



Ollscoil  
Teicneolaíochta  
an Atlantaigh

Atlantic  
Technological  
University

# **Equality, Diversity and Inclusion Policy Version 1.0**

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Note: Prior to publication and dissemination of policies and procedures, documents must be reviewed for accessibility as part the University's commitment to Equality, Diversity, and Inclusion (EDI). Further advice on accessibility can be obtained from the EDI Team.

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## 1. Purpose

This Atlantic Technological University's (ATU) *Equality, Diversity and Inclusion Policy* sets out ATU's commitment to promoting equality in all aspects of the University's activities and to create an environment and culture where all students, staff and others are mutually treated with dignity and respect. ATU is committed to creating conditions whereby students, staff and all others associated with the University are treated equitably and inclusively regardless of age, gender, disability, sexual orientation, race, ethnic origin, membership of the Traveller community, religious beliefs, civil partnership status or family status, including where these characteristics intersect. ATU is also committed to maintaining an environment of dignity and respect where all staff and students are able to harness and develop to their full potential.

The policy will outline how this commitment will be achieved and will set out the roles and responsibilities of all students, staff and senior leadership to achieve this.

As a public body, ATU has obligations under relevant national legislation and international standards.

Section 42 of the *Irish Human Rights and Equality Commission Act 2014* requires that:

- (1) A public body shall, in the performance of its functions, have regard to the need to—
- (a) eliminate discrimination,
  - (b) promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and
  - (c) protect the human rights of its members, staff and the persons to whom it provides services.

This policy is also informed by the *Employment Equality Acts 1998-2015 (as amended)* and the *Equal Status Acts 2000-2018 (as amended)* which prohibit direct and indirect discrimination, sexual harassment, harassment, and victimisation in relation to 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.

Other legislation which has informed this policy include the *Disability Act 2005*, the *Gender Recognition Act 2015*, and the *Technological Universities Act 2018*.

The *Disability Act 2005 (as amended)* places significant obligations on public bodies in terms of providing integrated access to services and information to persons with disabilities, as well as promoting the employment of persons with disabilities. The *UN Convention on the Rights of Persons with Disabilities 2006* which promotes, protects, and ensures the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and promotes respect for their inherent dignity and rights has also informed this policy. The *Gender Recognition Act 2015* provided a process enabling trans people to achieve full legal recognition of their preferred gender.

The *Technological Universities Act 2018* places obligations on Governing Bodies to promote equality, diversity and inclusion among the students and staff of technological universities, specifically with regard to gender balance, and access.

This policy reflects the University's commitment to honour its obligations under all these Acts, and its commitment to be proactive in promoting equality in the spirit of the Acts. This policy should be read in conjunction with other relevant policies relating to staff and students.

## **2. Scope**

This policy applies to:

1. All employees (staff) of, and applicants for employment with the University, and relates to all decisions in relation to recruitment and selection, promotion, access to training and terms and conditions of employment.
2. All students of, and student applicants to the University, and relates to all decisions in respect of the admission of students and the provision of all services to students including teaching and supervision, assessment, progression and award, and support services.
3. In addition to staff and students, this policy applies to all others who engage with the University and relates to all services provided by the University in its

diverse activities both internal and external.

### 3. External Reference Documents

- *Disability Act 2005*
- *Employment Equality Acts 1998-2015 (as amended)*
- *Equal Status Acts 2000-2018 (as amended)*
- *Gender Recognition Act 2015*
- *Higher Education Authority Act 2022*
- *Irish Human Rights and Equality Commission Act 2014*
- *Technological Universities Act 2018*
- *UN Convention on the Rights of Persons with Disabilities 2006*

## 4. Policy

### 4.1 Definitions and Key Terms

#### 4.1.1 Anti-racism

*Anti-racism* is the work of actively opposing racism by advocating for changes in political, economic and social life. Anti-racism includes individually opposing overtly racist behaviours, and collectively opposing structural and institutional racism.

#### 4.1.2 Bullying

*Bullying* is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, which could reasonably be regarded as undermining the individual's right to dignity.

#### 4.1.3 Disability

*Disability* is defined in the Equality Acts as:

- (a) The total or partial absence of a person's bodily or mental functions, including the absence of a part of a person's body,
- (b) The presence in the body of organisms causing, or likely to cause, chronic disease or illness,
- (c) The malfunction, malformation or disfigurement of a part of a person's body,
- (d) A condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or
- (e) A condition, disease or illness which affects a person's thought process, perception of reality, emotions or judgement or which results in disturbed behaviour.

