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# York Law School

**Equality, Diversity, and Inclusion Strategy: 2021-2027**

## The context

A fundamental aspect of the founding ethos of York Law School was our desire to create a socially embedded academic community that would, across our entire range of activities, draw on our legal expertise to take up and address issues that matter to the public good. This ethos has informed and underpinned much of what we have done since our creation.

The principles of equality, diversity, and inclusion are of obvious importance to this mission, and York Law School has always sought to create an inclusive culture that is responsive to the demands and challenges that equality and diversity pose in an academic context (and particularly in the context of the study of law), and to ensure that all our staff and students feel that they are a full and integral part of our community.

As we near our fifteenth anniversary, this strategy seeks to put a renewed focus on what we have done and will do to remove barriers to equality, to acknowledge and celebrate diversity, and to develop and foster inclusion within our own community as well as amongst the sections of the public with whom we work. It seeks to give concrete form to the principles that underpin our work, and to highlight and raise awareness of the challenges and issues to which we need to continue to direct our efforts. Its vision is to establish York Law School as a department which:

- embeds principles of equality, diversity, and inclusion (EDI) into all aspects of its academic and organisational life;
- creates an environment enabling and supporting all our members to flourish, excel, and fulfil their potential; and
- takes on a leading role in furthering the cause of EDI in higher education and beyond.

A single step, or a single set of actions, will not by themselves achieve these goals. Making progress will, instead, require a number of actions on a number of different fronts. It will also require a process that is both reflective and iterative, and an institutional culture which treats these goals as central to, and embedded in, everything we do. This strategy is, accordingly, organised to operate at two levels. Firstly, it sets out a high-level framework to articulate the central ideas, principles, and goals that will underpin our work on equality, diversity, and inclusion. This framework consists of **six core objectives** in relation to equality, diversity and inclusion that will inform our work in the years leading up to our 20th anniversary in 2027. It identifies **six domains** in which we will work to implement those objectives, and **four key principles** that will underpin our work across those domains.

Secondly, this strategy sets out concrete steps and actions we will take to achieve these objectives. This section of the strategy is intended to be a living document, which we will review, refine, and update as we work to achieve the objectives it sets out. The steps that will be taken to implement it will, accordingly, be contained in successive **eighteen-month action plans**, drawn up in alignment with the Athena Swan action plans on gender equality, which will be reviewed and updated regularly as our work progresses.

## Our strategic objectives

In setting out a strategy for equality, diversity, and inclusion, for all YLS staff, whatever their role, and students, whatever their level of study, we are not complacent about the challenges we will face or, indeed, the distance we are likely to have to travel. Attaining our goals will require a strong sense of commitment to this strategy amongst all members of York Law School, and a willingness to take responsibility for supporting and contributing to its success. This strategy has, accordingly, been developed to flow directly from York Law School's core values, from the vision that underlay our creation in 2007, and from the work we have undertaken and continue to undertake since then. The six core objectives we have set to give concrete form to our vision and values are:

- **Awareness:** Build a commitment to, equality, diversity, and inclusion into every aspect of York Law School's work, governance, culture, and ethos; and increase staff and student awareness of that commitment.
- **Experience:** Ensuring that the experiences of York Law School's prospective and actual staff, students, and other stakeholders are marked by acceptance, respect, fairness, and dignity.
- **Opportunity and recognition:** Creating structures, systems, and policies so that every past, current, and prospective member of York Law School - regardless of their personal characteristics - is afforded a full range of opportunities, receives the same degree of recognition and consideration in relation to their needs and beliefs, and feels the highest degree of acceptance and support from, and ability to participate in, our community.
- **Reputation:** Working to be known for our commitment to equality, diversity, and inclusion, and to become an institution of choice for persons from under-represented groups.
- **Evidence:** Developing a framework to systematically collect, monitor, and use data about equality, diversity, and inclusion, so as to improve our decision-making and achievement of the four objectives above.
- **Reflection and action:** Drawing on the data above, identifying shortcomings in meeting these objectives, and establishing a framework for addressing them.

Achieving our objectives: The framework for action

To achieve these objectives, we will work across six thematic domains of activity: our **curriculum**, our **staff**, our **students**, our **governance**, and our **public identity** (including for the purposes of recruiting staff and students), and **space**. Our action plans will be framed in the specific context of these domains of activity, and will ensure that our work on EDI is seen as a fully integrated theme that is central to everything we do. There is more discussion of these domains, and of our priorities in relation to each, later in this document.

