

# LCCA Equality and Diversity Policy

## 2023-25

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### Contents

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## 1. Introduction, definition, and context

The Equality and Diversity Policy clearly sets out how LCCA College (the College) promotes equality and diversity and creates a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights and enhance the way the College operate.

*Equality* can be described as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all groups both in employment, and to goods and services on the basis of which is supported and protected by legislation.

*Diversity* can be described as celebrating differences and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for the society.

Equality and Diversity are not inter-changeable but inter-dependent. There can be no equality of opportunity if difference is not valued, harnessed and taken account of.

This policy applies to all staff of the College (engaged through, or by, an employment agency and supplied to the College on a temporary basis), and all job applicants regarding recruitment.

This policy applies to all our current enrolled students (engaged through, or by, a recruitment agency) and all new applicants.

Staff and students working in or on the premises of other organisations must adhere to the policies and procedures of that organisation.

The policy also applies to the college visitors, including visiting students, visiting lecturers, guest speakers and third-party contractors.

## 2. Purpose

This policy sets out how the College intends to meet its equality commitments in respect of staff and students, encompassing its general equality duties in respect of the protected characteristics listed in the Equality Act 2010. This policy applies to all aspects of employment and study at LCCA, including recruitment, selection, education, and assessment of students.

The College is committed to providing supportive working environment for our staff and an excellent teaching and learning experience for our students, where staff are equally valued and respected, and students are encouraged to thrive academically.

When we're making decisions, the Equality Act 2010 gives us a duty to take into account the need to:

- eliminate discrimination, harassment, and victimisation
- advance equality of opportunity
- foster good relations between different parts of the community

This covers age, disability, gender reassignment, marital or civil partnership status, pregnancy and parenthood, race (including ethnic or national origin, colour and nationality), religion or belief (including lack of belief), sex and sexual orientation.

## 3. Disability Discrimination Act

The Disability Discrimination Act 2005 makes it unlawful to discriminate against a disabled person in relation to employment, or the provision of goods, facilities and services. Following on from the Special Educational Needs and Disability Act 2001 (SENDA - part 4 of the Disability Discrimination Act), the college has made a formal commitment to opposing discrimination on the grounds of a person's impairments. This policy further incorporates the requirements of the Equality Act 2010 by ensuring that indirect discrimination, including harassment, does not occur for disability. This includes protection from direct disability discrimination and harassment where this is based on a person's association with a disabled person, or on a false perception that the person is disabled.

The Equality Act 2010 places a general duty on all training providers and Higher Education institutions to promote disability equality. Under these duties the College is required to:

- eliminate unlawful discrimination
- eliminate harassment of disabled people
- promote equality of opportunities between disabled people and other people
- involve disabled people in the formulation of actions
- promote positive attitudes towards disabled people
- encourage participation by disabled people in public life
- take steps to meet disabled people's needs, even if this requires more favorable treatment
- identify and analyse potential discriminatory policies, practices and procedures in all aspects of the University's activities.

### a. Definition of Disability

The Equality Act 2010 uses a wide definition of disability which includes those with physical or mobility impairments, visual impairments, hearing impairments, dyslexia, dyspraxia, dyscalculia, AD(H)D, medical conditions, mental health difficulties, autistic spectrum conditions, Chronic Fatigue Syndrome, M.E. and 'unseen disabilities' (e.g. asthma, epilepsy, heart conditions, diabetes). The formal definition included in the Act is: "A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities".

The definition of "day to day activities" includes mobility, manual dexterity, lifting, hearing, eyesight, speech, memory, and the ability to concentrate, learn or understand. The Act defines "substantial" as being more than trivial and "long-term" as being more than twelve months or likely to last twelve months. An impairment which would substantially affect a person, but which is controlled by medical treatment or prosthesis, is still covered by the definition of disability.

The definition includes cancer, HIV/AIDS and Multiple Sclerosis effectively from the point of diagnosis.

Discrimination and harassment is not limited to those people who are themselves disabled but also applies to those associated with disability i.e. a carer for a disabled child

#### **b. Students with Disabilities**

The College promotes the increase of access to students with specific learning needs, mental or physical impairments. It encourages applications from students with impairments and specific learning needs and, through its determined commitment, strives to ensure that no suitable candidate is unable to take up a place on one of its courses or is placed at a substantial disadvantage while pursuing that course because of disability or any impairment.

