

SOAS Students' Union Equality and Diversity Policy

Approved by: Trustee Board

Date approved: August 2015

Implementation date: August 2015

Date of last review: May 2023

Review Cycle: At Least Every Five Years

1. Equality and Diversity Statement

1.1 As a forward looking organisation, the Union recognises the positive benefits of the implementation of an Equal Opportunities policy. The Union strives to create a culture in which diversity and equality of opportunity are promoted actively and in which unlawful bullying, harassment, discrimination or victimisation is not tolerated.

1.2 The Union is committed to the elimination of all forms of discrimination and harassment within its organisation, in relation to its staff, members and guests and in the provision of its services. The Union will strive to achieve the following:

- equality of opportunity for all in terms of its members and guests and advancement within the Union regardless of age, colour, ethnic origin, caste, gender identity, HIV status, marital status, mental or physical health and/or ability, nationality, parental status, race, religious and political beliefs and affiliation, sex, or,sexual orientation.

- that individuals are treated in a fair, equitable and consistent manner and are given the opportunity to fulfil their potential.

- everyone has the right to their distinctive and diverse identities (where the expression of that identity does not infringe upon the rights of others).

- understanding how valuing diversity can improve our ability to achieve a community within the Union as a whole.

1.3 The contents of this policy applies to all Union staff, members and their guests, visitors and other persons in contact with the Union.

1.4 A glossary of terms regarding the equality and diversity of the Union as approved by its membership shall be stated in appendix 1 of this schedule.

2. Aims of the Union in terms of equality and diversity

2.1 The aims of the Union in terms of Equality and Diversity shall be:

- To promote equality of opportunity across all Students' Union activities.
- To promote good relations between people of a diverse backgrounds.
- Eliminate unlawful bullying, harassment, discrimination & victimisation.
- Create a positive environment for all members, guests, visitors and staff.

- Enable all individuals to achieve their full potential.
- Increase understanding of Equality and Diversity issues.
- To ensure that the process of membership representation is one which is fair, equitable and transparent.
- To create an appropriate process by which complaints can be considered and addressed

2.2 The contents of this policy will be implemented within in all Union procedures, governed by all parts of the constitution, its schedules and regulations, including all subsequent constitutions such as those of clubs, societies and union recognised student media.

3. Membership responsibilities in terms of equality and diversity

3.1 Sabbatical Officers

To have strategic responsibility for development and maintenance of the Equality and Diversity policy.

The Co-President Democracy & Education will be responsible for directing Union policy to make sure the Union' democratic structures such as elections and general meetings are open and inclusive to all students and do not directly or indirectly discriminate against any particular group.

The Co-President Activities and Events will be responsible for making sure that sport, societies and events are run in line with this policy and are as open and inclusive as possible.

The Co-President Welfare and Campaigns will have equality and diversity campaigning as part of their remit and will oversee the work of the liberation officers.

3.2 Executive Officers

To implement this Equality and Diversity policy and procedure within the Students' Union. Overall responsibility for equality and diversity within the Students' Union.

In particular the Union has a number of Liberation officers, such as Women's Officer, Black Officer, LGBTQ Officer etc whose will have specific responsibility for representing the members of their portfolio group and promoting their inclusion within the SOAS Community.

3.3 All Members

- Support this policy.
- Promote equality and diversity.
- Ensure that their own behaviour does not amount to discrimination, harassment, bullying or victimisation in any way.

3.4. All SOAS Students' Union members must act in accordance with this policy. Members who contravene this policy may face disciplinary action in accordance with the Complaints & Disciplinary Procedure in the constitution following any breach.

It should also be noted that any breach of the policy could also be viewed as unlawful behaviour and could result in legal action being taken.

4. Complaints and Third-Party Reporting

4.1 SOAS Students' Union actively encourages individual members who feel that they have in any way:

- suffered from discrimination or victimisation
- been disadvantaged by discrimination or victimisation,
- been discriminated against or victimised unlawfully,

- suffered harassment or bullying

4.2 Members should report these incidents to a Sabbatical Officer in the first instance or alternatively to any officer of the Union if they prefer. In the same way, members who witness an act of discrimination or harassment against a member, their guests, an employee and/or visitor should report this.

4.3 Any members who feel that they may be suffering from victimisation (as defined in appendix 1) as a result of reporting any unlawful acts of discrimination must raise this in line with the Union complaints procedure so that it may be investigated and, if necessary, acted upon in line with the Union disciplinary procedure.

5. Breach of policy

5.1 A member found to have acted in a discriminatory way in relation to colleagues, visitors or staff will be dealt with in accordance with the disciplinary procedure as outlined in the Constitution.

5.2 Members who consider they have been discriminated against and who believe they have failed to secure adequate redress under the Union's own procedures, have a constitutional right to take their case to the School.

6. Monitoring

6.1 SOAS Students' Union will conduct monitoring in the following areas to assess the implementation and effectiveness of the Equality and Diversity policy:

- Training shall be received by all Officers and Staff in order to allow them to effectively ensure that this policy is being adhered to.
- The Sabbatical Officers shall have a collective responsibility to ensure all cases reported are followed up in an appropriate manner, using the proper complaints procedure.
- Membership disciplinary hearings, shall be monitored by ethnicity, age, disability and gender to ensure that this policy is being adhered to.

6.2 Personal information collected for equal opportunities monitoring is intended for the specific purpose of monitoring and will be used for no other purpose.

