premises and/or using other institutional facilities.

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<tr>
<th>Term</th>
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<tbody>
<tr>
<td>Equal Opportunities</td>
<td>Equal opportunities, or equality of opportunity, may be defined as ensuring that everyone is entitled to freedom from discrimination. There are two main types of equality encompassed in equal opportunities.</td>
</tr>
<tr>
<td></td>
<td>Equality of treatment is concerned with treating everyone the same. Thus, in an organisational context it recognises that institutional discrimination may exist in the form of unfair procedures and practices that favour those with some personal attributes, over others without them. The task of equal opportunities is therefore concerned with the elimination of these barriers.</td>
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<tr>
<td></td>
<td>Equality of outcome focuses on policies that either have an equal impact on different groups or intend the same outcomes for different groups. The term Equal Opportunities has mostly been replaced by Equality and Diversity (E &amp; D) in recent years.</td>
</tr>
<tr>
<td>Equal Opportunities Commission (EOC)</td>
<td>The EOC was an independent, non-departmental public body, which had (until 2007) statutory responsibility for overseeing the advancement of gender/sexual equality. From October 2007 the EOC merged with the CRE and DRC to form the Equality and Human Rights Commission (ECHR).</td>
</tr>
<tr>
<td>Equal Pay</td>
<td>Equal pay generally is used to refer to the provisions of the Equal Pay Act 1970 which requires men and women to be paid the same where they are employed on like work, work rated as equivalent under a valid job evaluation scheme, or</td>
</tr>
</tbody>
</table>

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work of equal value, unless the pay difference can be objectively justified.

In order to comply with equal pay legislation, it is recommended that employers have a job evaluation scheme in place and that they carry out an equal pay audit to highlight and rectify any disparities. Within the higher education sector, the Framework Agreement seeks to address many issues of unequal pay.

There may also be pay gaps on grounds other than gender, such as on grounds of race, and disability. The Equal Pay Act does not specifically cover these other areas, though the other discrimination legislation may apply.

A revised term for ‘equal opportunities’. It is based on the legal obligation to comply with anti-discrimination legislation. Equality protects people from minority groups from being discriminated against and gives people the same opportunities regardless of their group membership, i.e. sex, race, disability, sexual orientation, religion or belief, or age.

The Equality Act 2010 replaced previous anti-discrimination law, consolidating it into a single act. The majority of the Act came into force on 1 October 2010 and introduced new measures which have direct implications for higher education institutions (HEIs).

The Equality Act 2010 does not apply to Northern Ireland.

Equality and diversity describes an approach that embraces difference, treats each individual fairly and with dignity and respect, free from harassment and bullying.


The EHRC takes over the work of the three previous commissions established to tackle discrimination and promote equality in Great Britain – the Equal Opportunities Commission (EOC), the Commission for Racial Equality (CRE), and the Disability Rights Commission (DRC) as well as combining the responsibilities and powers of the three previous equality commissions. The new commission also takes on responsibility for furthering equality in the areas of age, sexual orientation and religion or belief, as well as human rights.
The EHRC is a non-departmental public body (NDPB) established under the Equality Act 2006 – accountable for its public funds, but independent of government.

The EHRC covers England, Scotland and Wales, but not Northern Ireland, which is under the remit of the Equality Commission for Northern Ireland. The commission has offices in Cardiff, Edinburgh, Glasgow, London and Manchester.  www.equalityhumanrights.com

Equality Challenge Unit was established in 2001 to promote equality for staff employed in the higher education sector. Its role was expanded in 2006 to cover equality and diversity issues for students as well as staff. Under the Unit’s strategy for 2007-2010, it will:

- develop an authoritative system for identifying and measuring equality and diversity in the higher education sector, and to assess the impact of equality initiatives
- support higher education institutions in implementing effective equality practices and to disseminate the many examples of excellent practice in individual institutions for the benefit of the whole sector
- develop programmes that support sustained institutional change in relation to equality and diversity

In implementing this strategy, Equality Challenge Unit will work in close partnership with higher education institutions and sector organisations.  www.ecu.ac.uk

The Equality Commission for Northern Ireland is an independent public body established under the Northern Ireland Act 1998. The Commission’s general duties include:

- working towards the elimination of discrimination
- promoting equality of opportunity and encouraging good practice
- promoting affirmative/positive action
- promoting good relations between people of different racial groups
- overseeing the implementation and effectiveness of the statutory duty on public authorities
- keeping the relevant legislation under review.  www.equalityni.org
Originally introduced by the statutory public sector duties, impact assessments refer to the process by which every policy, procedure, practice, plan and strategy of an organisation (including HEIs) is systematically reviewed and evaluated to ensure that they are not discriminatory and that they are making a positive contribution to equality. This is done by assessing how the impact they have differs (if at all) for different equality target groups. This normally requires the collection of statistical data for the area under review, and its analysis according to equality variables. It may also be necessary to consult and involve different groups of staff and service users, in order to obtain qualitative data.

The assessment process normally has two stages:

- initial screening for equality impact, possibly followed by more in-depth full equality impact assessment, where there is a significant or important potential effect on equality that must be examined.
- The impact assessment process should be set out in the statutory Equality Scheme and action plan for an organisation so that progress in undertaking them can be regularly monitored and reviewed, and results of the assessments published.

HEIs in Northern Ireland are required to conduct impact assessments in relation to religious belief, political opinion, sex, racial group, age, marital status, sexual orientation, gender, disability and caring responsibilities.

Most public authorities operating in Northern Ireland are required to submit an equality scheme to the Equality Commission. This is a statement of the public authority's commitment to fulfilling its Section 75 statutory duties, setting out how they are going to ensure that equality and good relations are promoted in everything they do. They should include procedures for measuring performance.

Each equality scheme must outline the public authority's arrangements for:

- assessing and consulting on the likely impact of internal policies (relating to people who work for the organisation), as well as external policies (relating to those who are, or could be, served by the organisation)
- monitoring any adverse impact of policies on the promotion of equality of opportunity and how they will consult with those likely to be affected by them (known as screening)
• publishing the results of such assessments
• training their staff
• ensuring and assessing public access to information and services provided by the public authority.

The Commission recommends that public authorities should include a commitment to conducting an annual review of progress, by 31 August each year, on the implementation of their equality scheme, including progress on delivery of actions they have identified to promote equality of opportunity and good relations. This will assist leaders in public authorities assessing their organisation’s progress in relation to the Section 75 statutory duties.

**Ethnicity is a multi-faceted phenomenon based on physical appearance, subject identification, cultural and religious affiliation, stereotyping and social exclusion. It is not possible to prescribe what the key distinguishing characteristics might be; the components of ethnicity will be different in Britain compared with Northern Ireland, Belgium, Bosnia, United States .....’, (Berthoud 1977).**

Ethnic categories and classifications also change to reflect social and political attitudes and realities.

Many HEIs undertaking ethnic monitoring (for staff and students) will currently use the 2011 Census classifications. This uses a combination of national/geographic origins with skin colour or ‘race’ e.g. ‘Black/Black British’ ‘White Irish’, ‘Chinese’.

