

EQUAL OPPORTUNITIES POLICY IN RELATION TO STUDENTS

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1. In relation to students, ICE aims to provide education of excellent quality at the Ofqual required level for able students, whatever their background. In pursuit of this aim, ICE is committed to using its best endeavours to ensure that all of its activities are governed by principles of equality of opportunity, and that all students are able to achieve their full academic potential. This statement applies to recruitment and admissions, to the curriculum, teaching and assessment, to welfare and support services, and to staff development and training, promotion and disciplinary procedures etc. In relation to academic and non-academic staff, the policy and practice of ICE requires that all are afforded equal opportunities within education and that entry into education or training with ICE and the progression within ICE will be determined only by their minimum age requirement, educational qualifications, work experience if any, and the entry requirements for the applied course should be met. In all cases, ability to perform the job is the primary consideration. Subject to statutory provisions, no applicant or any student will be treated less favourably than another because of her or his sex, race, nationality or citizenship, ethnic or social origins, religion, marital status, sexual orientation or disability or any other devices. Any favourable treatment given must be fairly justified and reasoned.
2. The students and staffs of ICE are usually from very diverse in ethnic and social origin, and in many other ways. ICE will meet the law's requirements for preventing unlawful discrimination, and for promoting equality of opportunity and good relations between persons of different group, whether defined by sex, race, nationality or citizenship, ethnic or social origins, religion, marital status, sexual orientation or disability, etc. ICE's commitment to the promotion of equal opportunity goes beyond legal requirements, such as the Race Equality Policy embodied in this Statement. ICE is a community in which knowledge and learning are pursued and supported in a spirit full mutual respect in a humane, tolerant and fair environment.
3. ICE will also avoid, in the fields of employment, education and provision of goods, facilities, services and premises the use of ostensibly neutral criteria which have a disproportionate adverse impact on its members by reason of their sex, race, nationality or citizenship, ethnic or social origins, religion, marital status, sexual orientation or disability, unless such use is objectively justifiable.

Specific Examples

I am giving these from my own experience as a teacher, student, student representative and counsellor to illustrate what I meant above by "direct discrimination or indirect discrimination in any of the specified areas, whether from staff, students, or from cultures of discrimination or institutional discrimination coming into existence either by action or inaction"

Race/National Origin

People tend to be aware only of the sorts of racism they have encountered within their own community. For example, a white teacher may not be aware of, or recognise when he/she sees it, racism between West Africans and Caribbean's, may not be able to distinguish between banter and racist abuse, and may not know how or when to intervene. Example from experience:

Caribbean (to West African who has made a remark in an African language): Will you stop talking that crazy monkey-talk shit?

West African: You don't have any language at all. You can't even speak English properly.

Caribbean: At least we're civilised. You bastards sold us as slaves and you still live in the trees.

West African: We sold you because you were idle and lazy and no use. In fact I think my grandfather sold one of you.

This conversation was in fact banter and any white person intervening to criticise them would have been told to mind their own business and stop telling them what to do: the intervention itself would be regarded as racist. However a decision by a white teacher to confine perceived racism to offensive remarks made by white people about black people would often result in practice in racial harassment going on unchecked under their noses.

There are also the problems of unintended racism and wrongly perceived racism: in both cases an attitude of the teacher that racism is innately wicked and proof of some moral defect is likely to make things worse. Examples: an Eastern European who has never met an African in her life makes a remark which is seen as patronising and derives from ignorance. What needs to be corrected first is the ignorance, not the racism that derives from it. Second example: on a counselling course one student made a reference to counselling "visa-nationals" and another objected to this as racist because "visa-national was a coded way of saying black". The first student was told to apologise on the grounds that a remark seen as racist was in fact racist and the conference then degenerated, with student A saying that the visa-nationals he had been talking about were in fact Chinese and that the vast majority of visa-nationals were not black, and the coordinator saying that was not the point, the point was whether student B had thought he was talking about black people, and if they had thought this, then the remark was racist; this resulted in the coordinator being accused of anti-white racism and the whole episode was a classic example of how not to handle cases of unintended offence. It actually led to racial ill-feeling that had not been there before and to two students resigning from the course – not the best of outcomes.

