

Equality, Diversity, Inclusion, and Belonging Policy

Version Control History

Version Number	Date of Change	Summary of Revisions Made
1	December 2019	Developed by UHI Single Policy Group.
1.1	May 2020	Approved by CMT.
1.2	April 2024	Updated to UHI Perth branding. Footer updated to remove 'Owner' and update 'Lead Author' to Head of HR and Organisational Development. Front page updated to include information on alternative formats.
1.3	November 2025	Made changes to reflect updates to UHI policy template. Added 'Belonging' to policy title with definition in glossary. Added information about instructing discrimination.

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Version/Status: 1.3/Final

Approved by/Date: PLG/11/11/25

Issue Date: 24/11/25

Lead Author: Depute Principal

Lead Editor:

EQIA Approval Date: 21/11/25

Equality, Diversity, Inclusion and Belonging Policy

We aim to make our policy documents as accessible as possible. If you encounter any issues while reading, please get in touch with HR & OD to request reasonable adjustments.

1. Policy Summary

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| 1.1. Overview | This policy shows our approach and commitment to equality for our students, staff, visitors, contractors and others who engage with us through any activity across the UHI partnership. |
| 1.2. Purpose | This policy shares our expectation that all individuals in the UHI Perth community are treated with dignity, fairness and respect. Everyone has the freedom and legal right, under the Equality Act 2010, to bring their true authentic selves to work and study in a supportive and inclusive environment. |
| 1.3. Scope | <p>This policy applies to everyone in the UHI Perth community, including current and prospective students, employees, and partners.</p> <p>This includes temporary staff, agency staff, consultants, Board members, volunteers and collaborators at the University of the Highlands and Islands and Academic Partners.</p> |
| 1.4. Consultation | The policy is based on a template agreed through the partnership wide UHI Equality, Diversity and Inclusion Committee which we have adapted for use at UHI Perth. This will be reviewed by our local Equality, Diversity and Inclusion Committee and approved by the Perth Leadership Group. |
| 1.5. Implementation and monitoring | The policy will be monitored on a strategic basis by the Equality, Diversity and Inclusion Committee to ensure ongoing compliance with relevant legislation and best practice. This includes necessary changes identified locally or recommended updates to the policy template agreed by the UHI Equality, Diversity and Inclusion Committee. |
| 1.6. Risk implications | Creating an inclusive environment is essential to our mission to provide a positive place to work and study for all. Failure to comply with this policy risks the wellbeing of all members of the UHI Perth community. It also carries consequences that could result in significant reputational damage to the institution as an employer and place of study. |

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This includes a risk of being out of compliance with relevant legislation, including the Equality Act (2010), Equality Act (Specific Duties) (Scotland) Regulations 2012 and Human Rights Act (1998).

1.7. Link with strategy

Equality, Diversity, Inclusion, and Belonging is central to our values and reflected throughout our organisational strategy.

This policy relates to statutory compliance and governance arrangements.

2. Policy Statement

- 2.1. UHI Perth is part of a progressive and unique tertiary partnership which seeks to cultivate a more inclusive working, learning, teaching and research environment for all members of its community.
- 2.2. As a provider of education and employment, UHI Perth values diversity and encourages everyone to realise their full potential. We work with students, staff, trade unions, and the wider community to develop a culture that makes this possible.
- 2.3. This policy shares our expectation that everyone in our community is treated with dignity, fairness and respect. Everyone has the freedom and legal right, under the Equality Act 2010, to bring their true authentic selves to work and study in a supportive and inclusive environment.
- 2.4. We aim to enrich experiences through collaborating with our communities, staff and students to support, promote and celebrate equality, diversity and inclusion. We believe that everyone has the right to feel valued, respected and supported.
- 2.5. As part of this aim, we are committed to meeting the legislative obligations set under the Equality Act 2010, creating a positive culture which fosters good relations and advances equality of opportunity for all. UHI will not tolerate unlawful discrimination, harassment, victimisation or any other prohibited conduct in any aspect of work, research, and study.

3. Definitions

- 3.1. There are a number of key terms related to Equality, Diversity, Inclusion and Belonging and its associated legislation. A detailed list of definitions (glossary), with links to further information, can be found in [Appendix 1](#) at the end of this document.

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4. Scope

- 4.1. This policy applies to all current and prospective students and employees of UHI Perth. This includes temporary staff, agency staff, consultants, Board members, volunteers and collaborators.
- 4.2. The principles of non-discrimination and equality of opportunity apply to the way in which all members of the UHI Perth community treat one another. This includes staff and students, as well as visitors, contractors, sub-contractors, temporary and agency staff, service providers, suppliers, former staff and students and anyone else associated with UHI Perth.

