

CANTERBURY CHRIST CHURCH UNIVERSITY

MINUTES OF THE MEETING OF THE EQUALITY AND DIVERSITY COMMITTEE HELD AT 2.15 PM ON WEDNESDAY 20 OCTOBER 2010 IN THE GARDEN ROOM AT THE PRIORY

Present: Dame Janet Trotter (Chair), Professor Tony Lavender (Pro-Vice Chancellor [Dean of Social and Applied Sciences]), Ms Moira Mitchell (Equality & Diversity Manager), Mrs Debbie Grantham (UNISON Rep), Miss Paulette Holmes (Business School), Revd Jeremy Law (Dean of Chapel), Dr Louise Mansfield (Social & Applied Sciences), Dr Janet Melville-Wiseman (Health & Social Care), Mrs Lynn Revell (Education), Dr Burkhard Scherer (Arts & Humanities), Mr Simon Wright (Assistant Director, Human Resources)

In Attendance: Mr Paul Bogle (Clerk to the Governing Body)
Mrs Heather McCulloch (Committee Officer)

54. Apologies

Apologies were received from Miss Ren Chinnadurai and Mr Geoff Haworth.

55. Declarations of Interest

There were none.

56. Chair's Remarks

For the benefit of new members the Chair reminded everyone that, under the revised terms of reference and membership approved by the Governing Body last year, the Committee now had a clearly defined strategic role. Operational matters will be undertaken by the Equality and Diversity Delivery Group.

The new Vice-Chancellor had indicated to the Pro-Vice Chancellor (Dean of Social & Applied Sciences) and to the Chair that he did not wish to be a member of the Committee, although he was committed to the Committee's remit. The Pro-Vice Chancellor will act as the conduit between the Committee and the Senior Management Team.

NOTED

57. Minutes of the Meeting held on 28 April 2010

The Minutes of the Meeting held on 28 April 2010 were agreed and signed as a true record.

58. Matters Arising not appearing elsewhere on the Agenda

There were none.

59. Terms of Reference and Membership Equality Impact Assessment [Paper C33]

Members of the Committee received Paper C33, the Terms of Reference and Membership Equality Impact Assessment. It had been a challenging task as the University's Equality Impact Assessment Tool was designed to analyse policies and their impact and was less suited to auditing terms of reference and membership. Notwithstanding, it had been a valuable exercise and four recommendations were put forward for the Committee's consideration, as listed in the Paper.

- The committee should not make representation based on personal protected characteristics an objective at this stage, but should undertake to review its membership criteria on a regular basis.
- The committee and delivery group should introduce anonymous equality and diversity monitoring to incorporate most of the protected characteristics under the Equality Act 2010 (not maternity and pregnancy). This will produce an evidence base for future assessments. Providing anonymity is not compromised, this data could be published.
- As and when specific staff networks (for example disabled staff network) come into existence, invitations should be issued to the chairs of these networks to become members of the delivery group.
- The staff member representing facilities should become a full member of the committee as there is no-one else representing this University function.

Dr Burkhard Scherer suggested that "gender reassignment" should be listed separately to "gender" and the Equality and Diversity Manager agreed to make this change.

As stated in the findings each member of the Committee was in membership by virtue of their professional function and not on the basis of protected characteristics. Dr Scherer did not accept this as a strong rationale for the inclusion of the Dean of Chapel's function. The Chair responded that the membership had been widely debated before being agreed at Chairman's Committee and then Governing Body. The Committee needed to work with the membership and Terms of Reference that had been agreed for at least a year before reassessing them. She undertook to review the membership at the end of the year.

RESOLVED TO RECOMMEND:

that the recommendations contained in Paper C33 be approved by the Governing Body.

60. Equality and Diversity Agenda 2010-11 [Paper C34]

Members of the Committee received Paper C34, the Equality and Diversity Agenda 2010-11. The Equality and Diversity Manager highlighted the key areas for the year ahead.

- A three-staged approach to the Equality Act 2010: ensuring compliance with the General Duty which had already come into force in October 2010;

responding to the Government's consultation on the Specific Duties of the Act; then ensuring compliance with the Specific Duties when they come into force in April 2011.

- Ensuring that the University's equality and diversity agenda was represented in the Strategic Plan being developed.
- Overseeing the development of a Single Equality Scheme.
- Overseeing the production of the Annual Report.

