

Sex/Gender Equality Policy Statement

1 Context

This policy statement sets out how NLBA will work towards the promotion of sex/gender equality in all of its activities. It outlines how the NLBA will ensure that sex/gender discrimination is challenged and eliminated through legislation and good practice.

This policy statement needs to be viewed in the context of the law to Equality and the extent of protection it provides in the context of sex/gender- a protected characteristic.

2 Definition

The law makes discrimination on the grounds of sex/gender unlawful. In relation to the protected characteristic of sex/gender:

- A reference to a person who has a particular protected characteristic is a reference to a man or woman.
- A reference to a person who shares a protected characteristic is a reference to persons of the same sex.

Equality means ensuring that everyone is treated equally i.e.in the case of students that all students have the same right of access to resources. Consequently to ensure equality of opportunity, individuals / groups may be treated differently.

Diversity is recognising that individuals and groups of people are different and that it is important to value and celebrate difference.

Direct Discrimination is treating someone less favourably than they would treat others because of a protected characteristic.

[The individual does not need to possess the protected characteristic]

Indirect Discrimination is where an employer/provider has a condition, rule, policy or practice that applies to everyone but particularly disadvantages people who have a protected characteristic. [It can be justified if it is proportionate means of achieving a legitimate aim.]

Associative Discrimination is discrimination directed against someone who associates with another person that possesses a protected characteristic.

Perceptive Discrimination is direct discrimination against some one because they are thought (wrongly) to possess a protected characteristic.

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of violating an employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. .

Victimisation is where an individual is subjected to a detriment because they make, or are suspected of making, or supporting a complaint or grievance under the Equality Act

2010. [No protection if a complaint has been maliciously made or supported an untrue complaint].

Third Party Discrimination protects employees who are harassed by clients, contractors of the employer/provider. An employer is liable if the conduct has occurred on at two previous occasions, is aware it has taken place and has not taken reasonable steps to prevent it occurring.

3 Guiding Principles

NLBA is fully committed to promoting equality of opportunity in sex/gender. All people have a right of equality of opportunity irrespective of sex/gender i.e. male or female. NLBA wishes to be recognised by the community as an organisation which provides good employment and educational opportunities males and females and we wish individuals who apply to us as a student or employee to know that they will receive fair treatment and be treated solely on their ability.

Therefore our policies aim to ensure that everyone receives treatment that is fair, equitable and consistent with their skills and abilities.

Our practices are reviewed and impact assessed regularly to ensure they provide equality of opportunity through compliance with current legislation, good practice guidance and user feedback, with targets set for improvement through our Strategic Equality and Diversity Action Plan 2015-2018.

NLBA does not tolerate any prejudicial behaviour by any member of the NLBA.

4 Legislative Framework

The NLBA will operate within the legislative framework of the law and strive, where possible, to go beyond legal compliance.

The NLBA has a zero tolerance to bullying, harassment and victimisation.

The NLBA recognises the legal protection afforded to the protected characteristic of sex/gender i.e. male or female/transgender.

The NLBA is committed to ensure that it does not discriminate either directly or indirectly in the provision of goods, facilities, services or employment on the grounds of sex/gender.

Consequently, the NLBA will not tolerate any forms of discrimination on the basis of sex/gender i.e. male or female based upon:

- Direct Discrimination
 - Indirect Discrimination
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- Associative Discrimination
- Perceptive Discrimination
- Indirect Discrimination
- Harassment
- Third Party Harassment
- Victimisation.

The NLBA recognises that legislation makes it unlawful on the grounds of being male or female to discriminate on the basis of:

- A person's actual sex/gender
- A sex/gender that they have; or
- The sex/gender of someone else with whom they are associated.

Within the context of the NLBA's Strategic Equality and Diversity Action Plan 2015-2018 the NLBA will take action to:

- Promote equality between people of different genders
- Eliminate discrimination in that it is unlawful in the basis of gender under the Equality Act 2010
- Eliminate harassment of people of different genders that is related to their gender
- Promote positive attitudes towards people of different genders
- Encourage participation of people of different genders in public life.

The NLBA will not tolerate discrimination of an individual because they:

- Are a particular sex/gender;
- Are married to a person of a particular sex/gender;
- They appear to be a particular sex/gender.

The NLBA recognises that the Equality Act 2010 prohibits both direct and indirect discrimination on the grounds of sex/gender. It extends protection to cover perceptive and victimisation and third party harassment.

In relation to indirect discrimination on the grounds of sex/gender and in line with the Equality Act 2010 the NLBA recognises that it is capable of being justified if it is a proportionate means of achieving a legitimate aim.

NLBA will take action to:

- Eliminate unlawful discrimination based on sex/gender
- Promote equality of opportunity in relation to sex/gender
- Promote good relations between people of different sex/gender.

The NLBA supports good decision making by encouraging staff to understand how different people will be affected by their activities so that our policies and services are appropriate and acceptable to all and meet different people's needs.