Universities Scotland refer to a 1983 House of Lords decision that suggests an ethnic group would have the following features:

- a long shared history of which the group is conscious as distinguishing it from other groups and the memory of which it keeps alive
- a cultural tradition of its own including family and social manners, often but not necessarily associated with religious observance
- a common, however distant, geographical origin
- a common language and literature

It should be noted that subsequent case law has determined that the following are ethnic groups under the RRA: Gypsies, Irish Travellers, people of Jewish origins/religion, Sikhs.

Within a sociology/cultural studies context ethnicity is often a controversial and contested concept, related to questions of identity as it changes over time and in different locations.
Exclusion

In equal opportunities terms, exclusion means being prevented from doing something because you are of a certain race or ethnicity, sexual orientation, gender, age, social class, religion or belief, or are disabled. The reason for exclusion might not be explicit, but will be based on a perception created by the characteristics of the people who form the dominant group in a subject area or occupation. So, while women might become, for example, engineering professors, they may feel, because of their gender, excluded from the male-dominated social circles that allow them enhanced chances of progression.

Extremism

A term used to describe the actions or ideologies of individuals or groups outside the perceived political centre of society; or otherwise claimed to violate common moral standards. The term is invariably, or almost invariably, used pejoratively. Extremism is usually contrasted with moderation, and extremists with moderates.

<table>
<thead>
<tr>
<th>Term</th>
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<tbody>
<tr>
<td>Family Friendly</td>
<td>Family friendly refers to the policies, procedures or practices (mainly in an employment context but they can also be in other areas such as welfare benefits, social care and health) that aim to be more sympathetic to life events such as the birth of children, bringing up and caring for children, illness in the family, caring for sick or elderly relatives, death, and dealing with the unexpected. The intention is to create a more flexible way of organising society, and especially the world of work, that is more supportive of family life. Examples of family-friendly policies include: time off when children are ill; flexible working hours; career breaks; increased holiday entitlement; improved maternity/paternity leave; and part-time working.</td>
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Recent developments in UK family-friendly law:

- Statutory maternity pay extended from 26 to 39 weeks
- Qualifying period for additional maternity leave removed
- Introduction of keeping-in-touch days for women on maternity leave
- Right to request flexible working extended to people who care for adults and to private foster carers
- Consultation on proposals to give fathers the right to take up to 26 weeks’ additional paternity leave
- Shared Paternity Leave and Pay.
For a number of years, employees with dependants have had a statutory right to request a flexible working arrangement. Flexible working can be broadly defined as any variation to the standard working day/week. Employers do not have to agree but they have to have sound business reasons for refusing. A number of employers, including universities have chosen to widen the eligibility pool to all staff.

Flexible Working

It is important for line managers to respond flexibly themselves to such requests and resist instant refusals on the assumption that because a job has always been carried out on a full time basis that there is no possibility for it to be done just as effectively in a different way. If a member of staff has requested a peculiar working arrangement, for example different hours on different days, there may be room on both sides for compromise. Line managers should also be wary of assuming that because they personally don’t like the idea of working certain hours that it will be impossible to recruit someone to do it.

FtM

Female-to-male transsexual person. A person who is changing, or has changed, gender from female to male.

**G**

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<td>Gay</td>
<td>Gay is a term that is generally used to describe a man who has an emotional and/or sexual orientation towards men. Some women also define as gay, rather than lesbian; it is a generic term for lesbian and gay sexuality. A person should not be referred to as ‘a gay’, rather, they ‘are gay’.</td>
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</table>

Gender consists of two related aspects: gender identity, which is the person's internal perception and experience of their gender; and gender role or expression, which is the way the person lives in society and interacts with others, based on their gender identity. Gender is less clearly defined than anatomical sex, and does not necessarily represent a simple binary choice: some people express a gender identity that is neither clearly female nor clearly male. The overwhelming majority of the population has a gender that accords with their anatomical sex. It should be noted that, for the purposes of the law, people can only be male or female.

Gender Binary

The idea that there are only two genders or sexes - male/female or man/woman, and that a person must be strictly either/or.
The medical term for the condition in which a person has been assigned one gender (usually at birth on the basis of their biological/chromosomal sex), but identifies consistently as belonging to another gender, or does not confirm to the gender role society ascribes to them.

Gender Dysphoria is characterised by dissonance between the internal sense of gender identity and external genitalia and it is extremely important to understand it is not a form of sexual deviancy or a sexual orientation. Those who experience consistently severe dissonance to the extent that they wish and need to make a permanent transition to the "opposite" gender are ascribed the term "transsexual" by the medical profession.

The condition currently sits within the category of mental health conditions described in ICD10 (International Classification of Diseases) and DSM10 (Diagnostic Statistical Manual). Of itself, Gender Dysphoria is not a mental illness. However, a person with gender dysphoria or gender identity disorder can experience anxiety, uncertainty or persistently uncomfortable feelings about their birth gender. They may feel that their gender identity is different from their anatomical sex. This, in turn, may lead to a fear of expressing their feelings and a fear of rejection, which may lead to a deep anxiety, and to chronic depression and possibly attempted suicide. Sometimes a person with gender dysphoria assumes an identity in the opposite sex. This may involve undergoing hormone and, perhaps, surgical treatment to change their sex physically, although medical treatment is not a prerequisite of transsexualism or of being recognised in the acquired gender.

Gender expression is a spectrum and each of us (in addition to our own gender identity) has a personal way of expressing our gender along a spectrum from "ultra-male" at one end to "ultra-female" at the other, and anything in between.

Gender expression can include the way we move, dress, wear our hair, our mannerisms, our physical characteristics, our voice, our choice of words, etc. While gender identity is subjective and internal to the individual, the presentation of one's self, either through personality or clothing, is what is perceived by others.

Typically, transgender people seek to make their gender expression or presentation match their gender identity, rather than their birth sex.
Gender Queer, also termed non-binary is a "catch-all" category for gender identities/expressions that are not exclusively masculine or feminine; identities which are thus outside the gender binary.

Gender queer individuals may identify as one or more of the following:

- Having an overlap of gender binary identities
- Having two or more genders (being bi-gender, trigender or pangender)
- Having no gender (being a-gender, non-gendered, genderless, gender-free or neutrons)
- Moving between genders or having a fluctuating gender identity (gender-fluid)
- Being third-gender or other-gendered (a category which includes those who do not place a name on their gender)

Gender reassignment is a process that is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process. Gender reassignment or transition includes some or all of the following cultural, legal and medical adjustments: telling one's family, friends, and/or co-workers; changing one's name and/or sex on legal documents; living in the other gender for at least two years, hormone therapy; and possibly (though not always) some form of chest and/or genital alteration.

A certificate issued by a Gender Recognition Panel (GRP), part of the Royal Courts of Justice and consisting mainly of legal and medical experts, set up under the Gender Recognition Act 2004 which enables the holder of a full Gender Recognition Certificate (GRC) to be legally recognised in his or her acquired gender for all purposes including pensions, employment, Social Security, Tax (contributions and benefits), etc.

The GRC is a personal document issued to the individual, its main purpose being to enable the individual on its production to their local Registrar of Births, Deaths and Marriages to have a new Birth Certificate issued in their acquired gender.

