



North Highland College University of the Highlands and Islands

Policy Summary

Overview Why is the policy required?	We wish to have an equality policy to demonstrate our commitment to equality for our staff, students, contractors etc.
Purpose What will it achieve?	The intent of this Policy is to show the College's commitment to equality and to help remove barriers that any of us may face due to our differences as we create a working and learning environment where we can all achieve our potential
Scope Who does it apply to?	This policy applies to employees, job applicants, students and third parties.
Consultation/notification Highlight plans/dates	Consultation with PRG, Students and Trades Unions will take place in November. The Equality Committee have already recommended adoption.
Implementation and monitoring (including costs)	The policy will be implemented through the Planning and Resource Group and monitored by the College Equality Committee.

13th November 2017

Review date November 2020

Equality, Diversity and Inclusiveness Policy

1 Overview

The North Highland College UHI is committed to equality of opportunity and non-discrimination in all aspects of its work and study. We recognise that, individually, we all have differences of some sort, which we aim to respect and value.

As a provider of education and employment, we value diversity and are committed to encouraging everyone to realise their full potential. To this end, we will work with students, staff and their representatives to develop a positive and enabling culture of work and study.

In particular, we aim to ensure that people in the Highlands and Islands have the opportunity to study, work and participate in community activities without discrimination. Everyone has the right to be treated with dignity and respect in all aspects of their College life.

This means we must commit to developing positive policies and practices which overcome educational barriers and geographical isolation. We aim to provide opportunities which reflect the cultural diversity of the College.

2 Purpose

The intent of this Policy is to show the College's commitment to equality and to help remove barriers that our people may face due to our differences whilst we try to create a College in which we can all achieve our potential.

The College is committed to ensuring that this Policy is implemented into all functions of the College's services.

3 Scope

This policy applies to all College employees, job applicants, students and third parties.

4 Policy

4.1 Principles

We will enact our statutory duties to:

- eliminate unlawful discrimination, harassment, victimisation and other prohibited conduct

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- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a relevant protected characteristic and those who do not

We will demonstrate our commitment to mainstreaming equality and diversity by:

- Developing policies, procedures and processes to achieve the general and specific public sector duties in accordance with the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
- Monitoring the potential impact of our policies, procedures and practices on different protected groups to help tackle inequality, promote equality of opportunity and foster good relations
- Removing any barriers to maximise access, participation, retention and achievement of students and staff, making reasonable adjustments where appropriate
- Creating learning and working environments based on fostering good relations between all people, with a shared commitment to preventing and challenging stereotyping, prejudice, discrimination and harassment and promoting respect for all
- Meeting the needs of all students by responding flexibly and placing students at the heart of delivery
- Collecting, analysing and reporting on any disclosed student and staff protected characteristic data in line with the Public Sector Equality Duty and Data Protection guidelines
- Working in conjunction with the Highlands and Islands Students' Association (HISA) to take forward their work on equality and diversity and to seek student feedback relevant to equality of opportunity and experience
- Involving and consulting within the wider community, particularly with those with protected characteristics and their representatives, to inform policy and practice

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- Ensuring that equality and diversity are embedded within the Scottish Funding Council Regional Outcome Agreement process
- Publishing equality outcomes reflecting how we plan to impact positively upon our community
- Publishing a mainstreaming report, demonstrating our progress against our planned outcomes and showing what progress we have made to mainstream equality in our policies, practices and decision-making functions

4.2 Definitions

4.2.1 **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.

4.2.2 **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.

4.2.3 **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.

4.2.4 **Associative discrimination** is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.

4.2.5 **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.

4.2.6 **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.

4.2.7 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.

4.2.8 Victimization 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.

4.3 Protected Characteristics

4.3.1 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).

4.3.2 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.

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

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

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

4.3.6 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.

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

4.3.8 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.

4.3.9 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.

5 Roles and Responsibilities

The Chair of the Equality Committee is the policy owner and has overall responsibility for the implementation, monitoring and review of this policy.

5.1 The Board of Management

As the governing body of the College, the Board of Management 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 Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. This responsibility is delegated to the Finance and General Purposes Committee (?).

5.2 Management

Managers are responsible for implementing this policy, ensuring that we communicate it effectively to all staff, students and third parties, where appropriate.

Managers must ensure that their staff are aware of the policy and that new staff undertake equality and diversity e-training upon appointment and every 3 years, thereafter.

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

Managers 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 and Students

All staff have a responsibility to;

- Treat others with respect
- Report any behaviour which they believe is a breach of this policy
- Work together to promote a harmonious working and study environment and to eliminate discrimination and harassment

5.4 Contractors

All contractors and providers of services on behalf of the College are responsible for adhering to the principles of this policy in the context of their engagement with the College.

5.5 Equality Committee

The Equality Committee are responsible for reviewing this policy

5.6 Personal Academic Tutor/Programme Leader

The Personal Academic Tutor/Programme Leader is responsible for advising and supporting any student who believes they have experienced discrimination. Students can raise concerns through their local Student Services team or through the College's Positive Behaviour Management Policy. The Learner Support team can assist with support.

5.7 HR Manager

The HR Manager is responsible for offering advice, guidance and support to any employee, including job applicants, who believe they have been subject to or have observed discrimination.

Allegations in relation to third parties (e.g. work placement providers, contractors) should be referred to the HR Manager, in the first instance.

Anne Bremner is responsible for providing advice, support and guidance to course applicants who believe they have been subjected to or observed discrimination

6 Links with other Policies/Related Documents

The Equality, Diversity and Inclusiveness Policy is supported by related university policies including:

Data Protection Policy

Discipline Policy (staff)

Grievance Policy (staff)

Student Positive Behaviour Management Policy/Framework

Admissions Policy

Complaints Policy (non-staff)

7 Implementation

If someone makes an allegation that a member of staff, a student or a third party has breached this policy, we will handle the matter in line with the relevant College policy and procedure.