

## **Equality, diversity, inclusion, and freedom from harassment**

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## **Introduction and Aims**

This policy aims to define our approach with regard to equality, diversity and inclusion, and to describe the organisational structure which exists for the maintenance, monitoring and pursuit of inclusion including freedom from harassment.

At TAA, we recognise the positive benefits of fostering good relationships between people - students, staff, patients and visitors - in all their diversity; celebrating and appreciating differences for everyone's mutual benefit. We challenge inequality and judgement, and we're committed to nurturing an inclusive community that is open to everyone. We see it as essential to provide equal opportunities to all persons without discrimination, and facilitate and promote a culture of dignity and respect. We have a zero-tolerance approach to discrimination, harassment and bullying.

We are committed to meeting our obligations under the Equality Act 2010, which requires us to show no discrimination because of age, disability, gender/gender reassignment\*, marital status, pregnancy and maternity, race, religion or belief, sexual orientation.

We will always act lawfully and this might include taking reasonable action to support people with particular protected characteristics, to provide them with equality of opportunity. This right will always be balanced against an individual's responsibilities, for example as set out in the Student Code of Conduct, in relation to respecting the needs and rights of others.

This policy therefore extends to promoting the wellbeing, resilience and empowerment of everyone in the college community, to enable them to reach their full potential. It aligns with:

- Our Vision and Values and Educational Strategy, set out in the Student Handbook
- The rights and responsibilities set out in the Student Code of Conduct and Fitness to Practice
- Staff and faculty codes of conduct as teachers, supervisors, and acupuncture professionals
- The British Acupuncture Council's Standards of Practice as Acupuncturists
- The Nolan Principles of Standards in Public Life

Other relevant legislation informing this policy includes the Human Rights Act and workers and employment legislation.

It is the responsibility of everyone in the college community to challenge inappropriate behaviour, if they feel able to do so, in an appropriate way, and to report any behaviour that breaches this policy or relevant Codes of Conduct.

*\*Our policies and practices extend to all identities including trans, binary and non-gender conforming people. For the purposes of this policy statement, the term trans is an umbrella term used to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. The term non-binary is an umbrella term for people whose gender identity does not sit comfortably with woman or man/male or female. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.*

This policy exists to:

- Ensure that the TAA carries out its activities within a framework that respects and promotes equal opportunities, and alongside legislative requirements
- Ensure that we are pro-active in promoting equality of opportunity
- Make explicit the rights and responsibilities of all students and staff
- Commit us to monitoring the implementation of this policy and the evaluation of its effectiveness
- Contribute to the development in our student body of the appropriate attitudes and behaviours expected of a health professional

### ***Objectives and person-centred approach***

We are committed to encouraging and ensuring fairness and equal opportunities for all during their association with us and to place people at the centre of processes and systems. To achieve the aims of this policy, we strive to:

- Foster a culture in which diversity is embedded in all our activities
- Create an environment in which we teach, model, embody and encourage the attitudes, behaviours and skills which facilitate an inclusive approach to the practice of our profession
- Celebrate, promote and value the diversity brought to our community by individual people
- Recruit students and staff from a variety of backgrounds, thereby also promoting diverse membership of our profession
- Treat all applicants, students, patients and staff with respect and dignity, and seek to provide an inclusive environment which recognises and harnesses the contribution everyone brings, and promotes learning from each other
- Ensure that individuals are treated solely on the basis of their merits and abilities
- Provide according to need, which we recognise varies, and in some cases this will result in different provision
- Support staff and students in the production of relevant, responsive and inclusive curricula that offers a diverse range of learning opportunities, and which are agile, responsive to emerging issues and challenges, and designed to meet the needs, interests, learning styles, aspirations and backgrounds of our student community
- Act to ensure staff and students receive equal and unbiased representation, access to services, and freedom from harassment, irrespective of whether or not they are under the umbrella of protected characteristics. The protected characteristics list is not an exhaustive one. Everyone has a right to feel a sense of belonging, inclusion, well-being, security, resilience and empowerment
- Eliminate any processes or individual behaviours that may lead to discrimination, harassment and victimisation even where there was no intent to discriminate
- Offer services and representation fairly to all staff and students and ensure that anyone in contact with the organisation is treated with respect and dignity
- Work proactively to involve students and staff in its activities who are typically under-represented or under-supported or systematically oppressed.
- Provide a working and learning environment in compliance with all relevant legislation. This policy will be amended as appropriate to meet the demands of future legislation



