Equality & Diversity Policy

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Equality & Diversity Policy

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1. Equal Opportunities Statement

The University of West London is committed to providing and supporting an environment that promotes equality of opportunity for all members of staff, students and visitors.

2. About this Policy

2.1 This Policy sets out the University’s approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.

2.2 This Policy applies to all students, visitors, employees, members of the Board of Governors consultants, contractors, service providers, volunteers, interns, casual workers, agency workers and any other persons associated with the functions of the University. This Policy covers all sites on which the University carries out its activities.

2.3 The University has in place rigorous systems for ensuring all contractors and tendering organisations comply with its Equality and Diversity Policy. As part of the procurement process successful tenders will need to evidence satisfactory compliance with the University’s Equality and Diversity Policy.

3. Policy Statement

3.1 As a public sector body the University is subject to the Public Sector Equality Duty and Specific Duty under the Equality Act 2010. The Public Sector Equality Duty requires the University to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it
- foster good relations between people who share a relevant protected characteristic and people who do not share it

The Specific Duty requires the University to publish information to show its compliance with the Public Sector Equality Duty annually and to set and publish equality objectives, every four years. Information regarding the University’s compliance with the Public Sector Equality Duty may be found on the University’s website. In addition, further information on the University’s Equality Objectives and strategic overview may be found on the Equality webpage at http://www.uwl.ac.uk/about-us/policies/equality-and-diversity.

3.2 The University is committed to a policy of equal opportunities. It is the University’s aim that all people are treated fairly on the basis of merit regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background, or any other grounds of discrimination (current or subsequently enacted).

3.3 The University recognises that members of staff and students may have a range of aspirations and goals and wishes to provide a positive working and learning environment
where diverse skills and experiences are applied to learning and teaching, support services, research, consultancy, administration and management.

3.4 All staff and students should have equal access to the full range of institutional facilities and adjustments to working and learning practices are considered wherever appropriate in order to accommodate a more diverse University community.

3.5 Equality and Diversity are integral to policy formulation, planning and projects and programmes. In order to fulfil our public sector duties under current legislation, Impact Assessments and monitoring will be undertaken.

4. Who is responsible for this policy?

4.1 Equality rights apply to all members of the University and it is the responsibility of each individual to support and comply with this Policy to ensure its effective operation.

The Board of Governors has overall responsibility for the effective operation of this policy and for ensuring compliance with the Equality Act 2010 including the University’s duties as a public sector employer and service provider. The Equality & Diversity Advisory Group is responsible for the practical implementation of the Policy. This group, chaired by the University Secretary, will have overarching responsibility for:

- Overseeing the compliance with the Equality Act 2010
- Promoting the delivery of positive equality actions across the University
- Updating the Academic Board and the Board of Governors on equality issues and compliance

Day-to-day operational responsibility for this policy, has been delegated to managers. All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Assistant Director of Human Resources – Learning and Development has overall responsibility for equal opportunities training.

All members of staff and students have personal responsibility to comply with this Policy, and treat all members of the University community with respect and dignity.

4.2 If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact your Departmental HR Manager to request training or further information.

4.3 This policy is reviewed every three years and the Board of Governors and the recognised unions (UCU and Unison) are consulted on any material changes to the policy.

4.4 Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Assistant Director for Human Resources – Employee Engagement.

5. Protected Characteristics

The University will not discriminate against any employee, job applicant, student and prospective student, or visitor on grounds of:
- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

These are the “Protected Characteristics”.

5.1 **Avoiding discrimination**

Any employee, job applicant, student and prospective student, or visitor who believes that he/she may have been the victim of discrimination, harassment or victimisation shall have full right of protection under the University's Policy and Grievance Procedures. The University is committed to investigating and resolving all complaints under this policy in line with best practice.

The University will monitor all grievances, disciplinary and capability proceedings, recruitment, promotion, pay and performance. If monitoring reveals evidence of any form of discrimination, remedial action and in some cases, positive action, will be taken to redress it.

