

Equality and Diversity

WHC reserves the right to amend this policy at its discretion. The most up-to-date version can be downloaded from our website.



University of the
Highlands and Islands
West Highland College

Oilthigh na Gàidhealtachd
agus nan Eilean
Colaiste na Gàidhealtachd an Iar

EQUALITY AND DIVERSITY POLICY

ELT manager	Principal & Chief Executive
Responsible officer	HR Manager
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EQUALITY AND DIVERSITY POLICY

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1.0 Introduction/Context

West Highland College UHI recognises that equality of opportunity and valuing diversity and inclusion are vital to its success. It is committed to creating and sustaining a positive, supportive working environment for all of our staff and a teaching and learning environment which encourages all of our students to thrive academically and personally. This requires the promotion of practices both to overcome existing educational barriers and geographical isolation, and to provide opportunities which reflect the linguistic and cultural diversity of West Highland College UHI. West Highland College UHI aims to improve access to employment and training opportunities, working with external agencies to tackle rural poverty to enhance access to our services. West Highland College's strategies and values reflect this commitment to:

“sustain a culture which promotes equality, diversity and inclusion for all”
and
“ensure a positive working environment of well-being, reward and recognition, dignity and respect”

Values

INCLUSIVE

Respect individual values and proactively promote equality and diversity.

INDIVIDUALISED

Recognise and take account of personal need, aspiration, skill and ability.

INNOVATIVE

Continually improve the way we design and deliver our programmes; develop best practice through creative approaches to learning and teaching and effective use of technology.

INTERCULTURAL

Embrace and celebrate diversity through integration and interaction. Recognise all forms of difference and actively engage and learn from each other.

INSPIRATIONAL

Lead by example in growing ambition and realising potential for all.



Excellence for All Strategy

Our West Highland College UHI Strategy for Learning is...

to establish opportunity and choice to all learners at West Highland College whilst recognising rural issues and ensuring equality of access through supportive inspirational learning experiences.

to build, in partnership, a curriculum which supports and reflects the economic and cultural priorities of the region, celebrates diversity and meets the needs and aspirations of all our communities.

to develop innovative approaches to learning and teaching which will enable all students to become **successful learners, effective contributors, confident individuals** and **responsible citizens**, capable of being empowered, personally and professionally, as life-long learners and contributors to the well-being of their communities.

2.0 Purpose

In line with our Strategic Plan, Excellence for All Strategy and Values, we aim to ensure that all of our policies, procedures and practices are fair and do not discriminate. Positive measures will be taken to redress any inequalities in employment practices, provision of services to students and customers or the way in which we manage our operations.

Whilst the population and operating context within the WHC area is predominantly white and Scottish, the College recognises that inclusion, equality of opportunity, and social/cultural diversity should form an integral part of the core operating ethos of all

activities undertaken by, and within the control of, the College. Our “Excellence for All” strategy highlights our commitment to an inclusive and intercultural experience and all staff will ensure that this ethos is evident in behaviours, policies and procedures adopted for students, staff and other stakeholders.

We are committed to carrying out our statutory duties, which are outlined in section 5.

3.0 Scope

This Policy applies to all staff and students in West Highland College UHI including job applicants and potential students. It also applies to those individuals who are carrying out duties through a contract or service level agreement with the College as well as visitors who visit our premises.

4.0 Key Principles

West Highland College UHI will value and respect human rights, and the differences there are between people. The College will promote opportunity for all, without discrimination on grounds of any protected characteristic or socio-economic background.

This requires the promotion of practices both to overcome existing educational barriers and geographical isolation, and to provide opportunities which reflect the cultural diversity of West Highland College UHI. By following these practices West Highland College UHI aims to improve access to courses, employment and training opportunities.

The key principles on which this policy is based are:

Equity – We believe in and encourage fair and equitable treatment for all individuals covered by this policy;

Diversity – We consider the diversity of our students and staff to be one of our greatest assets;

Respect and Tolerance – All of our students and staff deserve to be treated with dignity and respect, regardless of background or personal circumstances;

Excellence – We believe that individual and institutional excellence can only be achieved through recognising the value of every individual and encouraging them to achieve their potential as set out in our *Excellence for All strategy*;

Inclusion and Accessibility – Students and staff should have the opportunity to participate in, contribute to, and benefit from the services and successes of the College without experiencing any unnecessary barriers. This is set out in our *Access and Inclusion Strategy* (in relation to students).

The College does not tolerate harassment, victimisation, or discrimination on the grounds of **age, disability, gender reassignment, marital or civil partnership**

status, pregnancy or maternity, race, religion or belief, sex, sexual orientation, caring responsibility.

