



# **Table of Contents**

1. Document Control Summary	2
2. Introduction	2
3. Purpose	2
4. Scope	3
5. Definitions	3
6. Policy Details	6
6.1 Policy Overview	6
6.2 Policy Details	7
6.2.1 General Principles	7
6.2.2 Equality in the provision of education and related services (students, s	ervice users). 8
6.2.3 Equality in employment (staff)	9
6.2.4. Implementation and Reporting Mechanisms	10
6.2.5 Roles and Responsibilities	10
6.3 Document Review	13
7. Related Documents	13
8. More Information	13
9. Document Management	13
9.1 Version Control	13
9.2 Document Approval	14
9.3 Document Ownership	14
9.4 Document Review	14
9.5 Document Storage	14
9.6 Document Classification	14

# 1. Document Control Summary

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## 2. Introduction

TU Dublin is committed to building a University community that advances equality, respects and values diversity, and promotes and sustains a sense of belonging and inclusion among students and staff.

This Equality Diversity and Inclusion Policy has been developed to realise the University's core values of Excellence, Impact, Inclusion and Respect. It details how TU Dublin will give substance to equality, inclusiveness, social justice, dignity and respect, in the context of fulfilling its significant obligations in these areas.

TU Dublin is committed to equality of opportunity for all staff and students, irrespective of gender, civil status, family status, socio-economic status, sexual orientation, religious belief, age, disability, nationality or ethnic or national origin, or membership of the Traveller community. This policy provides a framework for the University to meet its obligations as an equal opportunities employer and public service provider.

# 3. Purpose

In TU Dublin, we value the enrichment that a diverse community of students and staff bring to the university. We commit to

- Promoting and protecting the human rights of staff, students, associated persons and visitors affected by TU Dublin's policies, procedures, action plans and built environment;
- Promoting equality and preventing discrimination in the access, experience, progression and achievement of students and staff through the development and implementation of fair and transparent policies procedures and action plans;
- The design, construction and management of buildings and spaces so that they can be readily accessed and used by everyone, regardless of age, size, gender identity, ability or disability
- Implementing ongoing awareness raising and development programmes and resourcing supports that promote and advance building a culture of fairness, inclusion, dignity and respect.

## 4. Scope

This policy and associated procedures apply to:

- All applicants for employment and employees (whether full time, part-time, permanent or temporary), and staff from other institutions on placement at, or visiting, the University
- All student applicants, students including visiting and placement students alumni and student union officers
- All TU Dublin visitors, customers, clients and third party service providers and contractors. This also includes volunteers, those with honorary contracts or 'visitor' status (e.g. Visiting Research Fellow)

This policy applies (but is not limited) to the recruitment and selection of students and employees, assessments, scholarships and awards, training and development, opportunities for advancement, conditions of service, benefits and pay, conduct at work and the staff grievance and disciplinary procedures.

The Equality, Diversity, and Inclusion Policy of TU Dublin fulfils the requirements of

- Employment Equality Act 1998-2015
- Equal Status Acts 2000-2018
- Equality Act 2004
- Disability Act 2005
- Gender Recognition Act 2015
- Higher Education Authority Act 2022
- Irish Human Rights and Equality Commission Act 2014
- Irish Human Rights and Equality Commission Public Sector Duty
- Technological Universities Act 2018
- Official Languages Act 2003

There are several policies in place in TU Dublin that support the vision of the Equality, Diversity and Inclusion policy. These policies include, but are not limited to, the following:

- Technological University Dublin Equality Statement 2023-2028
- TU Dublin Human Resources Policies, including
  - o Recruitment, Selection & Appointment (HRP008)
  - Dignity and Respect at Work (HRP003)
  - Supporting Staff with Disabilities (HRP026)
  - Occupational Stress Management Policy (HRP088)
- Gender Identity and Gender Expression Policy (EDIP001)
- TU Dublin Staff Charter

## 5. Definitions

## **Bullying**

Repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

#### Discrimination

An employee is said to be discriminated against if they are treated less favourably than another employee is treated, has been treated or would be treated, in a comparable situation on any of the 9 equality grounds, and socio-economic status, listed below.

To establish **direct discrimination** a direct comparison must be made. For example, in the case of disability discrimination the comparison must be between a person who has a disability and another person who has not. Or between two people with different disabilities.