5.2 **Age**

The University will not discriminate against any employee, job applicant, student, or prospective student because of age, or perceived age. The University will not use age, age-related criteria or age ranges in any recruitment and publicity material or internal and external advertisements, unless it is to take positive action. All employees will have equal rights to training, promotion and other aspects of career development. Age will not be used to justify a failure to promote or train a member of staff.

5.3 **Disability**

The University will not discriminate against members of staff, students, job applicants, prospective students, or visitors because of a disability, or perceived disability. The University welcomes applications from people with disabilities, values the contribution of existing staff and students with disabilities, and will treat staff and students fairly should they become disabled.

**Staff:**

The University will make every effort to facilitate reasonable adjustment to enable staff to carry out their roles.

**Student:**

The University is committed to support and enable students with disabilities, impairments mental health or learning difficulties to take part in all aspects of the University's academic and social programmes. There are a range of support resources available from the Wellbeing Team.

5.4 **Gender Reassignment**

The University will not discriminate against anyone because they have changed, or are undergoing a change of sex (transsexual) and will support students and staff for whom gender reassignment grounds apply.
5.5 **Race**

The University does not accept any form of racial discrimination against any staff member, job applicant, student, or prospective student because of their race or perceived race, colour, nationality (including citizenship), ethnic or national background, or religious beliefs.

All members of the University community have a duty to make sure that their working and learning environment is free from prejudice and victimisation.

5.6 **Sex**

The University will not treat any staff member, job applicant, student, or prospective student less favourably because of their gender, whether they are male or female.

The University will monitor as part of its Public Sector Equality Duty staff profiles with regard to gender and identify and address any imbalances.

5.7 **Sexual orientation**

The University recognises that many lesbian, gay and bi-sexual people perceive and sometimes experience exclusion in social, academic and work related activities, and it will continue to work towards an environment when all people feel able to be open, should they choose, about their sexuality.

5.8 **Religion or beliefs**

The University will not discriminate against any staff member, job applicant, student, or prospective student because of cultural or religious beliefs or perceived beliefs. Where cultural or religious needs may conflict with existing working or learning requirements, the University will make adaptations, where practicable, to meet those needs. For example, prayer times, dress codes or religious holidays. All members of the University are expected to take account of the rights and reasonable sensitivities of others in pursuing their own observance.

The University will work proactively to provide an environment in which individuals can practice their religion free from harassment and discrimination.

6. **Forms of Discrimination**

6.1 You must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts or when wearing a work **uniform or garment bearing the University's logo**, and on work-related trips or events including social events.

6.2 The following forms of discrimination are prohibited under this policy and are unlawful under the Equality Act 2010:

**Direct Discrimination**

Direct Discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see Perceptive Discrimination below), or because they associate with someone who has a protected characteristic (see Associative Discrimination below).

**Associative Discrimination**
This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. It applies to Race, Religion or Belief and Sexual Orientation, Age, Disability, Gender Reassignment and Sex.

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 the characteristic. It applies to Age, Race, Religion or Belief and Sexual Orientation, Disability, Gender Reassignment and Sex.

Indirect Discrimination

Indirect Discrimination can occur when you adopt a condition, rule, policy or even a practice in your organisation that applies to everyone but particularly disadvantages people who share a protected characteristic. It applies to Age, Race, Religion or Belief, Sex, Sexual Orientation and Marriage and Civil Partnership, Disability and Gender Reassignment.

Harassment

Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating intimidating, hostile, degrading, humiliating or offensive environment for that individual".

Employees can complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act or because they are suspected of doing so. The Equality Act amends the definition 'victimisation', so that it no longer needs to point to a comparator.

