

Equality, Diversity & Inclusion Policy

Introduction

Arts University Plymouth is committed to equality, diversity and inclusivity. Our culture values openness, fairness and transparency for our staff and students. By embracing equality and diversity we are providing a stable foundation on which to further develop a successful and vibrant, inclusive institution whose cultures and values are respected by the whole University community.

This policy outlines how we will continue to fulfil our statutory duties relating to equality, diversity and inclusion and eliminating all forms of discrimination, while upholding academic freedom and freedom of speech.

[The Equality Act 2010](#) has placed responsibilities on all University staff, which all must be aware of and take seriously, challenging inappropriate behaviour when appropriate. If any staff would like to attend a briefing session, please contact the **Head of Compliance & Quality Systems**, who will be happy to discuss individual obligations.

Summary of Changes for 2025/26

General restructure of paragraphs, numbering
Additional appendices on terminology (renamed)
Paragraph 2 - Renamed as Principles and Responsibilities with new text incorporating leadership and governance, including upholding freedom of speech.
Paragraph 3 - New paragraph on implementing the Policy.
Paragraph 4 - In legal framework / Equality Act, inclusion of protected beliefs and a section on the Supreme Court ruling on legal definitions and biological sex
Paragraph 7 - New text on freedom of speech, including the OfS Regulation 24
Paragraph 9 - Rewritten paragraph on Access and Participation Plan
Paragraph 18 - Updated paragraph on Qualifications
Terminologies placed into separate documents

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1. Purpose

1.1 In a just and fair democracy, every person must have the right to protection. It is important for staff members to subscribe to that view to ensure they don't fail in their duty or the law or be deemed unsuitable for their role.

1.2 When employees fail to meet their responsibilities and are accused of any type of discrimination the cases can result in formal complaints, possibly escalating to the courts and reported in the media. These cases can affect an institution and the individual staff affected, legally, reputationally, financially and morally.

1.3 This policy is to help prevent breaches of the Equality Act by staff or students of Arts University Plymouth.

2. General principles and responsibilities

2.1 We will meet our legal obligations.

- The Board of Governors, through the Vice-Chancellor, has accountability to ensure this policy is followed in full and that the policy reflects UK equality law and freedom of speech laws.
- Each head of department / manager will deliver the equality commitments in their areas of responsibility.
- The Head of Compliance & Quality Systems and Head of Human Resources will ensure that staff and students are informed and that the University meets its reporting responsibilities as directed by the Office for Students.

2.2 All staff, students, contractors and visitors should have an awareness of this policy and the associated policies referred to within it. Every member of the university community is expected to **be committed to the Equality Act, promoting** a culture which is free from unlawful discrimination and all forms of harassment and bullying.

2.3 We celebrate and value the diversity of our students and staff and believe that as an institution we benefit from employing a diverse workforce across all areas and by encouraging a student population which is representative of wider society.

2.4 We strive to ensure that all staff and students are treated with respect and dignity, and take steps to provide a positive environment free from discrimination, harassment or victimisation. We will work towards the elimination of prejudice, harassment, bullying and discrimination, whether overt or covert, and will seek to ensure that all staff and students have equal access to the full range of University facilities.

2.5 Behaviour, actions or words that transgress the policy (such as incidents of abuse, harm or hate) will be investigated and, if deemed necessary, dealt with through the University's respective disciplinary procedures for staff and students.

2.6 We also seek to **foster good relations** between all groups represented within our community, in line with the Public Sector Equality Duty. The aim is to create a positive inclusive

ethos with a shared commitment to challenging stereotyping, prejudice and discrimination and to respecting diversity and difference. We will not tolerate any form of discriminatory behaviour against our employees or students either from other staff, students, contractors or members of the public in relation to a protected characteristic. The protected characteristics are defined in the legal framework below.

2.7 The University's Equality, Diversity & Inclusion Committee will report to the Vice-Chancellor's Executive (VCE) and act in accordance with the [EDI Committee Terms of Reference](#). Ongoing actions will additionally be reported at the Academic Board.

2.8 The Committee is made up of membership from all areas of the University with observers from the student body and governing body welcome to attend.

