



# Equality, Diversity and Inclusion Policy

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Category: Policies - Statutory and Compliance

Owner(s): Senior Executive

Approved by: The Board of Governors

Access: **Public** – Anyone can view this document

Scope: This policy applies to all staff (including contractors and volunteers, students and visitors at Fairfield School of Business (FSB)).

## Quick Guide: Reporting a concern

**If you are a student**, you should use the Student Complaints Procedure to raise a concern if you feel you have been unfairly excluded or discriminated against, particularly if this was on the basis of your age, disability, gender or gender reassignment status, marriage or civil partnership status, pregnancy or maternity status, race (including nationality and ethnic origin), religion or belief, or sexual orientation.

If you are subject to serious discrimination, bullying, harassment or victimisation, let your personal tutor, programme leader or the student support team ([studentsupport@fairfield.ac](mailto:studentsupport@fairfield.ac)) know as soon as possible as we may need to investigate under our Anti-bullying and Harassment (Dignity Policy) procedures.

**Members of staff** should, in the first instance, speak to their line manager or head of department. If this does not resolve the issue, you should contact your HR officer, and raise the matter as a formal grievance (guidance on the grievance procedure can be found in the employee handbook).

Severe or systematic breaches of this policy may be notified to the school's senior management using the Protected Disclosure (Whistleblowing) procedures.

Related policies:

- *Dignity Policy (formerly: Anti-bullying and Harassment Policy)*
- *FSB's Codes of Conduct*
- *Modern Slavery Statement*
- *Antisemitism Statement*
- *Academic Freedom and Freedom of Speech Policy*
- *Protected Disclosures (Whistleblowing) Policy*

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## 1. Definitions

- 1.1. **'The Equality Act (2010)'** is the UK's statutory legislation for protecting people from discrimination in the workplace and in wider society. The school's Equality, Diversity and Inclusion Policy has been informed by the Act and all other applicable legislation.
- 1.2. **'Protected Characteristics'** are characteristics identified in the Equality Act that may make a person vulnerable to unlawful exclusion or discrimination; these include:
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership
  - Pregnancy and maternity
  - Race (including colour, nationality, ethnic and national origin)
  - Religion or belief
  - Sex
  - Sexual orientation
- (Full legal definitions are given in appendix A)
- 1.3. **'Equality'** refers to a situation in which people are treated equally and with parity of esteem, especially in status, rights, or opportunities.
- 1.4. **'Inclusion'** refers to the practice or policy of providing equal access to opportunities and resources for people who might otherwise be excluded or marginalised, particularly due to their having one or more protected characteristics.
- 1.5. **'Diversity'** refers to the comparative number of people included in something who have a protected characteristic versus those who do not.
- 1.6. **'Lawful discrimination'** (in the context of this policy) means treating someone who may or may not have a protected characteristic differently with the **legitimate aim** of protecting that person's wellbeing, and/or where accommodating a particular need would have a disproportionately adverse impact on the business and its profitability.

## 2. Guiding Principles

- 2.1. The school is committed to :
- i. eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - ii. advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- iii. fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2.2. Equality, diversity, and inclusion are themes which are key to school's mission to advance the social and career mobility of individuals who are from groups of people in society who may experience barriers to learning and training opportunities.
- 2.3. This policy applies to all aspects of the school's work as a learning provider and as an employer, however the school recognises the following to be of particular significance:
- The selection and admission of students
  - The recruitment, development, promotion, and remuneration of staff
  - The accessibility of learning opportunities offered by the school
  - The assessment of students' work
  - The provision of support and administrative services to students
  - The monitoring and evaluation of the student experience and student success
- 2.4. The school does not tolerate any form of abusive or discriminatory behaviour, regardless of whether such behaviour is deliberate or inadvertent. Any failure to uphold these principles will be considered as a breach of the school's Code of Conduct, warranting action to be taken under its disciplinary procedures.
- 2.5. The school will achieve its policy aims by:
- Promoting its values of Equality, Diversity, and Inclusion to members of its academic community and embedding them within its teaching and learning practices.
  - Setting mechanisms for effective oversight and evaluation of the accessibility of learning and employment opportunities.
  - Fostering a culture within the school where people can feel confident about raising issues around equality, diversity, and inclusion, and providing means of doing so.
  - Establishing and maintaining an admissions process which is supportive of the needs of all students and provides for assessment of learning support for those students who may have special needs.
  - Making reasonable adjustments and adaptations to its learning opportunities and facilities where practicable.
  - Considering and assessing the impact of its decisions on particular groups who may be disadvantaged or excluded.

