



South  
Lanarkshire  
College  

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East Kilbride

# EQUALITY POLICY

## APRIL 2019

**We are guided by the Equality Act 2010  
and the Public Sector Equality Duty**

**We aim to:**

- Foster good relations
- Advance equality of opportunity
- Eliminate discrimination, harassment and victimisation

## Contents

Vision, Mission & Ethos	2
1.0 Introduction	3
2.0 Background	3
3.0 Scope of the Policy	4
4.0 Unacceptable Behaviour	6
5.0 Care Experienced	6
6.0 Responsibilities and Accountability	7
7.0 Equality Planning, Activities and Reporting	8
8.0 Equality Impact Assessment (EIA)	9
Appendix A - Protected characteristics	10



## Vision

To be Scotland's leading provider of college education and training

## Mission

To ensure learners are well prepared for the future by developing their skills, knowledge and understanding in a high-quality learning environment

## Ethos

We believe in:

Promoting equality and diversity

Being passionate about our work

Continual improvement

High achievement

Listening and acting on feedback

Sustainability

Community and social value

Promoting health and safety

Innovation



We test our approaches with the question:

**“Would we  
be happy for  
friends and relatives  
to be students  
at our college?”**

## 1.0 Introduction

South Lanarkshire College is committed to equality, diversity and inclusion and this is embedded within the ethos and at the forefront of all the College's work. As a service provider and an employer, the College is committed to mainstreaming equality and aims to constantly promote equality in its work, and to strive to prevent discrimination of any kind.

The aim is to provide fair and equal opportunities to all learners, staff, stakeholders and partners. The College welcomes learners and staff from all backgrounds and actively seeks to promote equality and to eliminate discrimination harassment or victimisation.

## 2.0 Background

The Equality Act 2010 harmonised and replaced most existing equalities legislation. It came into force on 10 October 2010 and covers the functions of the College as an employer and as a provider of education and services.

The Act covers nine 'protected characteristics':

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership (but only in relation to employment)
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Some of these remain the same as under previous legislation; for others, protection has been extended or reinforced.

- For further information on Protected Characteristics see Appendix A

The Act introduced the Public Sector Equality Duty (PSED) ('the general duty'), which came into force on 5 April 2011, and replaced the previous separate equality duties for race, disability and gender.

'Specific duties', which aim to show how the College is responding to the general duty, commenced on 10 September 2011.

College's must meet both the general duty and the specific duties. The general duty requires the College to have due regard in decision-making to the need to: -

- Advance equality of opportunity between people from different groups, considering the need to:
  - Remove or minimise disadvantages suffered by people due to their protected characteristics;

- Encourage people with protected characteristics to participate in public life or in other activities where their participation is low;
- Foster good relations between people from different groups, tackling prejudice and promoting understanding between people from different groups.

Having 'due regard' means consciously considering the three aims listed above as part of its decision-making processes and when it is reviewing or developing policies. Due regard for 'advancing equality' involves: -

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

'Fostering good relations' involves tackling prejudice and promoting understanding between people from different groups.

The specific duties require the College to:

- Report on progress on mainstreaming the PSED;
- Publish a set of equality outcomes that cover all protected characteristics (or explain why not all protected characteristics are covered), and report on progress;
- Assess the impact of policies and practices against the needs of the PSED;
- Gather and use employee information;
- Undertake equal pay audits and analyse the gender pay gap;
- Publish gender pay gap information when required;
- Consider award criteria and conditions in relation to specified procurement practices;
- Publish information in a manner that is accessible.

This policy also covers legislation subsequent to the Equality Act 2010 including: -

- The Scottish Government Equally Safe Strategy 2014 (updated 2016)
- The Scottish Government National Plan for British Sign Language 2017
- The Scottish Government Period Poverty Initiative 2017

### **3.0 Scope of the Policy**

This policy applies to all members of the College community including but not limited to: -

- Students
- Staff (permanent, temporary, casual, part-time or on fixed-term contracts)
- Board of Management
- Employers
- External Partners
- Visitors

With regard to students, this policy applies, but is not limited to: -

- Admissions
- Learning and teaching
- Student support
- Access to College buildings, facilities and services
- Health and safety
- Personal conduct
- Student complaints
- Disciplinary procedures

The College expects all its members to take responsibility for familiarising themselves with this policy and to conduct themselves in an appropriate manner towards: -

- Other staff
- Students (prospective, current and former)
- Visitors

The College regards any breach of this policy by any employee(s) or student(s) as a serious matter to be dealt with through its agreed procedures and which may result in disciplinary action.

In order to realise its commitment to equality of opportunity and to fulfilling the PSED, the College will:

- promote the aims of this policy;
- promote equality of opportunity and foster good relations between people who share a relevant protected characteristic and people who do not share it, including tackling prejudice and promoting understanding;
- be proactive in eliminating discrimination, including harassment, victimisation and bullying, through training and the production, dissemination and review of its policies, procedures, codes of practice and guidance;
- demonstrate due regard in decision-making to the requirements of the general duty of the Equality Act 2010, including understanding the effect of its policies, procedures and practices on equality;
- have regard to its obligations under relevant legislation, and for its policies, codes of practice and guidance to mirror the same and be changed to meet the demands of new legislation;
- whilst acknowledging that they are not legally binding, have regard to any Codes of Practice issued or adopted by the Equality and Human Rights Commission;
- make this policy, available to all staff, students, contractors and suppliers, and visitors, who work, study, live in or visit the College;
- regularly review the terms of this policy and all associated codes of practice and guidance.