In each of these domains, we will focus on fourteen different characteristics or grounds of equality and diversity, and on how they combine and intersect. These include the nine 'protected characteristics' defined in the Equality Act 2010, namely: **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation**, and the characteristic of **part-time work**, protected in The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000. In addition, we will also focus on four grounds that have a high degree of salience in an academic context:

- **Socio-economic background**, recognising that a person's economic and social position in relation to others can have an impact on them in ways that are germane to the opportunities available to them;
- **Caring responsibilities**, in recognition of the fact that an academic institution must be sensitive to, and accommodating of, a person's responsibilities for others - whether children, partners, other family members, close friends, or others who have care and support needs;
- **Temporary personal circumstances**, in recognition of the fact that short-term circumstances affecting a person's health or well-being (including mental health) may not necessarily be considered a disability in law, but nevertheless matter to equality and inclusion within an academic institution;
- **Chosen career path**, recognising that staff make a contribution to the life of the law school in a range of ways, all of which are essential to the life of the law school, and all of which deserve recognition.

Together, these fourteen grounds form the 'focus characteristics'.

### **Equality of what? The aspirations**

Finally, in thinking about the meaning and implications of equality, diversity, and inclusion across these domains and in relation to these equality grounds, we will use **four referents** to explore and model what they require of us and to evaluate where we stand at any point of time. These have been chosen to reflect the fact that equality, diversity, and inclusion have horizontal as well as vertical implications, affecting the manner in which we relate to each other, as well as the manner in which the institution relates to us. They are dimensions in which inequality is often experienced, leading to disadvantage.

**Respect:** we should aim for reciprocal openness, mutual recognition, and a respectful community, each of which are fundamental to an inclusive academic and institutional ethos. We should take steps to ensure that the focus characteristics are not the source of direct or indirect discrimination in the exercise or expression of respect for each other, and/or in indicators of recognition or markers of esteem.

**Opportunity:** we should provide meaningfully equal academic, professional, participatory and developmental opportunities to all our staff and students - anticipating and avoiding

the risk of disproportionate impacts upon those with focus characteristics, and making reasonable adjustments.

**Support:** we should ensure that our systems and processes provide adequate support to staff and students, anticipating and avoiding the risk of disproportionate impacts upon those with focus characteristics, and making reasonable adjustments.

**Consideration:** ensuring that our systems and processes take adequate account of the contributions and needs of all of our staff and students (with particular reference to our equality grounds).

## Thematic domain 1: Curriculum

Equality and diversity are of considerable importance to the curriculum. The lived experience of the legal system differs, often significantly, across different groups; and, different aspects of the law carry a different significance and different salience across different groups. Every curriculum embeds within it a set of evaluative judgments, often implicit rather than explicit, in relation to the substantive issues, areas, and perspectives that are placed in the foreground, and those that remain in the background. In an institution committed to equality, diversity, and inclusion, it is crucial that these evaluative judgments are explicit, transparent, and justifiable; and that they give due recognition to the manner in which the legal system affects minority and marginalised groups, both in the present day and in the past.

In the first phase of delivering our strategic plan, our key priorities will be the following:

- We will develop a high-level pedagogic statement in relation to the understanding of the relationship between the law and equality, diversity, and inclusion we want our students to acquire through their study with us, and to see reflected in our curriculum.
- We will ensure that the terms of reference of all committees and groups considering semesterisation incorporate an express mandate to address issues concerning equality, diversity, and inclusion. This will, at a minimum, include:
  - A review of the PBL scenarios to ensure that they are actively inclusive, and that they do not reflect implicit or unconscious biases;
  - A review of the curriculum as a whole on each of our programmes, to assess the extent to which they give due recognition to the diverse range of experiences different sections of society have of the legal system;
  - A review of teaching and learning modes of delivery, to assess the potential barriers experienced by different students, and identify and implement adaptations accordingly;
  - A review of our assessment practices to determine the extent to which they are responsive to student needs arising across our equality grounds;
  - Decolonising the curriculum, by considering globally salient issues and perspectives, broadening the coverage of alternative critical perspectives, voices, and jurisdictions, and assessing whether and to what extent the curriculum sanitises the past and, where it does, analysing and addressing this; and
  - Building the critical skills necessary to engage with and debate these issues in a spirit of mutual recognition, openness, fairness, respect, and dignity.
- We will develop a toolkit for staff in relation to covering and discussing sensitive material in classroom settings.