- Ensuring fair and sound investigative procedures are in place to review potential breaches of this policy and take remedial action.
- Providing appropriate support to anyone who has been unjustly discriminated against.

2.6. Statistical information regarding student equality and diversity will be provided to monitor provision and will focus primarily on:

- Enrolment data by equalities characteristics monitored by the Joint Information Systems Committee (JISC); formerly HESA.
- Student progression and achievement data by age, gender, SEN status and ethnicity.

2.7. Review of equality and diversity data will inform the school's annual monitoring, which requires the critical appraisal of the quality and delivery of programmes, includes the analysis of data relating to student enrolment, progression and achievement, student feedback and complaints. Where issues are identified in relation to student demographics or protected characteristics, appropriate actions will be set and monitored through the annual monitoring process.

2.8. All data used as part of the monitoring process will be managed in accordance with the school's Data Protection Policy.

## 3. Students

### **Recruitment of students**

- 3.1. The school recruits all students based on their academic suitability to the programme applied for, and the relevance of the programme to that individual's academic and professional ambitions.
- 3.2. The school is committed to make its learning opportunities accessible to anyone who may benefit from them and regardless of their academic background. Students can submit applications for non-standard entry through consideration of professional or alternative qualifications, or significant relevant professional experience.

### **Teaching and assessment**

- 3.3. The school ensures that all new programme proposals and modifications to existing programmes are designed to be accessible to students across all backgrounds, particularly those who are returning to education, or who have limited experience of an academic environment.

- 3.4. In its delivery of programme content, the school shall adopt a pedagogy which is appropriate for its intended audience and mindful of the diverse needs of our student demographics and their differentiated learning needs.
- 3.5. Students are able to access a range of assessment methods which are designed to be mindful of the varying and diverse needs of the student population, and which are reflective of current sector and professional practice.
- 3.6. The school uses rigorous protocols to ensure that the assessment of student's learning outcomes reflects their true academic ability. Formative assessments are sampled and reviewed by external examiners against unambiguous learning outcome descriptors. As such no student will be unfairly penalised in their assessment based on having a protected characteristic.
- 3.7. It is a fundamental principle of academic freedom that reasoned argument may be employed to test and challenge views, opinions and assertions of all kinds, however such discussions will be appropriately moderated to ensure they remain academic and objective in nature.

### **Special Educational Needs**

- 3.8. The school is committed to dealing in a fair and considerate manner with the special educational needs that individual students may have and wherever possible, to make reasonable adjustments to accommodate those needs, whilst maintaining the integrity of the academic standards and quality of the qualifications it offers.
- 3.9. Special arrangements will be made on an individual basis, and based on precedent.
- 3.10. Students are expected to make a disability known either to their Admissions Advisor at the point of application, or to their Student Support team as soon as the disability becomes known to them. School staff will endeavour to assess the student's needs and the implications for their study. Where appropriate, evidence may be required to support a request for special arrangements to be made.
- 3.11. Where necessary, the school will support students to access additional external support, such as funding through Disabled Student Allowance (DSA).

## **4. Employees**

### **Recruitment**

- 4.1. The school aims to attract and recruit employees who are of a high professional calibre and who are appropriately qualified and capable of performing the duties expected of

them. It is naturally within the school's interests to appoint the most suitable candidates available to it.

- 4.2. The school will give equal consideration to appropriately qualified applicants during the recruitment process and will not discriminate unlawfully.
- 4.3. The school's criteria for selection will relate to the requirements of the job, relevant qualifications, and relevant experience. The person specification is objective, ensuring that all the criteria included are appropriate and relevant to the performance of the job in question.
- 4.4. Shortlisting and interviewing processes will be thorough, fair and free from discrimination. To support this, the school will provide training for all employees involved in recruitment and selection to help them understand our processes and make them aware of relevant employment laws.
- 4.5. If an applicant has a disability, the school will make reasonable adjustments to the recruitment and selection process, and if successful in their application, to workplace and working arrangements so the individual can work at the school.
- 4.6. The school will promote best practice in recruitment and selection. It will continuously develop its recruitment and selection practices to allow innovative ideas and approaches to be incorporated.

#### **Pay and conditions**

- 4.7. The school supports the principle of equality of treatment in employment and is committed to ensuring that procedures to determine the pay, conditions and promotion prospects of all employees do not discriminate unlawfully and are free from bias.
- 4.8. The school understands that equal pay between men and women is a legal right under UK employment law, and will routinely undertake a gender pay gap assessment to flag where this is not the case.