**Indirect discrimination** is when practices or policies do not appear to discriminate against one group more than another, but actually have a discriminatory impact. Indirect discrimination can also happen where a requirement that may appear non-discriminatory adversely affects a particular group or class of people.

**Discrimination by association** happens when a person is treated less favourably simply because they are associated with or connected to another person who comes under the nine equality grounds

#### **Diversity**

This is more than just acknowledging and/or tolerating difference. Diversity involves understanding, appreciating, and embracing differences and practicing mutual respect for qualities and experiences that are different from the majority.

#### **Equality**

This is about ensuring individuals or groups of individuals are not treated less fabourably, on the basis of the equality grounds listed below. Equality seeks to advance equality of opportunity in access to employment or a programme of study, training, development, career opportunities, etc without any direct or indirect discrimination, or conscious or unconscious biases.

## **Equality Grounds**

The Employment Equality Act 1998-2015 defines discrimination as treating one person in a less favourable way than another person in a comparable situation because they differ on any of the following grounds:

- Age this applies to persons 16 years of age or older
- Civil Status includes single, married, separated, divorced, widowed people, civil partners and former civil partners
- Disability includes physical, intellectual, learning, cognitive, emotional or medical conditions
- Family Status this refers to the parent of a person under 18 years or the resident primary carer or parent of a person with a disability
- Gender this means man, woman or transgender (including non-binary and gender nonconforming)
- Membership of the Traveller Community
- Race this includes skin colour, nationality, ethnic or national origins)
- Religion means religious belief, background, outlook or none
- Sexual Orientation includes gay, lesbian, bisexual and heterosexual

Socio-economic status also needs to be taken into account: a combined economic and sociological measure of economic and social position in relation to others, based on the income, education, and occupation of an individual and their family.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> There are 9 equality grounds (excluding socio-economic status) defined in the Employment Equality Act 1998-2015. A draft amendment to the Act to include socio-economic status is in

The policy is mindful of the reality that discrimination grounds intersect in different ways, leading to a compounding of disadvantages. Awareness of intersectional discrimination is a key component of this policy in addressing discrimination and promoting equity.

#### **Equality, Diversity and Inclusion Awareness Raising and Consultation**

- Ensuring that all employees and students undergo appropriate equality training for their role and that everyone in the University community is aware of their personal responsibility to support and promote EDI
- Ensuring that employees, students, and their representatives are provided with appropriate forums to discuss equality and diversity issues, raise any concerns, and to involve the community in the development and delivery of our equality objectives

## **Equality, Diversity and Inclusion Data Monitoring**

Have an effective data monitoring and analysis process that supports this policy

## **Equality, Diversity and Inclusion Mainstreaming**

This ensures that Equality, Diversity and Inclusion is embedded and mainstreamed into every aspect of University life which includes assessing the impact of our policies, procedures, practices and communications on equality, diversity and inclusion and how these promote EDI.

### **Equity**

This is concerned with promoting fairness so that everyone has the opportunity to start from the same place. This may include positive measures to achieve greater equality of outcome.

#### Harassment

Harassment is "unwanted conduct" relating to any of the nine grounds of discrimination. Harassment violates a person's dignity and creates an intimidating, degrading, humiliating or offensive environment. Once-off incidents can be deemed to constitute a form of harassment. Sexual harassment is "unwanted conduct of a sexual nature" that affects a person's dignity at work and creates an intimidating, degrading, humiliating or offensive environment.

It should be noted that the intention of the perpetrator is irrelevant where the recipient perceives the conduct to be unwanted.

#### Inclusion

This is a sense of belonging; feeling respected and valued; feeling a level of support and commitment from others so that one can achieve their best at work and learning

#### **Positive Action**

Defined by the Employment Equality Act 1998-2015 as measures maintained or adopted with a view to ensuring full equality in practice to prevent or level the impact of disadvantages linked to any of the nine equality grounds, and socio-economic status, to protect the health and safety of persons with a disability, or to create or maintain facilities for safeguarding or promoting the integration of such persons into the University.

#### Recognition

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process at the time of writing. Equality on the ground of socio-economic status is enshrined in the Constitution and in the HEA Act 2022.

This underpins Equality, Diversity and Inclusion through a recognition culture in the University where all students and employees feel acknowledged and valued for their contributions to the University and supported in their academic, career and personal development.

