FINAL
Policy for
Equity, Diversity and Inclusion

The University of the West Indies
Mona Campus

Submitted by the Principal's Technical Working Group Equity, Diversity and Inclusion and approved by the UWI F&GPC Committee, Mona Campus, July 2023

Abbreviations

ADRF   Alternative Dispute Resolution Foundation

ED&I   Equity, Diversity and Inclusion

ED&I Teams   Equity, Diversity and Inclusion Teams

ED&I TAG   Equity, Diversity and Inclusion Technical Advisory Group

ED&I Unit   Equity, Diversity and Inclusion Unit

GATS   General Agreement on Trade in Services

ICESCR   *International Covenant on Economic, Social and Cultural Rights*

HE   Higher Education

HEIs   Higher Education Institutions

MoU   Memorandum of Understanding

WJC   Western Jamaica Campus

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1. PREAMBLE

1.1. *The University of the West Indies' Commitments to Equity, Diversity and Inclusion*

The University of the West Indies (The UWI) recognizes the importance of Equity, Diversity and Inclusion (ED&I). These principles are among the organisation's core values and play a central role in the *Triple A Strategy, 2017-2022*; they are also present in the *Statement of Ethical Principles and Code of Conduct* (2018/2019) and guide the institution towards creating "greater and more affordable access to reduce social inequality in the region."[1] These ED&I principles set the norm for "a fair and just environment" in which all employees of The UWI "are able to access opportunities that allow for full participation."[2]

The UWI vouches to provide a study and work environment which must be "inclusive of and affirm the dignity of all persons regardless of race, socio-economic status, age, sex, gender identity and expression, physical and mental ability, sexual orientation, family or marital status, national origin, language, political or religious persuasion, health status, and other characteristics that make its constituents unique."[3] By placing these principles upfront and making the protection of these characteristics non-negotiable, The UWI shows its commitment to equity, diversity and inclusion. In its decision to create an *Equity, Diversity and Inclusion Policy* ("the *ED&I Policy*"), it sets normative guidelines for decision making.

The *ED&I Policy* is focused on Higher Education (HE) as prepared, designed and delivered by The UWI. The Policy applies across different organisational domains: ranging from the work force levels, across the traditionally separated groups of employees–(senior) management, administrative personnel, faculty, technical and service staff–to the level of customers and stakeholders (students and alumni) as well as products (curricula, programmes and projects). Applied to management and administration, the *ED&I Policy* could, for instance, lead to the creation of leadership opportunities for historically under-represented groups, e.g.

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[1] *The UWI Triple A Strategy*, p. 1.

[2] *Statement of Ethical Principles and Code of Conduct* (2018/2019), p. 8. [3]

The UWI Triple A Strategy, p. 10.

women. When focused on faculty, it could identify unconscious bias and create inclusive classrooms; equitable employment could include transparent, competitive, open processes, fair recruitment, performance evaluations, unbiased promotions and appointment based on merit.[3]

1.2. *Complex Concepts*

The concepts of equity, diversity and inclusion are complex; they can be driven and shaped by fluctuating internal and external factors which may affect The UWI. Examples are: increased financial pressures; tighter accreditation requirements; expanding competition from other Higher Education Institutions (HEIs); or, rising customers' expectations. In the 80s, some of the external drivers of greater access for students led to The UWI's efforts of being more responsive to the needs of the "non-campus countries" by establishing multiple open campus locations in the region.[4] Or, in the mid-90s, when the General Agreement on Trade in Services (GATS) triggered a wave of foreign off-shore universities entering the Caribbean, and The UWI was prompted to widen its access–growing from a student enrollment at the Mona Campus of 7,000 in the early 90s to over 19,000 in 2019, producing not only greater numbers, but also increasing diversity.

With greater diversity, new needs will exist, requiring tailored strategies and approaches to be addressed adequately. This could be especially the case for students coming from "underserved" populations, who earlier in life, may have faced limited access to pre-natal and other care; lack of good nutrition; no exposure to quality teachers, no access to after school classes; and overcrowded housing–factors, which could influence their later academic performance.[5]

As The UWI expands the use of online teaching and learning platforms and applications, students and staff with disabilities, other underserved and marginalised communities could be excluded because of the lack of access to the appropriate learning tools and resources. The absence of smart devices, internet connectivity, and associated technologies could affect access.

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[3] Chun, E. & Evans, A. (2018). Representative Approaches to Diversity Organizational Learning. *Leading a Diversity Culture Shift in Higher Education.* New York: Routledge, Taylor & Francis Group.

