

Equality and diversity policy

First approved by the Diversity Steering Group 25 March 2014

Approved by the VC and Executive Group 2 April 2014

Published June 2014 following consultation with the trades unions

Updated December 2016: terminology updates

Updated January 2019 to include students

19 February 2019: approved by SLT

Contents

1. Purpose
2. General duty
3. The University's commitments
4. Aims
5. Individual roles and responsibilities
6. Definitions of protected characteristics and protections
 - 6.1 Age
 - 6.2 Disability
 - 6.3 Gender reassignment
 - 6.4 Marriage and civil partnership
 - 6.5 Race
 - 6.6 Religion or belief
 - 6.7 Sex (or gender)
 - 6.8 Sexual orientation
 - 6.9 Pregnancy and maternity
7. Positive action
8. Breaches of the policy
9. Complaints
10. Training and development
11. Monitoring and assessing effectiveness
12. Maintenance and review
13. Publishing arrangements
14. Vicarious liability

Appendix: Links to further guidance

Equality and diversity policy

1. Purpose

This policy sets out how the University intends to meet its equality commitments in respect of staff and students¹, encompassing its general equality duty and duties in respect of the protected characteristics listed in the Equality Act 2010. This policy applies to all aspects of employment and study at the University, including recruitment, selection, education and assessment of students.

2. General duty

The Equality Act 2010 places a general duty on public bodies, including higher education institutions, to:

- advance equality of opportunity;
- foster good relations between people of different protected characteristics (including racial groups); and
- eliminate unlawful discrimination.

3. The University's commitments

3.1 London Metropolitan University values the diversity of its students and staff. It recognises that people from diverse backgrounds can bring new ideas and perceptions that enrich the learning environment.

3.2 London Metropolitan University is committed to providing a learning community in which the rights and dignity of all individuals are respected and which is free from unlawful discrimination, harassment and victimisation.

3.3 The University is committed to the production, implementation, review and monitoring of policies that promote equality for all those who study and work within the institution.

3.4 All students, staff and applicants will receive equal treatment regardless of age, disability, gender identity, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (Protected Characteristics).

3.5 The University is committed to championing equality, diversity and inclusion by promoting:

- diversity of student and staff recruitment;
- inclusive curriculum, teaching, education and engagement; and
- an inclusive community that furthers respect and opportunity for all those studying and working in it.

¹ This policy does not form part of any contract between the University and its students and the University may amend it at any time.

- 3.6 London Metropolitan University is committed to equality of opportunity and treatment and to the production, implementation, review and monitoring of policies that promote equality and diversity within the institution. London Metropolitan University values diversity, recognising that people from diverse backgrounds can bring new ideas and perceptions that help increase organisational efficiency and improve services. The University is committed to promoting diversity in all of its activities and to taking affirmative action to combat discrimination. This policy is intended to demonstrate this commitment.
- 3.7 The University recognises its commitments under the law. The University is committed to providing equality of opportunity by aiming to ensure that its practices and procedures follow legal requirements and good practice as recommended by: the Equality Human Rights Commission (EHRC), The Equality Challenge Unit (ECU); the Government's Equality Office (GEO); the Chartered Institute of Personnel and Development (CIPD); and Universities UK (UUK). It is the University's policy to treat all individuals fairly and equitably regardless of gender, racial or cultural grounds, disability, age, gender reassignment, marriage and civil partnership, maternity and pregnancy, religious beliefs (including non belief), sexual orientation, trade union activity, or any other category where discrimination cannot be reasonably justified. The University will ensure that no requirement or condition will be imposed without justification that could disadvantage individuals on any of the above grounds.
- 3.8 The University will strive to create a positive, inclusive atmosphere, based on respect for people's differences, in which individuals are actively encouraged to reach their full potential.
- 3.9 All staff and students have rights and individual responsibilities to advance equality of opportunity, foster good relations, eliminate unlawful discrimination and respect different cultures. As a minimum, all staff and students should know how to identify behaviour which is contrary to the University's commitments and should challenge it in a supportive and non-confrontational manner.