The definition includes a disability which exists, which previously existed, which may exist in the future, or which is imputed to a person.

#### 4.1.4 Discrimination

*Discrimination* is when a person is treated less favourably than another person would be treated in a comparable situation, because of their connection to one of the protected equality grounds outlined in legislation. The grounds are gender, marital status, family status, age, disability, sexual orientation, race, religion, and membership of the Traveller community.

Discrimination is prohibited and has a specific meaning in the *Employment Equality Acts* and

*Equal Status Acts*. Discrimination can be *direct*, *indirect*, by *association* or *imputation*.

Direct Discrimination is taken to occur where one person is treated less favourably than another on any of the grounds listed in the scope of the legislation.

Indirect Discrimination happens when there is less favourable treatment in effect or by impact. It occurs where a provision is set down which cannot be justified, and that provision operates to the disadvantage of one of the categories covered and can only be complied with by a substantially smaller proportion of that group and cannot be justified as being reasonable.

Discrimination by association happens where a person associated with another person (belonging to the nine equality grounds) is treated less favourably because of that association.

Discrimination by imputation is when a person is treated less favourably because they are believed to belong to one of the protected groups.

#### 4.1.5 Equality, Diversity and Inclusion

*Equality* means everyone can access the same opportunities, *diversity* means valuing the differences between people and *inclusion* is a measure of how safe and welcome people feel in their environment.

#### 4.1.6 Equality mainstreaming

*Equality mainstreaming* is the incorporation of a focus on equality, non-discrimination and diversity into all legislation, policies, and procedures.

#### 4.1.7 Harassment

*Harassment* is any form of unwanted conduct related to any of the 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, and not on the intention of the perpetrator.

#### 4.1.8 Intersectionality

*Intersectionality* is a framework for understanding how people with multiple marginalised identities (e.g. women of colour) experience discrimination as a result of imbalanced power relationships in society.

#### 4.1.9 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, and

- cater for the special needs of persons, or a category of persons who because of their circumstances, may require facilities, arrangements, services, or assistance.

#### 4.1.10 Reasonable accommodation

A *Reasonable Accommodation* is any action that helps to alleviate a substantial disadvantage due to a disability and/or a significant ongoing illness.

#### 4.1.11 Universal Design

*Universal Design* is the design and composition of an environment (or any building, product, or service in that environment) so that it can be accessed, understood, and used to the greatest extent possible by all people regardless of their age, size, ability or disability.

#### 4.1.12 Universal Design for Learning

*Universal Design for Learning (UDL)* is a set of principles for curriculum development that give all individuals equal opportunities to learn, including students with disabilities. UDL aims to improve the educational experience of all students by introducing more flexible methods of teaching, assessment and service provision to cater for the diversity of learners in our classrooms. UDL is based on three core principles:

1. multiple means of representation,
2. multiple means of action and expression, and
3. multiple means of engagement.

## 4.2 Statement of Commitment

ATU is committed to the promotion of equality, diversity and inclusion in all aspects of the University's activity and will:

- promote an inclusive and supportive environment of equality, dignity, and respect where all students and staff can develop to their full potential,
- not tolerate harassment or bullying of students, staff, or other members of the University community,
- provide a safe, respectful, and supportive work and study environment

for all members of its community, free from all forms of bias, sexual violence and harassment,

- promote an anti-racist culture, taking action to address all forms of structural, institutional, and individual aspects of racism,
- strive to widen participation and facilitate access to programmes for students from under-represented groups by identifying and addressing barriers to their full participation,
- embed the principles of Universal Design (UD) across the University, with particular reference to teaching and learning, support services, the physical environment and digital environment,
- provide reasonable accommodations and accessible services for students, staff, and other members of the University community with disabilities,
- support and advocate for the employment of staff with disabilities, and
- mainstream the principles of equality, diversity and inclusion as an integral part of its planning processes to ensure that they are considered and embedded in all strategic planning and decision-making activities and policies.

### **4.3 Equality, Diversity and Inclusion in Employment**

ATU is committed to being an equal opportunities employer. This section outlines how the University's commitment to equality, diversity and inclusion, non-discrimination, equal access and participation pertains to our employment practices and procedures. The policy applies to all areas of employment practice, including recruitment and selection, training and development, progression, pay, employment conditions and retention.

#### **4.3.1 Recruitment and Selection**

The University is committed to equality of opportunity for all job applicants and selects those suitable for employment solely on the basis of merit. Job advertisements, job descriptions, job specifications, application forms and publicity material will communicate inclusivity through language and visuals used therein and will encourage applications from all suitable candidates.