[4] *Report of the Chancellor's Task Force on Governance of the UWI*, 2006.

[5] Villebrun, V. (2017, August 10). *Equity vs. Equality: Eliminating Opportunity Gaps in Education*. Retrieved from http://www.theinclusionsolution.me/equity-vs-equality-eliminating-opportunity-gaps-education/.

In addition, The UWI must ensure that the diversity in learning styles is reflected in the delivery of all its courses and programmes and that its technologies support diversity and inclusion.

The primary aim of 'Inclusion' is to ensure fairness to all employees of The UWI, regardless of personal differences. Both concepts–diversity as well as inclusion–must be operationalised concurrently: "Access without support is not opportunity."[6]

2. RATIONALE FOR THE *EQUITY, DIVERSITY AND INCLUSION POLICY*

2.1. *The UWI 's Principles, Values and Aspirations*

2.1.1. The UWI's ambition, expressed in its vision of becoming an excellent globallyoriented university requires staff and students to be familiar and comfortable with equity, diversity and inclusion. These principles are essential to operating internationally, as the institution enhances its global footprint and prepares graduates for professional employment, both regionally and internationally.

2.1.2. Similarly, with 'diversity' as one of the core values a greater emphasis on The UWI as an international university will lead to the acquisition of more international staff. The Policy will utilise holistic approaches to foster culturally competent practices and interactions, continuously facilitating a mental opening up towards differences.

2.1.3. With an *ED&I Policy*, The UWI will have a greater chance to achieve its accreditation requirements.

2.1.4. The UWI's *Triple A Strategy*'s reference to "Education for All"[8] will be reinforced as it commits itself to reduce inequalities treating education as a key element in development.[7] This will also promote The UWI as being a socially accountable institution.

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[6] Enstrom, C., & Tinto, V. (2008). Access without support is not opportunity. *Change: The Magazine of Higher Learning* [8] *The UWI Triple A Strategy*, p.7.

[7] United Nations Economic Commission for Latin America and the Caribbean. (2016). Inclusive Social Development. The next generation of policies for overcoming poverty and reducing inequality in Latin America and the Caribbean. Regional Conference on Social Development in Latin America and the Caribbean.

2.2. *Changing Demographics and New Cultures in Student Populations*

>   2.2.1. A greater influx of students from different social and economic background begs for closer attention to their specific needs and challenges. Pro-active identification of possible gaps in students' feelings of comfort and belonging are key characteristics of engagement and inclusion.

>   2.2.2. Students born between 1981-1996, or Millennials, also called Generation Y, are the earliest adopters of social media and internet technology. They multi-task, use instant messaging and a wide range of communication modes, channels and platforms.[8] Anecdotal evidence suggests that they, and the upcoming Generation Z (born in 1997 and later), have been, and will be, a challenge for most teaching staff in the future. Thus, the *ED&I Policy* would also facilitate any comprehension gaps regarding viewpoints, expectations and the like, between students and teaching faculty.

>   2.2.3. International students attending The UWI will experience explicit values of respect and dignity for all cultures, fed by an inclusive environment at The UWI.

2.3. *Inclusion of Alumni*

>   The UWI's alumni population–many of which are 'Young Alumni'–is a key stakeholder. However, graduates are not engaged consistently by the campus(es), resulting in missed opportunities for involvement of this valuable resource. The Policy will serve to better educate and guide graduates as they interact and engage with students, faculty and staff.

2.4. *Caring for The UWI's Employees*

>   Surveys among the Mona Campus population in previous years show dissatisfaction among parts of The UWI Mona staff, lacking a sense of engagement and not feeling psychologically safe and fair. An inclusive climate expects respect and justice for all, in which those who are part of the organisation feel valued for who they are and what they do, and have a general sense of belonging.

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[8] Bialik, K. & Fry, R. (2019, February). *Millennial Life: How young adulthood today compares with prior generations*. Pew Research Centre. Retrieved from https://www.pewsocialtrends.org/essay/millennial-life-how-young-adulthood-today-compareswith-prior-generations/.

2.5. *Preparing for Partnership and Changing the Regional Landscape*

    2.5.1. Other high-ranking universities across the globe currently may find The UWI's lack of an *ED&I Policy* an obstacle for affiliations or Memoranda of Understanding (MoU). This reservation would change when The UWI successfully implements its *ED&I Policy*.