3. Implementation

- 3.1 To ensure the University meets its obligations under the **Equality Act**, the University will:
- ensure that staff, students and visitors are aware of this EDI Policy and related policies including the Freedom of Speech and Academic Freedom Policy, making them visible on our website and portals
 - monitor and report on progress against the University Equality Plan via reports to the Academic Board and / or VCE
 - consider equality, diversity and inclusion, while considering freedom of speech in all policies, strategies and procedures to ensure they do not unlawfully discriminate
 - provide staff with appropriate mandatory equality, diversity and inclusion training and development
 - provide information on our commitment to equality, diversity and inclusion in our job descriptions and student handbooks.

4. The law

- [Legal Acts](#)
- 4.1 There are a range of legal duties which apply in relation to equality, diversity and inclusion.
- [The Equality Act 2010](#)
 - [The Human Rights Act 1998](#)
 - [The Criminal Justice Public Order Act 1994](#)
 - [The Higher Education \(Freedom of Speech\) Act 2023](#)
 - Article 10 of the European Convention on Human Rights (the right to freedom of expression)
- [The Equality Act](#)
- 4.2 In 2010 nine main pieces of legislation merged to be replaced by the Equality Act 2010:
- 4.3 Codes of Practice from the replaced legislation continue to be in force and remain relevant. However, old terminology such as 'DDA' for Disability Discrimination Act should **not** be used.

- Protected characteristics

4.4 The Equality Act introduced '**Protected Characteristics**' to give people the right not to be discriminated against on any of the following grounds. Definitions are found at Appendix 2:

- Age
- Disability
- Gender reassignment*
- Marriage and Civil Partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation.

**The University recognises the problematic nature of the term 'gender reassignment' and only uses it here in relation to the Equality Act (2010). In all other circumstances (including policies and procedures), the term 'Trans' will be used to refer to people whose gender identity does not align with the sex they were assigned at birth, inclusive of non-binary and gender-queer identities.*

- Protected beliefs

4.5 The Equality Act 2010 protects against discrimination based on religion or belief, encompassing both religious and philosophical beliefs, as well as a lack of religion or belief. This protection extends to direct and indirect discrimination, harassment, and victimisation. The Act aims to eliminate discrimination, advance equality, and foster good relations between people with and without religious or philosophical beliefs.

4.6 The Act does not include a definition of belief other than 'belief means any religious or philosophical belief' and includes a lack of a particular belief. The courts have developed a definition of belief through the cases they have decided. The EHRC's [Religion and Belief Guide to the Law](#) provides information including the following guidance:

4.7 A belief need not include faith or worship of a god or gods, but it must affect how a person lives their life or perceives the world. For a philosophical belief to be protected under the Act it must:

- be genuinely held
- be a belief and not just an opinion or viewpoint based on the present state of information available
- be about a weighty and substantial aspect of human life and behaviour
- attain a certain level of cogency, seriousness, cohesion and importance, and
- be worthy of respect in a democratic society, not incompatible with human dignity and not in conflict with fundamental rights of others.
 - For example, support for a political party or loyalty to a country are not protected beliefs.
 - Beliefs such as humanism, pacifism, vegetarianism and the belief in man-made climate change are all **protected** as are gender-critical beliefs.

- Public Sector Equality Duty

4.8 There are further legal requirements within the '[Public Sector Equality Duty](#)' (the Equality Duty) which came into force as [section 149\(1\) of the Equality Act](#) and applies to us as a provider of further and higher education:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

4.9 The broad purpose of the equality duty is to integrate consideration of equality and good relations into the day-to-day business of public authorities. If you do not consider how a function can affect different groups in different ways, it is unlikely to have the intended effect. This can contribute to greater inequality and poor outcomes. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services, including internal policies, and for these issues to be kept under review.

*Compliance with the general equality duty is a **legal obligation**, but it also makes good business sense. An organisation that is able to provide services to meet the diverse needs of its users should find that it carries out its core business more efficiently. A workforce that has a supportive working environment is more productive. Many organisations have also found it beneficial to draw on a broader range of talent and to better represent the community that they serve. It should also result in better informed decision-making and policy development. Overall, it can lead to services that are more appropriate to the user, and services that are more effective and cost-effective. This can lead to increased satisfaction with public services. (EHRC, April 2020).*

Example

A university might decide to provide car parking spaces for disabled students so that those who cannot use public transport because of their impairment have equality of opportunity in access to courses. Although non-disabled students might also want a parking space, they will not suffer the same degree of disadvantage without one.

