

## Equality Diversity & Inclusion Policy

<b>Document Reference and Version Number</b>	Version 1 – 17 <sup>th</sup> February 2020
<b>Purpose</b>	This policy sets out IADT’s commitment to EDI in conjunction with the Legislative context of Equality in Ireland.
<b>Commencement Date</b>	October 2020
<b>Date of Next Review</b>	March 2023
<b>Who needs to know about this document</b>	All Staff
<b>Revision History</b>	
<b>Policy Author</b>	HR Department in conjunction with EDI Department
<b>Policy Owner</b>	HR & EDI Manager
<b>Approved</b>	

## Context

IADT is committed to creating an environment that promotes equality, diversity and inclusion at work and to treating all of our employees, students, stakeholders and all other people involved in any aspect of the Institute equally, regardless of gender, civil status, family status, sexual orientation, religious belief, age, disability, race or membership of the Traveller community or socio-economic background.

Our culture is one that promotes equality, diversity and inclusion. We promote excellence, encourage creativity and seek new ideas.

*We will achieve this through:*

The development of a fulfilling and progressive work culture and learning environment, one that strengthens and promotes the values of the Institute to ensure that IADT students and staff support, value and respect each other.

The design and implementation of a number of specific cultural initiatives which support equality, diversity and inclusion.

The further development of a suite of positive actions and initiatives to address inequalities that may exist, to ensure a fair, welcoming and unbiased campus environment for our whole community.

The promotion of a positive culture within our Institute by sustaining the values that we cherish, while also encouraging and facilitating openness and responsiveness as we evolve.

IADT believes that embracing equality, diversity and inclusion in the workplace benefits not just the Institute but also individual staff and students, departments and our stakeholders. All our staff and students bring their own background, work style, distinct capabilities, experience and characteristics to their work. We recognise that our talented and diverse Institute reflects the diversity of the wider community outside of IADT and we want to utilise the widest range of skills, knowledge and experience in our Institute while complying with legislative requirements.

As well as treating people with dignity and respect, the Institute strives to create a supportive environment in which both staff and students can flourish and reach their full potential, regardless of differences, experience or education. Harnessing the wide range of perspectives this diversity brings promotes innovation and helps make us more creative and competitive.

## Legislation

This policy is informed by the Employment Equality Acts 1998-2011(as amended) and the Equal Status Acts 2000-2012 (as amended) which prohibit direct and indirect discrimination, sexual harassment, harassment and victimisation in relation to nine specified equality grounds: gender, family status, civil status, sexual orientation, age, disability, religion, ethnicity and membership of the Traveller community.

The Employment Equality Acts prohibit discrimination in employment, including recruitment, promotion, pay and other conditions of employment. The Equal Status Acts prohibit discrimination in access to and provision of services, accommodation and educational establishments.

The Institutes of Technology Act 2006 places obligations on Governing Bodies to promote equality, diversity and inclusion among the students and staff of Institutes, specifically with regard

to gender balance, and access.

The Disability Act 2005 (as amended) places significant obligations on public bodies in terms of providing integrated access to services and information to people with disabilities, as well as promoting the employment of people with disabilities.

The Irish Human Rights and Equality Commission Act 2014 requires that in the performance of their functions public bodies shall have regard to the need to eliminate discrimination, promote equality of opportunity and treatment and protect the human rights of staff and service users.

This policy reflects the Institute's commitment to honour its obligations under these Acts.

## **Commitment to equality and diversity**

*IADT is committed to fostering an inclusive culture, which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all its staff and students are respected.*

IADT will formulate and implement policies and practices that value diversity, provide equality of opportunity and ensure that no student or job applicant, no student or staff member, or no person from the wider Institute community receives less favourable treatment on any of the nine aforementioned grounds. We will also ensure that other policies and practices reflect our commitment to treating people fairly, promoting an integrated way of working and respecting the dignity of our community at all times.

Managers are expected to promote an integrated workplace and proactively eliminate any potential inequities that may run counter to the Institute's policy.

IADT's recruitment policy will reflect our belief that diversity in all areas, including cultural, generational, language and national backgrounds, is necessary in helping us succeed in both domestic and global markets. The organisation will not discriminate against any prospective employee during the recruitment process. Interviews will be carried out objectively and individuals will be judged on merit and their ability to do the job. It is our policy to ensure that as much accommodation as possible is carried out to facilitate the participation of individuals with special needs in the recruitment process and in the workplace.