7. Students

7.1 Admissions

a) Recruitment and all other marketing literature shall include a reference to the University’s Equality and Diversity Policy. All recruitment literature shall use appropriate language and shall encourage applications from groups under-represented in further and higher education. Prospective students shall be given realistic guidance on the costs they can expect to pay and of the financial support arrangements available to them. In particular, students who will be required to undertake study abroad shall be given full details in advance.

b) The University shall select its students in accordance with its Admission Policy.

update link

http://www.uwl.ac.uk/sites/default/files/Departments/About-us/Web/PDF/policies/Admissions%20policy.pdf
c) The University shall take steps to ensure that academic, admissions staff and tutors are aware of and conform to the University's Equal Opportunities Policy.

d) The procedures followed during the process of admissions and clearing shall be regularly reviewed and if necessary revised to minimise the risk of inadvertent discrimination.

e) The University will monitor and regularly review its policies and procedures to ensure that they continue to support the University’s mission and strategic objectives, that they remain current and valid in the light of changing circumstances and that they meet all external requirements, including adherence to equalities legislation. If there is any indication that members of one group have received less favourable treatment than members of another group, the situations shall be investigated and appropriate action taken in accordance with any relevant approved documentation.

f) Where an applicant has reason to believe that their application has not been handled fairly, objectively or in accordance with the procedures described above and/or in the Admissions Policy, the applicant should write to the University Secretary setting out their reasons.

7.2 Curriculum

a) The University recognises the importance of the development of the individual through the educational process and the role of the curriculum in ensuring that this development is fulfilled.

b) The University is therefore committed to the promotion of equality of opportunity with respect to programme content, approaches to teaching and learning, assessment methods and the structure and timetabling of courses of study. Further, it shall aim to ensure that documents such as module study guides and programme handbooks, teaching materials and assessments reflect the aims of this Policy and are available in alternative formats.

c) The University shall aim to offer a portfolio of provision which is of relevance and interest to persons of all genders and from a wide range of social and cultural backgrounds and which are accessible.

d) The University will encourage perspectives which reflect the cultural diversity of our society and which are neither gender dominated nor ethnocentric.

e) The University will promote equality of opportunities through the processes of validation and monitoring the use of a range of teaching approaches as well as assessment methods.

7.3 Teaching

a) All staff and students of the University shall use language which is appropriate and is not gratuitously chosen in order to cause offence to particular groups, in the course of teaching and learning and in support of teaching and learning. However, it is fundamental principle of academic freedom that reasoned argument may be employed to test and challenge views, opinions and assertions of all kinds, and in no circumstances may this clause be used to discourage or prevent the exercise of that freedom.

7.4 Assessment

a) The University’s objective is to provide a fair method of assessment to ensure equality of opportunity for all of its students.

b) Appropriate and flexible arrangements shall be made for students with declared disabilities and/or specific learning difficulties in the assessment and examination process. Invigilators of examinations shall also be aware of this policy and shall be expected to act
in accordance with it. The validity of examinations and assessments shall not be affected by any such arrangements.

c) When an external examiner is appointed to examine a taught course or a research degree the University shall draw their attention to this Policy. The University expects all external examiners to act in accordance with this Policy.

7.5 Services and Facilities

a) The University is committed to access by all of its students in groups or as individuals to the central services it provides and the facilities it offers.

b) All central services within the University which offer services directly to individual students shall monitor the impact of the delivery of their services.

c) The University offers residential accommodation and/or assists registered students to secure accommodation in the local areas. Owners of properties, which are leased by the University or made available for letting via Student Services, shall be made aware of this Policy. The University shall not accept properties from owners who seek to impose discriminatory conditions contrary to equal opportunities legislation or contrary to this Policy.

d) The University's catering services aim to take account, as far as is practicable, of the cultural, religious and dietary needs of all students in the provision of meals.

e) Recreational opportunities shall be kept under regular review to ensure that the provision does not disadvantage any particular groups of students.

7.6 Health and Safety

a) The University aims to provide its students with a healthy and safe environment in which to study and live. Detailed policies, codes of practice and appropriate handbooks, are available and it is the duty of all students to familiarise themselves with those and comply with the relevant requirements. The enforcement of reasonable health and safety requirements shall not constitute discrimination.

b) The University shall make every effort to make reasonable adjustments to ensure that all parts of the University are accessible and safe.

c) The University shall work closely with the Students’ Union to ensure the security of the students both on campus and when travelling between the University and off campus facilities.

d) The University shall ensure that this Policy shall be taken into account in the delivery of transport and parking provision.