The University will:

- ensure that application processes and procedures are open and transparent

to any eligible candidate who may wish to apply,

- provide materials in accessible formats, in accordance with UD principles,
- provide reasonable accommodations to applicants with disabilities throughout the selection process,
- select candidates on the basis of merit, and ensure that candidates with the demonstrable skills, competencies, talent and experience most suited to the advertised post are selected,
- develop and implement inclusive recruitment practices that acknowledge the diversity of applicants and candidates for employment, (where deemed necessary, the University will take positive actions in response to underrepresentation),
- identify and remove barriers that might impede the application or selection of an eligible candidate, across all specified equality grounds, and
- collect and analyse information on the diversity profile of employment applicants to monitor the success of recruitment campaigns in attracting and selecting a diversity of applicants.

#### 4.3.2 Recruitment Advertising

The purpose of recruitment advertising is to attract as high calibre and diverse a candidate pool as possible. The University will:

- provide job specifications for all positions that set out both essential and desirable requirements, skills, knowledge, experience, competencies and other attributes,
- ensure that the drafting of job descriptions and advertisements is inclusive and invites applications from the widest possible range of candidates,
- ensure that the drafting of job descriptions does not include unnecessary requirements that would unfairly exclude or dissuade potential applicants, and
- direct and target recruitment to ensure that advertisements reach a diverse candidate pool. Where recruitment advertising does not yield a diverse candidate pool, additional advertising using alternative channels will be undertaken to increase the diversity of the pool of candidates.

### 4.3.3 Interview Panels

The University will:

- ensure that persons involved in making employment-related decisions are aware of their responsibilities, the University's policies, and the legal requirements,
- provide *Inclusive Recruitment* training to all University members who participate on selection panels,
- commit to standard, agreed, and objective schemes for rating candidates on the basis of experience, skill, qualifications and matching specified requirements,
- ensure that any medical test required will be assessed in relation to the specific duties of the job (employees who disclose a disability will be provided with reasonable accommodation), and
- ensure gender balance on all interview panels.

### 4.3.4 Conditions of Employment

The University will:

- not discriminate unfairly in relation to working conditions, or access to overtime or transfers for staff, ensure that employees who avail of family-friendly and flexible work arrangements will not be discriminated against and will be treated equally with other employees, and
- keep under review redundancy and dismissal procedures to ensure that no direct or indirect discrimination on any of the grounds exists.

### 4.3.5 Training and Development

The University will:

- ensure that every employee has equal access to training and development opportunities, without discrimination,
- seek to ensure that training programmes provided are inclusive and accommodate the diverse needs of staff, and
- mainstream equality, diversity and inclusion issues in training programmes as appropriate.

### 4.3.6 Progression and Promotion

The University will:

- ensure that all staff enjoy equal access to progression and promotional opportunities,
- identify barriers to progression for staff with particular reference to the specified equality grounds and, where appropriate, implement measures to redress imbalances, and
- monitor promotional processes to ensure equality of opportunity in career progression in the University.

#### 4.3.7 Retention and Wellbeing

The University will:

- seek to retain and develop the potential and talents of all staff,
- make every effort to retain employees who may develop a disability,
- provide equal access to work/life balance policies and benefits as appropriate,
- provide access to an employee assistance programme for all employees,
- provide regular updates and information to staff regarding benefits and entitlements through the Human Resources function,
- ensure that the *Dignity at Work Policy* is upheld through training and awareness- raising, and
- review all employment practices and procedures regularly to ensure compliance with current legislation and good practice and with this policy, in order to ensure that they address and support equality, diversity, inclusion of access, opportunity and participation.

#### **4.4 Equality, Diversity and Inclusion in Service Provision and Student Engagement**

ATU will ensure equity of access and opportunity for registered students as well as applicants to the University. This relates to:

- access and recruitment,
- marketing and promotion,
- admission and retention,
- provision of student services and related facilities,
- teaching, learning, assessment, and progression,
- curriculum development and quality assurance,
- research, and
- community links and partnerships.

In providing these services and in conducting duties related to this provision, ATU will ensure that it does not discriminate directly or indirectly against any student or other user of the University in relation to any of the equality grounds.

##### **4.4.1 Widening Participation**

The University will facilitate access to programmes by students from underrepresented groups in accordance with national policy and local priority areas. These initiatives will be overseen by relevant functions within the University and will be implemented through various recruitment and outreach activities, including lifelong learning programmes, offering alternative entry and progression routes, as well as recognition of prior learning (RPL). The University is committed to providing the required services to support underrepresented students to reach their full potential.