## **Universal Design**

Ensures that access and widening participation are promoted, supported and the responsibility of all. Fundamental to this approach is the belief that equality of access incorporates both entry to the University and access to an inclusive learning and work environment, designed for the whole of the TU Dublin community.

#### **Unconscious Bias**

This refers to one's background, personal experiences, societal stereotypes and cultural context which can have an impact on decisions and actions without one realizing. Implicit or unconscious bias happens by our brains making incredibly quick judgements and assessments of people and situations unconsciously using those biases.

## **Victimisation**

Victimisation is where an employee is treated unfairly by their employer because of some action they have taken to access their legal employment rights.

For full glossary of terms see Athena Swan Ireland EDI Literacy Glossary<sup>2</sup>

# 6. Policy Details

## **6.1 Policy Overview**

The promotion of Equality, Diversity and Inclusion (EDI) is integral to the overall purpose of TU Dublin, which is to prepare our graduates to be well rounded, independent thinkers, lifelong learners, and socially responsible citizens with a global perspective. This is reflected in our values of Excellence, Inclusion, Impact and Respect, in our aim to be an exemplar in EDI, and for EDI to be at the heart of all we do. To achieve our vision, we will continue to take active steps around the following principles:

- Equality of opportunity
- Equity
- EDI mainstreaming
- Universal Design Access
- Universal Design for Learning
- Recognition
- EDI awareness-raising and consultation
- EDI data monitoring
- Legislative compliance

The objectives of this policy are to:

- Support the achievement of the TU Dublin Strategic Intent 2030 and its pillars of People, Planet and Partnership.
- Promote a culture of fairness, inclusion, dignity and respect across all University interactions

<sup>&</sup>lt;sup>2</sup> https://www.advance-he.ac.uk/knowledge-hub/athena-swan-ireland-edi-literacy-glossary

- Set out an overarching framework in which the human rights of staff, students and everyone affected by TU Dublin policies, procedures, action plans and built environment are promoted and protected.
- Ensure equality and non-discrimination for all staff in relation to all aspects of employment and University activities.
- Ensure equality and non-discrimination for all students across the education cycle.
- Take positive action where appropriate, and in line with legislation, to address disadvantage and under-representation in employment.
- Take positive action where appropriate, and in line with legislation, to address disadvantage, under-representation and widening participation in education.
- Ensure compliance with legislation and adherence to standards of best practice, eliminate discrimination, and provide processes for complaints and investigation.

## **6.2 Policy Details**

## **6.2.1 General Principles**

TU Dublin is committed to equality, diversity, and inclusion, and equal opportunities, for students and staff in every area of the University's work. This commitment requires ongoing evaluation of how our organisational culture, policies, procedures, action plans, digital and built environment, and resources relate to accessibility, wellbeing, and students and employees' achievement of their full potential.

The University will fully comply with the Equal Status Acts 2000-2018 which prohibits discrimination in access to and provision of services, including education.

The University will fully comply with the Employment Equality Act 1998 - 2015 which prohibits discrimination in all areas of employment, including access to employment. The University will act to prevent direct and indirect discrimination, and discrimination by association, sexual harassment, harassment and victimisation on nine specific grounds and on the ground of socio-economic status. As the legislation evolves this list will be revised.

- Age
- Civil Status
- Disability
- Family Status
- Gender
- Membership of the Traveller community
- Race
- Religion
- Sexual Orientation

The University will fully comply with the Disability Act 2005.

The University will fully comply with Section 42 of the Irish Human Rights and Equality Commission Act 2014 that requires a public body to have regard to the need to

eliminate discrimination;

- promote equality of opportunity and treatment of its staff and the persons to whom it provides services;
- and protect the human rights of its members, staff and the persons to whom it provides services.

The University will identify opportunities for positive action to ensure equality of participation for under-represented groups in all University activities.

The University commits to support and promote diversity of languages and cultures in Ireland with special regard to the preservation, promotion and use of the Irish language, and also recognising the status of the Irish language as the first official language and the English language as a second official language of the State.

The University will observe our identified responsibilities under the Technological Universities Act 2018 and the Higher Education Act 2022 to promote equality generally (including gender balance) and access to education, particularly among underrepresented groups such as mature students, students with disabilities and students at socio-economic disadvantage.

The university respects the confidentiality of students and staff and will not reveal information without prior consent of the individual.