The GRP may also by application, notify all relevant Government Departments and Agencies of the issue of the GRC thus triggering the update of all personal data held in respect of contributions to HMRC, Social Security Agency
(both in respect of payments and contributions) and the lockdown of all previous information.

It is important to note that a GRC is not a proof of an individual's transgender status and as such it should never be asked for, nor even its existence queried. (A GRC can only be demanded by Policy on foot of a Magistrate's warrant, and only then, if the individual is the subject of criminal investigation).

The GRC will be issued to an applicant if they can satisfy the panel that they fulfil all the criteria outlined in the Gender Recognition Act 2004. The Act requires that the applicant has, or has had, gender dysphoria, has lived in the acquired gender for two years prior to the application, and intends to live permanently in the acquired gender.

Gender identity is not determined by physical sex characteristics. Gender variance or gender non-conformity, is about behaviour or gender expression which doesn't match with masculine or feminine norms considered appropriate by general society. Individuals who exhibit these variances may be described as gender variant, gender non-conforming, gender diverse, gender atypical or gender queer; they may be transgender or otherwise variant in the gender identity. Some intersex individuals may also exhibit gender variant behaviour.

A genuine occupational requirement may allow for a valid defence to what would otherwise be unlawful direct discrimination. It applies in limited circumstances where having a particular characteristic can be a genuine requirement for a job. For example, being of a particular race, gender, religion, age and sexual orientation may be essential criteria in the job description and person specification, such as requiring that a female part in a play be acted by a female actress, or that the Chief Executive of an organisation established to promote gay rights be gay him or herself.

The ‘glass ceiling’ originated as a metaphor for an invisible barrier which prevents qualified women from advancing upward into senior positions in their organisations. Women can see, but not reach the high level jobs. The term was coined in 1986 by the Wall Street Journal’s ‘Corporate Woman’ column, and it quickly caught on and entered the public lexicon. The term has been extended to refer to the similar invisible barrier that operates in respect of people
from ethnic minorities and other social groups who seek to reach the senior positions.

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<tr>
<td>Harassment</td>
<td>Harassment is can be defined as unwanted conduct which may create the effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment which interferes with an individual’s learning, working or social environment or induces stress, anxiety, fear or sickness on the part of the harassed person. Differences of attitude, background or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another; nevertheless, this does not make it acceptable. It is unlawful to harass someone because of their race, gender (including gender reassignment), disability, age, sexual orientation or religion/belief. It is also a criminal offence to harass (or stalk) someone persistently.</td>
</tr>
<tr>
<td>Hate Crime</td>
<td>A hate crime is a criminal act committed against a person, group (or the property of a person or group) where the motivation is believed to be hatred of, or prejudice against, that person or group because of their sexual orientation, race/ethnicity, religion/belief, or disability. This can include physical attacks, the threat of attack and/or verbal abuse or insults (Source: Home Office). Some police forces also include domestic violence in their definition of hate crime. The definition of a hate incident (“an incident that is identified as a hate incident by the victim, witness or any other person”) is a subjective one that is intended to encourage reporting of such incidents and enable and facilitate the subsequent investigation of such an allegation.</td>
</tr>
<tr>
<td>Heterosexism</td>
<td>Heterosexism is a bias towards heterosexuality, to the exclusion of other sexualities. It acts to enforce heterosexuality by assuming that all individuals are heterosexual. For example, referring to partners as a husband or wife, assumes that a person is married to someone of the opposite sex, in a traditional heterosexual framework. This has a negative impact on those who are not heterosexual, and makes it difficult for people to acknowledge a sexuality other than heterosexuality.</td>
</tr>
<tr>
<td>Heterosexual</td>
<td>A heterosexual person is one who has an emotional and/or sexual orientation towards people of the opposite sex. It</td>
</tr>
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</table>
would be uncommon for a person to experience discrimination on the grounds that they are heterosexual. However, a heterosexual person who found him or herself in the minority in a particular setting might do so. A heterosexual could also be discriminated against if they were perceived to be homosexual, regardless of their real sexuality.

Homophobia can be defined as fear or contempt towards lesbian, gay, or bisexual people and their sexuality. It is sometimes merely implied, but is often taken to the point where discriminatory statements are made, or aggressive actions taken, against lesbian, gay or bisexual people. Homophobia can constitute unlawful discrimination on the grounds of sexual orientation.

Human rights are the basic rights, which it is generally considered all people should have, such as justice and freedom of speech.

The UK is a signatory to the European Convention on Human Rights (ECHR) which was introduced into domestic legislation in the Human Rights Act. The Convention guarantees the following rights and freedoms:

- right to life (Article 2)
- freedom from torture and inhuman or degrading treatment or punishment (Article 3)
- right to liberty and security of person (subject to a derogation applicable to Northern Ireland) (Article 5)
- right to a fair and public trial within a reasonable time (Article 6)
- freedom from retrospective criminal law and no punishment without law (Article 7)
- right to respect for private and family life, home and correspondence (Article 8)
- freedom of thought, conscience and religion (Article 9)
- freedom of expression (Article 10)
- freedom of assembly and association (Article 11)
- right to marry and found a family (Article 12)
- prohibition of discrimination in the enjoyment of the Convention rights (Article 14)
- right to peaceful enjoyment of possessions and protection of property (Article 1 of Protocol 1)
- right to education (subject to a UK reservation) (Article 2 of Protocol 1)
- right to free elections (Article 3 of Protocol 1)
- right not to be subjected to the death penalty (Articles 1 and 2 of Protocol 6)
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<td>Identity</td>
<td>The notion of identity is founded on individual’s regarding themselves as a member of particular groups — such as nation, social class, sexuality, religion or belief, subculture, ethnicity, gender, employment, and so forth. Many people feel a sense of pride in their identity, which furthers a sense of community. People who identify a certain way do not necessarily have the same needs or values.</td>
</tr>
<tr>
<td>Impairment</td>
<td>People can be born with an impairment or can acquire one through accident or illness. Impairments are long-term characteristics of an individual that affect their physical, sensory, intellectual or cognitive abilities and/or appearance. Many people who have an impairment would not necessarily consider themselves to be disabled.</td>
</tr>
<tr>
<td>Incitement to Racial Hatred</td>
<td>Incitement to racial hatred is a criminal offence under the Public Order Act 1986, which made it illegal to commit certain acts. Anyone who uses threatening, abusive or insulting words or behaviour, or displays any written material which is threatening, abusive or insulting is guilty of an offence if:</td>
</tr>
</tbody>
</table>
|                             | • S/he intends to stir up racial hatred, or racial hatred is likely to be stirred up as a result of his/her actions  
|                             | • The offence may be committed in a public or private place.                                                                                             |
| Inclusion                   | Inclusion, in equal opportunities terms, is about making every member of a community feel that they are not prevented from taking part in any activity, applying for any job, applying to become a student in any HEI etc., because of any personal characteristic relating to their race or ethnicity, sex, disability status, sexual orientation, religion or belief, class or age. Policies and practices that are open, fair, transparent and equitable encourage inclusion. |
| Indirect Discrimination     | Indirect discrimination is one of the four main categories of discrimination (see also direct discrimination, harassment and victimisation). Indirect discrimination occurs when policies or practices have an adverse impact on on certain groups of people than on others, in a way that cannot be justified. The groups protected by the legislation include groups defined by their gender, race, sexual orientation, religion or belief, or age. For example:                             |
|                             | • dress codes requiring women to wear knee length skirts could indirectly discriminate against women                                                                                                                       |
from some cultural or religious groups who would not feel able to dress in this way

- unnecessary height requirements, which state that employees in some roles have to be six feet tall could discriminate against women, or members of some ethnic groups who would not usually be able to meet the requirement.