Sex/cultural affiliations

A common problem is sexual harassment, by students of each other, but a related area is sexual relationships between staff and students: this should certainly be discouraged – making it a disciplinary offense is a good idea and staff contracts should have under "gross misconduct" the category of "inappropriate and unprofessional relationships with students".

As with racism, the problem arises of unintended sexism and misperceived sexism, and cultural affiliations become important here, because what may be sexually discriminatory in one society may not be so in another.

Leaving aside the obvious problems of cultural clashes between students, we could give an example of behaviour which by being culturally insensitive amounts to sexism. A teacher expects and encourages his class to challenge his ideas: finding them reluctant to do so for cultural reasons (they come from a culture in which it is improper to challenge a teacher's ideas), he pressurises them to do so, suggesting that he will regard it as laziness if they decline to do so. He does not realise that the female students in that group face a double burden (the culture regards it as improper to contradict a teacher, but as doubly improper for a female to contradict a male) and as a result, whereas he is putting a moderate and acceptable degree of pressure on the male students, he is, properly speaking, bullying the female students: he is treating them unequally, which is sexism. Of course, what he thinks he is doing is challenging sexism: he is not: he is being sexist.

I would hope that proper training for the teacher would enable him to avoid this sort of error: and enable him/her to mediate clashes between students. This proper training would of course involve cultural sensitivity and trying to avoid inappropriately judgmental approaches.

One example, within our experience, of a teacher thinking she was combating sexism but in fact being culturally insensitive, was a teacher who denounced female circumcision to a class, giving gory details which were an accurate account of Sudanese circumcision practices, but were inaccurate as regards West African Sudanese Society practice (she did not distinguish between them), before an audience which included women who had been circumcised according to Sudanese Society practice. It is difficult to think of anything more sexually humiliating than listening to a teacher lecturing on the hypothetical state of one's genitals and on one's hypothetical inability to have sexual pleasure before an audience of men, getting all the details wrong, and this, in that it directly humiliated certain women, was in itself sexist.

National Origins/Cultural Affiliations

The classic example of this is stereotyping a nation and assuming that because someone comes from a particular national group or culture they must hold the general opinions of that group or culture. This can lead to collisions that would not otherwise take place. Without going into details, I will just give the example of an English Language class in the 1990s containing a Croatian Serb, a Bosnian Muslim, a Turkish Cypriot, and an Ahmadi Muslim from Pakistan, and say that a number of problems arose from people attributing to each other opinions which they did not in fact hold but understood from the media that persons of their origin and culture would hold.

Age/Cultural Affiliations

It is easy for a teacher to see a class as a homogenous unit in terms of age, and thus exclude individual members by, for example, assuming that everyone in a class mainly of mature students will have work experience or by directing a careers talk entirely to a class of school leavers and excluding the odd mature student. When the class forms a single social unit (excluding the student of different age) this can lead to individual students suffering unperceived disadvantages.

Religion

Some examples of how this impinges on an absence policy. The major holy days of various religions should be respected. A Muslim should not be expected to attend classes on Eid-al-Fitr. But if the class takes place with him absent, he clearly has an inequality of opportunity with relation to the rest of the class – he will have to catch up the missed work. What proportion of Muslims should be in the class before you cancel all classes for that day – and if you don't cancel the class, because there is only one Muslim in the class, are you not operating a policy that might perpetuate the situation you are responding to, because it might discourage other Muslims from applying to ICE? What policy should be followed if it is the teacher?

(A Muslim) who wants the day off, and there are no Muslims in the class?

A Hindu has been absent for a month without explanation. On returning to class he says that he has had chicken-pox, but has not been to a doctor and hence has no medical certificate, because it is a holy disease. Do you advise him to go to a doctor not for treatment but simply for confirmation that he has recently suffered from chicken-pox, because the Home Office will not accept this explanation for absence in the absence of a medical certificate?