- Ensure mechanisms are in place for reporting and responding to complaints of discrimination, harassment and victimisation
- Monitor practices regularly to ensure that the College meets its commitment to equality of opportunity
- Recognise the right for academic freedom; for students to form associations of interest and to debate freely, providing this does not trespass on the freedoms of others to do the same
- Make our service provision as accessible as possible to all students. All reasonable adjustments will be made to enable this. For access issues and special equipment requirements, we will strive to adjust and provide, within the practical constraints and limitations of building and resource restrictions.

### ***Responsibility for this policy, monitoring and review***

All our students and staff have a duty to support and uphold the principles contained in this policy and supporting policies. The commitment of all members of our community is required to make it a success.

However, those who hold management, supervisory or staff/faculty positions, and student representatives, have additional and particular responsibilities to ensure the effectiveness of its application and that all staff and students are aware of its implications and implementation.

The Executive Team and Advisory Board hold overall responsibility for the development, implementation and operation of this policy.

We will ensure that course review and record-keeping systems ensure effective implementation and development of this policy, and review/update it as appropriate.

### ***Equal opportunities in Admissions***

We recognise the benefits, to TAA and to the wider community, of recruiting a diverse population of students. We aim, in so doing, to widen and deepen access to education and the acupuncture profession. Please see our Admissions policy and Entry requirements for more detail.

If any applicant has cause to believe that any aspect of the Admissions policy has not been adhered to, they can raise their concern in writing to the Admissions Officer for consideration by the executive team. We commit to investigating and responding within five working days.

### ***Student complaints***

If any student has any cause to believe that any aspect of this policy has not been adhered to, either in respect to themselves or something they witnessed happening to others, they can raise their concern via the appropriate routes and policies signposted in the Student Handbook. If in any doubt, they should contact their Head of Year or another Head of Year or Deputy Head of Year, directly. All complaints will be investigated thoroughly and may result in action being taken under the appropriate disciplinary procedure.

### ***Visitors***

This policy extends to all users of the college and clinic premises, and signage outlines the main responsibilities for visitors. Staff on site take responsibility for asking individuals to leave if their behaviour is deemed inappropriate and/or offensive. Signage informs visitors of how to complain or report any issues (or please contact us via the website or call the college reception on 01926 730284 to be directed to an appropriate person).

### ***Equal Opportunities in Employment and contracting of staff and faculty***

Advertisements for posts will give sufficiently clear and accurate information to enable potential applicants to assess their own suitability for the post. Information about vacant posts will be provided in such a manner that does not restrict its audience in terms of sex, gender reassignment, race, marital status, disability, age, sexual orientation, religion, pregnancy/maternity or any other irrelevant variable.

All descriptions and specifications for posts will include only requirements that are necessary and justifiable for the effective performance of the job.

All selection will be thorough, conducted against defined criteria and will deal only with the applicant's suitability for the job.

All advertisements that are placed in publications (including electronic publications) will indicate that the College is committed to effective implementation of an equal opportunities policy and welcomes applications from all sectors of the community. The College therefore recognises that advertising in a range of publications may be necessary in order to reach all sectors of the community.

When applying for employment, all job applicants are considered having regard only to their individual aptitudes, abilities, knowledge, experience and qualifications in the relation to the job as stated in the job description and person specification.

No method of recruitment that might unfairly exclude any potential applicant from being recruited will be used.

All staff will be given equal consideration for training, career development and promotion. Staff are encouraged to develop themselves through training and to obtain qualifications that are appropriate to their employment.

Staff have the right to raise a query or grievance that they have concerning the application of this policy, as outlined in the Staff and Faculty Handbooks.

All staff members have a clear obligation to ensure that this policy is effective with regard to equal opportunities and the absence of discrimination. They must not harass or intimidate others, or discriminate against fellow staff members, students, contractors, job applicants, student applicants or patients, and are required to draw to the attention of the Principal any apparent instances of discrimination.

Staff who believe that they are being discriminated against on any of the grounds specified in this policy should refer to the Complaints and Grievances policy in their Handbook.