7. Maintenance and review

7.1 This policy will be reviewed on a regular basis (at least every 5 years) by the Students' Union Trustees.

7.2 Relevant legislation will be included by motion as and when it is introduced.

7.3 Relevant Equality and Diversity training shall be organised and provided for all staff and officers.

8. Relevant legislation

8.1 SOAS Students' Union implements this Equality and Diversity Policy in accordance with current legislation and codes of practice including:

Legislation

- Equalities Act (2010)

Appendix 1– Glossary

Definitions of types of unacceptable conduct - bullying, harassment, victimisation, “other conduct” and discrimination

Bullying is a form of harassment, but where the behaviour is not motivated by one of the forms of discrimination. It is, however, just as unacceptable as discriminatory harassment and will not be tolerated. Bullying can be described as:

i) behaviour or conduct which has the potential to offend, insult, intimidate or malign;

or

ii) behaviour which is an abuse or misuse of power which is intended or has the potential to undermine, humiliate or injure another person. This could include persistent unwarranted criticism and / or ridicule, in public or private, which could demean the persons(s) at whom the behaviour is directed.

Bullying should be distinguished from legitimate, constructive and fair criticism of a person’s performance or behaviour. SOAS Union does not necessarily assume that an occasional raised voice or argument is bullying, although this will be a question of fact, taking into account all of the circumstances. The provision of constructive or fair criticism of a colleague or student’s behaviour is a legitimate activity and is not bullying.

Caste Based Discrimination: An individual's Caste is a birth-ascribed group membership, which governs choice of marriage partners, typical occupations, and access to education, housing, resources & places. The Caste-system refers to a system of graded inequality, the vertical organisation and categorisation of communities and social groups, ranked according to their birth-ascribed status. Between the most elevated status group and most denigrated group, each group considers some above it and others below it. No one escapes a hierarchical caste ordering. It cuts across religious groups.

Caste-based discrimination refers to subordination, exclusion, differential and discriminatory behaviour towards an individual based on their caste, clan-belonging, or ascribed-social status. Such behaviour can be alienating, dominating, humiliating, and derogatory. Belief in the ideology of graded inequality is termed as "casteism".

Harassment is unwanted conduct (usually serial, but it can be a single event) which has the effect of violating a person’s dignity or which creates an intimidating, hostile, degrading, humiliating or offensive environment for that person; or is reasonably considered by that person, and SOAS, to have that effect (within the overall context), even if the effect is not the intention of the respondent.

The Equality Act (2010, Section 26) defines 3 types of harassment:

- i) Unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant’s dignity.
- ii) Unwanted conduct of a sexual nature (sexual harassment)
- iii) Treating a person less favourably than another person because they have either submitted to, or did not submit to, sexual harassment or harassment related to sex or gender reassignment.

Victimisation is where a person is treated less favourably than others are (or would be) treated in the same or similar circumstances, because that individual has previously, in good faith, made a complaint or allegation of discrimination, or has acted as a witness or informant in connection with proceedings under any discrimination legislation / procedures. Victimisation is covered by this policy.

Legal definition: Victimisation (Equality Act, 2010, section 27) takes place where one person treats another less favourably because he or she has asserted their legal rights in line with the law or

helped someone else to do so.

Other conduct : This policy also covers any other conduct that denigrates, ridicules, intimidates or is physically abusive of an individual or group, including stalking.

Bullying and **harassment** may include, but are not limited to, the following:

- behaviour which is offensive, abusive, malicious, insulting or intimidating
- unjustified criticism
- punishment imposed without reasonable justification.

Examples of harassment and bullying behaviour

Whilst not an exhaustive list, the following are examples of behaviour and conduct that could constitute bullying or harassment and will not be accepted by SOAS Union:

Unwanted physical conduct

Unnecessary or inappropriate touching, patting, pinching, brushing against another person's body, insulting or abusive behaviour or gestures, physical threats, assault, coerced sexual intercourse, rape.

Unwanted verbal conduct

Unwelcome sexual advances, the use of patronising titles or nicknames, propositions or remarks, innuendo, lewd comments, jokes, banter or abusive language, which refer to a person's or a group's age, colour, caste, disability, ethnic or national origins, gender, nationality, race, sexual orientation, etc.

Repeated suggestions for unwanted social activities inside or outside the workplace, "outing" a lesbian, gay, bisexual or transgender person, etc.

Unwanted non-verbal conduct

Abusive graffiti, referring to an individual's characteristics or private life, abusive or offensive gestures, leering, whistling, display of pornographic or suggestive literature, calendars, or other items, pictures or films/videos or inappropriate use of visual display units (VDUs), social network, online or e-mail or network systems for this purpose.

Bullying

Persistent criticism or ridicule, either in public or private, the spreading of malicious rumours or gossip, isolation or non-cooperation at work or in study groups, purposefully excluding someone from team or social activities, picking on someone or setting them up to fail.

Discrimination is less favourable treatment, in law this usually relates directly or indirectly to one of the protected characteristics identified in the equality legislation (e.g. age, disability, ethnicity, gender, religion, sexual identity or sexual orientation). Discrimination may be indirect, direct or by perception or by association with a person who has one of the protected characteristics (e.g. discrimination against a parent because they have a disabled child).

Direct discrimination occurs when a person treats one person less favourably than they would another because of a protected characteristic. For example: not allowing a disabled person to attend a meeting.

Indirect discrimination occurs when a provision, criterion or practice is neutral on the face of it, but its impact particularly disadvantages people with a protected characteristic, unless the person applying the provision can justify it as a proportionate means of achieving a legitimate aim. For example holding an event where access is not suitable for disabled people.

Discrimination by perception less favourable treatment of some (e.g.) who is perceived to be younger than their actual age, regardless of the actual age; or less favourable treatment of someone who is perceived to be gay –regardless of whether they are gay or not.

Discrimination by association with a person who has one of the protected characteristics (e.g. less favourable treatment of a parent because they have a disabled child; or less favourable treatment of the spouse of someone who has undergone gender reassignment).