

Equality and Diversity Policy

May 2015

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Version Control History

Version Number	Date of Change	Summary of Revisions Made
2.0	May 2015	Change of job title to VP HR and Comms. Scope expanded to cover AST staff and students. Para 3.2.8 expanded to cover equal marriage legislation in Scotland. Section 4.1 revised on equality outcomes monitoring and reporting (outcomes no longer listed). Added related doc Equality Mainstreaming Report 2-015, Annual employee Information Report 2013-15, Equal Pay Statement 2015.
2.1	August 2016	Footer updated to reflect new template model.

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WHEN PRINTED

Equality and Diversity Policy

Our Equality and Diversity Vision

At Perth College UHI we have a passion for achieving more, a passion to become the most inclusive college in Scotland.

Core Values

Our Equality and Diversity vision statement strongly reflects the college's Core Values:

Ambition: We have a passion for achieving more.

Integrity: We do the right thing and are worthy of trust.

Respect: We treat each other the way we want to be treated.

1 Purpose

Perth College UHI is committed to being both a college and employer of choice. We are committed to the promotion of equality and diversity and believe there is no place for unlawful discrimination in any of our services and activities. We aim to ensure that all of our policies, procedures and practices do not unfairly discriminate and that positive measures are taken to redress any inequalities in employment practices, provision of services to students and customers or the way in which we manage our business.

This policy details the key principles of how we plan to meet our statutory duties with regard to the promotion of equality and diversity.

2 Scope

This policy applies to all staff and students in Perth College UHI (and potential staff and students). It also applies to those individuals who are carrying out duties through a contract or service level agreement with the College as well as staff and students of Air Service Training (AST).

3 Definitions

3.1 Discrimination

Discrimination occurs when prejudices and stereotypes prompt actions that result in less favourable treatment of individuals or groups. The Equality Act 2010 prohibits both direct and indirect discrimination on the grounds of age, disability, sex, gender re-assignment, race, religion and belief, sexual orientation, marriage and civil partnership and pregnancy and maternity. There are 7 different types of discrimination under the new legislation.

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Lead Author: Equality and Diversity Adviser
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- 3.1.1 **Direct discrimination** occurs when someone is treated less favourably than another on grounds of their perceived or actual protected characteristic. For example, it is unlawful to decide not to employ someone, to dismiss them, refuse to promote them, deny them training, give them adverse working conditions or deny them benefits based on such grounds.
- 3.1.2 **Indirect discrimination** occurs when an organisation has rules or policies, conditions or requirements that are applied equally to everyone but disadvantages a person with a particular protected characteristic.
- 3.1.3 **Associative discrimination** is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.
- 3.1.4 **Discrimination by perception** is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.
- 3.1.5 **Harassment** denotes unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them, having regard to all the circumstances, including the perception of the victim.

Harassment can take many forms and examples include physical contact, offensive language, gossip, slander, graffiti, obscene gestures, exclusion. Harassment can involve persistent conduct or behaviour that continues after the individual states they want it to stop. A single incident can also constitute harassment if it is sufficiently serious.

- 3.1.6 **Harassment by a third party** – employers are potentially liable for the harassment of their staff or customers by people they don't themselves employ, ie a contractor.
- 3.1.7 **Victimisation** is treating someone less favourably because of something they have done under or in connection with the equalities legislation, for example, made a formal complaint of discrimination, provided support to a colleague raising a complaint of discrimination.

3.2 **Protected Characteristics**

(Source: EHRC – Glossary of Terms 2013)

3.2.1 **Age**

This refers to a person belonging to a particular age group, which can mean people of the same age (eg 32 year olds) or range of ages (eg 18-30 year olds, or people over 50).

3.2.2 Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

3.2.3 Sex

Refers to whether a person is a man or a woman (of any age).

3.2.4 Gender Reassignment

The process of changing or transitioning from one gender to another.

3.2.5 Race

It refers to a group of people defined by their race, colour, nationality (including citizenship) ethnic or national origins.

3.2.6 Religion or Belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (eg atheism). Generally, a belief should affect your life choices, or the way you live, for it to be included in the definition.

3.2.7 Sexual Orientation

A person's sexual attraction towards their own sex, the opposite sex or to both sexes.

3.2.8 Marriage and Civil Partnership

In Scotland, marriage is no longer restricted to a union between a man and a woman, but also includes same-sex couples.

Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples (except where permitted by the Equality Act).

Marriage and civil partnership is listed in The Equality Act 2010 as a protected characteristic. The Act provides protection against discrimination only in respect of the requirement of the need to eliminate unlawful discrimination in employment.

3.2.9 Pregnancy and Maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

4 Key Principles

We are committed to carrying through our statutory duties to:

- Eliminate unlawful discrimination, harassment and victimisation.
- Advance equality of opportunity between people from different groups.
- Foster good relations between people from different groups, tackling prejudice and promoting understanding.

We will demonstrate our commitment to equality and diversity by:

- Monitoring the impact of our policies on different protected characteristics.
- Removing barriers to maximise participation, retention and achievement of our students and staff.
- Fostering respect for differences between groups and individuals.
- Promoting positive non-discriminatory behaviour.
- Ensuring appropriate support for our staff and students.
- Encouraging links with the wider community.