    2.5.2. The UWI has always underlined its ambition to be relevant for the societies it serves and be the region's leader in education. Experiences in the USA, Europe, South Africa, and Latin America have shown that HEIs, in omitting their organisation's exclusionary norms, attitudes, practices and behaviours, can become the lead agents, or role model for their societies to omit theirs.[9]

    2.5.3. The UWI will have a competitive advantage in the Caribbean if it decides to take the lead among HEIs on developing equity, diversity and inclusion.

2.6. *Diversity and Inclusion in Nowadays Businesses*

    The benefits of diversity for the organisation itself–the business case– includes the fact that "diversity broadens the talent pool, allowing organisations to tap into new talent sources and broader ranges of skills," which make the students "better able to meet the needs of the growing global marketplace and attract a wider range of customers."[10][11] Gaining the benefits of a diverse workforce requires an inclusive organisational culture.[12]

2.7. *The Legislative and Policy Framework of the Country in Which the Campus is Located* The Policy will meet the obligations of national legislation and policies and help to prevent lawsuits related to non-compliance with these frameworks. (See Annex I for some of these policy frameworks).

2.8. *International Conventions*

    The *International Covenant on Economic, Social and Cultural Rights*, the multilateral treaty which Jamaica ratified in 1976, states in article 13c that "Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and

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[9] Chun, E. & Evans, A. (2018). Representative Approaches to Diversity Organizational Learning. *Leading a Diversity Culture Shift in Higher Education.* New York: Routledge, Taylor & Francis Group.

[10] Gallup, Inc. (2018). *Three Requirements of a Diverse and Inclusive Culture -- and Why They Matter for Your Organization,* p. [11] .

[12] Ibid., p. 6.

in particular by the progressive introduction of free education." The *ED&I Policy* will ensure that access to education will be fair by recognising the specific backgrounds of under-served sub-populations and their particular needs.

2.9. *Avoiding Contradictions*

Thus far, The University of the West Indies has applied the principles of equity, diversity and inclusion in an *ad hoc* and indirect manner. Without normative guidelines for decision making, The UWI is likely to develop "must-do" routine solutions for institutional challenges, running the risk of contradicting the equity, diversity and inclusion pillars which support the organisation's vision and mission. To avoid these contradictions, The UWI must ensure that the equity, diversity and inclusion principles will be operationalised consistently and predictably, in all relevant practices and procedures, integrated into the workings of the organisation at all levels.

The Draft *ED&I Policy* has been presented to the Mona Campus' Faculty Boards of the Faculty of Engineering; the Faculty of Humanities and Education; the Faculty of Law; the Faculty of Medical Sciences; the Faculty of Science and Technology; the Faculty of Social Sciences; as well as to the Campus Senior Management. The Policy has been shared with the Dean of the Faculty of Sports but not presented at this Faculty's regional meetings. All Faculty Boards, as well as the members of the Campus Senior Management meeting, formally "endorsed and indicated support for the establishment of a Campus-wide Policy on Equity, Diversity and Inclusion." The Faculty of Social Sciences suggested several changes and additions which have been addressed in the final Draft *ED&I Policy*.

The introduction of a campus-wide *ED&I Policy*, is a timely and necessary step, applying to all agents that relate with The University of the West Indies, Mona Campus. The principles of ED&I must not be multi-interpretable but should be based on The UWI's core values, vision and mission.

3. DEFINITIONS AND INTERPRETATIONS OF CONCEPTS

Equity (social): Equity may be understood as the demonstration of fairness to all employees of The UWI ensuring that, regardless of personal differences, there is access and opportunities to the full range of programmes and services of the institution (see Annex II for an illustration on the difference between Equity and Equality).

Diversity: The condition or quality of being different or varied.[13] In the context of this *ED&I Policy*, diversity refers to the "recognition, valuing and harnessing of differences" (Kim, 2008)[14], expressed or unexpressed, among staff, students or visitors.

Inclusion (also named social inclusion): Inclusion is a relational concept, which, when applied to an organisational context, puts the practice of diversity into action by creating an environment of engagement, respect, fairness, psychological safety and trust for all.

4. PURPOSE, AIMS AND JURISDICTION

4.1. *Purpose of the Equity, Diversity and Inclusion Policy*

The University of the West Indies has adopted equity, diversity and inclusion as some of its core values. In this context, the purpose of this *ED&I Policy* is to:

(i)   guarantee that the opportunities The UWI provides for learning, personal development and employment are made available on a non-discriminating basis;

(ii)   ensure that differences in characteristics, perspectives and ideas among persons are valued and accorded respect in all aspects of university life – recognising that diversity is a fundamental characteristic of the human condition that is both valuable and necessary; (iii) insist on an environment in which all individuals are treated with dignity and respect, providing a safe, supportive and welcoming environment for all. Where there are breaches in the *ED&I Policy* The UWI vows to act swiftly.