#### **c. Admissions and support identification**

All applicants to the College are considered equally, based upon their academic aptitude. Where an applicant declares an impairment, the College ensures that any support entitlements are identified at an early stage in advance of a student's confirmation of a place on a course, but this should not involve unreasonable delays in processing such applications. The College's procedures allow staff then to assess which advice on the amenities and resources available are suitable for the requirements of the student.

The College has procedures in place, which monitor the potential student applicant and ensure that the student will not be placed at a substantial disadvantage during their period of study; all the while ensuring there is no discrimination against any student. As soon as possible during the admissions process, and on considering all reasonable adjustments possible to ensure that a disabled person would not be at a substantial disadvantage compared to non-disabled people, staff will advise potential students in the unlikely event the College is unable to facilitate the entitlements of the student.

The College is committed to guaranteeing that the potential student will gain support as is required, where any barriers occur to their course of study while at LCCA. This will be monitored through a series of assessments, made by the Welfare Officer, prior to the admission process, and a plan of action will be set up to evaluate the entitlements of the potential student. The College acknowledges that modifications may be necessary to ensure the potential student has access to all areas of course activities, such as placements and field trips. It is also aware that these alterations will have to be made to make sure the student is not at a disadvantage for any reason due to their impairment or disability. Adjustments made could be time-tabling all classes the disabled student is part of to accessible areas of the

College, providing additional support, including such support as any sign language or care requirements.

#### **d. Premises and access**

The College acknowledges that the buildings present a problem for different kinds of impairments. LCCA seeks to continuously monitor and make improvements to its premises, based on a comprehensive annual premises health and safety, and access audit. This commitment to improved access will continue through adjustments to our general maintenance and improvements. All new buildings and major refurbishment schemes already specifically address the entitlements of students with all types of impairments.

#### **e. Student support**

The College has established an approach which includes detailed assessments that have been devised to allow staff to identify the entitlements of the student, even if the disability or impairment only becomes apparent during the course of their studies. It is through this approach that the College ensures that the student will feel free and comfortable to converse with the College to assess and expand upon the assistance that is required to facilitate their study. This developed support and advisory service will also be available to staff with whom the student will interact.

#### **f. Assessment**

The College has put into practice a number of practical arrangements for assessing students on the course, including additional time allowances, the use of computers or a scribe, the provision of papers in alternative formats and the use of alternative rooms outside the main examination room.

The College has ascertained certain assessment procedures that ensure that no student is placed at a disadvantage when it comes to examinations and assessments. The College maintains certain procedures for ensuring that examination officers and assessment boards are made fully aware of the entitlements of any specific student considering the needs of the student.

The College has undertaken the practice of anonymous marking techniques, double marking, verifications and has an appeal procedure, which does not allow any discrimination of any kind against any student, whether they have a disability or not. These ensure that the College is as transparent as possible and can be accountable. Allowances are made for students who have disabilities, as long as said students make the College aware of the entitlements required. Deadlines are followed equally for all students, unless the student in question has extenuating circumstances (such as unforeseen worsening of a condition or related problems); these circumstances must be proven by the support of Medical Certification. The primary focus and purpose is to put personal and general support arrangements in place, and make 'realistic adjustments' to the assessment processes (such as additional time in an examination).

Where candidates are in the UK, students will be referred to be needs assessed by authorized and regulated authorities. Any additional support, or other adjustments required of the College will then be assessed with the view of accommodating the disabled learner. The College will as necessarily provide guidance on obtaining statutory funding available to the learner by means of grants or welfare payments. In the case of overseas (non-EU) candidates, the college will advise of the additional costs required to be met by the learner or their sponsor so the College may put in place the requirements and entitlements of the learner. If the candidate is overseas, an assessment will be made and the likely costs the learner will incur will be notified. If agreeable, a formal offer will be made.

General information from the College will make clear any difficulties that may arise in the way of mobility access to certain parts of the college. Where possible, other arrangements that could be made possible to suit the entitlements of the student, will be made in the early stages of admission. This information, along with any special measures or adjustments to be put in place for the student will be notified to the student.

#### **g. Staff with disabilities**

The College believes in the value of a diverse workforce, and this includes the representation of staff with disabilities. It, therefore, aims to create an accessible physical environment and an inclusive culture.

It is the aim of the college to recruit, train, develop and retain disabled people. The college monitors self-declaration of disability at both application and appointment stage but it ensures that the recruitment and selection process is fair and does not discriminate people with disability. It is important that the HR have the necessary information and inform the relevant school/department for any adjustment required to the recruitment process.