#### **Training and development:**

- 4.9. The school is committed to ensuring that colleagues are aware of, and are actively implementing, what is required of them to comply with school policies and all relevant legislation.
- 4.10. The school does not discriminate when providing training and development that allows staff to carry out their jobs more effectively. This applies to full-time or part-time or on a permanent or fixed-term contract.

## 5. Raising a Concern

- 5.1. The school provides several avenues through which concerns about equality, diversity or inclusion may be brought to its attention:
- Prospective students may use the admissions complaints procedure, should they feel they have been unfairly refused a place at the school, or unlawfully discriminated against based on having a protected characteristic.
  - Students should use the school's Student Complaints Procedure to raise concerns where they feel they have been unfairly excluded or inadvertently discriminated against. Additionally, students can collectively engage with the management of the school via their elected representatives, to promote issues of equality, diversity and inclusion within the school's committees of oversight.
  - Serious and/or deliberate instances of discrimination, bullying, harassment or victimisation may warrant separate investigation under the school's Anti-bullying and Harassment procedures. Such cases will be investigated as breaches of the school's Codes of Conduct and the school may take disciplinary action against individuals who behave abusively to members of the school's Academic community.
  - If a member of staff wishes to raise a concern about fair and equal treatment, they should, in the first instance, speak to their line manager or Head of Department, who will consult with the HR Department. If these informal steps do not resolve the issue, the employee should contact their Faculty/Department HR Manager.
  - Severe breaches of this policy may be notified to the school's senior management using its Protected Disclosure (Whistleblowing) procedures.

## 6. Responsibility for Implementing this Policy

- 6.1. The school's governing body will ensure that there are procedures in place for promoting its Equality, Diversity and Inclusion Policy, including procedures for the prompt and thorough investigation of breaches.



## Appendix: Descriptors for the Protected Characteristics

Descriptors for the 'Protected characteristics' refer to the interpretational guidance published by the Equality and Human Rights Commission<sup>1</sup>. They are defined in the following terms:

### **Age**

A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

Guidance on [age discrimination](#).

### **Disability**

A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Guidance on [disability discrimination](#).

### **Gender reassignment**

Where a person undergoes, or proposes to undergo, a process for the purpose of reassigning their sex.

Guidance on gender [reassignment discrimination](#).

### **Marriage and civil partnership**

Marriage is a union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

Guidance on [marriage and civil partnership discrimination](#).

### **Pregnancy and maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Guidance on [pregnancy and maternity discrimination](#).

### **Race**

A race is a group of people defined by their colour, nationality (including citizenship) ethnicity or national origins. A racial group can be made up of more than one distinct racial group, such as Black British.

Guidance on [race discrimination](#).

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<sup>1</sup> [Protected characteristics | EHRC \(equalityhumanrights.com\)](#)

**Religion or belief**

Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Guidance on [religion or belief discrimination](#).

**Sex**

A man or a woman.

Guidance on [sex discrimination](#).

**Sexual orientation**

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Guidance on [sexual orientation discrimination](#).

**Legal Framework**

**The Protection from Harassment Act 1997** creates both civil and criminal offences for harassment and makes provision for protecting persons from harassment and similar conduct.

**The Human Rights Act 1998** Article 9 (freedom of thought, conscience and religion); Article 10 (freedom of expression); and Article 11 (freedom of assembly and association).

**The Equality Act 2010** requires the school, in the exercise of its functions, to have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between diverse groups.



## Version Tracking:

Version	Author / revisions by	Changes summary	Approved by	Date
1.0 – 3.7	Deputy CEO Principal Legal Advisor	Original version and subsequent updates	Exec Co.	Sep 2017 Jan 2018 Mar 2019 Sep 2019
3.8	Quality Audit Manager Principal	Version reformatted; version control added – minor factual corrections	Board of Governors	Nov 2019
3.9	Quality Audit Manager Principal	Annual review – minor factual corrections throughout.	Board of Governors	Sep 2020
4.0	Quality Manager Principal Deputy CEO	Substantial re-write to closer align with EHRC guidance	Board of Governors	Jan 2022
4.1	Quality Manager	No major changes, review date put forward to September 2023.	Board of Governors	Sep 2022
4.2	Quality Manager Head of Student Lifecycle Senior HR Advisor	Definitions and descriptors added, some rephrasing, reordering throughout.	Board of Governors	Jan 2024

**Date of next review:** September 2025