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[13] *Merriam Webster Dictionary Online*.

[14] Kim, B.Y. (2008). Managing Workforce Diversity: Developing a Learning Organization. *Journal of Human Resources in Hospitality & Tourism,* Vol. *5*(2), p. 69-90.

4.2. *Aims*

The UWI seeks, through the *ED&I Policy*, to promote diversity in all aspects of its day-to-day life and to integrate the principles of equal treatment and inclusiveness in the life of The UWI.

4.3. *Jurisdiction*

This *ED&I Policy* is applicable to The University of the West Indies Mona Campus, including the Western Jamaica Campus (WJC), and off campus sites such as the Discovery Bay Marine Lab, and the Centre for Hotel and Tourism Management (The Bahamas). All persons within The UWI are required to comply with the terms of the *ED&I Policy*.

4.4. *Institutional Policies and Legal Framework*

4.4.1.   The *ED&I Policy* shall serve as the framework for current and future UWI policies. Existing as well as new UWI policies with elements related to diversity, equity and inclusion shall be consistent with the *ED&I Policy* (see Annex I).

4.4.2.   Whereas The University of the West Indies, in the *Code of Principles and Responsibilities for Students* (2018), provides for the right of students to be treated without discrimination, the *ED&I Policy* is based on the principles of non-discrimination, equity and equality with the view to ensuring an environment conducive to diversity and inclusion for The UWI Mona Campus.

4.4.3.   *The Statement of Code of Ethics for Academic and Senior Administrative Staff* (1998) refers to misconduct such as sexual harassment, various types of discrimination and abuse of supervisory authority, citing *Ordinance 8* with regard to procedures to be followed in cases of misconduct.

4.4.4.   The *ED&I Policy* complies with the national, regional and international laws that provide for the observance of human rights and the elimination of discrimination in all its forms (see Annex I).

5. POLICY STATEMENT

5.1. *Scope*

5.1.1. The *ED&I Policy* applies to students of The University of the West Indies, Mona; The UWI employees; The UWI alumni; visitors to The UWI; contractors; providers of goods and services; and anyone who is designated to represent The UWI.

5.1.2. Where employees are represented by a labour organisation, such employees retain all their rights under the existing collective bargaining agreements, as well as those under labour laws, including the right to use their grievance or complaints process. The *ED&I Policy* does not supersede the provisions of these labour and collective bargaining agreements.

5.2. *Principles*

5.2.1. The UWI commits itself to:

(i)　affirm and value the differences of characteristics, perspectives and ideas among individuals and will seek to utilise the diverse talents and experiences that they bring to the institution;

(ii)　afford all students; The UWI employees; The UWI alumni; visitors to The UWI and anyone who is designated to represent The UWI, the required treatment for them to access and benefit from the services offered by The UWI; and

(iii)　provide opportunities that addresses the needs of individuals or groups that would otherwise have been disadvantaged.

5.2.2. The UWI avows:

(i) the dignity of all persons and shall give protection against unfair discrimination on the grounds of: race; socio-economic status; age; sex; gender identity and expression; physical and mental ability; sexual orientation; family or marital status; national origin; language; political or religious persuasion; health status, and other characteristics that make its constituents unique.

These protected characteristics have been part of The UWI 'score values. They also appear in other frameworks, for instance the *International Covenant on Economic, Social*

and Cultural Rights (ICESCR) which is relevant to most of the countries, which The UWI protects. The ICESCR's characteristics are: colour; political or other opinion; social origin; birth or other status. Additional characteristics in recent equity, diversity and inclusion literature are: cultural identification; ethnicity; physical appearance/mode of attire; cognitive diversity (style of processing knowledge); religion (beliefs/non-beliefs); and worldview.

5.2.3. Unfair discrimination on the grounds of any of these characteristics shall be nonnegotiable for The UWI.

5.2.4. The organisation's norms of behaviour shall be clear: cultural differences among group members will be integrated with no pressure to adjust to a dominant majority.

5.2.5. In order to promote and achieve equity, diversity and inclusion, The UWI shall ensure that this Policy is adhered to and that all programmes are designed to achieve these objectives as set out by the Policy.