#### **h. Reasonable adjustments**

The College provides reasonable adjustments to ensure that a person with a disability is not at any substantial disadvantage when compared to a non-disabled person.

Reasonable adjustments are changes to the employment arrangements or any physical feature of the workplace and can include:

- making adjustments to premises, fixtures and fittings, furniture and access to equipment
- allocating some of the work to another person
- transferring the employee to another post or another place of work
- being flexible about hours of work and allowing the employee to be away from the office for rehabilitation, assessment or treatment
- providing additional training
- using modified equipment
- making instructions and manuals more accessible
- enabling the use of a reader or interpreter
- making special arrangements for parking and access to buildings
- making special arrangements for Health and Safety of a disabled staff member, for example, for the safe evacuation of a disabled person identified at risk from fire. In all cases, members of staff with disabilities that affect their mobility in an emergency will be consulted about their individual needs for evacuating the building in a safe and dignified manner.

#### **i. Disciplinary action**

When taking any disciplinary action against a disabled staff, the College will fully consider the facts whether there are reasons related to their disability for a disabled staff behaving in the way that has led to the disciplinary action. This is to ensure that there is no discrimination that is just due to disability.

#### **j. Redundancy**

The College will ensure that in the event of potential redundancies, selection criteria do not discriminate against disabled employees. It will also ensure that any arrangements that are made for consultation do not discriminate against disabled employees.

In all cases the College will consult with the person concerned about the reasonable accommodation of his or her needs.

## **4. Racial Equality**

LCCA is in essence a diverse educational facility, dealing with persons from varying nationalities and racial diversities. The College is committed in all its functions to promoting race equality, eliminating unlawful discrimination, and promoting good race relations between people of different racial groups. The College values the diversity of its workforce and student population and is working to ensure that the highest equality and diversity standards are maintained.

This policy incorporates the rights and responsibilities listed in the Race Relations Act 1976 and the general and specific duties of the 2000 and 2001 Amendment Acts.

The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 (RRAA), makes it unlawful to discriminate against anyone on grounds of race, colour, nationality (including citizenship), national or ethnic origin. The amended Act also imposes general and specific duties on specified public authorities to eliminate unlawful racial discrimination and take positive steps to promote racial equality and mutual respect. The definition of public authority under the Act is 'anybody certain of whose functions are of a public nature'. The College is a public body under the terms of the Act.

The RRAA arose out of the recommendations of the 'Report of the Stephen Lawrence Inquiry' and provides an opportunity for public bodies to undertake a review of policies and processes relating to staff and students in the context of racial equality. The College community will work within the framework provided to eliminate any institutional racism.

The College ensures that racial equality is a matter of which, those who carry out its functions at every level, are fully aware. The functions of the College to which this Policy is particularly relevant include the following:

- student admissions, access to courses, assessments and academic progress
- student guidance, career advice, support, accommodation, catering and recreational activities
- curriculum design, teaching, learning and delivery.
- provision of and access to support services
- staff recruitment, selection, induction
- staff development, professional training, promotion, career progression, disciplinary, grievance and exit procedures.
- procurement and outsourcing

## **5. Harassment and Bullying**

The College's approach to harassment is that everyone should be treated with dignity and respect at work and while studying. The College policy extends beyond the purely legal requirements; no form of harassment of individuals, whether prohibited by law or not, will be tolerated. An individual must not pursue a course of conduct that amounts to harassment of another, and that s/he knows, or ought to know, amounts to harassment of the other.

*Harassment* is behaviour resulting in diminution of self-esteem and the undermining of a person's well-being. It may, for example, adversely affect his/her health, work performance or threaten or appear to threaten job security or prospects. It may be persistent behaviour or an isolated incident. In relation to gender, disability, sexuality, race, or ethnic and national origins, harassment is defined as occurring when unwanted conduct, based on the relevant grounds, has the purpose or effect of violating someone's dignity or creating an environment that is intimidating, hostile, degrading, humiliating or offensive to someone.

The dictionary definition of a *bully* is a person who frightens or persecutes weaker people. It can for that reason be the act of intentional causing of harm to others through verbal harassment, physical assault, or other more subtle methods of coercion, such as manipulation. *Bullying* can occur in any environment where individuals interact with each other. It is far more common than sexual harassment and verbal abuse. Workplace bullying often takes place within the established rules and policies of the organization and society. Such actions are not necessarily illegal and may not even be against the firm's regulations; however, the damage to the targeted employee and to workplace morale is obvious. Intimidation, victimisation, or any other form of retaliation against those who have been involved in making or assisting in a complaint of harassment are not acceptable. This may lead to further action, which could include pursuing disciplinary procedures, civil action or criminal investigation.

