

Equality & Diversity Policy

All College policies and procedures adhere to the guidelines and ethos of Equality and Diversity

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Policy Development: This policy has been developed in order to support the Mainstreaming Equality – Progress Report and is in line with the Equality Act 2010 and ACAS guidelines. This policy supersedes any other.

Consultation Version – February 2017

1 Purpose and Benefits

The purpose and benefits of this policy are:

- To outline the College's statement of commitment to Equality and Diversity;
- To set out the responsibility and accountability for equality and diversity in New College Lanarkshire.

2 Policy Statement

This policy sets out New College Lanarkshire's statement of commitment to Equality and Diversity. The College will ensure good equality and diversity practice towards groups from all equality strands and protected characteristics.

3 Responsibilities

It is the responsibility of every member of staff of New College Lanarkshire to ensure that their interactions with others and the decisions for which they are responsible are supportive of a culture that promotes equality and diversity, within an environment that values and encourages access and inclusion.

The Assistant Principal: Organisational Development has specific designated responsibility for equality and diversity activity within the College's senior management team, ensuring that all of the College's legal responsibilities are met and that regular updates are provided to the Board of Management in relation to this area of work.

The Human Resources Team have a specific remit to produce, review and be responsible for the publication of the College's Equality and Diversity Policy, Equality Mainstreaming Report, Workforce Monitoring Report and equalities pay gap information.

4 Introduction

New College Lanarkshire positively promotes equality and inclusion for all. Our aim is to create and maintain an environment that is welcoming, embracing and inclusive. We are committed to promoting equality of opportunity and diversity for our students, staff and community partners.

We strive to ensure that everyone is treated fairly, regardless of their background, status or any protected characteristic that they do or do not share. We will take a zero tolerance approach to any form of harassment.

We are fully committed to supporting all individuals in our College community to realise their potential. The College fully embraces the principles of equality and will continue to promote equality and act to eliminate the potential for discrimination and harassment within our activities and spheres of influence.

5 Equality & Diversity Legislation

Equality and Diversity legislation developed in the UK over many years, in response to social and cultural changes. As many separate pieces of legislation and different regulations were passed to address a number of different areas, in an attempt to harmonise the legal context for equality and diversity, the Equality Act 2010 was introduced, which brought together various equality duties into a single piece of legislation.

The Equality Act 2010 stated that listed public bodies (which includes Colleges) had a general duty to consider the following in their everyday actions and activities and to take into account the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other prohibited conduct;
- 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 protected characteristic and those who do not.

Clearly, given the role that the College plays in the lives of our students, staff and the wider community, these duties touch on all that we do.

The Equality Act 2010 defines nine 'protected characteristics':

- Age;
- Disability;
- Gender Reassignment;
- Marriage and Civil Partnership;
- Pregnancy and Maternity;
- Race;
- Religion and Belief;
- Sex;
- Sexual Orientation.

In relation to these protected characteristics, the Act places a General Duty on the College as outlined above, as well as Specific Duties that were introduced by the Scottish Government and apply to public bodies in Scotland.

The Scottish Specific Duties

In addition to the general duty placed on us by the Equality Act 2010, the Scottish Government introduced specific duties, aimed at ensuring that actions taken were considered against a base of evidence and that plans were accessible publicly. The Equality Act (Specific Duties) (Scotland) Regulations 2012 (as amended) required public bodies in Scotland to:

- Report on mainstreaming the equality duty and publish against progress every two years;
- Publish equality outcomes every four years and report progress toward achieving these every two years;

- Assess and review policies and practices;
- Gather and use employee information;
- Publish statements on equal pay;
- Publish pay gap information;
- Consider award criteria and conditions in relation to public procurement;
- Publish in a manner that is accessible.

6 Equality Outcomes and Mainstreaming Report

The College's first set of equality outcomes was published in April 2013 and will be updated in April 2017 in line with statutory timelines for review. The outcomes were developed on a regional basis by the (then four) colleges that existed in Lanarkshire prior to merger and six outcomes were identified:

Regional Equality Outcome 1

Colleges demonstrate leadership and commitment to eliminate discrimination, advance equality and foster good relations.

Regional Equality Outcome 2

Colleges in Lanarkshire region offer a breadth of curriculum choice that meets the needs and aspirations of all learners, including those from under-represented groups.

Regional Equality Outcome 3

All learners have an equal opportunity to come to College and achieve positive outcomes.

Regional Equality Outcome 4

Learners have increased opportunity for progression into organisations that value equality and diversity.

Regional Equality Outcome 5

Increased engagement with stakeholders to develop an increased awareness of equality of opportunity for a developed workforce.

Regional Equality Outcome 6

Colleges within the Lanarkshire Region ensure that equality and diversity is embedded in all that we do and is supported by the appropriate allocation of regional resources.

Our first Mainstreaming and Progress Report was published in 2015 and our next will be published in the Spring of 2017. This report is available from the College website.

7 Definitions

There are a wide range of terms often used when considering Equality and Diversity. Definitions of the most commonly used terms are provided here:

Equality - This is about creating a fair society where everyone can participate and has the opportunity to fulfil their potential. It is supported by legislation designed to address unfair discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. It is not about everyone being treated the same. It is recognition that individuals have different needs, which may need to be met in different ways to achieve equality of outcome.

Diversity – refers to the recognition of the difference of groups and the wide range of groups in the community. It is about creating a culture and practices that recognise, respect, value and harness difference for the benefit of the organisation, its staff members and partners and customers.

Protected Characteristics (as defined by the Equality & Human Rights Commission¹):

Age Where this is referred to, it refers to 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 she or 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.

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

Marriage & Civil Partnership Marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple.²

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 & 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, nationality (including citizenship), ethnic or national origins.

Religion & Belief Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (such as

¹ <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

² Section 1, Marriage (Same Sex Couples) Act 2013, Marriage and Civil Partnership (Scotland) Act 2014.

Atheism). 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.

8 Unfair Treatment

New College Lanarkshire intends that all students, staff, visitors and partners have a positive engagement with the College, although it is important that we are made aware if we have not met this expectation or if anyone considers that they have been treated unfairly as a result of any protected characteristic(s). Should any student, visitor, partner or member of the public wish to raise a concern they should make us aware of this via our model complaints handling procedure. This is available here: <http://www.nclanarkshire.ac.uk/students/student-welcome#complaints-4239>

Should any member of staff feel that they are being treated unfairly on the grounds any protected characteristic(s) they should raise this in the first instance with their line manager, a member of the human resources team, or their trade union representative.

9 Related Reports

This policy should be read in conjunction with the College's Regional Outcome Agreement, which is an agreement signed on a three yearly basis with the Scottish Funding Council (and updated annually) and the statutory reports that we publish to meet our general and specific duties under the Equality Act 2010 and The Equality Act (Specific Duties) (Scotland) Regulations 2012 (as amended).

All of our equality related documents and the Regional Outcome Agreement are available from the College Website:

Equality and Diversity Reports:

<http://www.nclanarkshire.ac.uk/us/media-centre/downloads/equality-diversity-downloads>

The Lanarkshire Outcome Agreement 2014/2017 (2016 update):

http://www.nclanarkshire.ac.uk/media/1505/lanarkshire_outcome_agreement_2016-17.pdf

10 Monitoring and Review

New College Lanarkshire will continue to review the Equality and Diversity Policy and will update related reports such as the Mainstreaming Equality - Progress Report and Workforce Monitoring Report in order to comply with equality legislation and to ensure the continuation of good practice.