



**English
Path**

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English Path Equality and Diversity Policy For staff and students

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1. Purpose

1.1 To provide an Equality and Diversity Policy applicable to all staff, students and others involved with English Path (EP from now on) based on best practice in the UK higher education sector.

1.2 To provide an Equality and Diversity Policy that supports coordination and implementation at a strategic level, reflects EP' core values, and to ensure that it is embedded within appropriate EP policies for staff and students.

2. Equality and Diversity Policy Statement

2.1 EP is committed to supporting, developing and promoting equality and diversity in all of its practices and activities and aims to establish an inclusive culture free from discrimination and based upon the values of dignity, courtesy and respect. EP will support and develop its staff through providing all with access to facilities, personal and career development opportunities and employment on the basis of equality. EP is committed to creating and sustaining a positive, supportive and excellent teaching and learning environment for its students. EP is committed to providing fair, equitable and mutually supportive learning and working environment for both our students and our staff.

2.2 EP is committed to eliminating discrimination and advancing equality on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief (including lack of belief), sex and sexual orientation.

2.3 EP has adopted the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism. This is in line with the Secretary of State for Education's letter of 9 October 2020 to all UK higher education providers. The IHRA definition helps clarify how antisemitism can manifest itself in the 21st Century and is stated as follows:

*Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.*¹

2.4 EP values diversity and recognises that EP is greatly enhanced through the wide and disparate range of backgrounds, experiences, views, beliefs and cultures represented within its staff and student groups. We aim to embrace diversity in all of its activities and proudly acknowledge that variety and difference are intrinsic to the wellbeing and future development of EP.

2.5 EP' Equality and Diversity Policy underpins our Mission and Strategic Plan.

2.6 Our Equality and Diversity Policy applies to all students and prospective students, to all applicants for staff positions with EP, to all staff employed on a full time or part-time basis, to all staff on permanent or temporary contracts, to agency staff, to honorary title/contract holders and visitors undertaking duties in the name of EP and to sub-contractors undertaking work on any of EP' campuses, and all visitors to the EP.

¹ The full text of the definition can be found at:
https://www.holocaustremembrance.com/sites/default/files/press_release_document_antisemitism.pdf

3. Relationship to EP' Vision, Mission and Strategic Plan

3.1 Our Strategic Plan 2021 provides the following guiding Vision, Mission statement and core values for EP.

Vision

To create the world's most accessible and innovative English language school that changes lives through education that makes a fundamental difference to living standards.

Mission

A world in which every person can communicate using a common language removing inequality and creating a level playing field. Courses that stimulate and challenge. Students that learn, excel and grow.

Core Values

- a. Focusing on learners and learning.
- b. Striving for excellence in learner achievement
- c. Supporting widening participation for students living in traditionally low areas of higher education participation.
- d. Ensuring high aspirations and learner achievement.
- e. Having committed and qualified staff.
- f. Creating a dynamic and welcoming environment for students.
- g. Working in effective teams and partnerships.

Developing and enhancing our strategic capability to ensure the long-term success of EP in order to achieve our vision.

4. Objectives of the Equality and Diversity Policy

4.1 EP is committed to ensuring that an environment is created that respects the diversity of staff and students and enables them to achieve their full potential. To achieve these objectives the following basic rights for all existing and prospective staff and students are acknowledged:

- (a) to be treated with respect and dignity
- (b) to be treated fairly with regard to all policies, procedures, assessments and related activities
- (c) to be encouraged to reach one's full potential

4.2 Further objectives of this policy are to ensure that in carrying out activities related to English Path’s language education provision due regard will be given to:

- (a) eliminating unlawful discrimination, harassment and victimisation
- (b) advancing equality of opportunity across all the activities of English Path
- (c) fostering good relations between people of a diverse background.

4.3 Through implementation of this policy, English Path will aim to:

- (a) develop and promote a culture of equality and diversity throughout the School
- (b) develop and promote a culture of dignity, courtesy and respect
- (c) support staff and students, including provision of relevant support relating to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief (including lack of belief), sex and sexual orientation
- (d) work to prevent all forms of unlawful discrimination, including antisemitism
- (e) deal with all forms of discrimination consistently and effectively
- (f) ensure that this Equality and Diversity Policy influences and informs the culture of English Path

4.4 English Path will work to ensure that staff, students, prospective staff and students, visitors, contractors and sub-contractors working for the School are aware of our commitment to equality and diversity.

