

Equality and Inclusion Policy for Students

Purpose

- 1.1 The College of Legal Practice (the College) is committed to providing an environment where employees, students and others are treated fairly and with dignity and respect.
 - 1.2 The College believes that all students have the right to learn in an environment free from unlawful discrimination, harassment (including sexual harassment), bullying and victimisation. The College is committed to creating a learning environment which promotes positive working relationships and encompasses its obligations under equality legislation.
 - 1.3 The aims of this policy are to:
 - ensure the dignity of all at the College;
 - ensure that differences are respected and valued;
 - ensure that when employment decisions are made, people are not subject to less favourable treatment on the grounds of a protected characteristic that an individual may possess;
 - demonstrate our commitment to equality and diversity; and
 - outline the process to be followed if discrimination, harassment or bullying occurs.
 - 1.4 Each year, the Programme Committee will record information relating to people who share a protected characteristic including applicants, students, staff, alumni and service users to show how it is demonstrating its commitment to equality and inclusion.
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Applicability

- 2.1 This Policy applies to all students of the College regardless of what learning they are undertaking with the College. The College expects all students at the College to behave in a way, which respects the rights and dignity of others, and to treat people fairly by demonstrating a commitment to upholding the College's Equality and Inclusion policy for students.
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Equality Act 2010

3.1 Under the Equality Act 2010, discrimination, harassment and victimisation are unlawful and strictly prohibited.

Definitions

4.1 Discrimination

Discrimination in employment occurs when a person is treated less favourably in their employment because of a protected characteristic (referred to below). It is against the law to discriminate against anyone because of a protected characteristic.

4.2 The protected characteristics defined in the Equality Act 2010 are:

- age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

4.3 Discrimination may come in the following forms:

4.3.1 **Direct discrimination** - treating someone less favourably than others because of a protected characteristic e.g. an employer doesn't give an employee training on the grounds that they are 'too old to learn new skills' (direct discrimination on the grounds of age).

4.3.2 **Indirect discrimination** – applying a "provision, criterion or practice" (PCP) to everyone (which, on the face of it, appears neutral), but which puts someone with a protected characteristic at a particular disadvantage e.g. an advertisement for a cleaner stating that fluent English is required. This might be indirectly discriminatory on the grounds of race as it might disqualify people who cannot speak or read English fluently, even though this may not be a requirement for the job. Indirect

discrimination can potentially be justified if it is shown to be a proportionate means of achieving a legitimate aim.

- 4.3.3 **Harassment** - unwanted behaviour linked to a protected characteristic which has the *purpose or effect* of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Examples include: humiliating someone, embarrassing them, offending them or intimidating them. Behaviour can amount to harassment whether or not the harassment was intentional.
- 4.3.4 **Victimisation** - treating someone unfairly because they have performed a protected act or it is believed they have performed or may perform a protected act. A 'protected act' can be: bringing proceedings under the Equality Act 2010, giving evidence in connection with such proceeding or doing anything connected with the Equality Act 2010 (e.g. making an allegation that someone has breached the Equality Act 2010). Individuals must not retaliate against a person or subject them to any detriment for having raised such a concern.
- 4.3.5 **Failure to make reasonable adjustments** – (applies where an individual is 'disabled' under the Equality Act 2010) this can occur where either a PCP or a physical feature is applied, or where an auxiliary aid is not provided, and this places a disabled person at a substantial disadvantage when compared to others who do not suffer with that disability. In such circumstances, employers are obligated to take such reasonable steps to remove the substantial disadvantage.
- 4.3.6 **Discrimination arising in consequence of a disability** - (applies where an individual is 'disabled' under the Equality Act 2010) treating someone unfavourably because of something arising in consequence of their disability. For example, a job applicant for a tutor role has a stammer, which amounts to a disability under the Equality Act. She doesn't get the job because the employer is concerned she won't be able to deliver teaching to a high standard because of her stammer. This might be discrimination arising in consequence of her disability. Discrimination arising in consequence of a disability can potentially be justified if it is
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shown to be a proportionate means of achieving a legitimate aim.