5. Discrimination

5.1 There are four main types of discrimination with the following descriptions from the Equality and Human Rights Commission (EHRC):

- **direct discrimination** - this means treating one person worse than another person because of a protected characteristic.
- **indirect discrimination** - this can happen when an organisation puts a rule or a policy or a way of doing things in place which has a worse impact on someone with a protected characteristic than someone without one.
- **Harassment** - this means people cannot treat you in a way that violates your dignity, or creates a hostile, degrading, humiliating or offensive environment.
- **Victimisation** - this means people cannot treat you unfairly if you are taking action under the Equality Act (like making a complaint of discrimination), or if you are supporting someone else who is doing so.

5.2 Further definitions can be found in the [EDI terminology and definitions folder](#).

6. Equality day-to-day / Impact assessment and information

6.1 As part of our business planning cycle AUP will:

- ensure equality is embedded as a mainstream element of our day to day activities
- give consideration to the impact on equality and diversity in our decision making and of the implementation of our policies and procedures
- collect evidence to monitor compliance, set improvement measures in a proportionate manner and report on progress in achieving these measures.

6.2 To assist in complying with our legal obligations we will consider the impact of our decision making across the protected characteristics. There is **no legal requirement** to produce a formal impact assessment¹. However, if there is a potential impact on any one protected characteristic the University will assess whether an action plan should be developed to overcome this impact. To assist in making such decisions and to comply with our legal obligations with regard to HESA returns and in producing and now monitoring our APP for the Office for Students (OfS) we will collate equality information on our staff and students. We will use the information available to us on equality to:

- identify barriers to access
- identify differences in the opportunities available to groups in comparison with others in relation to attendance, attainment/success, retention, progression and graduate outcomes
- investigate and evaluate the reasons for any differences and develop strategies to narrow and eventually eliminate the gaps
- measure the effectiveness of any action plans.

6.3 We will seek to improve our information base by:

- improving the quality and accuracy of information in respect of race/ethnic background, disability, gender and age in the staff and student populations
- ensuring staff are trained in collecting information and its use
- monitoring communications channels so that compliance and inclusiveness are assured.

¹ <https://www.gov.uk/government/speeches/prime-ministers-speech-to-chi>

7. Academic Freedom and Freedom of Speech

7.1 The OfS (Regulatory Advice 24) states that ‘Free speech includes lawful speech that may be offensive or hurtful to some. Speech that amounts to unlawful harassment or unlawful incitement to hatred or violence (for instance) does not constitute free speech within the law and is not protected.’

7.2 Academic staff in particular are free within the law to question, and test received wisdom, and put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or the privileges they may have at their university. The core mission of higher and further education is the pursuit of knowledge, and the principles of freedom of speech and academic freedom are fundamental to this purpose. They provide a necessary context for advancing new ideas, encouraging productive debate and challenging conventional wisdom.

7.3 However, individuals may not be protected by academic freedom if discriminating against or causing harassment on the grounds of any of the protected characteristics. Should such behaviours be alleged, the University will proceed in line with its relevant harassment policies together with freedom of speech policies, linked to the appropriate codes of conduct.

7.4 It is important to understand that there is a fine line between freedom of expression, which can include causing offence, even deliberately (which may not in itself be unlawful but may breach our code of conduct if meeting the threshold of harassment for example) and hate incidents / hate crimes, which may be dealt with under criminal law.

7.5 Universities and colleges retain important duties to take steps to secure free speech within the law under the Education (No.2) Act 1986 and Higher Education (Freedom of Speech) Act 2023.

7.6 Detailed information is found in our [Freedom of Speech & Academic Freedom Policy](#) and the [Office for Students Regulation 24](#).

8. University promotional materials

8.1 Advertisements and publications for employee and student recruitment will state our commitment to equality, diversity and inclusion. Material published, such as prospectuses, will seek to avoid the use of offensive and discriminatory language and images. Such marketing materials will be directed at encouraging the widest representation of cultural and social groups to participate.

8.2 Equally, materials prepared to deliver the curriculum will be free from racist, sexist, and other discriminatory assumptions, images and language, unless they are being studied as examples of such, in which case suitable discretion will be exercised.

9. Access and Participation

9.1 As part of the conditions of registration with the OfS, the University must (Condition A1) have in force an Access and Participation Plan (APP) approved by the OfS in accordance with the Higher Education and Research Act 2017 (HERA). The University must take all reasonable steps to comply with the provisions of the Plan.