Institutions can justify an indirectly discriminatory policy or practice. In relation to disability, the law requires a duty to carry out reasonably adjustments, rather than a duty not to indirectly discriminate.

Although the term institutional racism has been in use for many years (largely unnoticed) it came to prominence/notoriety following the inquiry into the death of Black teenager Stephen Lawrence. The inquiry report (the Macpherson Report) defined ‘institutional racism’ as: The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin which can be seen or detected in processes; attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.

Note this definition is concerned with both outcomes (failure to provide an appropriate or professional service…) and processes (which disadvantages…).

The definition is controversial because of the inclusion of the word ‘unwitting’ i.e. unknowing, or unaware. However, it is still the most widely accepted definition. The controversy exists because the definition seems to suggest that institutions can only be unwittingly racist. It is, of course, possible that there are both private and public institutions in which some members of staff could be quite clearly racist, prejudiced and discriminatory in their practices and that this would be deliberate, not unwitting. The Race Relations Act 1976 (as amended by the 2000 Act) requires public institutions, including HEIs, to not only ensure that their policies, procedures and practices are not racist, but promote equality of opportunity and good race relations.

Interfaith is defined by the Interfaith Network for the UK as working in dialogue and cooperation with different religious traditions. It is based on the principle that understanding and working partnerships can only succeed if they are rooted in respectful relationships which do not blur or undermine the distinctiveness of different religious
traditions. Working in an interfaith context therefore means building good relations between people of different religious beliefs, or none.  www.interfaith.org.uk

Intersex conditions are a range of medical conditions where the individual may have genitalia which are at variance with generally expected norms or possess chromosomal/hormonal abnormalities.

The conditions may be recognised at

- Birth - it is estimated that 1 in every 2000 live births have some form of intersex condition.
- Puberty - Intersex conditions may be diagnosed around this time when secondary sex characteristics do not develop along the expected path.
- Adulthood - Intersex conditions may be diagnosed when difficulties surrounding fertility/reproduction are being investigated.

It is now emerging that as many in 1 in 500 of the population may have some form of intersex condition. Some intersex individuals may experience Gender Dysphoria and identify as transgender.

Islamophobia is prejudice or hostility towards the religion of Islam and/or people of a Muslim faith. It can also refer to the practical consequences of discrimination against Muslim individuals and communities, and to the exclusion of Muslims from mainstream political and social affairs.

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<tbody>
<tr>
<td>Job Description</td>
<td>A job description defines the overall purpose and the major activities and responsibilities of a particular post or job. It should also indicate the reporting relationships, the hours of work, salary and any special conditions attached to the post.</td>
</tr>
<tr>
<td>Leaky Pipeline</td>
<td>The ‘Leaky Pipeline’ is a concept that has been used to refer to the steady reduction in the participation of girls and</td>
</tr>
</tbody>
</table>
women in science and technology, from primary education to science and technology employment.

The Legacy Commissions refer to the former Commission for Racial Equality (CRE), the Disability Rights Commission (DRC) and the Equal Opportunities Commission (EOC), which respectively had responsibility for promoting racial, disability and sex equality in Britain before the Equality and Human Rights Commission came into existence.

In the past, the legal sex of someone was defined by their birth certificate and could not be changed. The Gender Recognition Act 2004 means that people can now apply to gain recognition of their change of gender for all legal purposes.

A lesbian is a woman who has an emotional and/or sexual orientation towards women. Some women do not like the term lesbian, and prefer to describe themselves as gay. It is also worth noting that terms that are used by the lesbian community, such as dyke, butch and femme, should not be used generally. It is best to use the term lesbian, unless it is indicated otherwise.

In anti-discrimination law, less favourable treatment is an essential component of the legal definition of ‘direct discrimination’. It simply means treating someone (A) differently and adversely compared with someone else (B). It involves comparing the treatment of A with the treatment of B. The opposite to this is ‘more favourable treatment’ (i.e. if A is treated ‘less favourably’ compared with B, B must have been treated ‘more favourably’ compared with A). If there is also a difference between A and B relating to their gender, race, disability etc., then the treatment of A may amount to unlawful direct discrimination if there is not a lawful explanation for the less favourable treatment that A received.

LGBT is a commonly used abbreviation for the Lesbian, Gay, Bisexual and Trans community. The order of the abbreviation varies between organisations and practices (for example, women-only communities may refer to the LBT community). There is not, at present, a uniform order, although LGBT is the most common and is used in national events such as LGBT history month.

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<td>Less Favourable Treatment</td>
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Mainstreaming is about making the concept of equality central to all policy and decision-making, and not just those areas or functions which appear to have an obvious impact on equality. The Council of Europe defined mainstreaming as:

*The (re)organisation, improvement, development and evaluation of policy processes, so that an equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making.*

The Scottish Parliament has adopted the following definition of mainstreaming:

*Mainstreaming equality is essentially concerned with the integration of equal opportunities principles, strategies and practices into the every day work of Government and other public bodies from the outset, involving every day policy actors in addition to equality specialists. In other words, it entails rethinking mainstream provision to accommodate the equal opportunities categories as identified in the Scotland Act.*

Marital status refers to the legal condition of being single, married, divorced, or widowed. It does not refer, in a legal sense, to civil partnership status, therefore it would be good practice on monitoring forms to use the general category ‘marital/civil partnership status’ to be more inclusive to lesbian, gay and bisexual staff and students. Discrimination on the grounds of marital status is unlawful under the Sex Discrimination Act.

A mentor is a trusted teacher or advisor. Mentoring is a working or professional relationship, outside formal line management, which offers guidance and support for career progression and development. Mentoring may include elements of coaching or less formal advice and support. It may be carried on face to face or electronically, through e-mentoring. Some organisations provide mentors to all newly appointed staff. Students may have a similar system of ‘buddies’, ‘pals’ or ‘parents’ in which second and third year students mentor ‘freshers’.

A process that involves collecting, storing, analysing and evaluating information, to measure performance, progress or change. Monitoring race equality involves collecting, storing, analysing and evaluating information about the racial groups to which people say they belong. Monitoring is also applied to collecting and analysing information.
about people’s gender, disability status, sexual orientation, religion or belief or age to see whether all groups are fairly represented.

MtF

Male-to-female transsexual person. A person who is changing, or has changed, gender from male to female.

Generally, people belong not just to one community, but several. This can make them a target of prejudice on more than one level. For example, a Lesbian woman who is Chinese, might experience racism from parts of the gay community, homophobia from parts of the Chinese community, as well as general racism and homophobia. This is known as multiple discrimination and is a consequence of multiple identities. A mainstreaming approach to equality helps to prevent multiple discrimination because it recognises that everyone belongs to several identity groups. The expression ‘intersectional discrimination’ is also sometimes used in this context.

