



**Dumfries and
Galloway College**

One step ahead

EQUALITY AND DIVERSITY POLICY

Responsibility: HR Manager

Issue Date: 10th February 2021

Equality Impact Assessment: 14th January 2021

Version: 2



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Equality and Diversity Policy

1. Purpose

The purpose of this policy is to ensure that Dumfries and Galloway College promotes promoting equality of opportunity, celebrates and values diversity, eliminates unlawful discrimination, harassment and victimisation, and promotes good relations for all our staff, students, visitors and partners.

Equality for all will be progressed by addressing discrimination in education and employment on the grounds of age, disability, sex, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation. By fostering a culture of dignity and respect, we will ensure that every student and member of our staff achieves their full potential.

2. Scope

This policy is to be implemented at all College sites and applies to all staff, students and visitors.

3. References

- 3.1 This policy informs all policies and procedure through the Equality Impact Assessment process. It is designed to ensure compliance with:

➤ Scotland Act (1998)

- 👉 Equality Act (2010)
- 👉 Equality Act (2010) Specific Duties (Scotland) (2012)

4. Definitions

4.1 Equal Opportunities

The definition of Equal Opportunities within the Scotland Act 1998 is as follows:

"..the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions."

4.2 Diversity

Diversity means recognising and valuing individual differences – those that can be seen (such as gender, ethnicity or physical appearance) and those that cannot be seen (such as sexual orientation, religion or belief and some disabilities).

4.3 Direct Discrimination

Direct discrimination is when a person is treated less favourably on the grounds of a protected characteristic. Discrimination can be because of the protected characteristic of the person themselves, or that of someone they associate with, or because they are incorrectly perceived as having a particular protected characteristic.

4.4 Indirect Discrimination

This occurs where a policy, condition or practice (whether intentional or not) is equally applied but has a detrimental effect on a particular group related to the protected characteristics.

4.5 Harassment

Harassment occurs when the effect of someone's words or actions (whether intentional or not) makes another person feel humiliated,

intimidated or degraded or creates an atmosphere which is hostile and offensive related to the protected characteristics. Harassment can be because of the protected characteristic of the person themselves, or that of someone they associate with, or because they are incorrectly perceived as having a particular protected characteristic. The definition includes sexual harassment, which encompasses any inappropriate behaviour or language of a sexually suggestive nature.

4.6 Victimization

This occurs if a person receives less favourable treatment than others because it is suspected or known that they have raised or supported a complaint related to a protected characteristic.

5. *Procedure*

5.1 **Introduction**

Dumfries and Galloway College is committed to promoting equality and celebrating diversity in everything we do. As a cornerstone of this commitment the College will ensure equality of opportunity for all applicants for study or employment, for students or employees currently within the College and for those who have left study or employment with us.

- 5.1.1 The College recognises that equality of opportunity and diversity are not only good management practice, but make sound business sense. This policy will help all our students and employees develop to their full potential. The resultant diverse talents and resources will be utilised fully to maximise the effectiveness of our organisation.
- 5.1.2 Fairness for everyone is our aim, but specifically we will ensure equality of opportunity in terms of:

- 👉 Age
- 👉 Disability
- 👉 Gender Identity

- 👉 Marriage or Civil Partnership
- 👉 Pregnancy and Maternity
- 👉 Race (including caste), colour, ethnicity or nationality
- 👉 Religion or Belief (including lack of Religion or Belief)
- 👉 Sex
- 👉 Sexual Orientation

Throughout this policy, all commitments refer to fairness in respect of these characteristics.

- 5.1.3 College plans and policies will be Equality Impact Assessed, at inception or when reviewed, to ensure that no policy, condition or procedure we apply discriminates, either directly or indirectly, against people in relation to their personal characteristics unless there is a clear and unavoidable reason to do so.

5.2 Commitments

5.2.1 Application and Recruitment

- 👉 The College will not discriminate, directly or indirectly, against anyone who applies to study or work with us
- 👉 No policy, condition or practice will be applied which discriminates against applicants unless it is unavoidable and can be fully justified by business needs
- 👉 Annual equalities monitoring will be undertaken to check that our policies and procedures are achieving equality of opportunity
- 👉 Where appropriate, lawful positive action will be undertaken to address imbalances in the student and workforce profile.

5.2.2 Promotion and Development

- 👉 Employees across all protected characteristics will have fair access to promotion and training
- 👉 The profile of the workforce that receives promotion or training will be monitored to ensure that this policy is adhered to

5.2.4 Retention and Leavers

- Wherever possible, policies (such as family-friendly policies) will be developed to promote equality and enable staff to work flexibly to meet their individual needs
- Reasonable adjustments will be made wherever necessary to ensure staff and students reach their full potential
- People who have left College employment or completed study will not be discriminated against in the provision of references

5.2.5 Code of Conduct

The College is committed to providing and promoting an inclusive culture in which all persons are treated with dignity and respect. Bullying, harassment and victimisation are in direct conflict with this aim and will not be tolerated.

- Employees or students who bully, harass or victimise others will be disciplined. This may include dismissal for employees.
- Employees or students who experience harassment, bullying or victimisation should raise a complaint through their line manager or Personal Tutor.
- Formal allegations can be made by employees through the College's Grievance policy (without affecting the right to pursue the matter at tribunal), or for students through the Anti-Bullying Policy.

