

Equal Opportunities Strategy

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*** The Race Equality Information document which is part of the policy (is available in a range of community languages. Please ring our Student Services on 01738 877379 for details.**

Equal Opportunities Strategy for Staff and Students

1 Introduction

Legislation and government policy have given a clear indication of the importance placed on equality of opportunity and social justice for everyone in Scotland. Perth College has in place an Equal Opportunities Strategy to help meet these aims for both staff and students.

The Disability Discrimination Act (Part 4) 2001 introduced new legal duties for colleges relating to all students or prospective students with disabilities. The legislation is designed to improve educational choice and opportunity for disabled people and people with special educational needs. Colleges also have a responsibility under the Disability Discrimination Act to actively promote disability equality.

Staff are protected by a whole range of Employment Equality Regulations – Religion and Belief 2003 and Sexual Orientation 2003, the Equal Treatment Directive amendments, Age Discrimination regulations and the 2003 regulations amending the Disability Discrimination Act 1995

The vision from the Beattie Committee Report ‘Implementing Inclusiveness, Realising Potential’ is that all young people should have their needs, abilities and aspirations recognized, understood and met within a supportive environment. The Report shows the parallels between the experiences of young people with learning difficulties and those who are disadvantaged or disaffected because of social or economic circumstances. All are at risk of social exclusion.

The Race Relations (Amendment) Act 2000 stipulates that Further and Higher Education Institutions have a general duty to ‘have due regard for the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups’. Specific duties are also placed on these Institutions with regard to carrying out their duties under the Act including: maintaining a copy of its race equality policy and fulfilling its duties in accordance with legislation; assessing the impact of the race equality policy on students and staff of different racial groups; monitoring by reference to these racial groups, the admission and progress of students and the recruitment and career progress of staff; include in its written statement of its race equality policy an indication of its annual arrangements for publishing that statement and the results of its assessment and monitoring.

The Social Inclusion and Widening Access agendas are encapsulated in the vision of Lifelong Learning. More and more, institutions and agencies are looking to work together to bring clear progression pathways and learning opportunities to an ever-wider range of people. Community Planning and the Community Learning and Development Partnerships are main drivers to enable

organisations to achieve this. School – College Partnerships will also open up a great any more opportunities to young people.

Perth College has policies, procedures and an annual Action Plan in place to ensure that staff work consistently towards achieving its Equal Opportunities Strategy, including its Race Equality Policy. The College’s network of Learning Centres around rural Perth and Kinross, in which we work with our Community Planning Partners to bring learning opportunities to these communities, is a further commitment to Equality of Opportunity. The most important factor, though, is the positive approach taken by every one who is involved, both staff and students.

2 **The Equal Opportunities Strategy**

In order to carry out its responsibilities and commitment to Equality of Opportunity the College has in place an overarching Equal Opportunities Strategy supported by a range of policies and managed through an annual Action Plan. The College Equal Opportunities Committee, reporting to the College Board of Management, has the responsibility for monitoring and reporting progress on all Equal Opportunities issues. The components of the Strategy include:

- **Committee Framework**

The Equal Opportunities Committee at Perth College comprises staff, student and Board of Management representation and has the power to co-opt members from other organisations as required. The committee reports to the Finance and General Purposes Committee of the Board of Management and to the Academic Board for information. The College has an Inclusion Team that considers issues and systems relating to disability, inclusiveness and social inclusion. This group also supports the work of the Student Support Co-ordinator and the Community Liaison Co-ordinator.

- **Policy Structure**

The College has in place policies to cover its activities which are equal opportunities relevant and these are included in the full version of this Equal Opportunities Strategy document. In addition the College monitors its other policies and procedures to ensure they take cognisance of equalities issues. A system of regular review of all policies is in place.

- **Promotion of Equality**

The College indicates in its promotional material the belief that education is a right for all. Promotional materials are available in a variety of formats. There are in place a number of policies and procedures, which are made available to all staff, students and other stakeholders, designed specifically to promote equality for potential and existing staff and students. These policies are included in this document. Race Equality

Statements are widely available throughout all College Premises and to all staff, students and stakeholders. A Race Equality Information Sheet is available in several languages. All providers of services to Perth College are expected to comply with the College's principles in relation to equal opportunities including disability and race issues.

