



DISCRIMINATION

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Discrimination occurs when a person is treated less favourably for a reason related to the possession of a protected characteristic as defined in the Equality Act 2010. These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion (including faith, belief, or lack of), sex, and sexual orientation. It can occur in a number of ways.

Direct Discrimination

Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic. This could be refusing to work with someone because of their sexual orientation or not admitting them on to a course because of their religious beliefs.

There are times where it may be acceptable to treat someone differently. For example, reasonable adjustments put in place to support a student in an exam would not constitute direct discrimination against a student with no disability.

In some cases, you do not need to have a particular protected characteristic to experience direct discrimination. It can also occur based on your association with someone who possesses that characteristic or on a perception that you have that characteristic even though you do not. An example of this someone is treated less favourably because they have a partner who is from a particular ethnic background, or because a person is mistakenly thought to belong to a certain age group.

Indirect discrimination

Indirect discrimination occurs when a provision, criteria or practice implemented in the same way for everyone, has the effect of disadvantaging people sharing a protected characteristic. Whether it is intentional or not, if the action does or would disadvantage that group in some way, and it cannot be shown that the provision, criteria or practice is justified as a 'proportionate means of achieving a legitimate aim', it would be considered discriminatory.

Discrimination Arising From Disability

Discrimination arising from disability occurs when a disabled person is treated unfavourably and unreasonably because of something connected with their disability. Discrimination arising from disability differs from direct discrimination because it is not about the disability itself, but rather other aspects that arise from the needs, effect or outcome of that disability. The need to take medication or an inability to walk unaided for example. Discrimination arising from disability is also different from indirect discrimination. There is no need to show that other people have been affected alongside the individual disabled person or for the disabled person to compare themselves with anyone else.

Discrimination can take many forms. JCA has zero tolerance for discrimination in all its forms. If you feel that you have experienced or witnessed discrimination, you can contact JCA Student Support on student.support@jca.ac.uk or speak to a member of staff that you feel comfortable talking to. You can also use the JCA 'Report and Support' service.