Multiple Identities

Individuals have many characteristics. A group of women may share gender in common but be different in many other ways. These will include ethnicity, sexuality, age and marital status. They may have varieties of jobs, caring responsibilities and economic and social status.

Mx

A title used before a person’s surname or full name by those who wish to avoid specifying their gender or by those who prefer not to identify themselves as male or female.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>NADP Ltd</td>
<td>NADP Ltd is the professional organisation for disability and support staff in further and higher education. NADP is the organisation for anyone working in the post-16 education sector and involved in the management or delivery of services for students with disabilities. NADP is: working to improve the professional development and status of disability services staff in the post-16 education sector via education, communication and leadership promoting excellence in the quality and consistency of educational support services provided for students with disabilities. <a href="http://www.nadp-org.uk">www.nadp-org.uk</a></td>
</tr>
<tr>
<td>National Association of Disability Practitioners (NADP)</td>
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<tr>
<td>National Origin</td>
<td>A person’s national origin is directly related to their place of birth and is not necessarily their nationality. National origin could be described as nation of origin.</td>
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</table>
A person’s nationality is usually related to the nation in which they were born. However, people can also achieve nationality by naturalisation, which is the process by which a nation accepts a person as a member even though they were born elsewhere. By this process some people actually achieve dual or multiple nationality, that is to say, they are accepted as a member by more than one nation. This achievement of nationality can be by such things as: application, domicile, marriage or political asylum depending on the laws of a particular Nation State.

**Objective Criteria**

Objective criteria are those factors that are measurable, based on fact, and not subject to personal interpretation. In other words, it would not matter who evaluated whether or not the criteria have been met, since the result would be the same. For example, in recruitment and selection, objective criteria in a person specification might include achievement of educational qualifications, and documented evidence of other skills and knowledge required to do the job. Similarly, once in employment, objective criteria used to measure performance might include attendance records, disciplinary records, and evidence of having undertaken staff development.

One must be alert to the potential for discrimination when setting criteria that, on the face of it, appear ‘objective’. For example, if a key requirement of an advertised job is to produce high quality documents to tight deadlines, setting a specific typing speed as the selection criteria would unfairly exclude disabled people who use speech-to-text software.

**Oppression**

Oppression occurs when people are governed or treated in an unfair and unequal or cruel way and prevented from having opportunities and freedoms. It is the suppression of the natural self-expression of one group or individual by another.

**Parental Status**

Parental status can be conferred by biological, adoptive or circumstantial means. When someone under the age of 18 is in the care of someone other than their birth or adoptive parents, that person may act in loco parentis for a prescribed period of time e.g. when a child is at school. Parental status allows biological and adoptive parents to take maternity, paternity, adoptive and parental leave,
according to their sex. Same sex couples are entitled to the same leave rights as opposite sex partners.

A person specification describes the skills, knowledge and experience that the successful applicant will need in order to carry out the duties of a particular post or job. It provides the objective criteria which are used to assess the candidates’ suitability for the role, and, as such, is an essential tool in a fair recruitment and selection process. Along with the job description, it provides the basis for the advertisement. It should be used for short-listing, for planning interview questions and other selection methods and to facilitate the final selection decision.

The set of physical characteristics of an individual resulting from their genetic make-up.

Sex as determined by the match between body and sex organs - male, female or intersex. Sex refers to someone’s physical or anatomical sex - in other words, the type of genitals they possess. Except in very rare cases of people who are diagnosed as having an intersex condition, anatomical sex is well defined and easy to interpret.

A person is thought to be politically correct if they are supportive of, or relate to, a broad social, political, and educational change. They may also be politically correct if they wish to redress historical injustices especially in relation to race, class, gender, disability, sexual orientation, age, religion or belief. The term politically correct has developed however, and in some contexts, can be derisive. This is the case when a person is perceived to be over-concerned with these issues, to the exclusion of other issues.

Positive action is the deliberate introduction of measures to eliminate or reduce discrimination, or its effects. It is not about special treatment for any one particular group, but the fair treatment of all people. It is concerned with levelling the playing field so that everyone has access to the same opportunities. The qualification floor remains the same.

There are three main types of positive action: action that reveals potential discriminatory practice through, for example, the assessment of policies or monitoring; action which changes discriminatory practice in light of any findings; and action which attempts to counter-balance the under-representation of a particular group. This latter form of positive action includes the use of methods such as
mentoring schemes, networks, outreach work, target setting and training.

Positive action is not the same as positive discrimination, an example of which would be promoting someone purely on the basis of his or her gender.

Positive discrimination occurs when one person, or group of people is treated more favourably than another person, or group, would be treated in the same situation, based on a defining characteristic. This characteristic might be race, gender, sexual orientation, or religion or belief. Positive Discrimination is unlawful in Britain and Europe, unless there is a genuine occupational requirement.

Positive Discrimination

In marked contrast to any other discrimination laws the Disability Discrimination Act 1995 imposes no restrictions on positive discrimination in favour of disabled people. Indeed, the duty makes clear that ‘more favourable treatment’ may be required of public authorities in order to promote genuine equality of opportunity. The guaranteed interview scheme is a notable example.

Positive discrimination is sometimes confused with positive action, which is lawful.

Preferred Terminology

Terminology is evolving, and what is acceptable today may well have been unacceptable in the recent past. It varies between English speaking nations. In the UK the descriptors Black British and African - Caribbean are acceptable and widely used, while in the USA ‘people of colour’ is the norm. In South Africa ‘coloured’ is used to describe dual heritage/mixed-race people, whereas as in the UK it is considered to be outdated and unacceptable.

Prejudice

Prejudice is an adverse judgment, conviction or opinion formed beforehand or without knowledge or examination of the facts. It may be felt or expressed. It may be directed, without reason, toward a group or an individual of that group and may develop into an irrational suspicion or hatred. Although it is not possible to legislate against prejudice, prejudice often leads to discriminatory behaviour, which may in itself be unlawful. Prejudice is hard to challenge unless it is openly expressed so it is important that institutions encourage open debate about issues of concern.

Public Authorities/Bodies

Public authorities are defined in the legislation to include all central government departments and their executive agencies and non-departmental public bodies, all NHS institutions, the governing bodies of schools, FE and HE
institutions, the Scottish Executive and the Welsh Assembly Government.

Unlike private sector organisations and voluntary bodies, public authorities are required to take proactive steps to eliminate discrimination and promote equality. In addition, they must ensure that, when entering into arrangements with others, they will still be able to fulfil their duties.

The public sector equality duty came into force on 5 April 2011, replacing the previous separate equality duties for race, disability and gender. The equality duty is supported by specific duties which are different for England, Scotland and Wales.

Public Sector Equality Duties (GB)

[N.B. The public sector duties in Northern Ireland are covered by Section 75 of the Northern Ireland Act and cover religious belief, political opinion, sex, racial group, age, marital status, sexual orientation, gender, disability and caring responsibilities.]