5.3. *Compliance*

Compliance with the Policy is mandatory for all persons working and living within The UWI.

6. RESPONSIBILITIES AND ACCOUNTABILITY

6.1. *The Equity, Diversity and Inclusion Policy*

The UWI Mona Campus Principal shall be accountable for the operationalization of the Mona Campus' *ED&I Policy*.

6.2. *The Equity, Diversity and Inclusion Unit (the ED&I Unit)*

6.2.1. The Mona Campus Principal shall establish an ED&I Unit at the Campus with the mandate to facilitate and enable the procedures and practices that will operationalise the *ED&I Policy*.

6.2.2. The ED&I Unit has the responsibility for operationalizing the Policy, supported by an assigned Equity, Diversity and Inclusion Technical Advisory Group (ED&I TAG).

6.2.3. The ED&I Unit must provide a progress report to the Principal twice annually or as often as necessary; the reports shall be maintained on record in the Principal's office.

6.2.4. The ED&I Unit shall ensure that policies, systems and processes remain up-to-date with the agreed standards expressed in the *ED&I Policy*.

6.3. *The Equity, Diversity and Inclusion Technical Advisory Group (ED&I TAG)*

6.3.1. A multi-stakeholder ED&I TAG shall provide technical support and guidance to the operationalizing of the *ED&I Policy* by the ED&I Unit.

6.3.2. The members of the ED&I TAG shall represent a cross-section of The UWI and other key-stakeholders (both internal and external).

6.3.3. The ED&I TAG shall receive the ED&I Unit's progress reports for review and endorsement and thereafter the reports shall be sent to the Campus Principal.

6.3.4. The ED&I TAG shall be comprised of eleven members who shall be appointed by the Campus Registrar after consultation with the Campus Principal or his/her designate.

6.3.5. A person shall be eligible to be appointed as a member of the ED&I TAG if that person falls within one or more of the following categories.

(a) Current students (two members)
(b) Alumni (one member)
(c) Chairs of the Equity, Diversity and Inclusion Teams (two members)
(d) Member of Campus Senior Management Team (one member)
(e) Member of legal fraternity (one member)
(f) Member of The UWI Marketing & Communication (one member)
(g) ED&I Technical experts (one member)
(h) Head of ED&I Unit (one member)
(i) Non-Academic Staff Representation (one member)

6.3.6. Two of the members of the ED&I TAG shall be appointed, not exceeding three years, as the Chair and Deputy-Chair of the ED&I TAG.

6.3.7. Members, other than the Chair and the Deputy-Chair, shall normally hold office for a period of three years from the date of appointment as ED&I TAG members. An ED&I TAG member shall be eligible for reappointment but shall serve for a maximum of two consecutive terms.

6.3.8. During its first month in operation, the ED&I Unit shall produce a comprehensive *Terms of Reference* for the ED&I TAG to be approved by the Principal, or his/her delegate.

6.4. *The Equity, Diversity and Inclusion Teams (ED&I Teams)*

6.4.1. Faculty Deans and/or Heads of administrative support units shall be responsible for selecting members and forming ED&I Teams. These teams shall reflect the diversity of the unit in question and shall report to their immediate supervisors.

6.4.2 The ED&I Teams shall use the Implementation Plan, shared by the ED&I Unit, as their guide in determining priorities for operationalising the *ED&I Policy*. The implementation of these priorities shall not be the sole responsibility of members of the ED&I Teams.

6.4.3. The Chairs of the ED&I Teams shall meet once per semester with the Head of the ED&I Unit to discuss their teams' progress within their respective faculties/units to ensure continued alignment with the Campus' *ED&I Policy*.
6.4.4 The Chairs of the ED&I Teams shall also select, from among themselves, two persons to represent the ED&I Teams in the ED&I TAG.
6.4.5. The Chairs of the ED&I Teams of the faculties are accountable to their Deans, or Heads; they shall send their reports to the Head of the ED&I Unit, who shall compile and share such reports with the Principal or his designate.

6.4.6.   The Chairs of the ED&I Teams of administrative support units are accountable to the Heads of their Units; they shall send their reports to the Head of the ED&I Unit, who shall compile and share such reports with the Principal or his designate.

7. IMPLEMENTATION OF THE POLICY

7.1. *Responsibility for Implementation Plan*

The D&I Unit shall develop an *Implementation Plan*, which provides the overarching framework that guides the operationalization of the *ED&I Policy*. This plan shall be managed in three year cycles and shared with the ED&I TAG.