5. Legislation

- 5.1. This policy supports UHI Perth to carry out its statutory duties under the Equality Act 2010 and Equality Act (Specific Duties) (Scotland) Regulations 2012.
- 5.2. This includes a responsibility to:
 - Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct.
 - Advance equality of opportunity between people who share a relevant characteristic and those who do not.
 - Foster good relations between people who share protected characteristics and those who do not.
- 5.3. UHI Perth will conduct statutory duties under the [Equality Act \(Specific Duties\) \(Scotland\) Regulations 2012](#), demonstrating the commitment to mainstreaming equality and diversity by:
 - Publishing and delivering equality outcomes every four years which reflect how UHI Perth plans to impact positively on staff, students and communities.
 - Publishing a mainstreaming report, demonstrating progress against planned outcomes, showing what progress has been made to mainstream equality in policies, practices and decision-making functions, every 4 years with an interim report after 2 years.
 - Monitoring the potential impact of policies, procedures and practices on different protected groups to help tackle inequality, promote equality of opportunity and foster good relations.
 - Collect, analyse, and report on student and staff protected characteristic data in line with public sector equality duties/sector best practice and Data Protection legislation, every 2 years.

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- Publish gender pay gap information annually and, future reporting commencing 2025, includes disability and ethnicity pay gap information.
- Publish equality statements on equal pay and publish board member diversity information.
- Publish all requirements in a manner that is accessible and available to the public on UHI Perth website.
- Completing Equality Impact Assessments, removing potential barriers to access, learning, participation, retention and achievement of students and staff by making reasonable adjustments where appropriate.
- Considering award criteria and conditions in relation to [public procurement](#).
- Creating inclusive and accessible learning and working environments that promote respect for all. These environments aim to prevent and challenge stereotyping, prejudice, discrimination and harassment and disadvantage.

6. Roles and responsibilities

- 6.1. Our Equality, Diversity and Inclusion Adviser is responsible for maintaining the policy to ensure that we comply with our statutory and moral obligations for all at UHI. Approval of any changes is the responsibility of the Perth Leadership Group
- 6.2. The UHI Equality, Diversity and Inclusion Committee is responsible for monitoring and reviewing the policy template used to create this local policy.
- 6.3. Managers are responsible for operational compliance of the policy. They must ensure that Managers, Staff and Students operate in an environment where they can fulfil their responsibilities in relation to the policy.
- 6.4. Line Managers are responsible for implementing this policy, ensuring that our commitment to equality is followed through and adequately communicated both internally and externally.
- 6.5. Line Managers, supported by HR and Organisational Development, are responsible for ensuring selection for recruitment, promotion, training and work allocation is carried out in a non-discriminatory manner and in accordance with the law.
- 6.6. All staff are responsible for ensuring that selection for admission and ongoing assessment of students is carried out in a non-discriminatory manner.
- 6.7. Everyone at UHI Perth has a responsibility to ensure the continuing success of this policy by:

- Treating people with dignity and respect irrespective of their protected characteristics.
 - Bringing to the attention of management any suspected breaches of this policy.
 - Working together to promote and prevent an environment that does not tolerate discrimination, harassment or victimisation.
 - Proactively seek opportunities to identify, implement, share and reflect upon potential improvements to inclusive practice.
 - Seeking opportunities to include staff and students who may be, or feel, peripheral to the UHI Perth community.
- 6.8. UHI Perth will work in conjunction with HISA to take forward work on equality and diversity and to seek student feedback relevant to equality of opportunity and experience.
- 6.9. All current and prospective students and employees: this includes temporary staff, agency staff, consultants, Board members, volunteers and collaborators are responsible for adhering to the principles of this policy in the context of their engagement with UHI Perth.
- 6.10. We will take reports and allegations of discrimination, harassment, victimisation or any other relevant complaints seriously and will investigate such complaints, which may result in disciplinary action. Following investigation, allegations of discrimination, harassment or victimisation may result in action being taken as specified in related policy and procedures.
- 6.11. This policy will be available on the UHI Perth website.

Appendix 1 – Glossary of Terms

This appendix provides definitions of key terms as well as links to guidance provided by Britain's equality and human rights regulator, the Equality and Human Rights Commission.

Key Terms

Equality means providing equal opportunities to everyone, making sure every person can make the most of their lives and talents, while protecting people against discrimination.

Equity means giving everyone resources and opportunities that meet their needs and promote equal outcomes, which includes providing additional support where necessary.