Q

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<tr>
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<tbody>
<tr>
<td>Queer</td>
<td>The term queer has several meanings that are developing and changing as culture changes. It is used by some as a generic term to describe all those who are not heterosexual. This includes lesbian, gay, and bisexual people, transgender and transsexual people, those who are questioning their sexuality, or those who are curious about their sexuality. The word, for some, in this context has been reclaimed. However, it can be a highly derogatory term and should not be used in an employment context or learning environment.</td>
</tr>
<tr>
<td>Quota</td>
<td>A quota is a fixed proportion (percentage) of something that has to be achieved by a certain time. One example of a quota in an equality/HEI context would be the requirement to achieve a fixed percentage of women, say 50%, in a particular course of study by 2010. This quota (50%) would have to be achieved even if it involved lowering entry standards for women applicants or deliberately discriminating against male applicants in the admissions process. In the United States some equality quotas are lawful as they are seen as an essential way of eliminating entrenched and long-standing historic inequalities relatively quickly, which may otherwise remain. It is also argued that achieving a diverse social mix (by reference to race,</td>
</tr>
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</table>
In the United Kingdom, quotas are illegal, as fixing a quantity would inevitably result in direct discrimination/less favourable treatment. However, setting targets is not unlawful, as they can be attained through legitimate positive action measures.

### R

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<tr>
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<tr>
<td>Race Relations Act 1976 (RRA) and the Race Relations (Amendment) Act 2000 (RRAA)</td>
<td>The RRA, as amended by the RRAA, makes it unlawful to discriminate against anyone on grounds of race, colour, nationality (including citizenship), or ethnic or national origin. The amended Act also imposes general and specific duties on many public authorities to promote racial equality.</td>
</tr>
<tr>
<td>Racism</td>
<td>The United Nations International Convention on the Elimination of All Forms of Racial Discrimination defines racism as: <em>Any distinction, exclusion, restriction, or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural, or any other field of public life.</em> Other definitions of racism stress the importance of power (the actions of institutions and government) and ideology (the transmitting of ideas and culture) in determining racial exclusion and discrimination, rather than the actions of individuals (which is sometimes described as ‘racialism’).</td>
</tr>
<tr>
<td>Racist Incident</td>
<td>The Macpherson Inquiry into the murder of Stephen Lawrence defined a racist incident as ‘an incident that is perceived to be racist by the victim or any other person’. This means that it is the perception of the victim or person reporting a racist incident that must be taken into account. The definition was introduced in an attempt to address the serious problem of under-reporting of racist incidents and racial abuse. It does not mean that if an incident is reported it is automatically racist, but that the perception that it is by the victim must be acknowledged and recognised.</td>
</tr>
<tr>
<td>Real-life experience</td>
<td>Refers to the phase during gender reassignment in which the individual must live and work consistently in their gender etc.) in HEIs, for example, is a legitimate educational objective.</td>
</tr>
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</table>
acquired gender and during which certain medical procedures may be carried out.

The concept of reasonable adjustment forms a central part of the Disability Discrimination Act 2005. It requires institutions to take reasonable steps to ensure disabled staff, students and visitors are not placed at a 'substantial' disadvantage by the way the institution operates. The reasonable adjustments duty is anticipatory in relation to disabled students and visitors, meaning that institutions must anticipate any access difficulties that parts of a course, extra-curricular activities or other services may present to disabled students or visitors, and remove those barriers even before a request to do so has been made.

The reasonable adjustments duty applies in employment if a disabled member of staff is placed at a disadvantage by an employment practice or physical feature of the workplace. A reasonable adjustment might involve:

- changing standard institutional procedures, such as admissions procedures and terms attached to offers of admission, enrolment procedures and examination and assessment methods
- adapting the curriculum (course content, work placements, use of electronic or other materials), or modifying the delivery of teaching
- providing additional services (any kind of aid or service, including teaching and information), whether temporary or permanent, such as a sign language interpreter or materials in alternative formats
- training staff to work with disabled students and to provide appropriate adjustments, for example, allowing more time to serve a disabled student
- encouraging staff to acquire additional skills in order to communicate effectively with disabled students, for example, in order to communicate with hearing impaired students and those with speech impairments
- altering the physical environment.

Most HEIs have Recruitment and Selection procedures which will have been subject to equality impact assessment to ensure that they afford equality of opportunity and treatment. These are likely to include some over-arching general principles.

When recruiting, it must not be assumed that someone’s personal characteristics – such as those protected as a matter of law such as gender or race - make them more or
less suitable for a job. There should be an up-to-date job
description which is written in a non-discriminatory way and
which reflects the duties of the post. Additionally, there
should be an accurate and focused personnel/job
specification, which reflects the attributes an applicant will
need in order to be effective in the post.

To avoid the possibility of being indirectly discriminatory, all
requirements should be strictly relevant to the job. For
example, if physical fitness is a requirement it does not
automatically mean that a disabled person cannot do the
job. Vacancies should be widely advertised to attract a
range of applicants. Each applicant should be asked the
same questions at interview, and assessment methods
should be clearly agreed beforehand.

Religion is the belief in or worship of a god or gods as a
particular system of belief or worship. (Chambers Compact
Dictionary 2000).

For many, a religion outlines a belief in, or a reverence for,
a superhuman power (or powers) regarded as creator and
governor of the universe. Religions can manifest
themselves as a personal or institutionalised system
grounded in such belief and worship.

The six main religions traditions held by people in the UK
are: Christianity, Islam, Judaism, Hinduism, Buddhism and
Sikhism. However, it should not be assumed that these
traditions are monolithic. There are often a great deal of
differences within each faith tradition, based on differences
in theology, interpretation of religious or holy texts/books,
and different religious practices that are often mediated via
specific culture contexts and historic traditions as they have
developed across the world.

In the Employment Equality (Religion or Belief) Regulations
2003, Religion or Belief is defined as 'any religion, religious
belief or philosophical belief’. All religions are intended to
be covered by the Regulations, with no distinction between
organised religions and those considered to be less so. For
the purposes of Article 9 of the European Convention on
Human Rights, a religion is something that must have a
clear structure and belief system.

‘Philosophical belief’ covers humanism, agnosticism or
atheism, and potentially any belief system that amounts to
a ‘world view or life stance’. In House of Lords debates it
was indicated that further clarification on this latter point
should be provided by the Equalities and Human Rights
Commission.
<table>
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<tr>
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<tbody>
<tr>
<td>Sex</td>
<td>Sex is determined by the match between body and sex organs i.e. male, female or intersex. Sex refers to someone’s physical or anatomical sex – in other words, which type of genitals they possess. Except in very rare cases of people who are intersexed, anatomical sex is well defined and easy to interpret.</td>
</tr>
<tr>
<td>Sex Discrimination Act 1975 (SDA)</td>
<td>The SDA makes it unlawful to discriminate against anyone on grounds of gender (or marital status). This principle was extended by the Equality Act 2006 to impose general and specific duties on many public authorities to promote gender equality.</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>Sexual orientation is an entirely separate issue from that of gender identity. Many people in society confuse the issues of sexuality and gender. Transgender individuals, just as everyone else, may be attracted to men, women, both or neither in the same way as the remainder of society. Therefore, transgender individuals may experience sexual orientation as heterosexual (attracted to members of the opposite sex), gay (normally, but not exclusively, used to describe men attracted to other men), lesbian (women attracted to women; on occasion however, some such women may also prefer the term gay), bi-sexual (used to describe those attracted to both males and females) or asexual (used to describe those who don’t experience attraction to either sex). Their sexual orientation may remain the same during and after the transition process, for some however, it may alter.</td>
</tr>
<tr>
<td>Skill - National Bureau for Students with Disabilities</td>
<td>Skill is an independent charity that promotes opportunities for people with any kind of disability in learning and employment. It:</td>
</tr>
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</table>

Provides a free information and advice service for individual disabled people and the professionals who work with them, via a freephone helpline, email and the website. This information and advice helps disabled people to overcome financial and physical barriers, ignorance and discrimination so that they can study, train or find work. Informs and influences key policy makers to improve legal rights and support for disabled people in post-16 education and training. Skill works together with individual disabled people, professionals working in education, training and careers, employers and disability organisations to influence government. |
Promotes best practice through membership, running conferences and seminars, publications and the provision of consultancy and staff training for colleges, universities and other organisations.

