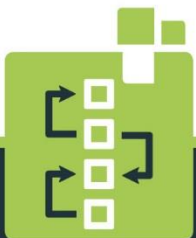


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For the future you want

Equality, Diversity and Inclusion Policy



Policy, Planning & Performance

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EQUALITY, DIVERSITY AND INCLUSION POLICY

1. PURPOSE & SCOPE

- 1.1 Edinburgh College is committed to creating a culture where all members of the College community are equally valued and respected, where diversity is celebrated and where everyone has the opportunity to fully take part in and benefit from their experience in the College.
- 1.2 This policy applies to all members of the College community including current and potential staff and students, visitors, board members and people contracted to work at or for the College.

2. POLICY

- 2.1 The College is committed to providing equal opportunities in all aspects of College life.
- 2.2 We recognise the Human Rights values of FREDA: Fairness, Respect, Equality, Dignity and Autonomy (or independence). For example, all members and prospective members of the College have the right:
 - To be treated with respect and dignity.
 - To be treated fairly.
 - To receive encouragement to reach their full potential.
- 2.3 We work to eliminate unlawful discrimination, victimisation and harassment in all our activities. This includes:
 - Discrimination against any individual on the grounds of any of the protected characteristics of age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex/gender and sexual orientation.
 - Discrimination against someone who is perceived to have the protected characteristic relating to gender reassignment because, for example, that person identifies as non-binary.

- Discrimination against someone associated with a person who has a protected characteristic, for example, someone with caring responsibilities for a disabled person.

2.4 We seek to advance equality of opportunity for people of all protected characteristics groups (above) and for other groups of people, including:

- Those who may experience socio-economic deprivation;
- Those who can experience other disadvantage in our society, such as people with caring responsibilities and those are care experienced.

2.5 We aim to foster good relations between different groups through tackling prejudice and promoting understanding.

3. KEY DEFINITIONS

3.1 Protected Characteristics under the Equality Act 2010

There are nine protected characteristics given protection under the Equality Act 2010:

- **Age** – this refers to a person belonging to a particular age (for example 32 year olds) or range of ages (e.g. 18-30 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 changing or transitioning gender. See also “gender” and “transgender” definitions below.
- **Marriage and Civil Partnership** – a protected characteristic in terms of employment. It means being legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex.

- **Pregnancy and Maternity** – 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 a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
- **Religion or Belief** – Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. atheism). Generally, a belief should affect your life choices, or the way you live, for it to be included in the definition.
- **Sex** – currently, a person's legal sex refers to whether a person is a man or a woman. However, for a variety of reasons, some people do not identify themselves by these definitions, for example, they may identify as intersex.
- **Sexual Orientation** – the term used to describe a person based on who they are emotionally and physically attracted to.

3.2 Other Useful Terms

Gender – this consists of a number of related aspects:

- Gender identity, which is someone's own personal perceptions and experience of their gender.
- Gender roles, which are society's ideas and expectations of how people behave based on whether they are female or male.
- Gender expression, which is how a person lives in society and interacts with others. For example, the clothes they wear or how they express their personality.

While most people have a gender that matches with the sex assigned to them at birth, gender can be less defined than sex. For example, many people feel they don't fit fully into traditional, "acceptable" male and female roles (and these roles change).

Transgender and Trans – these are inclusive, umbrella terms for people whose gender identity and/or gender expression differs from the sex assigned to them at birth. For example, someone who identifies as a trans man or trans woman, as transsexual, non-binary or as a dual role person may also describe themselves as transgender.

(Sources: Equality and Human Rights Commission website December 2017, Equality Challenge Unit: Trans staff and students in HE and Colleges: improving experiences (2016).

4. RESPONSIBILITIES

- 4.1 The Board of Management is responsible for the overall fulfilment of the College's statutory equality duties, and oversees the implementation of this policy throughout the college.
- 4.2 The Academic Council is responsible for ensuring that principles of equality and diversity are embedded in the learning and teaching environment.
- 4.3 The Head of Curriculum Planning and Performance and the Head of Human Resources and Organisational Development are responsible for ensuring that all staff understand their responsibilities to follow and implement this policy, and to pay due regard to the College's statutory equality duties when making decisions and carrying out their respective areas of business.
- 4.4 The Equality Steering Group is responsible for advising, overseeing and monitoring the College's progress towards achieving its Equality Outcomes and other related work.
- 4.5 Every member of the College community is responsible for following and implementing this policy and associated guidelines aimed at fulfilling the statutory equality duties.