Diversity means recognising, respecting and celebrating differences and similarities linked to personal characteristics, cultures, values, attributes, roles and workstyles.

Inclusion means creating an environment which is designed to meet the needs of people from different backgrounds.

Belonging means people's perceptions of their environment and whether they feel accepted, valued, respected, and supported at UHI Perth.

Equality Legislation

Equality Act (2010): The Equality Act brought together more than 116 pieces of legislation, simplifying legislation and harmonising protection for all and became law in 2010. It covers everyone in Britain and protects people from discrimination, harassment and victimisation.

Equality Duties

Public Sector Equality Duty: as a publicly funded organisation, UHI Perth has a statutory duty to fulfil both General and Specific Public Sector Equality Duties under the Equality Act (2010). The public sector equality duty as set out in the Equality Act 2010 is referred to as the 'general equality duty'.

General Equality Duties: UHI Perth must have due regard to meet the need to:

1. Eliminate unlawful discrimination, harassment and victimisation between people who share a protected characteristic and those who do not.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

1. Removing or minimising disadvantages suffered by people due to their protected characteristics.
2. Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.

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3. Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Specific Duties: Scottish-Specific Duties relate to how public bodies carry out, evidence and present their commitment to enacting General Duties, and responds to ongoing changes identified by the Scottish Government.

Equality Mainstreaming Duty: means integrating equality into the day-to-day working. This means taking equality into account in the way UHI Perth exercises its functions.

Equality Impact Assessment (EIA): assesses the potential impact of new or revised policies, practices or services against the requirements of general public sector equality duties. Conducting an EIA is a legal requirement for public bodies in Scotland and helps to ensure that everybody's needs are taken into account before changes are implemented. This allows UHI Perth to proactively identify and mitigate against barriers to participation, attainment or wellbeing, and avert potentially negative experiences.

Positive Action: Anyone recruiting staff, students or volunteers can legally justify 'positive action' if a particular group is underrepresented. This involves taking action to increase the likelihood of underrepresented groups participating.

Positive Action Examples:

- A rural institution may have disproportionately low numbers of Black, Asian and Minority Ethnic staff. In the event of a tied interview result, the interviewer could legally justify recruiting a black candidate over a white candidate, so that the body can make decisions that are less likely to disadvantage or marginalise subsequent black staff.
- A college with disproportionately low numbers of female engineering students may target marketing at a certain group or make amendments to wording to encourage certain applicants (e.g. advertising engineering courses at all-female schools, or changing entry requirements to include subjects that are over-represented by female school pupils).

Types of Discrimination

Direct Discrimination occurs when someone is treated less favourably than another on grounds of their perceived or actual protected characteristic.

- a. **Associative Discrimination** is direct discrimination against someone because they are associated with another person who possesses a particular protected characteristic.
- b. **Direct Discrimination by Perception** means treating one person less favourably than someone else because you think they have a particular protected characteristic, even if you are wrong.

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Direct Discrimination Example for Students:

- Assuming that a student may not be able to reach a certain level of work because they have a disability.
- Rejecting a male applicant's application to a childcare course as they do not think it is appropriate for a male to be working with children.

In these cases, the act itself is unlawful, whether or not someone intended to discriminate.

Direct Discrimination Example for Staff:

- Deciding not to employ someone, dismissing them, refusing to promote them, denying them training, giving them adverse working conditions or denying them benefits based their perceived or actual protected characteristic.

Indirect discrimination occurs when an organisation has rules or policies, conditions or requirements, that are applied to everyone but leave a person with a particular protected characteristic at a disadvantage.

Indirect Discrimination Example for Students:

- A college will only allow students to go on placement if they have more than 95 per cent attendance. A student with a disability has missed a lot of classes for health reasons and are told they cannot go.

Indirect Discrimination Example for Staff:

- A contract clause which applies to all employees saying that they could be required to work late or travel away from home for work at short notice. Although this applies to everyone in the same way, this could potentially put parents or those with care responsibilities at a disadvantage, as they would need to make childcare arrangements at unreasonable notice.

Harassment means people cannot treat others in a way that violates their dignity, or creates a hostile, degrading, humiliating or offensive environment.

Harassment can take many forms including:

- spoken or written abuse
- offensive emails
- images and graffiti
- physical gestures
- facial expressions
- banter that is offensive to you

Anything that is unwelcome to the recipient is unwanted. The recipient does not need to have previously objected to it.

Sexual harassment is a specific type of harassment, where the unwanted conduct is of a sexual nature. This does not need to be sexually motivated, only sexual in nature.