5. Roles and Responsibilities

5.1 It is the responsibility of all members of English Path's language education community to behave with dignity, courtesy and respect, and to act in a manner that does not unlawfully discriminate at all times.

5.2 Role of Staff

Staff at English Path have the following responsibilities with respect to adherence to this Equality and Diversity Policy:

- to actively encourage non-discriminatory practices and to report any incidences of behaviour that fail to comply with this policy;
- to be aware of and support this Equality and Diversity Policy;
- to support the objectives and aims of English Path's Equality and Diversity policy;
- to undertake appropriate equality and diversity training.

5.3 Role of Students

Students at English Path have the following responsibilities with respect to adherence to this Equality and Diversity Policy:

- to actively to encourage non-discriminatory practices and to report any incidences of behaviour that fails to comply with this policy;
- to be aware of and support this Equality and Diversity Policy;
- to support the aims and objectives of this Equality and Diversity policy;
- to be aware of equality and diversity issues.

5.4 Role of Senior Management

Management of the English Path include the Head of School, Head of Student Services, Head of Finance and the Head of Academics Head. With respect to this Equality and Diversity Policy, senior management have the following responsibilities:

- to ensure that members teaching and administrative staff receive appropriate equality and diversity training;
- to investigate all aspects of alleged discrimination, harassment and inappropriate behaviour promptly and thoroughly;
- to ensure that selection and appointment procedures, performance management processes, staff development opportunities, and disciplinary and grievance processes are fairly and consistently applied to all staff;
- to treat all staff applications for flexible working practices on a fair and equitable basis, and to provide reasonable and objective reasons when such requests are refused;
- to ensure that student selection and admissions procedures, assessment processes, career development opportunities and disciplinary and complaints procedures are fairly and consistently applied to all students;
- to provide leadership in the implementation, operation and understanding of this Equality and Diversity policy;
- to be accountable for any issues concerned with failure to adhere to this Equality and Diversity Policy.

6. Application of the Equality and Diversity Policy: Staff

6.1 Recruitment and Selection

Recruitment advertising will encourage applications from all sectors of the community reflecting English Path's commitment to equality and diversity. Recruitment advertising will appear in publications appropriate to the audience capable of producing the best candidates (subject to budget considerations). Job descriptions, person specifications and recruitment advertisements will be written on the basis of the essential and justifiable requirements of the position. Shortlisting, appointment and rejection decisions will be transparent and justifiable.

6.2 Grading and Promotion

All grading and promotions criteria and procedures will be free from prejudice and must be applied equitably and consistently.

6.3 Staff Development

All staff will have equal access to induction, personal and career development opportunities and facilities.

6.4 Performance Management

Probation and appraisal procedures will be clear and transparent and will be applied fairly across all staff.

6.5 Discipline and Grievance

Disciplinary and grievance procedures will be applied fairly and transparently for all staff. Allegations of discrimination, harassment or inappropriate behaviour will be dealt with under the appropriate disciplinary procedures for staff.

7. Application of the Equality and Diversity Policy: Students

7.1 Recruitment, Selection and Admission

All information contained in prospectuses, websites and other material used in the recruitment of students will promote equality of opportunity and make reference to this policy. All staff involved in the recruitment, selection and admission of students will have an awareness of equality and diversity.

7.2 Assessment

There will be clear, consistent and transparent criteria for student assessments and all assessments will take place on an equal opportunities basis.

7.3 Career Planning and Participation

All students will have access to career planning support and will be encouraged to participate fully in the academic, cultural and social life of English Path.

7.4 Discipline and Student Complaints

Discipline and student complaints policies and procedures will be applied fairly and transparently for all students. Allegations of harassment or discrimination will be dealt with under the Student Charter.

8. Visitors, Contractors and Sub-Contractors

8.1 Visitors, contractors and sub-contractors must comply with English Path's Equality and Diversity Policy. School staff meeting/employing visitors, contractors and sub-contractors are responsible for making them aware of the School's Equality and Diversity Policy.

9. Training

9.1 Equality and diversity awareness raising and training will be mandatory for all staff. Information will be provided to all in order to raise awareness of equality and diversity and the contents of this policy during induction training.