- **Monitoring**

Monitoring of our procedures and practice relating to staff and students takes place on a regular basis. The Finance and General Purposes Committee, the Equal Opportunities Committee and the Inclusion Team all have a monitoring role. Equal Opportunities data are gathered as part of recruitment, enrolment/appointment, retention, achievement and staff development and promotion. Students are surveyed in relation to equality of treatment and opportunity. The Academic Standards Committee monitors all aspects of the curriculum including equality of opportunity in courses and learning materials and the Quality Unit has a specific audit role. The College operates a 'Handling Comments, Suggestions and Complaints' system and equality issues are monitored as part of this system, including the Complaints Review process.

- **Support for Staff and Students**

A Continuing Professional Development plan is published annually, which supports staff members' responsibilities in relation to equality of opportunity. The College also operates independent, confidential counselling and work mentoring services for all staff. The Dignity in the College Community policy provides a trained Supporter service for staff or students who believe they are the victim of harassment, bullying or discrimination. The College provides an impartial central support unit for students, the Student Services Team, and, as far as possible, each student is allocated a Student Adviser who is a member of their Faculty. Learning Support and Extended Learning Support services are available to all students. Students in general have an entitlement to three individual review sessions with their Student Adviser during the academic year. Students with specific requirements in relation to their religious beliefs are supported, including a prayer room and halal catering facilities for Islamic staff and students.

Encouraging groups under-represented in education and training provision is integral to Perth College's approach to social inclusion and inclusive education. It is acknowledged that 'social inclusion' is not a single movement, rather a wider process of engagement with equality of citizenship, within which the identification and adoption of inclusive educational practices has a key role. The College Policy on Equality and Inclusion for Students elaborates an ethos and approach to person-centred learning, guidance and support. Our work to support social inclusion and widening access is guided by the strategic principles of learner focus, partnership working, building employability, building community capacity, innovation and quality.

- Infringement of Equal Opportunities Policies

Serious infringements of our equal opportunities policies are dealt with through the staff grievance or student complaints procedures and the disciplinary processes for staff and students. A college Appeals Panel is also in place. Supporters are trained as part of the Dignity in the College Community policy to work with all involved in an allegation of discrimination, bullying or harassment to bring a speedy resolution to difficulties where possible. Other equalities issues are dealt with by managers and senior managers on an informal basis initially.

- Working Together

Perth College has a strong commitment to working with partners in the community to achieve common goals. These partners also act as advisers in relation to the development and review of College equality – related policies. As a core member of the Community Planning Partnership since its inception in Perth and Kinross the College has been involved in promoting the aims of the Community Plan, all of which have an underpinning commitment to social justice. The College will continue to develop its links, local and national, as part of its strategy to achieve equality of opportunity and inclusive practice.

- The Perth College Equal Opportunities Strategy is supported by the following policies:*

- Policy on Equality and Inclusion for Students.
- Staff Equal Opportunities Policy.
- Dignity in the College Community Policy.
- Race Equality Policy.
- Disability and Additional Support Needs.

- Perth College, as an Academic Partner in UHI Millennium Institute, also observes the relevant equalities policies published by UHI.

*The full version of the Perth College Equal Opportunities Strategy contains these policies.

Section 1

Perth College Policy on Equality and Inclusion for Students

General Statement

Perth College recognises learners as individuals, believes education is a right for all and is committed to increasing as well as widening access to lifelong learning opportunities particularly amongst under represented groups.

This Policy is part of the Perth College Equal Opportunities Strategy. Reference is made at the end of the document to other related policies. An annual Equal Opportunities Action Plan is drawn up and monitored to ensure the College is meeting and exceeding its responsibilities in this area of its work. Full details of all policies relating to students are held in the Handbook of Student Entitlement, which is available in many locations on campus and in Learning Centres.