The Institute will offer the same development and training opportunities to all staff to achieve high standards of performance. IADT is committed to rewarding excellence and staff will be promoted on the basis of merit.

The Institute is committed to non-discrimination (direct or indirect) in access and participation in education and employment in relation to any of the nine specified equality grounds of gender, family status, civil status, sexual orientation, age, disability, religion, ethnicity and membership of the Traveller community.

It seeks to ensure that the provision of all services shall be free from any discrimination and harassment.

It supports an inclusive and supportive environment of dignity and respect where all staff and

learners can develop their full potential.

The Institute not tolerate harassment or bullying of staff, students or other members of the community. Failure to comply can result in disciplinary action under the Policy and Procedure for Mutual Respect.

It is committed to identifying barriers to equality, diversity, inclusion and full participation and any identified imbalances in practice will be redressed.

It is committed to providing integrated accessible services and information to all users and will seek to ensure that information is produced in accessible information formats.

It will seek to provide reasonable accommodation to students, staff and service users with disabilities.

It will support the employment of staff with disabilities.

It is committed to widening participation and facilitating access to programmes by students from under-represented groups.

## Other policies

This policy should be read in conjunction with the following policies and procedures:

### **HR Policies:**

Equal Opportunities Policy  
Code of Practice for the Employment of People with Disabilities  
Flexible Working & Leave Policies  
Mutual Respect Policy

### **Flexible working and leave Policies and Procedures, including:**

Maternity Leave Policy & Procedures  
Parental Leave Policy & Procedures  
Adoptive Leave Policy & Procedures  
Career Break Policies and Procedures  
Flexible Working Scheme Policy & Procedures  
Job Share Policy & Procedures  
Work Sharing Scheme, Policies & Procedure  
Shorter Working Year Scheme, Policies & Procedure

### **Student Policies and Procedures:**

Learner Charter  
Code of Practice for Students with Disabilities  
Gender Identity & Gender Expression  
General Disability Support Service Reasonable Accommodations Procedures  
Mutual Respect Policy  
Policy and Strategy for Participation, Equal Access and Lifelong Learning  
Reasonable Accommodations in Examinations to Students with Disabilities  
Supplementary or Alternative Admissions Route for Students with a Disability or Specific Learning

Difficulty

## Monitoring and review

The Institute shall actively seek feedback on the implementation and review of this policy from staff, learners and service users.

The implementation of the policy shall be reviewed on a regular basis by the Equality, Diversity and Inclusion Committee and the policy shall be updated on foot of this review or other legislative changes.

Each service, administrative and academic area shall include a report addressing the implementation of this policy as part of their review cycle and this will serve to inform the EDI Committee as part of its on-going monitoring of progress on the implementation process.

The EDI Committee shall provide regular progress reports to Governing Body on the implementation and development of policy.

## Further Guidance

A separate document has been developed for employees and management which outlines how the Institute's commitment to equality, diversity and inclusion, non-discrimination, equal access and participation apply to employment practices and procedures. The policy affects all areas of employment practice including recruitment and selection, training and development, progression, pay, employment conditions and retention. You can access this document [here](#).

## Resources: information, advice and support

- Manager of the Office of Equality, Diversity and Inclusion
- Equality, Diversity and Inclusion Committee
- Employee Assistance Programme
- Human Resources
- Trade Unions
- Student Counselling Service
- Student Union Welfare Officer
- Student Union President
- Access Office
- Careers Advisory Service

## Appendix 1 Definitions

### About Equality

The principal of equality is enshrined in the Irish Constitution and in many international and EU treaties and declarations.

The Universal Declaration of Human Rights sees equality as a fundamental principle in terms of a person's human rights – 'All human beings are born free and equal in dignity and rights', Art. 1.

Key pieces of equality legislation in Ireland are the Employment Equality Acts 1998-2011 and Equal Status Acts 2000-2012.