7.7 Code of Conduct

The University’s procedures shall be kept under review to ensure currency.

7.8 Training

a) All University staff normally having contact with students shall be made aware of this Policy which shall be supplemented by basic training appropriate to their role in the University.

b) Specific advice and training shall be given to Academic staff in relation to recruitment and selection, assessment, tutoring and student disciplinary matters.
7.9 **Harassment and Bullying**

Allegations of harassment and bullying are regarded extremely seriously and may be grounds for disciplinary action, in accordance with the University’s regulatory framework.

7.10 **Student Obligations**

All students are provided with information about the Equality and Diversity Policy at enrolment, and are expected to be aware of the Equality and Diversity Policy and to abide by its principles. In particular they should:

- treat everyone with respect and dignity, whatever their background
- avoid degrading and stereotypical images or such references to minority groups
- treat other students as individuals and refrain from discriminatory or
- harassing behaviour which relates to current or historical conflict between people of different racial groups.

8. **Staff Recruitment and Selection**

8.1 **Advertisements**

8.1.1 Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

8.1.2 The University takes steps to ensure that its vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in the University. Where appropriate, the Human Resources Department may approve the use of lawful exemptions to recruit someone with a particular Protected Characteristic, for example, where the job can only be done by a woman. The advertisement should specify the exemption that applies.

8.1.3 Advertised posts will outlining the relevant skills, qualifications, knowledge, competencies, and experience necessary for the job in order to attract the best applicants, unless it is to take positive action to welcome applications from groups which do not usually apply, or are under represented in the workforce or in the grade being advertised.

8.1.4 When positive action is appropriate and in response to meeting the needs of a particular group who may be under-represented, the University will consider placing advertisements in appropriate publications.

9.1.5 Any external recruitment provider will be vetted and used only if its practices are compliant with the University’s policies regarding equal opportunities

8.2 **Short Listing and Interviews**

8.2.1 The University will produce a shortlist of job applicants who, from the evidence available, appear to have the necessary skills and abilities in relation to criteria stipulated in the job description/person specification. The shortlisting is conducted by more than one person and with the involvement of the Human Resources Department, where possible.

8.2.2 The University will ensure that all staff members who are involved in shortlisting or in interviewing job applicants or involved in other selection processes, are trained in line with the University’s policies on equality and diversity, and act within them.
8.2.3 Our recruitment procedures are regularly reviewed to ensure that individuals are treated on the basis of their relevant merits and abilities.

8.2.4 The needs of applicants with disabilities are taken into account during the recruitment and selection process. Applicants with disabilities who meet the essential criteria on the Person Specification will be guaranteed an interview. The HR Services Officer will advise the Chair of the selection panel on the necessary arrangements for disabled applicants to compete on a fair and equal basis. Human Resources coordinators will inform managers if an applicant has declared a disability.

8.2.5 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

8.2.6 Promotion, and other selection exercises such as redundancy selection will also be conducted on the basis of merit, against objective criteria that avoid discrimination.

8.2.7 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the Human Resources Department. For example:

Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).

(b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.

(c) Positive action to recruit disabled persons.

(d) Equal opportunities monitoring (which will not form part of the selection or decision-making process).

Where necessary, job offers can be made conditional on a satisfactory medical check.

8.2.8 The University required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the Human Resources Department.

8.2.9 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, the University monitors applicants’ ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps the University takes appropriate steps to avoid discrimination and improve equality and diversity.

9. Employment

9.1 Equal pay

The University supports the principle of equality of opportunity in employment and believes that staff should receive equal pay for the same or broadly similar work, for work rated as
equivalent and for work of equal value, regardless of gender (including staff who have undergone gender re-assignment).

9.2 All staff members have a job description, which outlines the main duties of their role within the University. If an employee changes roles during their employment they will be given a job description for their new role.