7.2. *Inclusion of Stakeholders*

The *Implementation Plan* shall be developed through a consultative process with stakeholders (e.g. students; faculty; Deans; managers; Heads of Units; administrative staff, ancillary staff; Human Resources Managers, alumni; etc.) at the Mona Campus. It shall then be sent to the Principal and/or his/her designate for approval.

8. MONITORING AND EVALUATION

8.1. *Responsibility*

The responsibility for monitoring and evaluating of the *ED&I Policy* rests, ultimately, with the Campus Principal, who may discharge this responsibility through management structures.

8. 2. *Reporting of Monitoring and Evaluation*

8.2.1. Monitoring and evaluating the *ED&I Policy*'s operationalization will ensure the effective mainstreaming of ED &I practices. The bi-annual report shall be submitted by the ED&I Unit, with support from the ED&I TAG, to the Campus Principal within thirty

(30) days after an evaluation is due.

8.2.2. Developing the evaluation criteria to be used in the monitoring and evaluation processes shall be done jointly with diversity and inclusion experts, the ED&I TAG and the ED&I Unit.

9. BREACH OF POLICY [15]

9.1. *Definition Breach of Policy*

A breach of policy is deemed to have occurred when any person acts in a manner towards any person(s) because of gender, socio economic status, ethnic background, sexual orientation, race and colour, or in a manner deemed to be discriminatory and failed to respect the differences and/or failed to accord dignity in his/her treatment of such person(s), to the extent that the person(s) has been adversely affected, either by unfair exclusion or inequity.

9.2. *Violations*

The UWI shall take seriously any instances of non-adherence to the *ED& I Policy* by The UWI employees; The UWI students and alumni; visitors to The UWI; contractors; providers of goods and services; and anyone who is designated to represent The UWI. Any instances of non-adherence shall be investigated with the intent of identifying the action or lack of action thereof which has led to non-adherence and to resolve the matter by ensuring adherence or providing redress where possible, to the victim.

9.3. *Complaint Procedures*

9.3.1. The procedures related to breaches of the *ED&I Policy* shall rely on existing complaint procedures and policies which specifically address discriminatory treatment

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[15] CARICOM (2012). *Model Anti-Discrimination Bill*

and which The University of the West Indies has established for its employees; its alumni; visitors to The UWI; contractors; providers of goods and services; and anyone who is designated to represent The UWI.

9.3.2. Where complaint procedures do not exist the *ED&I Policy* shall apply.

9.3.3. All The UWI employees; The UWI alumni; visitors to The UWI; contractors; providers of goods and services; and anyone who is designated to represent The UWI may make an allegation of breach of the *ED&I Policy*, stating that he or she believes that such breach has occurred, either against himself or herself, or with respect to another member of The UWI.

9.4. *Informal Consultation*[16]

9.4.1. Any member of The UWI who alleges that another person has discriminated against him or her, or has contravened any provisions made in the *ED&I Policy*, may consult the network of ED&I advisors in order to seek assistance, advice or counselling in relation to these breaches.

9.4.2. The complainant may make an allegation of a breach of *ED&I Policy* whether or not he or she has sought or received informal assistance, or a consultation.

9.4.3. During a consultation, any complainant may discuss matters referring to the breach without identifying the persons involved, including themselves.

9.5. *Formal Complaint*

9.5.1. Any member of The University of the West Indies may make an allegation of breach of *ED&I Policy* to the Campus Registrar, stating that he or she (complainant) believes that a breach of *ED&I Policy* has occurred, against himself or herself due to the actions of another member of The UWI. Where such a complaint is submitted, the complainant may exercise the option of making such a complaint anonymously.

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[16] The University of The West Indies *Sexual Harassment Policy and Procedures*

9.5.2. All complaints made shall be in writing.

9.5.3. Where the complainant is a person other than the individual alleged to be the victim of breach of *ED&I Policy*, the allegation of breach of *ED&I Policy* shall not be anonymous.

9.5.4. A person may make an allegation of a breach of *ED&I Policy* to an ED&I advisor whether or not he or she has sought or received informal assistance, or a consultation on breach of *ED&I Policy*. When an allegation of breach of *ED&I Policy* is made, the ED&I advisor must advise the complainant to submit a formal complaint to the Campus Registrar.

9.5.5. An allegation of discrimination or other unfair treatment must be filed within seven (7) years of the occurrence of the alleged incident of discrimination or other unfair treatment, or, where there has been more than one related incident, within twelve (12) months of the latest incident.