9.2 Our creative undergraduate cohorts are rich in backgrounds from widening participation categories. These comprise of students who are mature on entry or young from low participation neighbourhoods, with disabilities, from deprived areas and almost double the specialist art university average for the 'first in family to enrol in higher education'.

9.3 Our [latest APP](#) will run from 2025/26 to 2028/29 and sets out how we will improve equality of opportunity for underrepresented groups to not only access but succeed in and progress from higher education into employment or further study.

10. Student Recruitment and Admissions

10.1 As an independent arts university, we are run by artists and designers for artists and designers. An international place of making and thinking, what interests us is the curiosity of our students and our staff and the creative energy that brings them here. Everything we do in relation to recruitment and admissions is nondiscriminatory in relation to a protected characteristic. We have a reliable, fair and inclusive admissions system with fairness and reliability being embedded principles within admissions and recruitment, and inclusivity pervades throughout the process from outreach activity to processes and practices to enrolment.

10.2 The University is a signatory of the [Universities UK Fair Admissions Code of Practice](#) to ensure that admissions are fair, transparent, and deliver admissions in the interest of applicants. The AUP application process is inclusive, removes unnecessary barriers and allows all prospective students to make an application and receive a fair outcome, regardless of background.

10.3 The [AUP Admissions Policy](#) is available publically and is reviewed annually.

11. Curriculum design and content

11.1 As creative practitioners we endeavour to not be restricted in the range of issues, ideas and materials used across programmes and therefore encourage academic freedom in exposing students to a range of sometimes controversial ideas. Such ideas or content must be lawful and delivered in a way which does not cause harassment or discrimination.

11.2 In line with guidance in the [QAA Quality Code](#) we strive to provide a high-quality academic experience for all students and enable a student's achievement to be reliably assessed. Our courses are taught in a way that does not subject students to discrimination and the curriculum should invite challenges to stereotypes and should address inequalities. Staff must be mindful of their legal responsibilities under the Equality Act while also considering academic freedom and freedom of speech.

12. Enabling Student Achievement

12.1 Using [QAA guiding principles](#) the University ensures that equality of opportunity for students to develop academic and professional skills to succeed requires collaboration across academic, professional and specialist support services. A broad and ongoing range of academic and pastoral support, such as wellbeing support and counselling will be available, regardless of location or mode of study.

12.2 The needs of individual students are considered with training and resources allocated to student support services to enable effective delivery helping to build and maintain a community that enables students to assist and support each other, developing and embedding their own graduate outcomes.

13. Assessment

13.1 Guiding principles of the QAA Quality Code guidance state that every student has an equal opportunity to demonstrate their achievement through the assessment process, with no group or individual disadvantaged.

13.2 In designing assessments, the needs of students are considered, including those from different cultural / educational backgrounds, with additional learning needs, or with specific protected characteristics.

13.3 Assessment procedures and methods are flexible enough to allow adjustments to overcome any substantial disadvantage that individual students could experience. Therefore It is important that our staff ensure, in making assessments, that they do not discriminate against students with specific protected characteristics. Assuming uniformity in students' cultural, linguistic, and religious or lifestyle experiences could, for example, result in them indirectly discriminating against students from particular groups.

14. Competence Standard

14.1 A competence standard is defined as an academic or other standard applied for the purpose of determining whether or not a person has a particular level of competence or ability. It is not a provision, criterion or practice and there is therefore no duty to make reasonable adjustments in relation to the application of a competence standard. However, we recognise that legal duties do apply to the **process** of demonstrating that a person meets the competence standard.

14.2 In practical terms this means that the mark required to pass a module or unit would be a competence standard, and it would not be subject to the duty to make reasonable adjustments in that for a disabled student for example. However, **reasonable adjustments of the assessment process** for students with disabilities would be considered with advice from the Head of Student Support and with reference to the [Learning and Disability Support Policy](#) and [Assessment & Moderation Procedures \(HE\)](#).

15. Student work

15.1 In such cases where a student produces work containing images, artefacts, words or language that may be considered in breach of the Equality Act or freedom of speech laws, they may be asked to provide a rationale to justify the nature of that work. This should be managed initially by the unit leader and referred to the course leader with the Head of Compliance & Quality contacted for advice if appropriate; it is possible a student may complain if they believe their work is being censored or their freedom of expression restricted.