##### **4.4.2 Inclusive Teaching and Learning**

The University seeks to embed inclusiveness within all activities and academic practices. Specifically, the University commits to enabling access and opportunity for a diverse student and staff community. This aligns with the University's overarching mission to be a nurturing institution which maintains positive staff-student interactions that help to foster the capabilities and creativity of a diverse student and staff community in their intellectual, personal and social endeavours. The University will provide a range of guidelines, templates and resources to enable staff to embed

inclusive principles within teaching and assessment practices, particularly through the application of the principles of UDL.

#### 4.4.3 Accommodating Diversity

The University shall accommodate the diversity of students, staff and others who engage with the University with reference to the equality grounds by:

- embedding the principles of UD across teaching and learning, support services, physical environment, and the digital environment,
- employing a range of strategies to enable active identification of, and to address the needs of students, staff and other members of the University community,
- providing reasonable accommodation for the needs of students, staff and others with disabilities who engage with the University and providing integrated access to services where practicable,
- identifying and addressing barriers to participation for students and others who engage with the University,
- taking positive action measures to promote equality, diversity and inclusion of opportunity for disadvantaged persons where necessary, and
- ensuring flexibility in the operation of systems and services to allow for diversity within the student base to be accommodated.

##### 4.4.3.1 Reasonable Accommodation of Persons with Disabilities

The University seeks to ensure that students, staff and others (who engage with the University) with disabilities have as complete and equitable access to all services and student experience as can reasonably be provided. The University is committed to an active programme of enhancement of access to facilities and to providing information in accessible formats. The University provides a centralised service offering support to students with disabilities who are registered with the service.

The University endeavours to anticipate the requirements of other visitors to its campuses and to identify and to remove any unnecessary barriers to accessing the relevant services. The University will facilitate the provision of accessible information, alternative formats or means of communication and other accommodations, where practicable, and will seek to create an environment where persons with disabilities can discuss their needs with staff.

## **4.5 Compliance and Review**

The University is committed to implementing systems to collect and analyse a broad range of information relating to equality, diversity and inclusion as it relates to students and staff. This process shall identify areas of disadvantage and barriers to participation, and it shall also benchmark progress. The *Equality, Diversity and Inclusion (EDI) Steering Group* has a particular role in overseeing the development and embedding of these monitoring processes.

The *EDI Steering Group* will receive an *Annual EDI Report* on activities regarding the implementation of this policy from the EDI Team. The *EDI Steering Group* will report progress to the University Planning Team (UPT).

The *Equality Diversity and Inclusion Function (EDI Team)* are committed to promoting equality and diversity, and to ensuring ATU is inclusive and welcoming to all staff and students. Engagement with all members of the ATU community is central to this commitment and, to this end, feedback is encouraged and welcome.

Breaches of this policy by students or staff will be fairly investigated and appropriate action will be taken, where necessary. All disciplinary procedures will be fair, consistent and monitored.

The University is committed to a continuing programme of action and improvement to make this policy effective. The policy will be reviewed in accordance with the requirements of *AQAE001 Policy for the Development of Academic Quality Assurance and Enhancement Framework*, or as and when required to comply with changed legislative requirements.

## **4.6 Roles and Responsibilities**

### **4.6.1 All Members of the University**

All members of the University community have a role in promoting equality, diversity and inclusion and, to that end, are expected to carry out their roles and conduct themselves in line with this policy.

All students, staff and others engaging with the University have a responsibility to comply with and promote this policy, including, as far as practicable challenging unacceptable behaviours and upholding the anti-racist and anti- all forms of

discrimination principles of the University.

Each area of the University that provides a service (academic, student service or other type of service), has a responsibility to ensure the service provided observes and upholds the commitments outlined in this policy. Heads of Faculty, Heads of School, Heads of Department, Heads of Function, and others in leadership positions have a responsibility for overseeing these commitments in their functional areas.

#### 4.6.2 Equality, Diversity and Inclusion Function (EDI Team)

The EDI team works collaboratively with staff and students to develop and implement initiatives, policies and procedures that support and embed equality, diversity and inclusion in the University.

The team will report annually on progress in relation to University EDI priorities and objectives, to the EDI Steering Group, the UPT, the EDI Subcommittee of Governing Body and other stakeholders.

#### 4.6.3 Vice President for Equality, Diversity & Inclusion and Online Development

The Vice-President for Equality, Diversity & Inclusion and Online Development is a member of the Governing Body EDI Subcommittee and is Chair of the EDI Steering Group. The Vice- President for Equality, Diversity & Inclusion and Online Development is responsible for leading and managing the EDI Team to support the University in achieving its EDI objectives.