The Committee discussed the implications of the University's new retirement policy scheduled to be considered by the Committee in the Trinity term. There will no longer be a default retirement age of 65; retirement will become a voluntary action, or not, after a person had reached that age. More options will be available such as a flexible, staged approach to retirement. The new policy will have many implications for staff turnover and impact on the budget. Issues around capability were likely to assume more importance after the changes had been introduced; if a person was judged capable of undertaking their role before the age of 65, they should be regarded as equally capable following their birthday.

The Chair suggested an Equality Impact Assessment be conducted on the new policy and that the Committee receive this assessment in due course.

NOTED

61. Equality Act 2010: Gap Analysis [Paper C35]

Members of the Committee received Paper C35, Equality Act 2010: Gap Analysis. The Paper contained a table listing the legislative changes and the University's proposed response to each one. The listed changes in legislation included:

- Protected Characteristics was the term used to describe equality strands
- Definition of direct discrimination extended protection based on 'association' and 'perception'
- Gender reassignment definition extended to those not under medical supervision
- Extended protection for disabled people
- Breastfeeding explicitly protected
- Pregnancy and maternity protection extended to students
- Limitations on health related questions in staff recruitment and selection
- New protection from third party harassment, for example contractors or collaborative partners
- Removal of secrecy clause in discussing pay
- Other general actions

The Committee discussed those areas where it was already in compliance with the changes in legislation, for example the new car parking policy which extended to carers (by association) of those with a disability.

In other areas, for example on the changes regarding breastfeeding, the University will need to move from its current position, which discouraged the presence of infants on its premises. Consideration will need to be given to the health and safety implications of such a move, in addition to more practical considerations such as the provision of a designated space or adaptations to premises.

The Committee decided that a protocol was required to cover this aspect of the Act and a working party will be set up in order to develop one. The Equality and Diversity Manager will consult with the Head of Department for Health, Wellbeing and the Family.

With regard to new protection from third party harassment, the work that had been undertaken with regard to the new Control of Contractors policy will prove useful. Staff who had received training because their role involved liaising with contractors could be targeted with a view to raising awareness among contractors of their responsibilities. Similar awareness raising will need to be undertaken with the University's partner organisations.

The Equality and Diversity Manager highlighted the need for a policy on gender reassignment to cover both staff and students. A policy could be produced fairly quickly from templates that were available, but due consideration should be given to the awareness raising and training that would be required to underpin it.

The Chair highlighted the potential need for training for members of the Governing Body with regard to the legislation and its implications.

NOTED

62. Staff Survey Follow-Up Action Plan [Paper C36]

Members of the Committee received Paper C36, the Staff Survey Follow-Up Action Plan, which detailed the follow-up work that had already been undertaken and that which was ongoing.

With regard to improving communication across the University, the Vice-Chancellor had arranged for the minutes of meetings of the Senior Management Team to be published on StaffNet, and this move had been welcomed by staff.

New proposals were being developed in the area of promotions, particularly around appointments to Principal Lecturer and Reader, to make the process more transparent. Promotions had been suspended for a second year while the work was being undertaken, therefore it was important to try to finalise the details as soon as possible.

The advent of Dignity at Work advisors had been delayed due to initial UCU opposition to the scheme. UCU had now agreed to a pilot scheme, which will include three trade unions and the Chaplaincy. The scheme had been developed in response to a significant percentage of staff reporting perceived bullying and harassment at the University.

There were disciplinary procedures already in place to deal with issues of bullying; however, the Committee acknowledged the existence of a lack of confidence in the procedures by some staff, particularly when dealing with managers. The Committee also acknowledged that not every accusation was justified. It considered that the way forward was the promotion of an anti-bullying culture by training managers to manage appropriately.

The Equality and Diversity Manager resolved to redraft the advisor's role, which will have a narrow remit initially, but which could be expanded later as the role developed. The role would need to be publicised and the Committee acknowledged that it will take time to build confidence in the scheme.

NOTED

63. Equality Act Specific Duties Consultation [Paper C37]

Members of the Committee received Paper C37, the Equality Act Specific Duties Consultation, a Government consultation document outlining proposals for the specific duties of the Equality Act 2010 and requesting a response. The Equality and Diversity Manager, and the Pro-Vice Chancellor with responsibility for equality and diversity, will be drafting a response for approval by the Senior Management Team.