4. Aims

- 4.1 The University's commitments are embodied in the following aims:
- the University aims to eliminate discrimination in our community of staff and students;
 - recruitment policies, practices and procedures will be examined and reviewed regularly to ensure that they do not discriminate unfairly, either directly or indirectly;
 - the University aims to eliminate discrimination in its practices by making all students and staff fully aware of their responsibilities under this policy and by regularly monitoring its operation and effectiveness;

- employment policies, practices and procedures will be examined and reviewed regularly by the Human Resources Director to ensure that they do not discriminate unfairly, either directly or indirectly;
- student policies, practices and procedures will be examined and reviewed regularly by the Director of Student Journey and the University Secretary's Office, to ensure that they do not discriminate unfairly, either directly or indirectly;
- job advertisements will include an equality and diversity statement;
- in the recruitment and selection of staff the University will seek to ensure that advertising is not inappropriately restricted;
- objective and justifiable job-related selection criteria will be used in the recruitment of staff. Appointments will be made on relevant ability and, where appropriate, qualification and experience;
- all staff will be provided with information on the University's Single Equality scheme; this Equality and Diversity policy and other policies related to equality and diversity;
- the University will ensure that terms and conditions of employment are applied fairly and consistently;
- the University will take advantage of the positive action provisions of the relevant equality legislation in circumstances where it deems it to be appropriate; and
- the University recognises the importance of training as a key element in the promotion of equal opportunities. Such training/guidance is viewed as particularly important for those involved in appraising the performance and potential of employees; identifying training needs; and recruitment and selection procedures.

5. Individual roles and responsibilities

5.1 The governing body, academic board and all those in management and leadership roles will:

- through their specific defined responsibilities, have due regard to the equality duty;
- include in decision making consideration of how their decisions will impact upon staff and students with protected characteristics;
- receive and consider annual staff and student monitoring data; and
- promote diversity and equal opportunities.

5.2 The chairs of the University's committees are responsible for ensuring that equal opportunities and diversity principles are

integral to the work of the committees they lead and for considering equality and diversity implications identified in reports and policies and procedures including those for which the Board of Governors is accountable.

5.3 The Vice-Chancellor and Chief Executive is responsible for:

- ensuring that this policy and its related procedures, mechanisms and strategies are implemented effectively;
- providing a consistently high profile lead on issues covered by the policy;
- ensuring that all staff and students are aware of their responsibilities and commitments under the policy; and
- ensuring that appropriate action, under the policy, is taken against staff or students who are found to have acted in any way in an unlawfully discriminatory manner.

5.4 The Pro Vice-Chancellors and the Chief Operating Officer have responsibility for the development, co-ordination, dissemination, and monitoring of this policy, with specific responsibility for:

- promoting equal opportunities and the management of diversity and raising awareness of equality issues across the University's core business;
- providing appropriate training and information opportunities to staff and governors in support of the policy and adequately supporting them in order for them to fulfill their responsibilities appropriately;
- providing and publishing monitoring data in respect of staff and students in support of the policy;
- identifying and designating members of staff throughout the University to deal with reported incidents of racism or harassment; and
- maintaining a contact list of the member of staff within each school who is responsible for co-ordinating equality and diversity work.

5.5 The Pro Vice-Chancellor (Academic Outcomes) additionally has responsibility for ensuring that the University's commitment to equal opportunities and diversity is reflected in the design and delivery of the curriculum and for the development, co-ordination, dissemination and monitoring of this policy in respect of students with specific responsibility for:

- promoting and managing all matters relating to student equal opportunities and diversity; and
- providing and publishing monitoring data in respect of students in support of the policy.

5.6 The Senior Leadership Team is responsible for ensuring that:

- the University complies with all the anti-discriminatory legislation requirements, in particular the Equality Act 2010; the University complies with this policy and action plan and appropriate procedures, strategies and arrangements are implemented;
- this policy is regularly reviewed, and updates are duly communicated to staff; and
- relevant briefing/training is provided to all staff and governors on areas related to the policy and its implementation;

5.7 Heads of School and Directors have responsibility for:

- implementing this policy and its related procedures and strategies, including local action planning and review within their own school/department;
- ensuring that due regard is given to the equality duty in decision making processes (including developing, evaluating and reviewing policy; designing, delivering and evaluating services, and commissioning and procuring from others) and in doing so consider the needs and impact on staff and students with protected characteristics and record this;
- identifying and supporting one or more members of staff within their school/department who is responsible for supporting the ongoing mainstreaming of equality work;
- ensuring that staff are aware of their responsibilities and are given appropriate training and support;
- taking appropriate action against staff who discriminate unlawfully; and
- ensuring external partners are aware of the policy.