Some Muslim students want to miss classes for the whole month of Ramadan because they are unable to concentrate, being faint with hunger because they cannot eat during daylight hours. Do you at least allow them to go home early, or do you say that other Muslims in the UK manage to continue to work without taking a month off and those they therefore ought to be able to continue studies?

In all these cases the teacher or member of admin staff should be aware of and respect the genuine requirements of the religion, while making realistic decisions in the interests of the individual students, ICE, and the rest of the class (e.g. not allowing the whole of Ramadan off, but if possible making Eid-al-Fitr a holiday if doing so will not disadvantage other students and not doing so will disadvantage students: balancing the interests).

Religious and cultural aspects will also affect a wide variety of other areas of ICE life, notably food offered in the student canteen/common room.

Sexual Orientation/Culture/Religion

Open homosexuality would be just one of many culture shocks for students from certain cultural backgrounds. Again the teacher must avoid being judgmental and, in dealing with clashes resulting from intolerance, remember:

- the intolerant student may not even know that gay relationships have been legal for nearly forty years in the UK and intolerance of them is frowned on
- the student may come from a culture in which gay relationships are illegal or belong to a religion which denounces them, and care should be taken to avoid any disrespect or insensitivity towards a different culture or religion (see also the female circumcision example above)
- the student must nevertheless behave appropriately according to UK cultural norms, but must not see this as an attempt to force or impose “decadent western values” on him/her (the sponsor may also have opinions on this). It goes without saying that teachers are expected to avoid any anti-gay discrimination, and this will be part of their training course.
- ICE is legally obliged to take all practicable steps to avoid discrimination against disabled people, and will do so. Some appropriate action (such as printing out handouts in large print for partially-sighted students) is easily achieved, and must therefore be done.
- There will be problems for students in wheelchairs or with other mobility problems: access to the building is by a ramp.
- Class/culture/other factors. Examples include stereotyping people by accent or other external characteristics. In particular the teacher training course should cover the particularly pernicious stereotyping which can result from inappropriate conflation of background knowledge, education, language and class to reach wildly inappropriate conclusions, which I have encountered among teachers before.

Example: a teacher encounters an African student who does not have certain background knowledge which in the UK would be basic knowledge (just as the teacher does not have background knowledge which would be taken for granted in the student’s country); who did not take their school examinations at 16, but in their 20s (quite common in some countries); whose English involves African Creole usages; and then makes the same assumptions of “class” about the student that might be made about a black British student with these characteristics (“never heard of this or that – didn’t take their GCSEs until their 20s – writes in “patois” – must come from a deprived background”). I have seen teachers patronising the sons and daughters of the elites and royal families of their countries and treating them as if they are making a brave attempt to climb out of a slum background!

- Any other factor. The Equal Opportunities Committee should not confine themselves to stated policy factors but be proactive in ensuring that nobody is unfairly discriminated against (other areas of discrimination not covered here might include physical appearance, for example).
- Problems of policy implementation. Problems which have been known to arise from badly designed or badly implemented equal opportunities policies include:
 - equal opportunities as a purely defensive and procedural policy: “lip-service”, in which the question of whether equal opportunity has actually been provided becomes secondary to the question of whether it can be said to have been provided
 - aggressive and self-righteous equal opportunities policy, in which “political correctness” leads to exacerbating problems, or creating them where they do not exist, rather than resolving them
 - over-enthusiastic implementation leading to unequal treatment

- failure to balance conflicting interests appropriately
- The policy becoming more important than its purpose (equal opportunity is outcome-driven: the test of its success is whether it has actually remedied an unfair disadvantage. It must not be allowed to become simply an unusually rigid behaviour code which disadvantages everybody)
- Inadequate training and inadequate monitoring leading to inconsistency of treatment and any of the other errors mentioned here.