# 6.2.2 Equality in the provision of education and related services (students, service users)

TU Dublin is committed to equality and non-discrimination in relation to all aspects of the provision of education and related services, including access. The University will seek to accommodate diversity and diverse needs, promote inclusiveness, and make reasonable accommodations for people with disabilities.

Access and Enrolment: The University will ensure equality of access, opportunity and experience for students by ensuring its procedures in relation to admission, delivery of education and related supports, assessment, progression and award, etc., do not discriminate directly or indirectly against any student on any of the nine equality grounds or based on socio-economic disadvantage.

The University will encourage and seek applications from the widest pool of potential students, especially where representation is low and to widen participation. In doing so, the University will seek at all times to attract students regardless of their backgrounds. The University is committed to developing the learning potential of under-represented groups through institutional supports.

Recognising the particular circumstances which may attach to the educational achievements of applicants with physical, sensory or learning disabilities and neurodiverse applicants, of mature applicants and of applicants who are socially and educationally disadvantaged, the University reserves the right to admit such applicants on special programmes designed to overcome barriers to participation in University education and to promote equality of opportunity.

Curriculum and Pedagogy: The University will proactively develop curricula that are diverse and culturally inclusive, reflecting the experiences and contributions of various groups in society. It will support Universal Design for Learning for inclusive teaching methods and materials that cater to different learning styles and abilities, and make

reasonable accommodation for students with disabilities.

Promoting a Safe Learning Environment: The University believes that every student is entitled to study in an environment free from sexual violence and sexual harassment. The University also believes that the learning environment should give all students the freedom to carry out their studies without having to suffer bullying, harassment or intimidation from any student or group of students or member of staff. Thus the University enforces clear anti-discrimination, anti-harassment and anti-gender violence policies that protect students and service users from discrimination, harassment, sexual harassment and sexual violence based on any characteristic, including but not limited to race, gender, sexual orientation, religion, or disability.

The University provides safe mechanisms for reporting incidents of discrimination, harassment, sexual harassment and sexual violence and addressing them promptly and effectively. It keeps these mechanisms under continual review and improvement.

Equitable Resources and Supports: The University ensures that resources, such as funding, facilities, and support services, are distributed equitably among all students or service users, regardless of their backgrounds or needs.

## 6.2.3 Equality in employment (staff)

TU Dublin is committed to equality, equal opportunities, and non-discrimination in all areas of employment, including recruitment and selection, promotions, learning and development and terms and conditions of employment.

Recruitment and Selection: The University will ensure transparent recruitment procedures and will not discriminate directly or indirectly against any applicant in relation to any of the nine equality grounds or socio-economic disadvantage. This extends to internal career transitions. Candidates will be selected on the basis of merit and ability, consistent with the operational requirements of the role, and having regard to the principles of this Policy. Selection recommendations will be made by gender balanced selection boards. All selection board members will be trained in the principles of equality, non-discrimination and implementation of this Policy. Internal selection board members must have a current Licence to Recruit in order to sit on interview panels. The University will encourage and seek applications from the widest pool of potential staff members so that the workforce reflects the diversity of the community it serves, taking positive action where appropriate and necessary to address disproportionate under-representation. Reasonable accommodation will also be provided to applicants with disabilities.

*Promotions:* Candidates for promotion will be selected on the basis of merit and ability with due regard to transparent processes and criteria, consistent with the operational and strategic requirements identified, and having regard to the principles of this Policy. Such decisions will be made, in so far as reasonably practicable, by gender balanced Promotion Boards. All Promotion Board members will be trained in the principles of equality, non-discrimination and implementation of this Policy.

Learning and Development: The University will ensure staff members have equal access to learning and development opportunities appropriate for their professional development regardless of any of the nine equality grounds, and socio-economic status, The University will endeavour to ensure that programmes provided are inclusive and accommodate the diversity of staff.

*Promoting a Safe Working Environment:* The University believes that every staff member is entitled to work in an environment free from sexual harassment and sexual violence, and free from bullying, harassment or intimidation.

The University will periodically review employment practices and procedures to ensure they comply with this Policy and support equality of access, opportunity and

participation for all, regardless of status (permanent, temporary, full-time, part-time). Equal access to flexible working arrangements and benefits will be provided, and every effort will be made to make reasonable accommodations for staff members with disabilities.