The policy statement is supported by the following: -

- Student Code of Conduct
- Staff and Student Disciplinary Policies and Procedures
- Dignity at Work Policy

- Complaints Handling Procedures

#### 4.0 Unacceptable Behaviour

South Lanarkshire College is committed to creating an environment free of discrimination, harassment and victimisation, and where everyone is treated with dignity and respect.

**Discrimination** – occurs when someone is treated less favourably because they have or are associated with someone else who has one or more protected characteristic.

**Harassment** – is unwanted conduct related to sex, gender reassignment, race or ethnic or national origins, disability, sexual orientation, religion or belief, age or any combination of these, or any other personal characteristic or any perception of particular characteristic (s) which:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

**Victimisation** - is treating someone less favourably than others because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint. This would include isolating someone because they have made a complaint or giving them worse work.

The College will not tolerate discrimination, harassment and/or victimisation of any kind. All allegations of will be investigated and, if appropriate, disciplinary action will be taken which could be up to and including dismissal in line with the appropriate College policies and procedures which includes but is not limited to: -

- The Student Code of Conduct
- Staff and Student Disciplinary Policies and Procedures
- Dignity at Work Policy
- Complaints Handling Procedures

All policies and procedures are available on the College portal.

#### 5.0 Care Experienced

The College also recognises that some of our students face barriers and challenges which need to be specifically addressed. Our care experienced students often face barriers which prevent them from accessing college or from successfully completing their courses for example, financial and housing issues and emotional health and wellbeing.

At SLC we recognise the needs of care experienced students and have provided a named contact and various other services to help students achieve their goals. The College will ensure that the

needs of care experienced students are considered and, in the planning, and implementation of our services.

## **6.0 Responsibilities and Accountability**

All College users are responsible and accountable for implementing and adhering to this policy.

### **Board of Management**

The Board of Management is responsible for ensuring that the College complies with its statutory obligations under the Equality Act 2010 and will regularly consider equal opportunity issues and review the College's policy and action plans.

### **College Management Team**

The Principal, as chair of the Equality Group has overall responsibility for equality and diversity within the College.

The Head of Human Resources has responsibility for ensuring that the equality work within the College is delivered in line with the strategic priorities.

The College Management Team are also responsible for ensuring that the policy is communicated and implemented to support the effectiveness of equality within South Lanarkshire College and that all staff within the College understand their important responsibilities in terms of equality.

They are also responsible for ensuring that the College's commitment to equality of opportunity is communicated both externally and internally; and that the policies and action plans are implemented.

The Management Charter ensures that all managers are expected to lead by example, and all managers at the College are responsible for ensuring that the staff they manage have a clear understanding of the College's perspective on equality issues.

### **Equality Group**

The Equality Group is chaired by the Principal and takes its membership from areas across the College, including the student body. The group meets on a regular basis to examine and consider all equality related issues and provide a central forum for passing information to appropriate groups for dissemination and action. The College Equality Group is key to the promotion and monitoring of Equality across the College.

### **Employees**

All staff are expected to work in such a way as to uphold the College commitment to promoting equality. Employees of the College are responsible for: -

- understanding their individual legal obligations with regard to equality legislation
- promoting equality, diversity and inclusion;
- being able to recognise bias and stereotyping;

- ensuring there is no bias or stereotyping in relation to curriculum or promotional resources;
- taking up development opportunities to enhance their understanding of the College's commitment to ensuring increasing diversity, promoting equality and eliminating unlawful discrimination.

### **Students**

Students of South Lanarkshire College will be required to promote equality and diversity and avoid discrimination. Students will be encouraged and empowered to report bias or harassment.

The Student Association are the main body representing students and therefore responsible for participating in and contributing to equality and diversity work within the College, including awareness raising, events and training.

### **Service Providers and Contractors**

All service providers and contractors appointed by and/or working on behalf of the College will be responsible for following the College Equality Policy and any equality conditions in contracts or agreements.

The College will include the appropriate conditions in any contracts or agreements with external service providers and will take all reasonable steps to confirm acceptance of the conditions by the service providers/contractors.

## **7.0 Equality Planning, Activities and Reporting**

South Lanarkshire College aspires to achieve more than the legislative requirements, and this is achieved by embedding equality within all activities of the College. This is reflected in our vision, mission and ethos and outlined within our Equality Mainstreaming Report.

The following specifically outlines information which details our equality work and can be found on the College website and portal: -

- Equality Mainstreaming Reports
- Equality Outcomes and progress
- Equal Pay Statement
- Equality Mainstreaming Report Update
- Access and Inclusion Policy Strategy
- Access and Inclusion Strategy Action Plan
- Corporate Parenting Plan

## **8.0 Equality Impact Assessment (EIA)**

The specific duties require the College to assess and review new and revised policies and practices against the three needs of the PSED using evidence, acting on the results and publishing the EIA accessibly.

Any changes to, or reviews of, key College policies and practice should be carefully monitored, and a full EIA completed before any action is taken.

An EIA on this Policy has been completed.

## Appendix A

### Protected characteristics

South Lanarkshire College takes full account of the protected characteristics as defined in the Equality Act 2010:



### What are protected characteristics?

It is against the law to discriminate against someone because of any of the following nine protected characteristics:

**Age** - A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

**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.

**Gender reassignment** - The process of transitioning from one gender to another.

**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** - Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

**Religion and 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.

**Sexual Orientation** - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. Further information on Protected Characteristics can be found on the Equality and Human Rights Commission website:

<https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

**To request this document in an alternative format please contact:**

 **Human Resources**  
South Lanarkshire College  
College Way  
East Kilbride  
G75 0NE

 [humanresources@slc.ac.uk](mailto:humanresources@slc.ac.uk)

 **Equality Officer - 01355807382**

 [www.slc.ac.uk](http://www.slc.ac.uk)



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