4.4 Discrimination may also occur by perception or by association (i.e. where someone engages in unwanted conduct towards another person because they perceive that person has a relevant protected characteristic or because that person is associated with another person who holds a protected characteristic).

4.5 Sexual harassment

The unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated or intimidated. Sexual harassment does not have to be directed at a particular individual to be unlawful.

4.6 Examples of sexual harassment include, but are not limited to:

- Physical contact such as pinching, touching, grabbing, kissing or hugging.
- Staring or leering at a person or at parts of their body.
- Sexual jokes or comments.
- Requests for sexual favours.
- Persistent requests to go out, where they are refused.
- Sexually explicit conversations.
- Displays of offensive material such as posters, screen savers, Internet material etc.
- Accessing or downloading sexually explicit material from the Internet.
- Suggestive comments about a person's body or appearance.
- Sending rude or offensive emails, attachments or text messages.

4.7 Bullying

Bullying can take the form of offensive, malicious, insulting or unreasonable behaviour. It can also be an abuse or misuse of power through means that undermine, humiliate, denigrate or injure.

Rights and Responsibilities

- 4.8 The College expects all students at the College to recognise their responsibilities to:
- ensure they do not engage in any unlawful conduct towards other students or employees of the College, or others with whom they come into contact through their learning with the College;
 - ensure they do not assist, support or encourage other persons to engage in unlawful conduct;
 - work within the College on a co-operative basis;
 - follow the complaint procedure in this policy, if they believe they have experienced any unlawful conduct;
 - report any unlawful conduct they see occurring to others in the workplace in accordance with the complaint procedure in this Policy; and
 - maintain confidentiality if they are involved in the complaint procedure.
- 4.9 For the avoidance of doubt, behaviour/acts that amount, or may amount, to bullying, harassment, discrimination or victimisation of individuals will not be tolerated. Any allegations of this type will be taken seriously and dealt with as appropriate under the relevant procedure(s).

The College as an Education Provider

- 5.1 The College seeks to support all students to achieve professional outcomes and recognises a wide range of indicators of academic potential including academic and vocational qualifications and experiential learning.
- 5.2 The College welcomes applications from individuals requiring additional assistance and will ensure that all stages of admission anticipate the requirements of disabled people, and that any reasonable adjustments to admissions procedures requested by disabled applicants are made.
- 5.3 The Programme Evaluation Report will monitor admission criteria and entry to ensure that there is fair treatment to all students. The College will pay particular attention to language, wording, images, content and format of its marketing and promotion materials as well as the materials provided to students to support them in their studies.
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- 5.4 Disabled students are encouraged to disclose to the College any additional needs they may have requiring additional support. This will ensure that the College can put in place any reasonable adjustments in teaching, learning and assessment.
- 5.5 In teaching, learning and assessment the College recognises the diversity of the student body and learners' educational needs and seeks to promote equality and inclusivity in learning, teaching and assessment in its programme content and resources, the pedagogical approach to teaching and learning, the assessment methods, the management of the College's online portal and through support and professional development of the teaching staff.
- 5.6 All online resources provided by the College for use by the students will reflect the College's commitment to fair access and equal treatment.
- 5.7 All students will be treated equally when considered by the Assessment Panels for assessment and award purposes.
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Compliance with this Policy

- 6.1 The College will deal with any complaints relating to this policy through the relevant complaints/grievance procedures. This may include formal disciplinary measures where it is found that this policy is not being adhered to.
- 6.2 Where a student feels that that this policy is not being adhered to, they are advised to speak with the Student Services Manager or their supervisor in the first instance. Should this not resolve the matter, students should consider use of the [Student Complaints Procedure](#). Students should be reassured that the College will take all allegations of unequal treatment seriously and will take appropriate action where necessary.
- 6.3 This policy will be reviewed by the Programme Committee not less than once every three years.
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