Conducts research and develops projects on education and disability issues to address gaps in provision and to take forward new ideas. www.skill.org.uk

Although currently this term relates in the main to schools and local government, the principals of social inclusion are equally relevant within higher and further education (for example in relation to the Widening Participation agenda). Social inclusion terminology is becoming increasingly familiar as part of the overall equality and diversity picture.

The Government sees tackling social exclusion as an important priority and aims to ensure that the most socially excluded adults are offered the chance to get back on a path to a more successful life, by increasing the proportion of at-risk individuals in settled accommodation; and employment, education or training.

Example definitions of social inclusion:

- Social inclusion is about reducing inequalities between the least advantaged groups and communities and the rest of society by closing the opportunity gap and ensuring that support reaches those who need it most.
- Positive action taken to include all sectors of society in planning and other decision-making.
- The position from where someone can access and benefit from the full range of opportunities available to members of society. It aims to remove barriers for people or for areas that experience a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime environments, bad health and family breakdown.

The National Statistics Socio-economic Classification is used for all official statistics and surveys. It replaced Social Class based on Occupation and Socio-economic Groups. This version of the classification, which will be used for most analyses (the analytic version), has eight classes, the first of which can be subdivided.

The National Statistics Socio-economic Classification Analytic Classes:

- Higher managerial and professional occupations
Special Educational Needs and Disability Act (SENDA)

SENDA was an amendment to the Disability Discrimination Act (1995), designed to bring education within the remit of the DDA. SENDA effectively activated Part 4 of the DDA. It required that bodies responsible for the provision of education and other related services did not discriminate against disabled students and other disabled people. Institutions have an additional duty to meet the needs of all disabled students and visitors by making anticipatory reasonable adjustments, as opposed to adjustments for employees, which are to be made on an individual basis.

The Disability Discrimination Act 1995 has now been amended by the Disability Discrimination Act 2005. Individual disabled people’s rights remain intact, but the new legislation places an additional duty on all public sector authorities, including higher education institutions, to promote disability equality. This positive duty is part of a new breed of legislation that ensures all public bodies build disability equality into the way in which they carry out their business.

Special/Additional Needs

In an educational context, ‘special needs’ has been used for many years as a catch-all term that covers a wide range of situations relating to disability and impairments. In primary and secondary education, it is often associated with learning difficulties. In tertiary education and employment special and additional needs have been used to describe staff or students, and anyone who requires a reasonable adjustment to be made for them. Many disabled adults find the term derogatory, and current thinking is that the term entitlements should be used instead of needs, as this reflects the entitlement of disabled people to equality of opportunity in employment, education and access to goods and services.

Stereotyping

Stereotyping is when characteristics conventionally associated with a particular group are applied to the individuals perceived to be of that group. It happens all the time, whenever generalisations are made about people. Stereotyping can be both positive and negative, and either
can be equally ill-informed. Problems can arise when stereotypical views of people based on their group identity lead to pre-judgement or assumption-making about particular individuals. This may result in discriminatory behaviour.

Sticky floor is the converse of ‘glass ceiling’. It describes the situation of employees or others who are unable to achieve career progression beyond an initial entry level to a post or grade because of perceptions and assumptions about their ability based on stereotypical assumptions about their personal characteristics. The metaphor is used to communicate how sexism makes it difficult for women, for example, to rise above entry-level jobs in the labour market. Thus, some groups of women, whose economic histories are filled with problems of disadvantage, are more likely to relate to the ‘sticky floor’ than the ‘glass ceiling’.

### Targets

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<tr>
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<td></td>
<td>Targets are a method of redressing any equality-based under-representation in the staff or student body. Ideally, targets should be linked to monitoring activity, which highlights particular gaps that should be dealt with. Targets are distinct from quotas in that they do not over-ride merit-based selection. The two main types of target are quantitative and qualitative. Quantitative targets are the number or percentage of, for example, women, ethnic minority staff or disabled people that an organisation would aim to recruit. Qualitative targets could include a commitment to introduce equality training for everyone, or specific training for an under-represented group, or the introduction of a new policy or practice such as flexible working. Targets are most successful when they are included in an overall action plan, which sets out how they are to be achieved and communicated to others. It is important to communicate the rationale for targets to other staff, so that they are not perceived to be quotas and so they don’t discourage suitably qualified people from applying for jobs because they are not in the targeted group, and therefore feel they would be wasting their time in applying.</td>
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### Traditional/Non-traditional

Historically or stereotypically a traditional role is one that was, or is, carried out mainly, or totally, by members of one sex or people from a sub-group within a culture. For example: the building trades are still traditionally ‘men’s jobs’, though this is beginning to change; and nursing was
traditionally seen as a woman's job, and this has changed significantly in recent years. A female plumber is still regarded as unusual and non-traditional, whereas female bus drivers are now commonplace. Until quite recently, women in the armed forces belonged to all-women units and were not allowed to go to sea or become pilots. They are still not able to join certain front line units or take on some military roles.

This sort of segregation has also been applied in relation to race and ethnicity. For example, members of the Black and ethnic minority communities could not enlist in the Guards Regiment of the army. (Some would suggest that it is still quite difficult and unusual, and therefore non-traditional.)

Traditionally, home undergraduates in UK higher education were from middle and upper class families and from the 18-22 age group. This has been changing since the 1960s, but statistically working class students are still seen to be non-traditional. Mature students are also more evident now.

Training

Training is the planned process of developing skills to do a particular job/activity, modify attitudes, increase knowledge, or change behaviour, through a structured learning experience. Training aims to achieve more effective and/or improved performance in any activity or range of activities. It develops the skills and abilities of individuals with the aim of satisfying the current and future needs of an organisation.

Trans

An inclusive term for those who identify themselves as transgender, transsexual or transvestite. The word ‘trans’ can be used without offence to cover people undergoing gender transition; people who identify as someone with a different gender from that in which they were born, but who may have decided not to undergo medical treatment; and people who choose to dress in the clothing typically worn by the other sex. This term should only be used as an adjective.

Transgender

An adjective which includes transsexual individuals, but is scoped much wider to embrace a wider variety of gender expression including those who have no intention of permanently changing gender.