The Committee was generally supportive of the proposals, but in terms of monitoring all of the protected characteristics the Committee would encourage the Government to go further in its requirements. Discrimination will go undetected unless comprehensive monitoring was introduced. The Committee considered that the phrasing of the question was key; the perception of a safe environment was a pre-requisite to gaining full and frank information, and this may take time to promote.

With regard to the list of public bodies, there was widespread agreement of the need for this to be updated and obsolete bodies removed.

NOTED

64. Staff Data Monitoring [Paper C38]

Members of the Committee received Paper C38 on Staff Data Monitoring. Appendix 1 containing recruitment data was tabled. The Equality and Diversity Manager explained that the recruitment data table only contained data for part of the 2009/10 year up to March 2010. This was due to the introduction of a new e-recruitment system by Human Resources, which was not yet configured to provide the required data. This should be rectified in time for the production of the Annual Report.

In terms of the other data tables, trends appeared to be of a similar nature to those of last year. There were further increases in the percentages of those disclosing a disability, and those from a BME background. No particular trends emerged among staff leaving the University.

With regard to recruitment, preliminary analysis supported a consistent pattern emerging. For both academic and non-academic staff women were more likely to be short-listed and appointed than men. BME staff appeared less likely to progress from both application to short-list and short-list to appointment stages, for both academic and non-academic staff; however, the low numbers involved did make analysis less reliable. For academic staff there was evidence that the drop between application and short-listing was due to significant numbers of overseas applicants

who appeared to be submitting CVs for numerous posts and did not have work permits.

The Assistant Director of Human Resources reported that licences that allowed the University to sponsor an overseas applicant in a job had been withdrawn by the Government, therefore only applicants with existing work permits could now take up work here.

Once the missing recruitment data was available, the Pro-Vice Chancellor will conduct a more in-depth analysis of the figures along the lines of last year. The Chair asked that a note on the position of licences be included in the analysis.

The Committee noted a need to make representation to include full monitoring of protected characteristics in the next staff survey.

NOTED

65. Equality and Diversity Policy Statement (updated) [Paper C39]

Members of the Committee received Paper C39, the Equality and Diversity Policy Statement (updated). This had not been reviewed for some time and was in need of updating. The University Solicitor stated that the Health and Safety Policy Statement was reviewed on an annual basis and this policy should be reviewed in the same way. The Equality and Diversity Manager advised that the policy document was sent out to all new staff along with their employment contract, and was sometimes a required appendix in tenders and funding bids.

The Committee considered the updated document and several recommendations were made for further amendment as follows.

- Gender reassignment to be explicitly referred to, or a separate policy developed to cover it.
- 'Religious or political beliefs' should be 'religious or philosophical beliefs'.
- It should be evident that a person could belong to more than one group/protected characteristic.
- The section which stated that 'the University will treat any allegations very seriously' needed strengthening by stating which explicit actions will be taken against anyone who contravened the Policy.
- The University cannot be in breach of its own legislation, yet recognised the difficulties inherent in dealing with other countries/organisations that were different in their expectations in this area.
- Explicit reference be made to the Equality & Diversity Committee's role in advising the Governing Body on equality and diversity issues.

The Chair stated that there was more work to be done on the Policy Statement before it could be signed off by the Governing Body. The Pro-Vice Chancellor will reflect this discussion at the next meeting of the Senior Management Team. A revised Policy Statement will be brought to the next Committee meeting.

NOTED

66. Ethnic Minority Mentoring Report [Paper C40]

Members of the Committee received Paper C40, the Ethnic Minority Mentoring Report, for noting. The Equality and Diversity Manager did state that the pilot scheme had been successful.

NOTED

67. Notes of the Meeting of the Equality and Diversity Delivery Group held on 18 May 2010 [Paper C41]

Members of the Committee received Paper C41, the Notes of the Meeting of the Equality and Diversity Delivery Group held on 18 May 2010 for noting.

NOTED

68. Any Other Business

- This October was Black History Month and a photographic competition had been launched to mark it.
- The Pro-Vice Chancellor reported that he had received the annual report from the Head of Computing which confirmed there had been no instances of any web sites being blocked for any reason during the previous year; strict controls remained in place for under 18s at the University.
- The Dean of Chapel reported that the first meeting of the Faith and Belief Council had been organised by the Equality and Diversity unit and had included representation from Jewish, Islamic, Hindu, Church of England and Roman Catholic faiths. It was a work in progress.

NOTED

69. Date of Next Meeting

The next meeting will be held on Wednesday 2 February 2011 at 2.15pm.

The meeting closed at 4.40pm.