

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.

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 the decision-making processes and when 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
- All 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 members of the College community to take responsibility for familiarising themselves with this policy and to conduct themselves in an appropriate manner towards:

- Other staff
- Students including alumni (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, 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 – this may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs when someone is put at a disadvantage because of one or more protected characteristics. For example, rejecting an applicant of one race because it is considered they would not “fit in” because of their race could be direct discrimination.

Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of, for example, their sex or race. For example, a height requirement would be likely to eliminate proportionately more women than men. If this criteria cannot be objectively justified for a reason unconnected with sex, it would be indirectly discriminatory on the grounds of sex.

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 discriminated against them, is 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 by giving them poorer quality work.

The College will not tolerate discrimination, harassment and/or victimisation of any kind. All allegations of this kind will be investigated and, if appropriate, disciplinary action will be taken which could be up to and including dismissal or exclusion 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 or 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, in the planning, and implementation of our services.

6.0 Responsibilities and Accountability

All members of the College community 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 (CMT) is 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.

The CMT 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 states 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 to 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 is 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. This is achieved by embedding equality within all activities of the College. This is reflected in our vision, mission and ethos and is 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 Strategy
- Access and Inclusion Strategy Action Plan
- Corporate Parenting Plan
- British Sign Language Policy

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.