Transsexual

Transgender people may and may not choose to alter their bodies hormonally and/or surgically. It is never acceptable to use the term as a noun.
fulfil their life as a member of the opposite sex. Someone in this position will have the medical condition Gender Dysphoria (see above). It is never acceptable to use the term as a noun.

A person who dresses in the clothing typically worn by the opposite sex. Generally, transvestites do not wish to alter their body and do not necessarily experience Gender Dysphoria.

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<tbody>
<tr>
<td>Transvestite</td>
<td>A person who dresses in the clothing typically worn by the opposite sex. Generally, transvestites do not wish to alter their body and do not necessarily experience Gender Dysphoria.</td>
</tr>
<tr>
<td>UK Council for International Student Affairs (UKCISA)</td>
<td>The UK Council for International Student Affairs (UKCISA) is the UK’s national advisory body serving the interests of international students and those who work with them. UKCISA exists to promote and facilitate international student mobility, to and from the UK, to help students (and others involved in international education) develop a global perspective and to contribute to human development, political stability, economic prosperity and greater intercultural understanding. UKCISA’s aims are: To increase support for international education and raise awareness of its values and benefits To promote opportunities for - and identify and work to reduce obstacles and barriers to - greater student mobility To encourage best practice, professional development and the highest quality of institutional support for international students throughout the education sector <a href="http://www.ukcisa.org.uk">www.ukcisa.org.uk</a></td>
</tr>
<tr>
<td>Unconscious Bias</td>
<td>Unconscious biases are our unintentional people preferences, formed by our socialisation and experiences including exposure to the media. Unconscious biases are the result of our limited cognitive capacity, we implicitly and automatically both group and categorise people to avoid having to conduct completely new assessments for every new person. We unconsciously assign positive and negative value to the categories we use.</td>
</tr>
<tr>
<td>Under-representation</td>
<td>Under-representation occurs when the proportions of men/women, white /ethnic minorities, disabled/non-disabled people, heterosexual/gay, etc., people in a work place or student body do not reflect the proportions in the relevant pool. The relevant pool will vary according to the type of representation that is being considered. An HEI that</td>
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recruits predominantly from the local population would expect its student body to contain roughly the same racial mix as that population. Certain grades of staff would also be expected to reflect that mix because it would be expected that they would be recruited locally.

However, the ethnic/disabled/female representation of both staff and students in certain institutions, on some courses, in particular jobs, etc., is not compatible with numbers that could reasonably be expected. For example, women are under-represented at Vice Chancellor/Principal level; ethnic minorities are under-represented at senior levels; and people who have declared a disability are under-represented across the whole sector.

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<tr>
<td>Vicarious Liability</td>
<td>Higher education institutions and their governing bodies can be held to be vicariously liable for the acts or omissions of staff during the course of employment. This liability applies even if the action was not expressly authorised by the HEI. To avoid vicarious liability an HEI would need to show that it had taken all reasonable steps to ensure that the action had not taken place. This could be done by having a policy that was communicated to staff by training, briefing or otherwise informing them and that, in the particular situation in question, the individual had acted contrary to the rules and procedures.</td>
</tr>
<tr>
<td>Victimisation</td>
<td>Victimisation is a form of unlawful discrimination. A person is victimised if they are treated less favourably because they have done a legally ‘protected act’ under the relevant anti-discrimination laws, for instance they have brought legal proceedings, given evidence, made a complaint, or supported someone who has made a complaint of unlawful discrimination against an HEI, a department or an individual.</td>
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<td></td>
<td>Victimisation is unlawful if it takes place during the course of someone’s employment, or after the termination of their employment, for example in connection with the provision of employment references.</td>
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<tr>
<td></td>
<td>Victimisation on the grounds of race, gender, disability, age etc. can cover workplace discrimination (failure to give promotion, dismissal or giving the employee unpleasant tasks) Students could be similarly victimised by a HEI or an individual working in one by, for example. refusal of application or unfair marking.</td>
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<tr>
<td>Term</td>
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<tr>
<td>Welsh Language</td>
<td>The Government of Wales Act 2006 requires that Welsh public bodies, including HEIs, conduct public business in Wales in both English and Welsh equally, as is appropriate in the circumstances and reasonably practicable. The objective is to promote and facilitate the use of the Welsh language.</td>
</tr>
<tr>
<td>Widening Participation</td>
<td>Widening participation in higher education denotes systematic efforts to change and develop the ways in which universities and colleges work. The purpose of the efforts is to ensure that universities and colleges can meet the learning needs and aspirations of individuals or groups whose experiences or circumstances mean that they have not in the past, or are unlikely to in the future, participate fully in higher education. These groups or individuals are often referred to as being from a non-traditional background. In this context, a non-traditional background is a term used to describe a person who would not ordinarily enter higher education. This may be because there is no tradition of higher education in their family; they have qualifications other than A-levels; they are older than traditional applicants; or they have different caring responsibilities, for example. In light of the changes to higher education funding, it is likely that widening participation strategies will also target those from low-income backgrounds, as it is felt that such individuals face more barriers to higher education than other groups.</td>
</tr>
<tr>
<td>Work/Life Balance</td>
<td>Work-life balance is about adjusting working patterns and developing initiatives, policies and procedures to enable employees to get their jobs done and at the same time provide flexibility to manage personal and family responsibilities, and pursue activities outside work. Work-life balance is achieved when an individual’s right to a fulfilled life inside and outside paid work is accepted and respected as the norm, to the mutual benefit of the individual, the institution and society. Full time employees in the UK do the longest hours in the EU, and many of these are fathers of young children who would like to spend more time with their families. From an employee viewpoint, work-life balance is the dilemma of managing work obligations and a personal life, whilst achieving success and satisfaction within both. Many people struggle to maintain a balance between their work</td>
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and home responsibilities, and other interests. This juggling process can have an adverse effect on the ability of employees to do their work effectively and on their general health and well-being. Women, in particular, are affected because they continue to be the primary carer for young children and elderly or disabled relatives, in addition to bearing the brunt of domestic labour alongside their work commitments. Work-life balance from the employer viewpoint involves the challenge of creating a supportive company culture where employees can focus on their jobs while at work. Many employers are developing a range of options such as flexi-time, job sharing, time off in lieu, and term-time working in order to create a more flexible workplace.

There are many work-life balance benefits for employers too, such as increased productivity, improved recruitment and retention, lower rates of absenteeism, reduced overheads and a more motivated, satisfied and equitable workforce. Work/Life Balance is about adopting working arrangements so that everyone—regardless of age, race, or gender—can find a balance that enables them more easily to combine work with their other responsibilities or aspirations. Most HEIs have now introduced a range of flexible working arrangements which help to address work/life balance.

<table>
<thead>
<tr>
<th>X</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Xenophobia</td>
<td>Xenophobia is a prejudice based on an extreme dislike or irrational fear of foreigners. It is also often associated with a dislike of cultures, religions and ways of life of people who live in other countries. It is different from racism in that racism is also about some racial groups asserting and exploiting their power over other racial groups.</td>
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<tbody>
<tr>
<td>Zero Tolerance</td>
<td>A form of policing that allows no crime or anti-social behaviour to be overlooked.</td>
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