5.8 All members of staff are expected to be aware of, promote and implement this policy and to contribute to the maintenance of an environment in which the diversity and dignity of individuals is respected.

5.9 In addition, all teaching staff should:

- promote equality and diversity through their teaching programmes and through relations with students, staff and the wider community;
- ensure that the curriculum covers the knowledge, skills and values which students need to tackle discrimination when they meet it and to help them respect different cultures; and
- ensure that materials used to deliver the curriculum are free from sexist, racist and other discriminatory assumptions,

images and languages, unless they are being studied as examples of such.

- 5.10 The Head of Procurement is responsible for ensuring that contractors and suppliers are aware of, and comply with this policy.
- 5.11 The senior team will maintain an overview of the implementation of the Equality and Diversity policy and will consider the results of monitoring at least once every three years.
- 5.12 All staff and students are expected to support the University in delivering its commitments and to comply with the principles underpinning them.
- 5.13 Our Student Charter sets out student rights, responsibilities and expectations to support students in their studies, help them to flourish in shaping their future and empower them to fulfil their full potential. As a minimum, all students should engage with the London Met community in a respectful, honest and constructive manner and be aware of and abide by the University's regulations and codes of conduct.

6. Definitions of protected characteristics

The Equality Act covers the same groups of individuals that were protected by the previous equalities legislation. In addition age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity are now also known as 'protected characteristics'.

There are nine protected characteristics defined in the Equality Act:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- race;
- religion or belief;
- sex;
- sexual orientation; and
- pregnancy and maternity.

6.1 Age

6.1.1 Definition

In relation to the protected characteristic of age, a reference to a person who has a particular protected characteristic is a reference to a person of a particular

age group. A reference to persons who share a protected characteristic is a reference to persons of the same age group. A reference to an age group is a reference to a group of persons defined by reference to age, whether by reference to a particular age or to a range of ages.

6.1.2 Protections

People are protected from discrimination, harassment or victimisation on the grounds of their age or age group. All aspects of employment (or prospective employment) are protected from age discrimination, including:

- recruitment;
- employment terms and conditions;
- promotions and transfers;
- training; and
- dismissals.

The University's published [Retirement policy](#) sets out that the University values all staff and does not have a mandatory retirement age for staff.

6.2 Disability

6.2.1 Definition

The Equality Act 2010 defines a disabled person as anyone 'with a physical or mental impairment', which has 'a substantial and long-term adverse effect upon their ability to carry out normal day-to-day activities'.

6.2.2 Protections

It is unlawful to discriminate against a member of staff or a job applicant with a disability by treating them less favourably for a reason related to their disability. The University will ensure that no requirement or condition will be imposed, without justification that could disadvantage individuals on the grounds of disability. The University supports and implements the Jobcentre Plus disability symbol initiative. Under the Equality Act 2010 it is permissible to treat a person more favourably than a non-disabled person.

Human Resources collect and maintain a confidential record of staff and applicants who declare a disability. Students may declare a disability on their application form or declare at a later date to our Disability and Dyslexia Service (DDS).

6.2.3 Commitments

The University recognises its duty to make reasonable adjustments to the learning environment, working conditions or the physical environment, where this would help to overcome the practical effects of a disability.

6.2.4 Reasonable adjustments

Heads/Directors are required to make reasonable adjustments for disabled persons where the disabled person personally experiences substantial disadvantage in comparison with non-disabled people in relation to:

- a provision, criteria or practice (i.e., benefits, facilities and services provided and includes arrangements, policies, procedures and activities);
- physical features (i.e. temporary or permanent design or construction of a building; exit or access features; fixtures, fittings, furnishings, equipment or other moveable property; and any other physical element or quality); or
- auxiliary aids (i.e. auxiliary services including those which provides additional support or assistance to a disabled person ranging from equipment to extra assistance)

It is not possible to give a general definition of what constitutes a 'reasonable adjustment' as this will depend upon an individual's specific needs and circumstances but the aim of such an adjustment is to enable the employee to develop and use their abilities on a basis equal to non-disabled colleagues, whenever possible.

When looking at specific adjustments for an individual, a number of factors including the resources available; the cost of the adjustment; the practicality of the changes; and the potential benefit to the member of staff and students as well as to other people will be considered.