4.1 Equality Outcomes

In April 2013 we identified 5 Equality Outcomes in achieving our aim to promote equality and diversity and eliminate unlawful discrimination in our employment and in the services we provide to our students and customers. Our Equality Outcomes were developed following feedback from College stakeholders and from information gathered and comments received, during the consultation process.

Our Equality Mainstreaming Plan 2013-2017 showed that we had already made significant progress in integrating the equality duty into our functions and set out an ambitious agenda for action, ensuring that we meet not only our general and specific duties for equality, as required by legislation, but also work to meet the needs of our diverse workforce, student population and the community.

We continue on our journey of ensuring the student and staff experience at Perth College UHI is excellent. We continue to mainstream equality and diversity into all aspects of our operations and in doing so provide a learning and working environment which is founded on key principles of fairness, opportunities and respect for everyone.

Central to mainstreaming has been the gathering and consideration of further relevant data. This has involved assessing existing available evidence and also considering what other evidence may be available to help us make progress in further meeting the general equality duty.

Reporting on this work will help us to demonstrate to our staff, students and other stakeholders that we are taking steps to further mainstream the equality duty into the exercise of the functions of our College, and the progress we have made.

Our Equality Mainstreaming Report 2015, Annual Employee Information Report 2013-2015 and Equal Pay Statement 2015 published in April 2015 shows the progress made towards achieving the equality outcomes we published in 2013, and how this progress has helped us mainstream equality in the College.

For all 3 reports we have:

- Identified our achievements.
- Demonstrated evidence to indicate progress and impact, including challenges being faced.
- Identified further action we intend to take.

4.2 Breaches of this Policy

Advice and support will be made available to anyone who believes they have experienced discrimination at Perth College UHI.

5 Responsibilities

5.1 Board of College Management

As the governing body of the College, the Board is responsible for ensuring that the College complies with its statutory obligations in terms of meeting the requirements of the Equality Act 2010 and the Public Sector Equality Duty for Scotland.

5.2 Management

Management are responsible for ensuring that our commitment to equality is not only followed through but is adequately communicated both internally and externally. Management will deal with non-compliance of this policy through appropriate College procedures.

Management are responsible for ensuring that selection for recruitment, promotion, training and work allocation is carried out in a non-discriminatory manner.

Management are responsible for ensuring that selection for admission and on-going assessment of students is carried out in a non-discriminatory manner.

5.3 All Staff

All staff have a responsibility to ensure the continuing success of this policy by:

- Treating other people with respect.
- Bringing to the attention of management any suspected breaches of this policy through the College's Grievance procedure and/or Dignity in the College – Anti-Bullying and Harassment Procedure.
- Working together to promote a harmonious working and studying environment and to eliminate discrimination and harassment.

5.4 All Students

All students have a responsibility to ensure the continuing success of this policy by:

- Treating other people with respect.
- Bringing to the attention of management any suspected breaches of this policy.
- Working together to promote a harmonious working and studying environment and to eliminate discrimination and harassment.

5.5 Contractors

All contractors and providers of services on behalf of the College shall be responsible for following this Equality and Diversity Policy and any equality conditions in contracts or agreements.

5.6 EDIT (Equality, Diversity Inclusion Team)

The effectiveness of this policy will be monitored by the Equality, Diversity and Inclusion Team (EDIT) who will meet to review progress against our equality and diversity objectives and action plan on a quarterly basis. The EDIT steering group is comprised of management, staff, and student representatives and is supported by a wider communication and consultation network. EDIT reports to the College's Senior Management Team and the Board of Management Engagement Committee.

The committee will ensure that the College:

- Gathers statistics about staff and students for all protected characteristics at the point of entry to allow it to recognise difference and manage it as part of a wider equality and diversity and organisational strategy.
- Analyses these statistics to identify specific areas of under-representation and relates this evidence to opportunities and outcomes for people from different equality groups.
- Requires the incorporation of equal opportunities principles in the planning and review of provision across all College operations.
- Reports findings on a regular basis to the College's Board of Management.

5.7 **Personal Academic Tutor**

The Personal Academic Tutor is responsible for advising and supporting any student who believes they have experienced discrimination. Students can raise concerns through the College's Complaints Procedure. The Student Services team can assist with support.

5.8 **The Vice Principal of Human Resources and Communications**

The Vice Principal of Human Resources and Communications is responsible for offering advice and support to:

- Members of staff or applicants for employment who believe they have experienced or observed discrimination.
- Any manager who believes they have experienced discrimination.
- Any other member of the College Community, including applicants for courses, contractors and work placement providers, who believes they have experienced or observed discrimination.

5.9 **Quality Approval**

Quality Approval check of the policy is the responsibility of the Head of Quality who will arrange for the policy to be posted on the web.

6 **Linked Policies/Related Documents**

- Equality Report and Mainstreaming Plan 2013-2017
- Equality Mainstreaming Report 2015
- Annual Employee Information Report 2013-2015
- Equal Pay Statement 2015
- Disciplinary Procedure
- Grievance Procedure
- Data Protection Policy
- Dignity in the College – Anti Bullying and Harassment Policy
- E-Safety Policy
- Safeguarding Policy and Procedure: Protecting Children, Young People, Adults at Risk and Staff
- Whistleblowing Policy

7 **Relevant Legislation**

- Data Protection Act 1998
- Equality Act 2010