## 6. Gender Recognition

LCCA is considered in essence to be a diverse educational facility, dealing with transsexual individuals. The College is committed in all its functions to promoting gender equality, eliminating unlawful discrimination, and promoting good relations between peoples of different genders. The College values the diversity of its workforce and student population and is continually working to ensure that the highest equality and diversity standards are maintained.

This policy encompasses the rights and responsibilities of any staff member or student who has fully transitioned or is in the process of transition to the opposite gender, as identified and laid down in the Gender Recognition Act (2004).

The College ensures that the Gender Recognitions a matter of which those who carry out its functions at every level are fully aware. The functions of the College to which this Policy is particularly relevant include the following:

- student admissions, access to courses, assessments, and academic progress
- student guidance, career advice, support, accommodation, catering, and recreational activities
- curriculum design, teaching, learning and delivery.
- provision of and access to support services
- staff recruitment, selection, induction
- staff development, professional training, promotion, career progression, disciplinary, grievance and exit procedures
- procurement and outsourcing

## 7. Sexual Orientation Equality

Our college is committed in all its functions to promoting sexual orientation equality, eliminating unlawful discrimination and promoting good relations between people of all sexual orientations: gay, lesbian, heterosexual and bisexual. The College values the diversity of its workforce and student population and is working to ensure that the highest equality and diversity standards are maintained.

The Equality Act 2010 protects individuals from discrimination on grounds of sexual orientation, in the provision of services, education and management of premises. The protection will therefore apply to everyone, whether the individuals are lesbians, gay men, heterosexual or bisexual.

The regulations prohibit direct discrimination: this is when a person treats another person less favourably on the grounds of his/her sexual orientation, or what is believed to be his/her sexual orientation, or the sexual orientation/perceived sexual orientation of another person with whom they associate.

The College is aware that it is unlawful to discriminate against a prospective student in the terms by which it offers to admit or by refusing to accept an application to admit them as a student. It is also conscious that it is unlawful to publish, or to cause to be published, an advertisement which indicates an intention by any person to discriminate unlawfully. The functions of the College to which this policy is particularly relevant include the following:

- student admissions, access to course, assessment, and academic progress
- student guidance, career advice, support, accommodation, catering, and recreational activities
- provision of and access to support services, staff recruitment, selection, induction, staff development, professional training, promotion, career progression, disciplinary, grievance and exit procedures.

## 8. Religion and Belief

The Equality Policy provides for an inclusive environment, which 'promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all its staff and students are respected.' It also provides that no student or member of staff will be treated less favorably on grounds which include religion and belief.

The Equality Act 2010 provides protection against discrimination, harassment and victimization on the grounds of religion or belief. The definitions of religion and belief under the Equality Act 2010 are:

*Religion* - any religion or reference to religion, including a reference to a lack of religion.

*Belief* - any religious or philosophical belief or reference to belief, including a reference to a lack of belief.

Religion or belief should be taken to mean the full diversity of religious and belief affiliations within the UK, including non-religious and philosophical beliefs such as atheism, agnosticism and humanism.

## 9. Age



In the Equality Act 2010, age is one of the 'protected characteristics' on the grounds of which people are protected against unfair discrimination. The Equality Act 2010 makes it unlawful to discriminate against employees, job seekers and trainees because of age. For example, this may include because they are 'younger' or 'older' than a relevant and comparable employee. All members of the College are encouraged to be alert to possible unconscious bias, and to make decisions about people against clear criteria. There are four main types of age discrimination.

### **Direct discrimination**

Breaks down into three different sorts of direct discrimination of treating someone 'less favourably' because of:

- their actual age (direct discrimination)
- their perceived age (direct discrimination by perception)
- the age of someone with whom they associate (direct discrimination by association).

Direct discrimination because of someone's actual age is the only one of the three different sorts of direct discrimination that may be objectively justified as what the law terms 'a proportionate means of achieving a legitimate aim'. This means it must be proportionate, appropriate and necessary (economic factors such as business needs and efficiency may be legitimate aims).

### **Indirect discrimination**

Can occur where there is a policy, practice, procedure or workplace rule which applies to all workers, but particularly disadvantages people of a particular age. For example, a requirement for job applicants to have worked in a particular industry for ten years may disadvantage younger people. In some limited circumstances, indirect discrimination may be justified if it is 'a proportionate means of achieving a legitimate aim'.