### Equality grounds

Discrimination is prohibited by legislation on the basis of any of the following grounds:

gender: a man, a woman, or a transsexual person

civil status: single, married, separated, divorced, widowed, civil partner, former civil partner.

family status: pregnant, a parent of a person under 18 years, or the resident primary carer or parent of a person with a disability;

age: this only applies to people over 16 except for the provision of car insurance to licensed drivers under this age;

race and ethnicity: a particular race, skin colour, nationality or ethnic origin;

religion: different religious belief, background, outlook or none;

disability: this is broadly defined including people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical conditions;

sexual orientation: Gay, lesbian, bisexual, or heterosexual;

membership of the Traveller community: people who are commonly called Travellers, who are identified both by Travellers and others as people with a shared history, culture and traditions, identified historically as a nomadic way of life on the island of Ireland.

### Discrimination

Discrimination is prohibited and has a specific meaning in the Employment Equality Acts and Equal Status Acts. Discrimination is defined as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation on any of the nine equality grounds. Discrimination can be direct, indirect, by association or imputation.

### Indirect discrimination

Indirect discrimination happens when there is less favourable treatment in effect or by impact. It happens when people are, for example, refused employment or training not explicitly on account of a discriminatory reason but because of a provision, practice or requirement which they find hard to satisfy. If the provision, practice or requirement puts people who belong to one of the grounds

covered by the Acts at a particular disadvantage then the employer is deemed to have indirectly discriminated, unless the provision is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

## Harassment

Harassment is any form of unwanted conduct related to any of the nine discriminatory grounds that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature.

In both cases the unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

The emphasis is on the effect of the unwanted conduct on the recipient, not on the intention of the perpetrator.

There are other forms of bullying and harassment which are not included in the Acts but covered by other legislation such as the Employment Equality Acts, the Unfair Dismissals Acts, the Safety, Health and Welfare at Work Act 2005, Civil Law and Criminal Law.

## Gender Mainstreaming

Gender mainstreaming is the (re)-organization, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors typically involved in policy making. (Council of Europe Group of Specialists definition).

The aim of gender mainstreaming is to achieve gender equality in practice. Equality impact assessments and equality proofing are tools to achieving the goal of gender mainstreaming. Gender mainstreaming involves an analysis of the effects of policies and practices on women and men respectively, as part of the usual decision-making process.

## Positive action

The Equality Acts allow for preferential treatment or the taking of positive measures which are bona fide intended to:

- Promote equality of opportunity
- Cater for the special needs of persons, or a category of persons who because of their circumstances, may require facilities, arrangements, services or assistance

Reasonable accommodation of people with disabilities: in service provision

A person selling goods or providing services, a person providing accommodation,

educational institutions and clubs are required to do all that is reasonable to accommodate the needs of a person with a disability.

This involves providing special treatment or facilities in circumstances where without these, it would be impossible or unduly difficult to avail of the goods, services, accommodation etc.

However, they are not obliged to provide special facilities or treatment when to do so will cost more than what is called a nominal cost. What amounts to nominal cost will depend on the circumstances such as the size and resources of the body involved. (Equal Status Acts).

Reasonable accommodation of people with disabilities: in employment

Nothing in the Act requires an employer to recruit or promote a person who is not fully competent and fully available and capable of undertaking the duties attached to the position. For the purposes of the Act a person who has a disability is considered fully competent and capable on reasonable accommodation (referred to as appropriate measures) being provided by the person's employer.

An employer is obliged to take appropriate measures to enable a person who has a disability:

- to have access to employment
  - to participate or advance in employment
  - to undertake training
- unless the measures would impose a disproportionate burden on the employer.

Appropriate measures are practical measures to adapt the employer's place of business including:

- the adaptation of premises and equipment,
- patterns of working time
- distribution of tasks
- or the provision of training or integration resources
- The employer is not obliged to provide any treatment, facility or item that the person might ordinarily or reasonably provide for himself or herself.

In determining whether the measures would impose a disproportionate burden, account is taken of the financial and other costs entailed, the scale and financial resources of the employer's business, and the possibility of obtaining public funding or other assistance.  
(Employment equality acts)

#### Service user:

The policy applies to all service users, visitors, customers and clients of the Institute. The term 'service user' is then used as shorthand for all customers, visitors, clients, guests and service users of the Institute, including learners.

#### Vicarious liability:

'Vicarious liability' means when someone is legally responsible for someone else's actions. Employers are liable for any act of discrimination by an employee in the course of their employment unless the employer can prove that they took reasonable steps to prevent the discrimination. An employer also has a duty under the Acts to protect their employees in relation to discrimination or harassment coming from third parties such as service users, contractors and, suppliers.