16. Educational trips / visits

16.1 Educational visits which are arranged must not unlawfully discriminate against any of our students, and where required reasonable adjustments must be made to enable students with a range of disabilities to access them. For example a hotel being used should be asked to provide accommodation on a ground floor to accommodate the needs of any wheelchair users.

16.2 Information regarding disabilities and any additional support therein is not automatically passed on to trip organisers. It is incumbent upon the student (or parents/guardians if under 18) to raise any issue that may require additional adjustments over and above the reasonable adjustments provided as part of the due diligence carried out prior to a trip.

16.3 The level of support provided as the duty under the Equality Act is to reasonably remove barriers to education created from disability and this comes down to reasonability. The Reasonable Adjustments Review Panel would usually sit as a result of a student requesting additional assistance and a level of support will be seen as reasonable when it conforms to the principles in the [Learning and Disability Support Policy](#), which should be read in conjunction with this paragraph along with the [Educational Visit Guidelines](#).

17. Gender neutral language / personal pronouns

17.1 To ensure that gender-neutral language is used consistently throughout the University, both in official correspondence and internal documentation, documents, including committee papers and minutes, should avoid gender specific language if possible. For example, instances of 'he/she' should be superseded by 'they'. In minutes and reports, authors should be mindful of the use of gender-neutral personal pronouns, such as 'they', 'them', 'their' or 'themselves', instead of gendered personal pronouns such as 'he', 'she', 'his', 'hers', 'himself', 'herself'.

17.2 The consistent use of masculine words such as cameraman, manpower, policeman etc. can, to some, give the impression that women are excluded from the group to which the writer is referring. While some may respond that masculine words refer to both men and women, the impression that matters is that of the reader and not the writer. These words should be supplemented by, for example, camera operator, resources, police officer etc.

17.3 While a blanket ban on 'misgendering' would almost certainly breach the University's freedom of speech secure duty, staff and students are asked to respect each other's personal pronouns. OfS guidance suggests that *'there may be circumstances in which the use of dispreferred pronouns could amount to harassment. For instance, repeated and deliberate misgendering directed by a teacher to a particular student in one of their classes may amount to harassment.'*

17.4 The use of personal pronouns can signify a supportive, safe and welcoming space. Some people are comfortable with having their personal pronouns visible such as introducing themselves using personal pronouns, whilst others are not. What may be a good intention can sometimes cause offence, or even result in someone feeling "outed" by being asked their personal pronouns, or may fear being seen as unsupportive if they choose not to share this information.

17.5 With personal signature blocks on emails, someone should only append their personal pronouns if they are comfortable in doing so.

18. Qualifications

18.1 Any discrimination when awarding qualifications to students is avoided, including any form of authorisation, approval or certification that we make or information that we provide to other providers such as UAL (in pre-degree).

18.2 For example if a student, having changed gender during the course of their study, notifies the Registry/Data Insights of their change of gender and a legal change of name, the data that records and informs the student's progress and achievement will be amended accordingly so that it appears on certificates.

18.3 It should be noted however, that certification **does require** a student / graduate's legal name. **A 'preferred name' will not appear on a certificate** if it is not the legal name. However, a student / graduand may use a preferred name for a graduation ceremony - for when a student's name is announced prior to receiving their degree on the stage.

19. Resources / Accessibility

19.1 We will provide facilities which are accessible in terms of physical structure (or reasonable adjustments for individuals affected by such accessibility issues), accessible information and hours of service which reflect service usage.

19.2 In addition, to support our students we will:

- ensure our student policies, procedures and guidelines are reviewed regularly and written in clear, plain English where possible (it is recognised that legal terminology sometimes has to be included, for example in the Disciplinary Procedures for Students) - alternative formats such as large font, coloured backgrounds and printed copies can be made available on request
- [Accessibility Regulations](#) followed with websites / mobile apps accessible for use by as many people as possible, including those with: impaired vision; motor difficulties; cognitive impairments or learning disabilities; and deafness or impaired hearing
- make anticipatory reasonable adjustments to provide assistive technology (such as hearing loops) and other services for students with specific needs

20. Complaints

20.1 It is our aim in accordance with the [Good Practice Framework](#) from the Office of the Independent Adjudicator (OIA) that most concerns or issues will be raised with and resolved in conjunction with tutors/programme/subject leaders (for students). Staff are encouraged to have direct and open contact with their line manager to resolve problems. However, it is appreciated that resolution through these means is not always possible and that the matter may be of such a nature that it needs to be addressed more formally.