9.3 Appraisals

The University operates a Performance and Development Review process in which all members of staff are encouraged to participate. Managers will use this process to give feedback to individuals and provide clear guidance on their area of work.

10. Training and Promotion and Terms and Conditions of Service

10.1 Training needs will be identified through regular appraisals. You will be given appropriate access to training to enable you to progress within the University and all promotion decisions will be made on the basis of merit.

10.2 Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

10.3 The University’s conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all of you who should have access to them and that there are no unlawful obstacles to accessing them.

11. Staff Obligations

All members of staff have the responsibility to:

- comply with this Policy and co-operate with their Line Managers
- treat others with respect at all times
- actively discourage discriminatory behaviour/practice
- participate in training and wider learning opportunities to eliminate prejudice and extend good practice.

12. Termination of Employment

12.1 The University will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

12.2 The University will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.
13. **Disabilities**

13.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that the University can support you as appropriate.

13.2 If you experience difficulties at work because of your disability, you may wish to contact your line manager OR the Human Resources Department to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager OR the Human Resources Department may wish to consult with you and a medical adviser about possible adjustments. The University will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable the University will explain its reasons and try to find an alternative solution where possible.

13.3 The University will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

14. **Part-time and Fixed-term Work**

The University recognises its responsibilities under the Part-Time Workers (Prevention of Less Favourable Treatment) Directive 2000 and Fixed-Term Work Directive 2002 to ensure that Part-Time and Fixed-Term workers are in no less favourable position than staff with permanent and/or full time contracts.

15. **Confidentiality**

The University will protect the confidentiality of any equal opportunities monitoring data on staff or students, and will safeguard any information disclosed voluntarily within the regulations set by the Data Protection Act 1998. The information will be used for statistical purposes only and the University will safeguard the confidentiality of personal information disclosed.

16. **Breach of this Policy**

16.1 The University takes a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal for staff members or for students a withdrawal from course of study or be expelled from the University.

16.2 If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure or through our Anti-harassment and Bullying Policy as appropriate. Complaints will be treated in confidence and investigated as appropriate.

16.3 There must be no victimisation or retaliation against staff or students who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.
17. Monitoring and Review

17.1 Impact Assessments:

All policies will be reviewed on a rolling basis to ensure their effectiveness in achieving equality of opportunity, and in particular to assess their impact on the development and promotion of gender, racial and disability equality.

Although overall responsibility lies with the Equality and Diversity Advisory Group, it is the responsibility of Heads of Departments and Sections for initiating these in their area of operation.

17.2 The University will maintain a statistical record in terms of sex, disability, age, and race from application stage through recruitment and career progression of staff, and recruitment and academic achievement of students, and provide regular management reports, making recommendations as appropriate.

17.3 The staff statistical record will be compiled through potential and existing staff completing an audit form, or a job application monitoring form. Information collected will form a confidential record which will be stored in compliance with the Data Protection Act and used only for purposes of statistical analysis in connection with the Equality and Diversity Policy and statutory reporting responsibilities.

18. Communication and Consultation

18.1 An Annual Report will be made to the Equality and Diversity Advisory Group on the progress of the Public Sector Equality Objective, and published on the University website and made available to all members of the public on request.

The report will include information on:

- the outcome of the relevant year’s monitoring of statistics, targets and policies
- specific measures adopted to promote equal opportunities
- assessment of progress against identified priorities, targets and timetables.

In light of the above, where necessary, recommendations on where improvements could be made.

19. Related Policies

19.1 This policy is taken into account and reflected in all other Human Resources and workforce policies. All policies can be found on the intranet.

20. Contact Details

20.1 For further information or guidance regarding any of the issues covered in the policy, please contact:
20.2 **Applicants / Students**

The Dean of Students:

The Students’ Union

20.3 **Staff**

Line Manager

HR Business Partner

Trades Union Representative

21. **Accessible Format Information**

This document is available on the University’s website. It can be made available in large print upon request. If you require another alternative format please contact the University Secretary to discuss your requirements.