6.2.5 Students who become disabled

The University will actively seek to retain and support students who become disabled. When a student discloses a disability, we inform them about our services and encourage them to self-present. We also send a disclosure form to the DDS.

An assessment will take place which may require us to obtain medical evidence from the student's GP or to send them for an assessment with one of our onsite Educational Psychologists.

Once we have medical evidence we will assess them in order to look at what reasonable adjustments will be required for them to continue studying. These may include:

- lecture and reading material in advance;
- ergonomic furniture;
- exam arrangements; and/or
- Human support such as a notetaker etc.

We guide students to the Disabled Students Allowances (DSA) where they will receive additional support and external sources if required. We assist with the application process and also with implementing and monitoring this support on campus.

We will ensure that an Individual Needs Assessment Report (INAR) is issued, so that staff are aware of their obligations and actions to support the student. This may also be combined with meetings with key staff in order to understand supporting our more complex learners.

We will also continue to meet with and review the student's support, particularly in cases where the condition may flare up or be likely to deteriorate. This may also include a multiagency approach by the students' Disability Adviser, who will inform the student that they will stay in contact with other external support professionals to facilitate joined-up approach to support.

Finally, and only as a last resort we may discuss options such as reducing to part-time or distance learning where we can see the severity of the disability and impact on study is going to be so severe that we cannot reasonably adjust. In extreme circumstances, this may lead to a Fitness to Study assessment.

6.2.6 Members of staff who become disabled

The University will actively seek to retain members of staff who become disabled and has signed up as a [Disability confident employer](#). Heads/Directors can seek advice from Human Resources on what reasonable adjustments might be available to staff. These options might include²:

- rearranging working methods;
- providing practical aids or equipment;

² This list is not exhaustive.

- allowing flexible working, such as annualised hours and part time working and working in different locations, for example to fit in with regular medical treatment;
- alteration to the member of staff's job description and responsibilities;
- adjusting trigger points for management action in the application of sickness procedures; and
- redeployment

If an existing member of staff becomes disabled, they should inform their Head/Director at the earliest opportunity so that their support needs can be discussed and considered. Heads/Directors might wish to involve the Occupational Health service and their HR contact in discussions about reasonable adjustments. This might be the case where an individual has recently developed a condition and is unsure of its impact or where an individual has been absent from work due to long-term sickness and a return to work plan needs to be agreed. Referrals to the [Occupational Health Service](#) should be made using the [online OH referral form](#).

If the member of staff's requested adjustments can not be accommodated, the reasons for this should be explained to the member of staff by the Head/Director or delegated line manager.

In some circumstances, the Occupational Health Service might suggest that the manager should contact the Health and Safety team, to arrange a workstation assessment. The Occupational Health Service might recommend that an external Disability Employment Adviser at the local job centre is contacted, in which case Human Resources will contact and liaise with the Disability Employment Adviser, as appropriate.

An assessment of the job and the effects of the disability on the member of staff doing the job will be undertaken by the line manager with the member of staff, with the support of Occupational Health or Human Resources. If the type of help is not immediately obvious, particularly in relation to adaptations or specialist equipment, a more detailed technical assessment can be recommended.

The member of staff might also wish to look at the published [disability information](#) and might also wish to contact the external [Employee Assistance Programme](#) for confidential guidance or advice.

If an individual does not wish to disclose the nature of their disability, there is no obligation to do so. The University would however encourage members of staff to disclose, so that maximum support can be offered to them. The member of staff might choose whether to disclose the nature of their condition and its impact on their ability to undertake their role or just the impact of their condition.

6.2.7 The Access to Work scheme

The [Access to Work Scheme](#) is a government scheme designed to provide help to overcome the barriers that people with disabilities experience in the workplace that would not otherwise be covered by reasonable adjustment. Through this scheme, the government will either pay for or make a substantial grant towards the costs of additional support needed as a result of a disability.

The support that is available includes:

- **adaptations to premises and equipment** - this involves modifying the premises or equipment to make it accessible for a person with a disability;
- **special aids to employment** - provision of aids and equipment to a person with a disability, which a person without a disability who is doing the same job would not need;
- **support workers** – help with the costs of employing personal support for a person with a disability at a job interview, on their journey to and from work, or in the work place;
- **travel to work** – support when a person with a disability incurs extra costs in travelling to and from work, because of their disability; and
- **communications support at interview** – help with the cost of employing an interpreter or communicator to accompany a hearing impaired person, where there might be communication difficulties at a job interview.