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Sexual Harassment Example

A male worker alters a pornographic image by pasting an image of his female colleague's face on to it. He then sends it to their other colleagues, causing them to ridicule her. There was no sexual motivation behind this act, but the use of the image is sexual in nature.

Conduct 'of a sexual nature' includes a wide range of behaviour, such as:

- sexual comments or jokes
- displaying sexually graphic pictures, posters or photographs
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging or kissing.

An individual can experience unwanted conduct from someone of the same or a different sex.

Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcomed in the past can become unwanted.

Changing consent example

- A female worker has a brief sexual relationship with her supervisor. The worker tells her supervisor that she thinks it was a mistake and does not want the relationship to continue. The next day, the supervisor grabs the worker's bottom, saying 'Come on, stop playing hard to get'. Although the original sexual relationship was consensual, the supervisor's conduct after the relationship ended is unwanted conduct of a sexual nature.

Victimisation is treating someone less favourably because of something they have done under, or in connection with, equalities legislation.

Victimisation Examples for Students:

- A member of staff shouts at a student because they think they intend to support another student's sexual harassment claim.
- A student alleges that they have encountered racism from a member of staff, and as a result of making this allegation are ignored by other staff members.

Victimisation Examples for Staff:

Title: Equality, Diversity, Inclusion and Belonging Policy

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- Refusal to promote an employee because they have previously invoked a grievance procedure or given evidence against the employer at a tribunal. The employer brands an employee as a 'troublemaker' because they raised a lack of job-share opportunities as being potentially discriminatory.

Instructing, Causing or Inducing Discrimination

It is also unlawful to tell someone else to engage in discrimination, harassment or victimisation.

This protects both the person who has been asked to discriminate and the intended victim(s), whether the instruction is carried out or not, if this results in either of them being treated less favourably.

Instructing, Inducing or Causing Discrimination Examples

- A line manager asks their employee to reject all applications from women, as they believe they are less suited to a subject area than men. The employee refuses to do this, recognising that it would be discriminatory.
If they experience any negative consequences for saying no to the unlawful request, they would have a claim under the Equality Act 2010.
If a woman was thinking about applying but found out this instruction had been given and decided not to, she would also have a potential claim.

Protected characteristics and related terms

It is against the law to discriminate against someone because of their [protected characteristics](#). There are 9 protected characteristics which include:

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).

Disability: A person has a disability if they have 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.

Related Term

Reasonable Adjustments: Where a disabled person is at a substantial disadvantage compared with people who are not disabled, there is a duty to take reasonable steps to remove that disadvantage by: changing provisions, criteria or practices; changing or removing a physical feature or providing a reasonable alternative way to avoid that feature; providing auxiliary aids. An adjustment should, as far as possible, remove or reduce any disadvantage faced by a disabled worker or service user.

Gender Reassignment: Where a person undergoes, or proposes to undergo, a process for the purpose of reassigning their sex. This includes both binary transition (eg male-to-female) and non-binary transition.

Related Terms

Gender Identity and Gender Expression: The Equality Act defines sex as a binary characteristic (i.e. Male / Female) and discusses protections for those who undergo or

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intend to undergo gender reassignment (i.e. from one gender to another). However, we recognise that gender identity and gender expression are not necessarily fixed or binary. This is also reflected in case law, where non-binary workers have been protected from discrimination based on gender reassignment.

Marriage and Civil Partnership: Marriage is a union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

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.

Race: A race is a group of people defined by their colour, nationality (including citizenship), ethnicity or national origins. A racial group can be made up of more than one distinct racial group, such as Black British.

Religion or Belief: Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex: A man or a woman. It is important to note that some people are [intersex](#), meaning they may have primary and/or secondary sex characteristics that do not fit typical binary ideas of male or female bodies. Additionally, someone's sex assigned at birth does not necessarily match their gender identity or expression (detailed above).

Sexual Orientation: A person's attraction towards their own sex/gender, another sex/gender, all sexes/genders or none.

Language

British Sign Language (BSL): UHI Perth recognises that BSL is a language in its own right (with its own vocabulary and syntax). We are required to meet the requirements of the British Sign Language (Scotland) Act 2015.

Gaelic Language: The Gaelic language is indigenous to the Highlands and Islands, among other areas. As such it is not covered under the definition of race/nationality as defined by the Equality Act 2010. At UHI Perth, as part of the UHI partnership, we recognise our responsibilities under the Gaelic Language Scotland Act (2005) to ensure that discrimination is not incurred by Gaelic speaking individuals and communities.