5. PROCEDURE

5.1 We will support the principles outlined in this policy and ensure they are put into practice by:

- Meeting our duties under equality legislation (e.g. by setting Equality Outcomes to help us achieve our equality aims, publishing progress reports and pay gap information).
- Raising awareness among all members of the College community of their rights and responsibilities around equality and related matters. The commitment of everyone is essential to ensure the FREDAs Human Rights values of fairness, respect, equality, dignity and autonomy are embedded into our work.
- Promoting the College's commitment to equality, diversity and inclusive practice to staff and students through information, training and other activities.
- Making reasonable adjustments for students and staff with disabilities to help remove barriers and meet individual needs.
- Consulting and involving internal and external stakeholders to help inform policy and practice.
- Assessing the likely impact of College policies and practices to ensure they are fair to people from different protected characteristic groups and other groups. Ensuring subsequent College policies contain a statement of the College's commitment to equality and diversity.
- Eliminating gender or other unfair bias within our pay, recruitment and reward processes through job evaluation and equal pay audits.
- Maintaining effective mechanisms to monitor, evaluate and review the implementation of the College's Equality Outcomes and other equality work.

5.2 Breaches of this policy

5.2.1. The College will not tolerate any instances of unlawful discrimination, harassment or victimisation by any member of the College community.

5.1.2. The College will ensure that any incidences of unlawful discrimination, bullying, harassment or victimisation are dealt with using the appropriate College behaviour, disciplinary and complaint procedures.

5.1.3 The College will offer advice and support to any member of the College community who feels they have experienced unlawful discrimination, harassment or victimisation.

6. ASSURANCE

6.1 This policy and procedure will be reviewed following any relevant changes to employment law or once every three years as a minimum.

6.2 This policy and procedure will be reviewed by the Policy committee and approved by the Executive team and where relevant the Policy and Resources committee.

6.3 If you require this policy in a different format, please contact Sara Taylor, equalities officer at sara.taylor@edinburghcollege.ac.uk

7. APPENDICES

The Appendix defines discrimination and harassment, and describes the impact they can have on people of different protected characteristics.

Discrimination, Harassment and Hate Crime

7.1 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, sex, gender re-assignment, race, religion and belief, sexual orientation, marriage and civil partnership and pregnancy and maternity. There are seven different types of discrimination under the Act:

- 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.

- 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.
- Associative discrimination is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.
- 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.
- 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.
- Harassment by a third party – employers are potentially liable for the harassment of their staff or customers by people they don't themselves employ, i.e. a contractor.
- 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, or provided support to a colleague raising a complaint of discrimination.

7.2 Harassment can take many forms and examples include physical contact, offensive language, gossip, slander, cyber-bullying, graffiti, obscene gestures and 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. Harassment can include:

- Sexual harassment including unwanted sexual comments or physical contact;
- Homophobic or biphobic bullying based around a person's real or perceived sexual orientation;

- Transphobic harassment based on a person's transgender identity;
- Racist harassment because of a person's race, colour, nationality or ethnicity.
- Disability harassment – because of or focusing on disability
- Bullying or harassment focusing on religion or belief, e.g. sectarian remarks
- Ageist bullying or harassment.

7.3 People subjected to harassment or bullying can lose self-confidence or self-esteem. Their physical and mental health and wellbeing can be affected badly. Some groups in our society are frequently subjected to uninformed and prejudiced responses. For example, research shows that 62% of transgender people will have experienced transphobic harassment from strangers. Using language like “that’s so gay” (used to suggest that being gay is a negative thing) writing racist graffiti or using sexist “banter” can be hurtful and offensive and are unacceptable behaviours in Edinburgh College.

7.4 Some instances of harassment may amount to a “hate incident”. Hate incidents are defined as incidents (which may or may not constitute criminal offences) which are perceived by the victim or any other person as being motivated by prejudice or hate. Someone may be a victim of a hate crime if they believe they have been targeted because of their race, religion, sexual orientation, transgender identity or disability. Edinburgh College is a Third Party Reporting Centre for hate crime which means that people can report hate crime or hate incidents through the college without having to contact the Police directly.