Access to work support does not include funding for IT equipment such as laptop computers.

Further information can be found on the [Access to Work website](#)

6.3 Gender reassignment.

6.3.1 Definitions

The Equality Act 2010 defines the protected characteristic of gender reassignment as 'the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex'. The Act refers to a transsexual person as a person who has the protected characteristic of gender reassignment.

6.4 Marriage and civil partnership

The Equality Act 2010 states that a person has the protected characteristic of marriage and civil partnership if the person is married or is in a civil partnership.

6.5 Race

6.5.1 Definitions

The Equality Act 2010 defines race as including colour; nationality; and ethnic or national origins. It defines a racial group as a group of persons defined by reference to race. A racial group can comprise two or more distinct racial groups.

6.6 Religion or belief

6.6.1 Definitions

The Equality Act 2010 states that 'Religion means any religion and a reference to religion includes a reference to a lack of religion. Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief'.

The Equality and Human Rights Commission states that for a belief to be protected by the Equality Act:

- It must be genuinely held;
- It must be a belief and not an opinion or viewpoint based on information available at the moment;
- It must be a belief as to a weighty and substantial aspect of human life and behaviour;
- It must attain a certain level of cogency, seriousness, cohesion and importance;
- It must be worthy of respect in a democratic society; and

- It must be compatible with human dignity and not conflict with the fundamental rights of others.

6.7 Sex (or gender)

6.7.1 Definition

A person's sex (also referred to as gender) refers to the fact that they are male or female. In relation to a group of people, it refers to either men or women or to either boys or girls.

6.8 Sexual orientation

6.8.1 Definition

The Equality Act 2010 states that 'sexual orientation means a person's sexual orientation towards persons of the same sex; persons of the opposite sex; or persons of either sex'.

6.9 Pregnancy and maternity

6.9.1 Definition

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

A woman is protected from less favourable treatment whilst she is pregnant, on maternity leave or breast-feeding.

7. Positive action

The [Equality and Human Rights Commission](#) (EHRC) defines Positive action as 'the steps that an employer can take to encourage people from groups with different needs or with a past track record of disadvantage or low participation to apply for jobs'. This is not the same as 'positive discrimination' or 'affirmative action' which equality law does not allow.

The EHRC suggests that an employer can use positive action where they reasonably think, on the basis of some evidence, that:

- people who share a protected characteristic suffer a disadvantage connected to that characteristic;
- people who share a protected characteristic have needs that are different from the needs of people who do not share it; or

- participation in an activity by people who share a protected characteristic is disproportionately low.

The above reasons might overlap, for example, people sharing a protected characteristic may be at a disadvantage and that disadvantage may also give rise to a different need or may be reflected in their low level of participation in particular activities.

Employers can take proportionate action to:

- enable or encourage people to overcome or minimise disadvantage;
- meet different needs; or
- enable or encourage participation.

Positive action in recruitment could include encouraging particular groups to apply, or helping people with particular protected characteristics to perform to the best of their ability (for example, by giving them training or support not available to other applicants). An example of when an employer might decide to take positive action is if they find that the make up of their workforce is different from the make up of their local population, so they decide to encourage people who share particular under-represented protected characteristics to apply for vacancies.

8. Breaches of the policy

- 8.1 The University expects all staff and students to comply with this policy and will not tolerate any acts of unlawful discrimination or harassment. Any such acts will be investigated and where appropriate dealt with under relevant disciplinary or conduct procedures.
- 8.1 Serious cases of deliberate discrimination may amount to gross or major misconduct resulting in dismissal or termination of registration as a student.
- 8.2 Any student who believes that they have suffered discrimination can raise the matter through the University Complaints Procedure. Complaints will be treated in confidence and investigated as appropriate.
- 8.3 No student will be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under the Student Conduct Regulations.

9. Complaints

- 9.1 The University is an adult learning environment, and accordingly students and staff are expected to treat each other responsibly and attempt to resolve any issues between them by discussion rather than resorting to formal procedures; however, the

University recognises that sometimes such informal mechanisms are inappropriate or ineffective. Any student who considers that they have been treated in a way that is contrary to this policy can raise a complaint in accordance with Section 8 of the [General Student Regulations - Student Appeals and Complaints](#).