The College's Code of Conduct, Anti-Bullying Policy, Student Behaviour Policy, Discipline Procedure and Grievance Procedure provide more detail on these arrangements.

5.3 Responsibilities

5.3.1 The Board

The Dumfries and Galloway College Board is responsible for noting progress on equality and diversity practice to ensure that statutory duties are met.

5.3.2 The Principal

The Principal is responsible for ensuring that statutory duties are met and for ensuring a strong leadership focus on equality and diversity College wide.

5.3.3 Equality and Diversity Forum

The Equality and Diversity Forum consists of representatives from each aspect of College life. The Forum will:

- develop, review and monitor the Equality and Diversity Framework and underpinning action plans, approving annual reports on progress
- contribute to Equality Impact Assessments of plans, policies and other key documents
- progress College plans to advance and embed equality and diversity, including championing changes in practice and procedure
- approve outline policies, procedures and plans as required to advance equality and diversity

5.3.4 Equality and Diversity Officer

The Equality and Diversity Officer will:

- ensure that all students and employees are aware of this policy and their obligations under it
- monitor and evaluate the progress of the policy and take positive action to address any areas of concern.
- provide any advice, guidance and training required so that the Board, management, the committee, staff and students have the knowledge and tools to fulfil their responsibilities.

5.3.5 Managers

Managers across the College are expected to promote equality and diversity in support of this policy. Managers will:

- ensure that they do not discriminate in the course of their duties, and seek appropriate guidance from Human Resources where they think discrimination may occur
- ensure that employees in their teams have received appropriate Equality and Diversity training
- actively challenge behaviour in employees which may amount to discrimination, harassment or victimisation
- take appropriate action in accordance with established procedures against persons who infringe this policy
- avoid instructing or pressurising others to discriminate unfairly, or discriminate themselves in response to such instruction or pressure
- avoid victimising anyone who has made a complaint alleging that unlawful discrimination may have taken place.

5.3.6 Employees

The College recognises that it retains the primary responsibility for promoting Equality and Diversity. However, individual employees at all levels have a part to play. Every employee is expected to uphold the principles within this policy. Employees will:

- treat one another with dignity
- co-operate fully with the measures introduced by the College to ensure equality of opportunity and celebrate diversity
- identify and inform management of any suspected discriminatory act or practice
- ensure that the principles of this policy are applied in all dealings with members of the public
- avoid instructing or pressurising others to discriminate unfairly, or discriminate themselves in response to such instruction or pressure
- avoid victimising anyone who has made a complaint alleging that unlawful discrimination may have taken place

5.3.7 Students

Students are responsible for:

- conducting themselves and treating others in accordance with the principles of this policy
- reporting any known violations of this policy to their Personal Supervisor or the Manager for their programme.

5.4 Implementation

This policy will be implemented through:

- the College's Equality and Diversity Framework, underpinned by an annual action plan and progress report.
- a requirement that each employee must abide by the content of this Equality and Diversity Policy
- the availability of Equality and Diversity training for all employees
- careful monitoring of relevant data to ensure that the policy is effective
- review of the policy in light of changes to legislation, emerging negative monitoring trends, emerging problems identified by the equality Impact assessment process or receipt of complaints about discrimination related to the content of the policy.

5.5 Promotion of this Policy

A copy of this policy will be published on the Dumfries and Galloway College website. Our College will promote this policy to all staff and students via induction programmes.

All staff will be given the appropriate training they need in order to carry out their responsibilities in implementing this policy. This includes a blend of online and face to face training at induction, targeted training for the Board and managers at all levels, and specific training packages as required relating to emerging equality and diversity issues (for example, transgender guidance or unconscious bias training).

Students are given equality and diversity information at their induction. Student behaviour is continuously monitored, and where appropriate challenged by staff. We will use training and awareness as the first steps to tackle incidents of discrimination, harassment or bullying. Where this proves

not to be effective, action will be taken under the appropriate staff or student disciplinary process.

6. Distribution

All Staff

Repository

Revision Log		
Date	Section	Description
21/01/2021	1	Change 'gender' to 'sex', change 'gender reassignment' to 'gender identity'
	4.2	Change 'colour' to 'ethnicity'
	4.2	Change 'education, sexual orientation or belief' to 'sexual orientation, religion or belief or some disabilities'
	4.3	Removal of 'as outlined in 1.3'
	5.1.2	Removal of 'reassignment, replaced with 'identity'
	5.3.3	Replace 'Committee' with 'Forum'
	5.3.6	Replace 'supplying' with 'promoting'
	5.3.6	Replace 'Equality and Diversity' with 'this policy'
December 2021	Distribution	Changed Quality Manual to Repository
11.05.22	Responsibility	Job title changed from Head of Human Resources and OD to HR Manager to reflect organisational structure

THIS FORM TO BE UPDATED WHENEVER THERE IS A CHANGE IN ANY SYSTEM DOCUMENT				
Document Name	Document Owner	Revision Number	Date of Issue	Date of withdraw

Equality and Diversity Policy	Head of Human Resources	1	10.02.21	
Equality and Diversity Policy	HR Manager	2	11.05.22	