The College is committed to working with the College community to embed respect, equity and inclusion. A full description of the definitions in relation to discrimination, harassment, victimisation as well as the protected characteristics can be found at *Appendix A*

5.0 Statutory Requirements

The general equality duty (under the *Public Sector Equality Duty*) requires the College, in the exercise of its functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people of different groups;
- Foster good relations between people from different groups, tackling prejudice and promoting understanding;

There are also *specific equality duties* which include mainstreaming equality and diversity into all aspects of our operations, to set equality outcomes and to report on progress (which includes gathering, analysing and publishing relevant data).

[These reports are available on the College web-site.](#)

6.0 Responsibilities

6.1 **The College's Board of Management** - has ultimate responsibility for ensuring that the college complies with its statutory obligations in terms of meeting the requirements of the Equality Act 2010 and the Public Sector Equality Duty for Scotland and for ensuring that the College Equality and Diversity Policy is fully implemented.

6.2 **The Executive Leadership Team** - is responsible for leading the implementation of the College's strategy in relation to equality and diversity for both staff and students.

6.3 **The Equality and Well-being Steering Group** - has been established to provide an infrastructure to drive forward the College's commitment to equality, diversity and inclusion. To enable compliance with equalities legislation and Public Sector Equality Duties and aim to encourage a positive working/learning environment by promoting the health and well-being of staff and students.

6.4 **The College Management Team, all Managers and Team Leaders, and members of Interview Panels** - have a duty to ensure that the College's strategies and policies including the Equality and Diversity Policy are implemented within their sphere of activities and responsibility.

6.5 **The HR Manager** - has a specific responsibility for the effective development and implementation of equal opportunities in employment and for the formulation of

policies and procedures in relation to staff to support the College's overall strategy and for overseeing their implementation.

6.6 The Head of Curriculum & Head of Student Support – are responsible for the effective development and implementation of equal opportunities for the student body and for the formulation of policies and procedures in relation to students to support the College's overall strategy and for overseeing their implementation.

6.7 All Lecturing staff – Are responsible for embedding equality, diversity and inclusion throughout learning and teaching.

6.8 All Staff and Students – Are responsible for:

- Treating each other people with respect;
- Bringing to the attention of line manager or Human Resources department any suspected breaches of this policy;
- Working together to promote a harmonious work and study environment and to eliminate discrimination and harassment.

6.9 Contractors - All contractors and providers of services on behalf of the College shall be responsible for following this Equality and Diversity Policy and any equality conditions in contracts or agreements.

7.0 Complaints Procedures related to Equality and Diversity

Staff - If a staff member considers that this policy has been breached they may raise the matter in the first instance with their line manager or a member of the HR Team. The matter should be dealt with in accordance with the Bullying and Harassment Policy or Staff Grievance Procedure. Staff may seek confidential advice in the first instance from the HR Manager or HR Officer.

Students - If a student considers that this policy has been breached they may raise the matter with their Lecturer, Personal Academic Tutor or a member of the Student Services Team in the first instance. The matter should be dealt with in accordance with the Complaints Handling Procedure.

Complaints should be recorded, monitored and reported as appropriate.

8.0 Training

All staff must complete equality and diversity training. Information on training will be given during staff induction. Compliance is monitored by the Staff Learning and Development team.

9.0 Relevant Legislation

Equality Act 2010
Data Protection Act 1998
Race Relations Amendment Act 2000
Disability Discrimination Act 1995

10.0 Related strategies

[West Highland College UHI Strategic Plan
Excellence for All Strategy](#)

11.0 Related Policies

[Bullying and Harassment Policy](#)
[Staff Grievance Policy](#)
[Complaints Handling Policy](#)
Gender Action Plan (**To follow**)

Appendix A

Definitions

1.0 Discrimination/Harassment/Victimisation

1.1 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, gender re-assignment, marriage and civil partnership and pregnancy and maternity, race, religion and belief, sex and sexual orientation**. These are known as the protected characteristics.

1.2 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.

1.3 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.

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

1.5 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.

1.6 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.

1.7 Harassment can take many forms and examples include physical contact, offensive language, gossip, slander, graffiti, obscene gestures and/or 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.

1.8 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.

1.9 Victimisation 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.

2.0 **Protected Characteristics** (Source: Equality and Human Rights Commission)

2.1 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).

2.2 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.

2.3 Sex

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

2.4 Gender Reassignment

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

2.5 Race

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

2.6 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.

2.7 Sexual Orientation

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

2.8 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 are listed in The Equality Act 2010 as protected characteristics. The Act provides protection against discrimination only in respect of the requirement of the need to eliminate unlawful discrimination in employment.

2.9 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.

2.10 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).