9.2 Students will be briefed about English Path's Equality and Diversity Policy during induction at the start of their studies and at least once a year thereafter. Any changes to the Equality and Diversity Policy will be communicated to students through the School's virtual learning environment.

10. Communication

10.1 The Equality and Diversity Policy will be made available to staff, students, prospective students and the public more generally English Path's website

<https://www.englishpath.com>) This policy and related information, including web-links, will be made available for students and staff on the virtual learning environment.

11. Breach of English Path's Equality and Diversity Policy

11.1 Contravention or breach of the Equality and Diversity Policy will be treated as a disciplinary matter and offenders will be dealt with under the staff or student disciplinary policies, as appropriate.

12. Data Collection and Monitoring

12.1 The personal data of students and staff are collected and used in accordance with the Data Protection Act 1998. The Head of School, Academic Head, Head of Finance and Head of Student Services are collectively responsible for monitoring the data available for each of the protected characteristics and taking appropriate action to advance equality and diversity. These senior School staff monitor student enrolment, retention, achievement and success at appropriate points throughout the academic year.

12.2 Evaluative reports, such as the EnglishUK Annual Statistics Report, present and evaluate student data. Where there are differences in the data for different groups of students, actions should be identified to help reduce and eliminate unwarranted differences.

12.3 English Path's Head of Departments are responsible for monitoring equality and diversity data relating to students and the Executive Management Board is responsible for monitoring equality and diversity data for staff.

Appendix 1: Glossary of key words/terms

Age A protected characteristic. A person belonging to a particular age (for example, 65 year olds) or a range of ages (for example 50 to 60 years of age).

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

Direct Discrimination Is where a person or group of people is treated less favourably than another individual or group of people because of a protected characteristic.

Direct Discrimination by Association Is where a person or group of people is treated less favourably because they associate with another person or group of people who has protected characteristics.

Direct Discrimination by Perception Is where a person or group of people is treated less favourably than another person or group of people because other people or groups of people think they have a protected characteristic.

Disability A protected characteristic. A person has a disability if she or he has a physical or mental impairment which has a substantial long term and adverse effect of the person's ability to carry out normal everyday activities. Long term means that the disability has lasted or is likely to last for at least twelve months. Substantial means more than minor or trivial.

Diversity Diversity is concerned with acknowledging, respecting and valuing differences between individuals and groups of people.

Equality Equality is about ensuring that people are treated fairly and given equal opportunities. Equality is *not* about treating everyone in the same way. Equality is about ensuring that different individuals and groups have their needs met in appropriate ways. Equality offers a framework that enables opportunity, access, participation and contribution that is fair and inclusive.

Gender Reassignment A protected characteristic. This is the process of transitioning from one gender to another and is a personal process, rather than a medical process (it does not require someone to undergo medical treatment to be protected). Transsexual refers to a person who has the protected characteristic of gender reassignment. It is important not to confuse gender reassignment with sexual orientation. A transsexual person can be a gay man, lesbian, heterosexual or bisexual.

Equality Impact Assessment Is a process whereby a policy, procedure or practice is reviewed, and if necessary amended, to ensure that it does not discriminate against any person or group of people with a protected characteristic.

Harassment² Is where a person or group of people behave in such a way that their conduct has the purpose or effect of creating an environment that is hostile, degrading, humiliating or intimidating.

Indirect Discrimination A rule or policy that applies to everyone and as a consequence disadvantages people or groups of people with protected characteristics.

Marriage and Civil Partnership A protected characteristic. Marriage is a legal union between a man and a woman, a man and a man, and a woman and a woman. Same sex couple can also have their relationship legally recognized as a civil partnership. Civil partners must be treated the same as married couples on a wide range of legal matters.

Positive Action Positive action means offering targeted assistance to people so that they can take full and equal advantage of particular opportunities. Positive action means taking steps to ensure that all groups of people have equal opportunity of access to, for example, the School's services and facilities.

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

Protected Characteristics Protected characteristics are definitions for groups of people given protection under the Equality Act 2010. Protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, and belief, and sex and sexual orientation.

Race A protected characteristic. Race refers to a group of people defined by their race, colour, nationality (including citizenship) and ethnic or national origins.

