



**Dumfries and  
Galloway College**

One step ahead

# EQUALITY, DIVERSITY, AND INCLUSION POLICY

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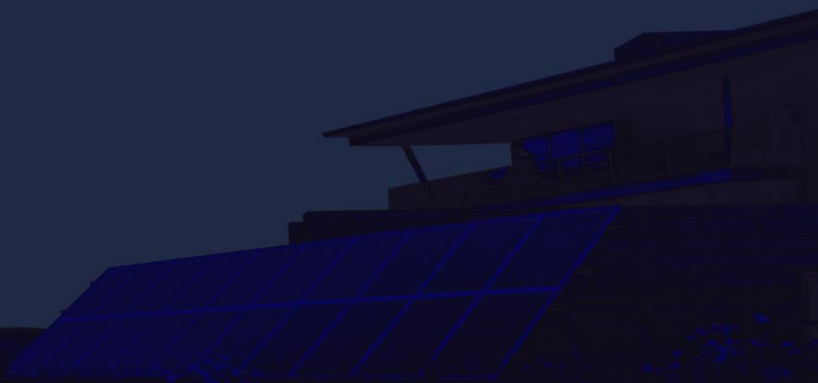
**Responsibility: Vice Principal People and Transformation**

**Issue Date: March 2024**

**Equality Impact Assessment: March 2024**

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Version: 3



## Table of Contents

Equality and Diversity Policy .....	2
1. Purpose .....	2
2. Scope.....	3
3. References .....	3
4. Definitions.....	3
5. Responsibility .....	5
6. Procedure .....	8
7. Distribution.....	11
8. Revision Log.....	11
Appendix 1 – Equality Impact Assessment.....	13

# Equality, Diversity, and Inclusion Policy

## 1. Purpose

The purpose of this policy is to ensure that Dumfries and Galloway College promotes equality, values diversity and encourages inclusion through its core values of:

- Here for you – Listening, caring, and respecting everyone
- Act with courage – Pioneering, agile and continuously evolving
- Deliver our promises – Committed to delivering action with pride
- Uniting to succeed – Working together for a sustainable future for all

Through this policy we aim to eliminate unlawful discrimination, harassment, and victimisation, and promote 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 Inclusion

Inclusion is the practice of including people in a way that is fair for all, values everyone's differences, and empowers and enables each person to be themselves and achieve their full potential and thrive at work.

An inclusive culture is one in which everyone feels that they belong through feeling safe in being themselves, that their contribution matters, policies, and practices are fair and diverse range of people are supported to work together effectively.

## 4.4 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.

## 4.5 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.

## 4.6 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.

#### 4.7 Victimisation

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.

#### 4.8 Hate Crime

Under the Hate Crime and Public Order (Scotland) Act (2021), hate crime is an offence in which there has been aggravation motivated by hostility or prejudice against one of the following characteristics:

- 👉 Race
- 👉 Religion and belief
- 👉 Age
- 👉 Disability
- 👉 Sexual orientation
- 👉 Transgender identity
- 👉 Variation in sex characteristics.

### 5. *Responsibility*

#### 5.1 The Board

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

## 5.2 The Principal

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

## 5.3 Equality, Diversity, and Inclusion (EDI) Forum

The EDI Forum consists of representatives from each aspect of College life. The Forum will:

- 👉 develop, review, and monitor the EDI 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 EDI including championing changes in practice and procedure.
- 👉 approve outline policies, procedures and plans as required to advance EDI.

## 5.4 The Chair of the EDI Forum 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.

## 5.5 Managers

Managers across the College are expected to promote EDI 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 EDI 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.

## 5.6 Employees

The College recognises that it retains the primary responsibility for promoting EDI. 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.

## 5.7 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.

## 6. Procedure

### 6.1 Introduction

Dumfries and Galloway College is committed to promoting EDI 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.

6.1.1 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.

6.1.2 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.



6.1.3 College plans and policies will be Equality Impact Assessed, at inception or when reviewed, to ensure that no policy, condition, practice, 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.

## **6.2 Commitments**

### 6.2.1 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.

### 6.2.2 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.

### 6.2.4 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.

## 6.2.5 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.

## 6.3 Implementation

This policy will be implemented through:

- the College's EDI Framework, underpinned by an annual action plan and progress report.
- a requirement that each employee must abide by the content of this EDI Policy
- the availability of EDI 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.

## 6.4 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 EDI information at their induction. Student behaviour is continuously monitored, and where appropriate challenged by staff.

## 7. *Distribution*

All Staff  
Repository

## 8. *Revision Log*

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
March 2024	Front cover	Title amended to 'Equality, Diversity, and Inclusion Policy.'
	Section 1 - Purpose	First paragraph reworded and College values added
	Section 4- Definitions	New clause 4.3 added Re: Inclusion. Rest of section re-numbered New clause 4.8 added Re: Hate crime
	Section 5 - Responsibilities	Clause 5.4 removal of wording stating Equality and Diversity Officer and replaced with 'The Chair of the Equality, Diversity and inclusion Forum'
	Various	Wording equality and diversity replaced with EDI in various sections of the policy.
	Format	Equality Impact Assessment added as Appendix 1
May 2024	6.1.3	Minor amendment – the addition of the word 'practice' to point 6.1.3

<b>THIS FORM TO BE UPDATED WHENEVER THERE IS A CHANGE IN ANY SYSTEM DOCUMENT</b>				
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	
Equality and Diversity Policy	Vice Principal People and Transformation	3	March 2024	

## Appendix 1 – Equality Impact Assessment

Document:	Equality and Diversity Policy
Executive Summary:	The policy is inherently positive for all protected characteristics in that it is structured to match the requirements of the Equality Act 2010, the General Equality Duty and Specific Duties (Scotland) on public sector agencies. The emphasis on fair treatment and avoidance of discrimination, whilst not designed to protect people from within the additional considerations, is likely to positively impact on these groups as it will foster consideration for people who are disadvantaged and encourage good relations.

### Duties:

1: Eliminate discrimination, harassment and victimisation

2: Promote equality of opportunity

3: Promote good relations

\* Human Rights to privacy and family life, freedom of thought and conscience, education, employment

### PSED Impacts

	Commentary
Age	<p>The policy is inherently positive for all protected characteristics in that it is structured to match the requirements of the Equality Act 2010, the General Equality Duty, and Specific Duties (Scotland) on public sector agencies.</p> <p>Training and a cycle of planning, monitoring and reporting are in place so that the core elements of the policy are met and that the College’s aspirations for equality and diversity across all protected characteristics are progressed.</p>
Disability	
Gender	
Gender Based Violence	
Gender identity/ reassignment	
Marriage/civil partnership	
Pregnancy/maternity	
Religion or Belief	
Race	
Sexual Orientation	

## Additional Considerations

Care experienced	The link between carers and gender should ensure positive impacts for this group, but on a wider note the emphasis on fair treatment and avoidance of discrimination, whilst not designed to protect people from within the additional considerations, is likely to positively impact on these groups as it will foster consideration for people who are disadvantaged and encourage good relations.
Carers	
Mental Health	
Socio-economic status	
Veterans	
Human Rights*	All relevant Human Rights articles are supported by this policy, as the legislation it is designed to support Human Rights law

Lead Officer:	Vice Principal People and Transformation		
Facilitator:	Equality and Diversity Forum		
Date initiated:			
Consultation:	Equality and Diversity Forum, LJNC, Senior Leadership Team and		
Research:	College Board of Management		
Signature	Joe McGraw	Date	March 2024