## Thematic domain 2: Students

It is fundamental to our ethos as a law school that our environment should support all our members to flourish, excel, and fulfil their potential. This requires our policies and procedures to be always kept under review to ensure that they provide meaningful equality of support, consideration, and opportunity. It also requires us to embed an institutional culture characterised by equal respect among all our members, and to engage students critically in all our EDI processes.

In the first phase of delivering our strategic plan, our key priorities will be the following:

- We will complete an evidence-based review of our admissions process and statistics for undergraduate, postgraduate, and research students, to examine whether we currently treat prospective students fairly and equitably across our equality grounds, and identify remedial steps where we do not.
- We will build EDI into our induction activities, including into firm-building processes where relevant, with a particular emphasis on its implications for how firms run themselves.
- We will also work with students and tutors to produce guidance and a toolkit for tutors in relation to EDI issues in taught sessions (including, but not limited to, dealing with material containing discriminatory, derogatory, or dehumanising language; and facilitating open and robust academic debate while also having regard to the need to give due recognition to the sensitivities generated by the historical and present experiences of subalternised populations within societies) and pastoral care.
- We will encourage self-reflection in later firm sessions, to underline the importance of acknowledging and learning from mistakes/mistaken assumptions, and of learning new perspectives.
- We will consult with students on how best to develop policies around cultural and religious observances, providing a transparent and easy procedure to mitigate the impact of conflicts between religious observances and classes.
- We will initiate regular surveys to assess and evaluate (i) the adequacy of the level of support we provide our students in relation to all our equality grounds, (ii) the extent to which our institutional culture embeds all dimensions of equality across our equality grounds, and (iii) identify remedial steps in areas within the School's domain where the level of support we provide is not adequate.

### **Thematic domain 3: Staff**

Our ethos of supporting all our members to flourish, excel, and fulfil their potential extends to staff as well as students. Our staff play a broad and diverse range of roles in relation to the life of the department, and it is crucial that we provide equality of opportunity, consideration, and support for the full range of goals, interests, and needs of all our staff whatever the nature of their role (teaching and scholarship, teaching and research, professional support, or other); and that our institutional culture, policies, and procedures fully embed equal respect across all types of roles.

In the first phase of delivering our strategic plan, our key priority will be to carry out exploratory work to get a deeper understanding of where we currently stand in relation to these goals vis-à-vis our staff:

- We have had particular difficulty in maintaining diversity in staff recruitment, across all levels and types of roles (although it is particularly evident at the senior level). We will, therefore, carry out an in-depth review of every step in our recruitment process to identify the reasons for this difficulty and take remedial action. As part of this process, we will engage with other departments that have been more successful in maintaining and increasing diversity in staff recruitment, including other departments in the university as well as other comparable law schools elsewhere in the country.
- We will include discussion of, and feedback on, EDI issues in the PDR process.
- We will review the departmental implementation of staff policies - such as (re-) allocating work during leave relating to sickness, caring responsibilities, disability etc - to assess how well they reflect and achieve our EDI aims and objectives.
- In consultation with staff, we will identify events and experiences that have disproportionate impacts upon the engagement of people with focus characteristics with the workplace (e.g. online abuse; the pandemic; menopause etc) and identify the most appropriate means of supporting affected staff.
- We will carry out regular detailed staff surveys to assess the extent to which we currently meet our aspiration of providing full equality - including of respect, support, opportunity, and consideration - for our staff. This will encompass all of our equality grounds as well as the full range of our staff members' roles, goals, and interests; and it will include well-being as well as the support we offer for personal goals and career progression across all dimensions of academic and support work.

In addition, as discussed in relation to other thematic domains, we will also develop EDI toolkits and guidance for staff, ensure that we encourage and support staff in carrying out 'beacon' activities, and broaden our public identity as an academic institution to encompass the full range of work we do.



## Thematic domain 4: Governance

Achieving goals related to equality, diversity, and inclusion requires a constant process of reflecting on the way we work, and an institutional openness to being challenged in relation to the things we do and the implicit assumptions we hold. This requires establishing clear and sound structures of governance for equality, diversity, and inclusion in order to ensure that issues are not only identified and recognised swiftly, but also that we have structures and systems that will act to ameliorate or resolve them when they are identified. A central challenge in establishing systems of governance for equality, diversity, and inclusion is ensuring that EDI principles are fully embedded within all parts of our department and within all our activities. The challenge, to put it differently, is to mainstream equality, diversity, and inclusion into what we do, rather than devise a set of relatively independent activities that are important but nevertheless not central in the way teaching or research are.