9.5.6. The Campus Registrar may, at the request of the complainant, waive the time deadline if, in her or his opinion, the circumstances warrant.

9.5.7. Upon receipt of a complaint the Campus Registrar must immediately forward a copy of the complaint, together with the *ED&I Policy,* to the respondent and request a response in writing within ten (10) days.

9.5.8. Where the respondent does not reply in ten (10) days, the respondent shall be advised that, failing co-operation or response within another ten (10) days, the Registrar may request a formal hearing, mediation or conciliation.

9.5.9. Where the respondent responds, a copy of the response shall be forwarded to the complainant immediately upon receipt to enable the complainant to make a determination as to whether a hearing or mediation should be pursued, or whether the discrimination or other unfair treatment allegation should be dropped.

9.5.10. A complainant shall be given the opportunity to answer to any responses by the respondent within five (5) days, after which the respondent must be given a further five

(5) days to respond. The Campus Registrar may extend the time period on request by either party, on the grounds of illness or any other unforeseen circumstances.

9.5.11. Reference to a period measured by days in this policy shall be a reference to clear days.

9.5.12. Upon completion of the period allotted for responses by the complainant and respondent, or where the parties have agreed to proceed directly to a formal hearing or to mediation or conciliation, the Campus Registrar shall make a report in writing to the complainant and respondent, outlining the decision taken by the complainant to either proceed to a hearing, mediation or conciliation.

9.6. *Formal Hearing*

Upon the request of either party and at the discretion of the Campus Registrar, the parties may be asked to consider waiving any of the response times and proceed directly to a formal hearing.

9.7. *Mediation and Conciliation*

9.7.1. If the complainant may request that no record be kept of the mediation no record shall be kept of the mediation.

9.7.2. Where the option of mediation is pursued, the complainant may choose a mediator from an external body including but not limited to the Alternative Dispute Resolution Foundation (ADRF).

9.7.3. The UWI may, upon the request of either the complainant or the respondent, release any documentation on the case to the mediator for the sole purpose of mediation.

9.7.4. A complainant who opts for mediation and conciliation may at any time revoke the process and proceed to a disciplinary procedure through the formal hearing process.

9.8. *Counselling*

9.8.1. Whether or not conciliation is achieved, the mediator may recommend in his or her report to the Registrar that the complainant goes through counselling. A counsellor may be any suitable person who may or may not be an employee of The UWI and must be recommended by the mediator.

9.8.2. Where employees are represented by a labour organisation, such employees retain all their rights under the existing collective bargaining agreements, as well as those under labour laws, including the right to use their grievance or complaints process separate and apart from this procedure.

9.8.3. This Policy does not supersede the provisions of these labour and collective bargaining agreements.

10. REVIEW AND REVISON OF POLICY

10.1. *Review and Revision*

Ongoing review and revision of the *ED&I Policy* are essential, in order to recalibrate parameters and definitions, improve operating mechanisms in keeping with improved best practices, as well as to adapt effectively to the constantly changing environment, systems and procedures of The UWI and the wider world.

10.2. *Review Committee*

10.2.1. A full review of the *ED&I Policy* shall be conducted every three years by an ad hoc Review Committee constituted by the Campus Principal to:

(i) assess the efficacy of the policy's procedures and results

(ii) assess the continued suitability and currency of its principles.

10.3. *Timing of the Review*

Review of the *ED&I Policy* shall be initiated within thirty (30) days following the end of the third year. This review shall be completed within ninety (90) days, and a *Review and*

Revision Report produced by the Review Committee and submitted to the Campus Registrar, through the Campus Principal.

10.4. *Revisions of ED&I Policy*

10.4.1. Any revision of the *ED&I Policy* recommended by the Review Committee shall be formally affirmed by the Principal, who shall submit it to the Academic Board and F&GPC for approval.

10.4.2. Thereafter, the approved revised *ED&I Policy* shall be instituted as immediately as operationally possible by the campus-based unit with operational oversight for implementing the policy, i.e. the ED&I Unit.

11. NEW REGULATIONS

All new ED&I regulations shall be subject to the review of the *Standing Committee of Ordinance and Regulations* of The University of the West Indies.