20.2 Full details are contained in the [Complaints Policy & Procedures for Students](#) and [Grievance Policy and Procedure](#) (for staff). Where a complaint is made it will be addressed within the terms of these procedures with a fair, proper and constructive response to complaints provided within a reasonable timescale. Outcomes of complaints relating to equality and diversity will be

published in the Equality, Diversity & Inclusion Monitoring Report to the Board of Governors but without breaching confidentiality.

21. External relations

21.1 Visitors and representatives from organisations attending our sites on any business will be expected to conduct themselves in a manner which matches our ethos regarding equality, diversity and inclusion. Visitors such as external examiners, visiting lecturers, awarding body representatives and consultants with whom we engage will be expected to adhere to the principles of equality of opportunity.

21.2 Organisations providing services should be made aware of this policy. We will use our influence to encourage wider understanding and acceptance of equal opportunities within the fields of both education and employment through our relationships with our external partners.

22. Key contacts

22.1 For information and guidance in relation to equality and diversity please contact: Head of Human Resources (staff matters) or Head of Compliance & Quality Systems / Chair of the Equality and Diversity Committee (student issues).

23. Additional resources

23.1 For the latest thinking and signposting to discussion documents, white papers and legislation, go to the Government website:
www.direct.gov.uk

23.2 AUP has a library of resources available that is available to anyone with the link: [Equality, Diversity, Inclusion & Freedom of Speech](#)

Appendices:

1. Equality, Diversity and Inclusivity terminology
2. Protected Characteristic terminology
3. Additional information / reading

Appendix 1

Equality, Diversity and Inclusivity Terminology

➤ **Discrimination**

If someone is treated unfairly because they belong to a group of people with protected characteristics, it is unlawful discrimination. Everyone has some of these characteristics - for example, race, sex or age - so the Act protects everyone from discrimination.

Discrimination relates to treating people less favourably because of a protected characteristic and can be direct or indirect. The Equality Act 2010 has strengthened the law by making it illegal to discriminate, either directly or indirectly, on the grounds of perception or association relating to any of the protected characteristics.

- **Direct discrimination** occurs when it is obvious that the treatment is unfavourable. It applies to potential students as well as current students. For example, refusing to accept a person onto a course because of their sexual orientation on the grounds that they would not 'fit in' is direct discrimination.
- **Indirect discrimination** occurs when an apparently neutral requirement would disadvantage people on the grounds of their protected characteristic. For example, an example of indirect discrimination, may be a minimum height requirement for a job where height is not relevant to carry out the role. Such a requirement would likely discriminate disproportionately against women as they are generally shorter than men.
- **Discrimination by association** can occur when someone is treated unfavourably on the basis of another person's protected characteristic. An example of associative discrimination might be a non-disabled employee who is discriminated against because of action she needs to take to care for a disabled dependant. This incorporates the European Court of Justice's July 2008 ruling in the Coleman v Attridge Law case, where Sharon Coleman, a legal secretary, lodged a claim after alleging she was subject to harassment and discrimination after asking for time off to care for her disabled son.
 - Discrimination by association doesn't apply to all protected characteristics. Marriage and civil partnership, and pregnancy and maternity are not covered by the legislation. Nor does it apply to instances of indirect discrimination by association - it has to be direct. However, legal experts have pointed to developments in the European Court of Justice which suggest that this is an area that could change.
- **Discrimination by perception** can occur when someone is treated unfavourably because others believe they have a protected characteristic, even though in reality they don't have it, it is perceptive (direct) discrimination. For example where an employer believes an employee is gay, or is of a particular race, and treats him or her less favourably as a result. As with associative discrimination, perceptive discrimination does not apply to marriage and civil partnership, nor pregnancy and maternity, and it must be direct discrimination.

➤ **Diversity**

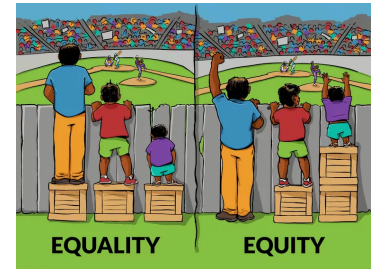
The characteristics and experiences that make us who we are.

➤ **Equality**

The fair and lawful treatment of students and staff and the promotion of equality of opportunity between different groups.