To achieve this goal, our priorities in the first phase of delivering our strategic plan will be the following:

- We will create an advisory working group for equality, diversity, and inclusion, with a membership that includes staff as well as students. This group will be linked into all activities that concern equality, diversity, and inclusion. The group will be appropriately resourced; designated staff members will have their membership of the working group taken into account during workload allocation. The group will provide a system for monitoring equality, diversity, and inclusion and for joining up all activities we undertake. It will give an opportunity for staff with a passion for equality, diversity, and inclusion to take on formal roles and responsibilities, and will provide a ready, permanent forum for identifying and responding to issues as and when they arise. We will also invite alumni and members of the YLS Advisory Board to join.
- We will, through the working group, create rolling EDI action plans which will be updated and considered annually by DMT and at the Spring Term meeting of the Board of Studies. Each plan will cover the next eighteen months (with the exception of the first, which will have a shorter duration), and run until 31 August of the following year.
- We will create a new role of a Student EDI champion, appointed in the same manner as existing student representatives, to complement the department's Diversity Champion.
- We will consult with students and staff on the best format for bringing all our EDI policies, procedures, and toolkits together. This may, for instance, be an EDI manual, or a landing page linked to from other manuals. At present, our EDI procedures and processes are not always easily accessible or well known (e.g. that our style guide for student-facing documents is based on British Dyslexia Association guidance)

## **Thematic domain 5: Public identity and environment**

York Law School presents a very conventional public identity, focused around teaching and publication and impact activities. There is a strong case for reconsidering this. In part, this is because equal respect and equal consideration have external as well as internal dimensions, and require giving due recognition to all dimensions of work that we undertake, and not just our more traditional academic work. This is particularly important at York Law School, given the gender profile of some roles such as that of Associate Lecturer (T&S). But equally, our ambition of taking on a leading role in furthering EDI in higher education and beyond, being known for our commitment to EDI, and achieving greater diversity in recruitment also require us to reconsider the face we present to the world.

Against this background, our priorities in the first phase of delivering our strategic plan will be the following:

- We will give greater focus, promotion, and visibility to all dimensions of academic work that is done at York, encompassing research, scholarship, teaching, and engagement. This will require giving visibility to groups that sit outside our formal research clusters (such as the Feminist Teaching and Research Network at least as much as we publicise our research clusters), as well as the work that individuals and teams within the school do on pedagogy and curriculum development. It will also require a greater focus on and celebration of the work we do on civic engagement (and not merely impact), such as the work on Bridge Partnership, Ageing Well, etc.
- We will ensure that visual dimensions of the public image we present, reflect our present reality and future aspirations in relation to equality, diversity, and inclusion; and that our public communications fully celebrate the work being done by staff and students to further equality, diversity, and inclusion.
- We will engage with external bodies and seek external sources of best practice.
- We will support staff and students in being a voice for progressive change within the University, and in identifying, planning, resourcing, and undertaking ‘beacon’ activities that reflect our commitment to equality, diversity, and inclusion.

## **Thematic domain 6: Space**

The physical environment is an important domain for creating barriers and engendering feelings of welcome or alienation. We should aim to make the spaces which York Law School occupies as inclusive and accessible as possible.

- We will conduct a YLS Art Project, gathering ideas for, and installing artwork, photographs and posters in YLS spaces. These images should represent our principles of equality, diversity and inclusion.
- In our surveys with students and staff, we will gather feedback on the physical spaces in which YLS activities take place, to identify any shortcomings.
- We will liaise with Estates Operations; the University Disability Team; and Human Resources, to address issues identified, and to ensure that reasonable adjustments are made.

## The action plan

The results of the consultation will be used to frame a detailed action plan, containing specific actions and measures we will take to achieve the priorities set out in the strategy (as revised in the light of the consultation). The action plan will also assign responsibility and accountability and set a time frame for each action, and set out criteria we will use to evaluate our success in relation to each step. The plan's ethos will be one of learning from one another, understanding and respecting diversity, and creating a culture where we learn and grow together in a spirit of joint commitment to work towards creating an inclusive culture at York.

There are a number of actions that are already being undertaken to address various issues and challenges around equality, diversity, and inclusion. These include, illustratively, our Athena Swan action plan, a diversity-oriented review of our admissions process, the working group on the visual environment within the YLS building, and a range of widening participation activities across our degree programmes and career support. The action plan will draw all of these in, in order to provide a complete overview of what we are doing as a department in relation to equality, diversity, and inclusion.