### ***Victimisation***

We seek to protect any member of the college community or its visitors from victimisation, defined as detrimental treatment because that person in good faith made an allegation of discrimination, bullying or harassment, or any other valid complaint, or if they indicated their intention to make an allegation, or assisted or supported another person in bringing an allegation, or participated in an investigation or hearing of an allegation, or is suspected of having done so.

### ***Hate incidents***

Any incident perceived by the victim or a witness to be motivated by hostility or prejudice based on a person's disability or perceived disability, race or perceived race, religion or beliefs, sexual orientation, gender or perceived gender, will be considered a possible Hate incident and this will be treated as an

aggravating factor when considering the appropriate action to take. Hate incidents may also be crimes and as such, reported to the police.

### **Definition of Terms: discrimination, bullying and harassment, anti-Semitism**

**Direct Discrimination** occurs when a person is treated less favourably than others in similar circumstances on the grounds of gender, sexuality, gender reassignment, religion, ethnicity, age, disability, marital status, pregnancy or maternity. Political beliefs refer to beliefs that are consistent with respect for human rights.

**Indirect Discrimination** occurs when a condition or requirement is imposed which adversely affects one particular group considerably more than another and cannot be justified according to context (e.g. educational requirements).

**Disability Discrimination** occurs when a person receives less favourable treatment than others in similar circumstances because of a physical or mental disability or illness. A disabled applicant should not be barred from employment or a course on the grounds of restricted access or inadequate equipment where with *reasonable* efforts and expenditure the problems could be resolved. However, there are circumstances where an applicant may be barred from the course as a result of physical or mental disability or illness that may affect conduct or fitness to practise, and students may be withdrawn from the course if a physical or mental disability or illness affects conduct or fitness to practise, leading to disciplinary action; and/or in situations where despite all efforts according to this policy, they are unable to pass all aspects of the course.

**Harassment** is defined as taking place when a person or people engage in unwanted conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or threatening environment. It may be in person or online. It may be in verbal, written or physical form. It can involve repeated behaviour but a one-off incident, if sufficiently serious, can also amount to harassment.

Examples of harassment may include but are not limited to: negative comments about someone's appearance or personal characteristics including protected characteristics such as gender identity or sexual orientation; unreasonable criticism; unnecessary and unwelcome physical contact (including as part of class practise or observation or treatment, if excessive or unnecessary to the procedure, and/or without proper communication or consent); suggestive or unwelcome comments or gestures; unwelcome requests for social or sexual encounters; non-consensual sharing of degrading sexually explicit materials; asking intrusive questions about their private life.

Bullying is defined as offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power, through means that may reasonably be considered as having the effect of undermining, humiliating, denigrating or injuring the recipient or recipients, emotionally and/or physically. It may be in person or online. It may be in verbal, written or physical form. It can involve repeated behaviour but a one-off incident, if sufficiently serious, can also amount to bullying.

Examples of bullying may include but are not limited to: making someone feel frightened, less respected, made fun of or upset; putting someone down in meetings or in class or in online discussions, ignoring or excluding an individual from social events or group work; spreading unfounded rumours; persistently ignoring or talking down to someone; criticising or belittling someone; pressurising someone against their wishes.



We recognise that differences of attitude, background, experiences or culture and the misinterpretation of social signals can mean that what is perceived as harassment or bullying by one person may not seem so to another. However this does not make it acceptable.

**Anti-Semitism** we support and uphold the [definition provided by the International Holocaust Remembrance Alliance](#).

This definition acknowledges that it is not anti-Semitic to criticise the Government of Israel, without additional evidence to suggest anti-Semitic intent, and it is not anti-Semitic to hold the Israeli Government to the same standards as other liberal democracies.

### **Disclaimer**

By producing this policy, we are not implying or accepting that we have not sought to apply fair standards of practice in the past. On the contrary we have always done our best to practice the highest possible standards in this area, but we do recognise the need to constantly examine policy and practice to reflect changing standards and expectations; consequently, we have brought relevant statements together and reflected on our practice to produce this explicit policy.

We recognise that there are many types of discrimination and this policy (as well as related documents) does not attempt to address them all. We aim to ensure that a framework exists so that any form of discrimination can be addressed as the need arises.