➤ **Equity**

The quality of being fair and impartial



➤ **Harassment**

See Harassment & Sexual Misconduct Policy for full definitions.

➤ **Inclusivity**

Learning and working cultures that recognise and are welcoming of equality and diversity and reflect this in their structures and practices.

➤ **Positive action**

Positive action is when an employer takes steps to help or encourage certain groups of people with different needs, or who are disadvantaged in some way, access work or training. Positive action is lawful under the Equality Act. For example, the University could organise an open day for people from a particular ethnic background if they're under-represented in the student cohort or workforce. This wouldn't be unlawful discrimination under the Act. It is about creating a level playing field. Campaigns to promote inclusion or attract specific groups fall under the scope of positive action, an example of which is the Lesbian Gay, Bisexual, and Transgender (LGBT) Group.

➤ **Reasonable adjustment**

The term '**reasonable adjustment**' allows the University to make any allowances necessary to protect an individual's rights if they would otherwise suffer discrimination. This is most often used in the University for students with a disability, for example providing a different seating arrangement to suit a student or providing text in a larger font. It can be used in other ways as well, for example a multifaith space or multifaith prayer room in a quiet location could be set aside where people of differing religious beliefs, or none at all, are able to spend time in contemplation or prayer.

Appendix 2

Protected Characteristic Terminology

- **Age:** Protection against discrimination based on age, including age-related stereotypes and assumptions.
- **Disability:** Protection for individuals with physical or mental impairments that have a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, according to the Equality Act 2010.
- **Gender reassignment:** Protection for individuals who are proposing to undergo, are undergoing, or have undergone a process to reassign their sex.
- **Marriage and civil partnership:** Protection for those who are married or in a civil partnership.
- **Pregnancy and maternity:** Protection for women who are pregnant or have recently given birth.
- **Race:** Protection based on race, including color, nationality, and ethnic or national origin.
- **Religion or belief:** Protection for individuals with any religion, religious belief, or philosophical belief.
- **Sex:** Protection based on sex (being a man or a woman).
- **Sexual orientation:** Protection for individuals based on their sexual orientation, such as heterosexual, homosexual, or bisexual.

Equality Act 2010

Appendix 3

Additional information / reading

- [EHRC guidance](#)
- [Care Leaver Covenant](#)
- [Guide to Equality Act for FE and HE](#)
- [Guild HE Anti-racism & EDI programme \(AUP site\)](#)
- [AUP Hate Crime links](#)
- [AUP Neurodiversity Guide for Staff](#)
- [Allport's Scale of Discrimination](#)
- [CUC Tackling Discrimination \(Guidance for Chairs and Governing Bodies\)](#)
- [Protected characteristic links \(AUP pages\)](#)
- [Quick Guide to the Public Sector Equality Duty](#)
- [Equality Act 2010 \(Amendment\) Regulations 2023](#)
- [Clarifying the definition of 'sex' in the Equality Act](#)
- [GTRSB Guide in HE](#)

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Approving bodies / dates:	Board of Governors, July 2025
Version:	8
Supersedes:	Version 7
Main changes this version	Updates to data and legal information. Text from APP included.
Previous review dates:	VCE, July 2024 - restructure Board of Governors, 28 November 2023 SLT, July 2022 / Board of Governors October 2022 SLT, April 2021 SLT, June 2020 (new paragraphs 3.2, 11, 14, 15, 18) - Public Sector Equality Duty (expanded), Enabling Student Achievement, Student Work, Educational Trips, Training). Minor amends Nov 19 (definition of antisemitism) and Feb 20 (new managerial structure / role title changes) Jul 19 (minor changes Nov 19) (SLT) Oct 18 (Board of Governors) Mar 17 (Equality Protocol) (SLT)
Next review date:	July 2023
Related Statutes, Ordinances, & General Regulations	• OfS Conditions E1 and E2 plus Regulation 24 • Equality Act 2010 • Counter-Terrorism and Security Act 2015 • Human Rights Act 1998 • Education (No2) Act 1986 • Accessibility Requirements for Public Sector • Higher Education (Freedom of Speech) Act 2023
Related policies:	• Grievance Policy and Procedure • Bullying and Harassment Policy • Dignity at Study Policy
Related procedures	All University procedures
Related information:	• Single Equality Scheme • Complaints Procedures for Students • All University guidelines
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