### **Harassment**

When unwanted conduct related to age has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

### **Victimisation**

Unfair treatment of students or staff who has made or supported a complaint about age discrimination.

The College is aware that it is unlawful to discriminate against prospective students and staff and it promotes applications for all ages (Please note that students are subject to minimum age requirements depending on their chosen courses. It is also conscious that it is unlawful to publish, or to cause to be published, an advertisement which indicates an intention by any person to discriminate unlawfully. The functions of the College to which this policy is particularly relevant include the following:

- student admissions, access to course, assessment and academic progress
- student guidance, career advice, support, accommodation, catering and recreational activities
- provision of and access to support services, staff recruitment, selection, induction, staff development, professional training, promotion, career progression, disciplinary, grievance and exit procedures.

Staff of all ages are encouraged to discuss their future plans and choices. There may be periods in their lives when they need particular support, when they have caring responsibilities for children or elderly family members, or towards the end of an extended working life. We encourage all staff to discuss their future plans and choices with their manager and to identify any development needs. Within the College there may be opportunities for options such as part-time working, career breaks, and sideways moves to develop new skills or flexible retirement. The College offers a formal flexible working scheme to parents and carers, but other people are encouraged to make informal enquiries about flexible working.

## **10. Training and development**

All students and staff joining the College will have access to the Student Handbook and they will be given information in their relevant induction programmes. The College aspires to run series of workshops and training sessions for its student body and members of staff to promote awareness and equal opportunities to all students and staff regardless of their race, gender, sexual orientation, age, religion and disability.

## **11. Disclosure and Confidentiality**

It is the College's normal policy to respect the privacy of the student and staff while ensuring that those who have regular contact with the student will be informed of their specific support needs on a 'need to know' basis. Should the student and staff have need of a greater degree of privacy than that, this will be respected. All students and staff are encouraged to read our GDPR policy for further details.

## **12. Non-compliance and complaints**

Where a student alleges non-compliance with the policy, he or she may lodge a complaint through the Academic Registrar; alternatively, recourse may be made to the Grievance Procedure and students may use the Student Complaints Procedure. In case a member of staff alleges non-compliance with the policy, he or she may lodge a complaint through their respective line managers; alternatively, recourse may be made to the Grievance Procedure outlined in Staff Handbook.

Members of the public can make written complaints to the College Principal directly in cases where they believe that they have not been treated by the College according to the requirements of this policy.

## **13. Responsibility for this policy and Equality and Diversity provision**

The College's Head of Quality has an over-arching responsibility to keep this policy under review and has the ultimate responsibility for Equality and Diversity provision. The Board will delegate specific responsibility in particular areas of the provision as appropriate.

Deans of Schools, Department and Managers and Line Managers have the following responsibilities:

- ensuring that staff and students are aware of their responsibilities, understand and apply this policy.
- promoting equality and diversity throughout the activities in their area
- identifying and responding to equality and diversity staff development needs
- supporting individual needs of staff so they can perform their effectively.

Staff with responsibility for teaching, support and welfare of students and those who manage others have a responsibility to identify, value and respond appropriately to varying needs and perspectives. In addition, all teaching staff are responsible for:

- promoting equality and diversity through their teaching programmes and through relations with students, staff and the wider community
- ensuring that the curriculum covers the knowledge, skills and values which students need to tackle discrimination when they meet it and to help them to understand and value diversity.
- ensuring that materials used to deliver the curriculum are accessible to a diverse range of students and adjusted to meet specific needs, and that they are free from sexist, racist and other discriminatory assumptions, images and languages, unless they are being studied as examples of such

All staff have the above responsibilities, where applicable and the following additional responsibilities:

- anticipate and respond positively to different needs and circumstances of members of the College's community
- apply equality and diversity principles through everyday work activities
- keep knowledge of the College's equality and diversity policy up to date

Staff who have concerns about unlawful discrimination, harassment or bullying are advised to contact their line manager or a member of HR Team.

All students have the following responsibilities:

- treat all members of the College community with dignity and respect their rights and beliefs (including within the virtual learning environment)
- challenge or report incidents of discrimination, harassment and bullying
- respond positively and inclusively to individual differences

Students who have concerns about unlawful discrimination, harassment or bullying are advised to consult the Student Handbook and contact Head of Quality or Dean/Course Directors.

***This policy and the effectiveness of these procedures will be reviewed on regular basis and updated if necessary.***