- 9.2 Any member of staff who considers that they have been treated in a way that is contrary to this policy e.g. concerns about discrimination or harassment, should raise the matter with their line manager or head/director, in the first instance attempting to resolve the issue. Alternatively if they are a member of a recognised trade union they might wish to contact a trade union representative. They may also wish to contact the [Employee Assistance Programme](#) or seek resolution through mediation.
- 9.3 It should be the objective of all parties to reach a satisfactory resolution, via informal channels, wherever possible, with advice from HR, as appropriate. If the matter is not resolved or the member of staff does not consider that it is appropriate to pursue the complaint through informal means, the individual might wish to seek redress through the University's [Grievance procedure](#) or in the case of alleged harassment, through the [Harassment policy](#). Complaints will be dealt with promptly, fairly and confidentially.
- 9.4 If a job applicant wishes to complain about a disability issue in relation to recruitment and selection they should write to the Human Resources Director who will arrange to have the complaint investigated.
- 9.5 The University treats acts of discrimination and harassment extremely seriously and will seek to safeguard all parties during the investigation of allegations. Disciplinary action will be taken, as appropriate, where allegations of discrimination or harassment are founded or where allegations are found to be vexatious and have caused unnecessary distress to colleagues.
- 9.6 The University will ensure that staff who make a complaint of unlawful discrimination or harassment are fully supported and are not victimised as a result of making a legitimate complaint.
- 9.7 Staff who consider that they have been subject to harassment have the right to make a complaint under the University's [Harassment policy and procedure](#). Complaints against students should be dealt with under the [Regulations governing student conduct](#). Staff who consider they have been subject to discrimination have the right to make a complaint under the University's [Grievance procedure](#).

10. Training and development

- 10.1 In keeping with the University's commitment to progressive employment policies, the University will provide equality

awareness training for all staff. General equality and diversity information and briefings will be published online. The University will ensure wherever possible that staff development events are accessible to all staff.

11. Monitoring and assessing effectiveness

- 11.1 The University is committed to effective action to eliminate all forms of unlawful discrimination. The University will therefore collect, analyse and assess relevant data, in order to measure and consider how improvements could be made under its equality duty, through the setting of targets or other action. The information will be reported to the senior management team which will evaluate the progress that the University is making towards meeting its equality objectives.
- 11.2 The Board of Governors will maintain an overview of the implementation of this Equality and Diversity policy, and the Academic Board will consider annually the results of student monitoring.

12. Maintenance and review

12.1 The University will:

- review this policy on a regular basis in light of good practice and changes in relevant legislation;
- assess, review and revise other University policies for their effectiveness in eliminating discrimination and how they give due regard to the equality duty;
- use cross-referencing to ensure clear links between the Equality and diversity policy and other University policies and functions; and
- use the assessment and monitoring findings to expand, revise, update, improve and maintain the Equality and diversity policy and also establish or revise priorities, targets and initiatives in appropriate strategic plans.

13. Publishing arrangements

13.1 The University will:

- publicise and promote this policy through the University's staff and student websites; and
- make a copy of the policy available to current staff and issue new staff with a copy of the policy and details of University equality and diversity training at induction.

14. Vicarious liability

- 14.1 Heads/directors and line managers should be aware that any form of discrimination against members of staff or colleagues by their subordinates might result in formal proceedings against them at an Employment Tribunal. In such cases the heads/directors or line manager could be held vicariously liable for the actions of their staff and could be required to attend an Employment Tribunal. A manager could be found to be vicariously liable for discrimination where it is shown they had not taken reasonable steps to ensure the discrimination did not take place. To avoid this risk, managers should note their responsibilities under this policy and should seek to ensure that they and their own staff have adequate knowledge and training such that they are aware of and capable of exercising their responsibilities under this policy.

Appendix – Further information and guidance

1. **Definitions and examples of direct and indirect discrimination; harassment; victimisation; and reasonable adjustments in relation to disability**

Definitions and examples can be found on the [Equality and Human Rights Commission web page](#) () and the [Equality Challenge Unit webpage](#) ()

2. **Disability**

Further guidance is available in the [guidance on the Equality Act](#) produced by HM Government's Office for disability issues.