

POLICY STATEMENT

Pearson College is committed to equal opportunities for all, irrespective of inappropriate distinctions such as age, disability, gender reassignment, marital / civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation, (as identified under the Equality Act 2010 as 'protected characteristics') or any other characteristic not specifically related to relevant aptitudes, potential skills and abilities.

Pearson College will promote equality and diversity, as a basic principle of respect of the individual. This policy applies to all staff (including freelancers) and to all students and other external stakeholders.

We are committed to developing and maintaining a working and learning environment that is free from unfair and unlawful discrimination and harassment. Employees and students will receive equal and fair treatment irrespective of personal characteristics.

Pearson College recognises that change is essential to promote and sustain Equality and Diversity across the organisation, and will:

- Develop and implement practices and programmes that enable previously under-represented groups to work and compete fairly within Pearson College.
- Develop processes that set aspirations and measure progress towards diversity commitments.
- Establish processes that ensure a clear and shared responsibility for integrating Equality and Diversity into the Pearson College culture.
- Analyse programme performance data in order to set objectives which aim to ensure equal access to and achievement at Pearson College.

An essential underpinning of Equality and Diversity is a business environment free of any discrimination, (Direct and Indirect) harassment and bullying. Harassment represents any unwanted behaviour or conduct based on a person's characteristic, which is offensive to the recipient. The College will not tolerate or condone harassment of employees, students or any other individual associated with Pearson College.

Any employee or student, whose actions or behaviour are found to be in violation of our Equality and Diversity policy standards will be considered as having committed a serious offence and as such will be dealt with through the Pearson and Pearson College disciplinary procedures.

The Principal accepts overall responsibility for all matters, including those regarding equality and diversity.

Responsibilities

Pearson College Vice Principals, Directors and Managers are responsible for:

- Implementation of the policy in their area of responsibility.
- Ensuring that all policies and procedures are consistent with this policy.
- Actively promoting this policy.

- Ensuring that the policy is integrated into the way we work and is not seen in isolation.
- Ensuring that the recruitment of staff and students is carried out in accordance with equal opportunities best practice.
- Ensuring Equality and Diversity communication and training within the company, and to students on Pearson College programmes.
- Monitoring the performance of equality and diversity within the college and the programmes delivered.
- Ensuring Equality Impact Assessments are completed to evaluate the equality implications of policy and initiatives.

Employees are responsible for:

- Promoting equality and diversity within the College.
- Where appropriate, making a positive contribution in supporting our Equality and Diversity policy.
- Reporting suspected violations of this policy to their line manager (unless they are the subject of the report).
- Completing Equality Impact Assessments when developing or updating policies, services or activities at Pearson College

Students are responsible for:

- Conducting themselves and treating others in accordance with the principles of this policy
- Reporting any suspected violations of this policy as follows:
 - Where an allegation relates to a member of staff, students should follow the College's Student Concerns and Complaints Procedure;
 - Where an allegation relates to another student, students should report it to the Dean or Deputy Dean of their School and it will be investigated under the Student Disciplinary Code;
 - In making any allegation, where the student is in need of support, the student can contact Student Services..

Promotion of this Policy

A copy of this policy statement will be published on the Pearson College website. Pearson College will promote this policy to all staff and students via induction programmes.

Staff & Student Training and Awareness

All Pearson College staff will be given appropriate equal opportunities training in order to carry out their responsibilities for implementing this policy. Students are given equal opportunities information at their induction. Student behaviour is continuously monitored, and where appropriate challenged by Pearson College staff. We will use training and awareness as the first steps to tackle incidents of discrimination, harassment or bullying. Where this proves not to be effective, action will be taken under the appropriate staff or student disciplinary process.

Policy Review and Monitoring

Pearson College reviews programme participation and achievements and will continue to use this information to make judgements and inform improvement actions. This Policy will be reviewed annually, and where appropriate revised in accordance with developments in the College and the wider business together with updates to equality legislation.

ANNEX 1 – DEFINITIONS

Definitions

Direct Discrimination – Occurs where someone is treated less favourably on the grounds of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation, than another person would be treated in the same or similar circumstances.

Associative Discrimination – This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive Discrimination – This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect Discrimination – This occurs when a condition is applied to everyone, but in practice puts people from a particular group at a particular disadvantage when compared with others, and cannot be legally justified within the circumstances

Harassment – Harassment (as defined by Section 26 of the Equality Act 2010) includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics: age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

Harassment can include domestic violence and abuse (which can also involve control, coercion, threats), and stalking.

Harassment would also include any incidents of physical violence towards another person(s) on the basis of a protected characteristic, and hate crimes, such as those criminal offences which are perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity..

Our definition includes harassment through any medium, including, for example, online.

Third Party Harassment – the Equality Act makes companies potentially liable for harassment of employees by people (third parties) who are not employees of the company, such as customers and clients. Liability applies when harassment has occurred on at least two previous occasions, the employer is aware that it has happened, and has not taken reasonable steps to prevent it from happening again

Victimisation – This occurs where a person is treated less favourably than another because they have made a complaint, brought proceedings, or given evidence about someone who has been accused of discriminating against them

Offensive – Within this policy this relates to images that are felt by any individual: to violate, offend against, to be unpleasant, or disgusting, which result in the individual's anger or annoyance.

Sexual misconduct – This relates to all unwanted conduct of a sexual nature. This includes, but is not limited to:

- i. Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010)
- ii. Unwanted conduct which creates an intimidating, hostile, degrading, humiliating or offensive environment (as defined by the Equality Act 2010)
- iii. Assault (as defined by the Sexual Offences Act 2003)

- iv. Rape (as defined by the Sexual Offences Act 2003)
- v. Physical unwanted sexual advances (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)¹
- vi. Intimidation, or promising resources or benefits in return for sexual favours (as set out by the Equality and Human Rights Commission: Sexual harassment and the law, 2017)²
- vii. Distributing private and personal explicit images or video footage of an individual without their consent (as defined by the Criminal Justice and Courts Act 2015).

Our definition includes sexual misconduct through any medium, including, for example, online.

Anti-Semitism - Pearson College has adopted the International Holocaust Remembrance Alliance's (IHRA) [working definition of anti-Semitism](#) which states "*Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities*". For the sake of clarity, it is not considered anti-Semitic to criticise the Government of Israel, without additional evidence to suggest anti-Semitic intent, nor is it anti-Semitic to hold the Israeli Government to the same standards as other liberal democracies, or to take a particular interest in the Israeli Government's policies or actions, without additional evidence to suggest anti-Semitic intent.

Person responsible	Deputy Vice Principal (Academic Affairs)
Approval date	22 July 2021
Version Number	3.0
Effective from	July 2021
Approved by	Executive
Date of next formal review	July 2022
Status (Current or Post DAP)	Current

¹ Sexual harassment and the law: Guidance for employers, Equality and Human Rights Commission, 2017

² See www.equalityhumanrights.com/en/publication-download/sexual-harassment-and-harassment-worktechnical-guidance