#### 4.6.4 Equality, Diversity and Inclusion (EDI) Steering Group

The EDI Steering Group will provide leadership and accountability for equality, diversity and inclusion in all aspects of the University's activities and assist in good governance. The EDI Steering Group reports directly to UPT and seeks approval from UPT for proposed actions.

The EDI Steering Group will:

1. Oversee and provide guidance and direction for the achievement of equality, diversity and inclusion objectives across the University. This will include supporting the work of various Working Groups to address barriers to equality.
2. Lead and promote the EDI agenda in the University, ensuring that EDI is

a key consideration in all planning and development undertaken at the University.

3. Support and drive the implementation of the ATU Gender Action plan and other diversity initiatives; identify and resolve potential issues and barriers; and report to the University Planning Team (UPT).
4. Ensure the ATU Gender Action Plan and other diversity initiatives align with the EDI activities required by the HEA.
5. Work with the Governing Body, UPT, staff and students to ensure the promotion, communication, and mainstreaming of equality, diversity and inclusion in all aspects of University life.
6. Provide appropriate and effective training at governance, management, faculty, staff, and student levels.
7. Review and report on data in relation to the nine specified grounds of equality. The nine grounds under the Equality Acts are Gender; Civil status; Family status; Sexual orientation; Religion; Age; Disability; Race and membership of the Traveller community.
8. Contribute to University applications for EDI initiatives.
9. Produce an annual report on progress of implementation of the University Gender Action Plan and other EDI initiatives that is shared with the Governing Body and all staff.
10. Support, promote and evaluate EDI-themed events within the University.
11. Liaise with the EDI function, Students' Union Equality Officers and Welfare Officers on EDI initiatives.

The EDI Steering Group shall be comprised of a minimum of twelve and a maximum of twenty members drawn from an open call to:

- University Planning Team members,
- Heads of Department,
- Heads of Faculty,
- Heads of Function, and

- Central Service Managers.

Membership will be as diverse as possible, will be gender balanced (a minimum of 40% female and 40% male) and geographically representative of the University. Membership will comprise of representation from both academic and functional areas and will include representatives of Faculties, HR, Student Support Services, EDI. The Vice-President for Equality, Diversity & Inclusion and Online Development will chair the EDI Steering Group.

#### 4.6.5 Governing Body

The Governing Body has a statutory responsibility to ensure the promotion of equality, diversity and inclusion across the University.

The Governing Body has established an *Equality, Diversity and Inclusion (EDI) Subcommittee* to assist in fulfilling its oversight responsibilities in ensuring a good governance structure and to provide leadership and accountability for equality and diversity in all aspects of the University's activities.

#### 4.6.6 Equality, Diversity and Inclusion (EDI) Subcommittee of the Governing Body

The EDI Subcommittee will:

1. Advise the Governing Body on its Statutory obligations and best practice in relation to equality and diversity matters.
2. Review and advise on the University's equality and diversity policies and monitor the implementation of such policies.
3. Make recommendations on the development and implementation of action plans that relate to equality and diversity.
4. Request and/or receive reports relating to equality and diversity on any activities of the University.
5. Raise awareness on the importance of Equality, Diversity and Inclusion.

The EDI Subcommittee shall be comprised of a minimum of nine members, as follows:

- Chairperson of the Governing Body or nominee,
- President or nominee,
- the Vice President with responsibility for Equality, Diversity and Inclusion,

- one member of the Governing Body who shall be a nominated staff and one nominated student member of the Governing Body,
- two members of the Governing Body who are neither members of staff nor student body,
- two members with appropriate expertise who are not members of the University, and

The three EDI Leads will be in attendance to report on the different areas that they lead out on.

In appointing members to the EDI Subcommittee, the Governing Body will seek to appoint a broad and diverse range of members. There will be a minimum of 40% male and 40% female members. The Terms of Reference of the EDI Subcommittee is reviewed on a regular basis and is published on the EDI Page of the ATU website at [Equality, Diversity and Inclusion | ATU - Atlantic Technological University](#).

#### 4.6.7 Academic Council

Section 62(4) of the Higher Education Act 2022 provides that ATU, as a designated institution of higher education under the Act, shall consult Academic Council when specifying the policy of the institution relating to equality.

## 5. Associated Documents Generated by this Policy

None.

## 6. Revision History

| Revision No | Description of Change | Approval Date |
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| 000         | New Policy            | 25 March 2024 |