Reasonable Adjustment The duty to make reasonable adjustment is made up of three requirements. For providers of education these requirements are to take reasonable steps to:

- (i) Avoid the substantial disadvantage where a provision, criterion or practice puts disabled students at a substantial disadvantage compared to students who are not disabled.
- (ii) Remove or alter a physical feature or provide a reasonable means of avoiding such a feature where it puts disabled students at a substantial disadvantage compared to students who are not disabled.
- (iii) Provide an auxiliary aid where disabled students would, but for the provision of such an auxiliary aid, be put at a substantial disadvantage compared to students who are not disabled.

² See the English Path Anti-Harassment and Anti-Bullying Policy and Procedure www.englishpath.com

Religion or belief A protected characteristic. Religion means any religion or a lack of religion. A religion need not be mainstream or well-known to gain protection as a religion. A religion must have a clear structure and belief system. Belief system means any religious or philosophical belief and includes lack of belief. A belief should affect your life choices or the way you live for it to be included in the definition.

Sex A protected characteristic. A male or a female.

Sexual Orientation A protected characteristic. Sexual orientation is a person's sexual attraction to persons of the same sex (a gay man or a lesbian), persons of the opposite sex (heterosexual) or either sex (bisexual).

Victimisation Is where a person or group of people are treated less favourably because they have, for example, raised a complaint or grievance under the Equality Act 2010.

Appendix 2: Legislative Framework

The Equality Act 2010 (<https://www.gov.uk/guidance/equality-act-2010-guidance>) brought together over 116 separate pieces of legislation into one single Act. Combined they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Act protects individuals from unfair treatment and promotes a fair and more equal society.

The nine main pieces of legislation that were merged into the Equality Act 2010 were:

- The Equal Pay Act 1970
- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- The Disability Discrimination Act 1995
- The Employment Equality (Religion or Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Age) Regulations 2006
- The Equality Act 2006, Part 2
- The Equality Act (Sexual Orientation) Regulations 2007

Protected Characteristics are definitions for groups of people given protection under the Equality Act 2010.

Appendix 3: Examples of Discrimination, Harassment and Victimisation (a)

Example of direct discrimination

A providing higher education programmes rejects a prospective male student's application to a childcare programme of study because the Admissions Tutor does not think it appropriate for a male to be working with young children.

This would constitute unlawful discrimination on the grounds of the protected characteristic of sex.

(b) Example of direct discrimination by association

Janet applies to a language class and discloses to the tutor that her boyfriend is Jewish, although she is not. The tutor then tells Janet that he has made a mistake and that the class is actually full. Later, Janet finds out that others have been allowed to join the language class after she was refused entry.

The tutor's conduct is likely to amount to direct discrimination by association because of religion or belief as a result of Jane's association with her Jewish boyfriend.

(c) Example of direct discrimination by perception

John, a landlord, advertises a flat to rent in a local paper and Peter meets John to view the flat and find out further details. Jason assumes that Peter is gay because of his mannerisms, voice and style of dress. As John does not want to rent his property to a gay man, he informs Peter that the flat is no longer available.

This is indirect discrimination because of sexual orientation due to Jason's perception that Peter is a gay man.

(d) Example of indirect discrimination

In a neighbourhood that includes a large Muslim community, a local community group provides lunch for elderly people but they say that because the supplier cannot provide Halal meals they are unable to provide meals for Muslim customers. The policy not to supply Halal meals would disadvantage Muslim people in particular.

The community's group policy not to supply Halal meals is unlikely to be justifiable since they could simply seek and alternative supplier that could supply Halal meals.

(e) Example of Harassment

A member of staff makes a derogatory remark about a student going through gender reassignment. Another member of staff finds the first member of staff's remark offensive.

The member of staff's derogatory remark would constitute harassment.

(f) Example of victimisation

An individual ran a training seminar for unemployed people to help them prepare their CVs. Mohammed, a Muslim delegate attending the seminar, wrote to complain that he was not excused from part of the seminar to attend afternoon prayers. The next time Mohammed applied to attend a follow up seminar he was told that there were no places left, but later found out that his friend had been given a place, even though he had applied after Mohammed.

Mohammed had been victimized because he had made a complaint related to his religion.

(g) Example of disability discrimination

A student diagnosed with autism often speaks out of turn during tutorials, which can create a disruptive atmosphere for the tutor and other students. Because of his behavior the student with autism is asked not to attend tutorials in future.

This is likely to constitute discrimination arising from disability.