## **6.2.4.** Implementation and Reporting Mechanisms

In delivering this Policy, the key operational priorities are:

- building equality and respect for human rights into all strategic and operational plans at University, Faculty, School and Service levels;
- integrating equality and diversity in all areas of policy development relating to employment, education, and research;
- focusing on results by including equality and diversity indicators and key performance indicators including HEA gender equality initiatives such as Athena SWAN in our quality assurance processes; monitoring and reviewing performance, publicly reporting on achievements and taking action where needed;
- making training available to all staff on equality and diversity issues as part of wider training programmes ranging from induction, recruitment and selection through to management, development and leadership;
- ensuring gender balance on all University Boards and Committees as well as promoting awareness of the principles of equality and non-discrimination on all nine grounds;
- ensuring that the language used in University communications is inclusive and nondiscriminatory;
- engaging with the diversity of our staff and students and taking account of the different experiences of people in our policy development and implementation. Assessing the effect of proposed policies on all staff and students as appropriate through the Equality and Sustainability Impact Assessment;

In conjunction with the above, the objectives of this policy will be implemented through a range of mechanisms. These include:

- Institutional Athena Swan Action Plan 2022-2025
- Institutional Race Equity Action Plan 2021-2026
- Institutional Ending Sexual Violence and Harassment Action Plan 2021-2024
- Faculty, School and Function level Athena Swan Action Plans
- People Strategy
- Climate Action Plan 2023-2028

The achievements of these objectives will be monitored and reported on in the

- TU Dublin Annual Report
- TU Dublin Equality, Diversity and Inclusion Annual Report;
- TU Dublin Annual Gender Pay Gap Report
- EDI Reports for Higher Education Authority (HEA)
- TU Dublin reports on staff profiles and specific diversity data to the HEA and relevant Government Departments

# 6.2.5 Roles and Responsibilities

All members of our University community are responsible for ensuring that they carry out their roles and responsibilities in line with this policy. In particular:

The Governing Body and its relevant committees are responsible for:

- agreeing on the overall Equality, Diversity and Inclusion Policy;
- ensuring the Equality, Diversity and Inclusion Policy is reviewed and updated by the University Executive; and
- ensuring that human rights and equality considerations are central to the work of the Governing Body and its committees.

The University Executive Team is responsible for:

- Championing the EDI agenda to ensure the policy is developed and put into practice;
- In line with the Public Sector Duty, promoting and advancing a culture of respect for human rights, fairness, inclusion, dignity and respect in the development of the University vision and strategy;
- Taking a leadership role in all University equality, diversity and inclusion related matters;
- Agreeing the resources needed to achieve the objectives identified in the Policy
- Providing senior level communication on the EDI Policy and activities within and outside the University
- Ensuring that all employment policies and practices of TU Dublin meet the provisions of national legislation and the University's regulations and policies
- Ensuring that equality and respect for human rights is built into all strategic and operational plans at University, Faculty, School and Service levels
- Holding Faculties, Schools and Services to account by reviewing performance, celebrating success, and identifying areas for improvement.
- Ensuring gender balance on all University Boards and Committees as well as awareness of the principles of equality and non-discrimination on all grounds

#### Academic Council is responsible for

- Developing and applying academic regulations, procedures and practices with regard to teaching, learning and assessment that promote equal opportunities and non-discrimination for all applicants and students in line with this policy.
- Ensuring academic practices of the University do not discriminate unfairly against individual students or groups of students.

## The EDI Service is responsible for:

- Developing, with the UET, the University's Equality, Diversity and Inclusion strategy;
- Leading the development, implementation and review of institutional
   Strategies and Action Plans, in consultation with the University Executive,
   that give further substance to the commitments of this policy (e.g. Action
   Plans for advancing gender equity, race equity, and ending sexual violence
   and harassment)
- Monitoring and analysing progress by reference to the EDI Policy
- Building capacity across the University to integrate an inclusive mindset in daily interactions, and to understand the historical, structural, institutional and individual drivers of discrimination and how to address them
- Recommending actions required to advance equality, diversity and inclusion

 Reporting on the impact of this Policy and wider equality initiatives to the University Executive Team and Governing Body;

The Human Resource Service is responsible for:

- Working with EDI on the development, implementation and review of equality-proofed HR policies and practices so that these policies and practices are appropriate to ensure equality and non-discrimination.
- Integrating the protection of human rights in all areas of policy development relating to employment
- Supporting reviews of how the University is performing on equality and diversity initiatives for staff.
- Inclusive workforce planning, and the implementation of agreed actions to diversify the workforce and support retention and progression of all staff.
- Working with EDI, HR will develop, deliver and review training for all staff on equality diversity and inclusion as part of wider programmes (e.g. training on recruitment, PMDS process, leadership)
- Working with EDI on the provision of reports on the outcomes of policy and practice with regard to staff recruitment, retention and progression Conduct an annual analysis and provide annual statistical reporting to the relevant Government Department on the percentage of staff working in TU Dublin with a disability as defined in the 2005 Act and to ensure that TU Dublin meets or exceeds the targets set by the Government for employing staff with disabilities.

#### Managers are responsible for:

- Treating all members of the University with dignity and respect and challenging unacceptable behaviour
- Putting the EDI policy and strategy into practice on a day-to-day basis
- Including equality, diversity, inclusion, and human rights issues in Faculty/School/Service plans and performance reviews
- Ensuring that all staff are cognisant of their responsibilities regarding respect for human rights, equality, diversity and inclusion in line with this Policy, providing support and direction when needed
- Dealing quickly and effectively with concerns and complaints and referring where appropriate.

All members of the University community are responsible for:

- Making themselves aware of the University Equality, Diversity and Inclusion Policy;
- Responsible for behaving in a manner that reflects the values of Excellence, Inclusion, Impact and Respect
- Ensuring that their programmes of work, teaching content and resources incorporate equality, diversity and inclusion issues
- Ensuring all students at the University are treated equally and afforded equal opportunities to develop their potential for learning and personal development
- Informing themselves of good practices on equality, diversity and inclusion through completion of relevant e-learning modules and engaging in further activities supporting an inclusive culture and mindset.
- Challenging and reporting unacceptable behaviour in a safe manner, including through the Speakout reporting tool, and in accordance with the relevant Dignity and Respect policies and procedures.

 Meeting any equality and diversity targets agreed in their Service work plan or School plan and contributing to the University's overall performance on creating an inclusive culture

## 6.3 Document Review

This policy will be reviewed periodically, in line with the TU Dublin Policy for Policy and Procedure Development, and at least every 3 years, to reflect legal standards, government policy, and any University policy changes which impact upon this policy.

The EDI Director will inform the University Executive Team on any issues or updates to this policy and its implementation

## 7. Related Documents

- Implementing the Public Sector Equality and Human Rights Duty
- Athena Swan Ireland Principles
- Ending Sexual Violence and Harassment in Higher Education Implementation Plan 2022-2024
- Race Equality in Higher Education Implementation Plan 2022-2024
- Anti-Racism Principles for Irish Higher Education Institutions
- Building for Everyone: A Universal Design Approach
- Dignity and Respect Policy (HRP003)
- Grievance Procedure (HRP005)
- Health and Safety Authority Code of Practice on Prevention and Resolution of Bullying in the Workplace
- IHREC Code of Practice on Harassment and Sexual Harassment at Work

## 8. More Information

Contact: equality@tudublin.ie

# 9. Document Management

### 9.1 Version Control

VERSION NUMBER	VERSION DESCRIPTION / CHANGES MADE	AUTHOR	DATE
Draft 1.0	Initial Draft	Noirin MacNamara	25 March 2022
Draft 2.0	Document revised, transferred to updated template and prepared for UET preliminary consideration	Yvonne Galligan	09 August 2023
Draft 3.0	Document prepared for UET full consideration	Yvonne Galligan	01 November 2023

## 9.2 Document Approval

VERSION NUMBER	APPROVAL DATE	APPROVED BY (NAME AND ROLE)
Rev 1.0	15 November 2023	University Executive Team
	21st February 2024	Governing Body

## 9.3 Document Ownership

This policy is owned by the Office of the President.

## 9.4 Document Review

This policy must be reviewed every three years after approval date, or sooner should there be any significant legislative or public policy change pertinent to this document.

## 9.5 Document Storage

This policy document will be available for viewer access on the TU Dublin website. The Office of the President, as owner of the document, will retain the original version for document control purposes and to meet document retention policy requirements.

## 9.6 Document Classification

This policy is classed as TU Dublin Public and is available to all staff, students and members of the public.