ANNEXES

ANNEX I

Current Policies related to Equity, Diversity and Inclusion

Institutional Policies

Currently, The University of the West Indies' policies related to equity, diversity and inclusion issues are:

- *UWI Statutes & Ordinances* (2012) – Vol 1
- *Ordinance 8 – Powers of Appointment, Promotion and Dismissal* (2007/2008)
- *UWI Charter, Statutes & Ordinances* (1998) – Vol 1
- *Policy for Governance of Units, Centres and Institutes* (2008)
- *Rules for Academic Staff, Senior Admin and Professional Staff* (2015) – Blue Book
- *Appendices to Rules for Academic Staff, Senior Admin and Professional Staff* (2012)
- *Statement of Code of Ethics for Academic and Senior Admin Staff* (1998)
- *Terms and Conditions for Administrative and Technical Staff* (2010)
- *Staff Handbook*
- *UWI Code of Principles and Responsibilities for Students* (2018)
- *UWI Quality Policy* (2017)
- *Policy for Online and Multimode Teaching and Learning* (2015)
- *Policy and Procedures on Research Ethics* (2010)
- *UWI Policy on Intellectual Property Management and Commercialisation*
- *UWI Brand Identity Guidelines* (2016)
- *Health & Wellness Policy* (2012)
- *Sexual Harassment Policy and Procedures*
- *UWI Gender Policy* (2018)
- *HIV and AIDS Policy*
- *UWI Web Policy (Draft)* (2015)
- *Social Media Policy*

- *Acceptable Use Policy (ICT)*
- *Email and Messaging Services Policy*
- *Bus Policy*

Policies with a unit-based scope

- Faculty of Medical Sciences, Mona Campus: *Diversity Policy*

- Faculty of Medical Sciences, St. Augustine Campus: *Student Diversity Policy*

- The University of the West Indies School of Veterinary Medicine (The UWI-SVM): *Admission Policy*

- St. Augustine Campus: *Disability Policy*

Relevant national, regional and international legal and policy frameworks

1.   National Bill of Rights of The UWI campus countries provide frameworks for the respect of human rights and freedoms. The Jamaica Charter of Fundamental Rights and Freedoms in s.13 (1) (c) states that "(C) all persons are under a responsibility to respect and uphold the rights of others."

2.   The regional and international human-rights frameworks for equality and non-discrimination that apply to the Mona Campus, but also to all "campus countries" and The UWI Open Campus, encompass:

- American Convention on Human Rights

- American Declaration of the Rights and Duties of Man

- Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, (Convention of Belem do Para)

- Charter of Civil Society for the Caribbean Community

- Universal Declaration of Human Rights

- International Covenant on Civil and Political Rights (ICCPR)

- International Covenant on Economic, Social, Cultural Rights (ICESCR)

- International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

- United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

- United Nations Convention on the Rights of Persons with Disabilities (CRPD)

ANNEX II

Illustration of the Difference between Equality and Equity[17]

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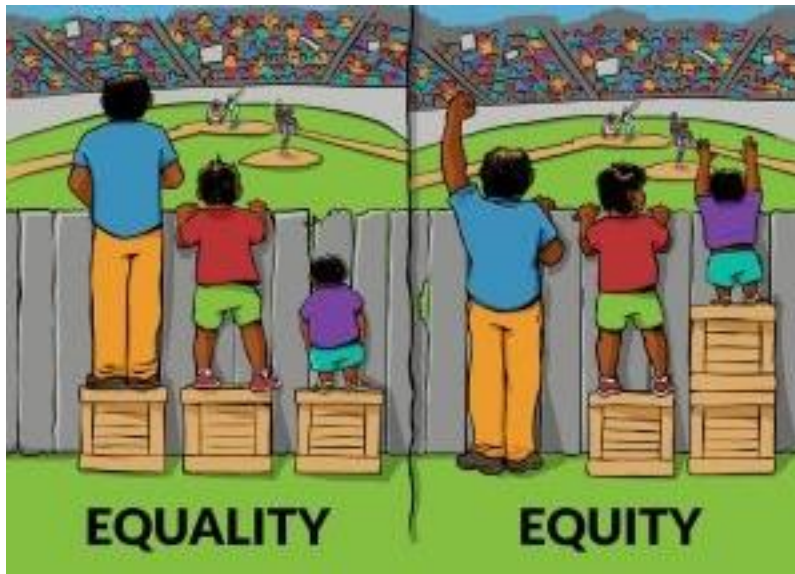
[17] Interaction Institute for Social Change, & Maguire, A. (2016, January). *Illustrating the difference between equality and equity* [Cartoon]. Retrieved from https://interactioninstitute.org/illustrating-equality-vs-equity/