Principles

The Policy on Equality and Inclusion for Students at Perth College is based on the following principles. The College:

- Will actively work towards offering equality of opportunity to all.
- Is committed to offering an appropriate curriculum to a wide range of prospective students and to providing additional support to those who require it.
- Will ensure that the admittance of students with additional support needs is handled positively and sensitively, and in a manner that will actively promote and facilitate student disclosure of disabilities or learning difficulties.
- Will work to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between people of different racial, ethnic or cultural groups.
- Will work to ensure that all participants in the work of the College, which includes the educational process and all other activities, will be aware that they have a legal and moral duty to play their part in ensuring equality of opportunity for all and to actively promote equality.
- Will take positive steps to ensure that no forms of unlawful discrimination occur.

Anyone who considers that he or she has been unfairly discriminated against by Perth College may raise a complaint through the published Complaints Procedure.

1 Access and Participation

- 1.1 A clear statement of the College's commitment to equal opportunities will be given in all appropriate College publications.
- 1.2 College Advice and Admissions systems will be free from bias.
- 1.3 The College will strive to create an environment in which everyone feels valued.
- 1.4 All College users will receive a positive welcome from the first point of contact.
- 1.5 Guidance and counselling given will be non-discriminatory and impartial.
- 1.6 The College programmes and services will reflect the needs of its local communities.
- 1.7 The College will consider the needs of those on low incomes.
- 1.8 The College will endeavour to make child care available in the College Nursery or help to find other suitable provision for those students who require it.
- 1.9 The College will, as far as possible, make all college buildings and facilities accessible to students and staff with mobility or sensory impairment.
- 1.10 Outreach Activity will be undertaken to bring College services to rural communities, to generate local involvement for people not currently attending the College and to stimulate interest in Lifelong Learning.

2 Information and Promotion

- 2.1 The College will research the needs of the whole community, including those of disabled people, people from ethnic minority communities and the local labour market trends in order to provide appropriate training for employment.
- 2.2 College publicity will reflect our efforts to work towards equality of opportunity and inclusion and will be available in public places throughout the community and beyond.
- 2.3 Liaison with all appropriate organisations within the local community will be created, developed and maintained.
- 2.4 The College will promote equality of opportunity in all of its dealings with external agencies and individuals.

3 **Marketing**

- 3.1 The Marketing Unit will ensure that:
- 3.1.1 Information is provided in a variety of accessible formats in order to target the widest possible range of current and potential students.
 - 3.1.2 College recruitment literature also identifies Student Services as a source of College information and direct advice.
 - 3.1.3 All online content, such as Web pages, conform to accepted standards of accessibility.

4 **Curriculum**

The College will:

- 4.1 Plan programmes, develop teaching styles, timetable its programmes, design and work with learning resources to foster equality and inclusion.
- 4.2 Put in place measures to take account of the prior experience and learning of individuals.
- 4.3 Provide opportunities for flexible learning on campus, in Learning Centres and other appropriate locations.
- 4.4 Endeavour to meet the needs of long term unemployed people or those returning to work after a period of domestic commitment.
- 4.5 Encourage the integration of people with disabilities and learning difficulties. Students with learning difficulties will be offered individualised programmes of study to help them to achieve their full potential and programmes will be designed to foster independence and autonomy.
- 4.6 Make learning support available to all students.
- 4.7 Provide courses to give opportunities for people whose linguistic or cultural background have made it difficult previously for them to benefit from education. English as a second or foreign language will be provided as required.
- 4.8 Introduce positive action initiatives where there is an established need.
- 4.9 Provide opportunities for work based learning.

5 Continuing Professional Development for Staff

- 5.1 The College will enable staff access to appropriate professional development opportunities that will support the development of Inclusive practice.
- 5.2 Equalities training will be available to all Perth College staff.
- 5.3 For all staff working with people with additional support needs, appropriate training, including training in assessment practices will be provided.
- 5.4 Those staff members involved in the assessment of student needs will receive appropriate training in assessment practices.
- 5.5 The Continuing Professional Development Unit will develop, organise and implement appropriate disability awareness and equalities staff training sessions.

6 Responsibilities

- 6.1 The Board of Management will:
 - 6.1.1 Receive reports on implementation and monitor the effectiveness of the policy through the Equal Opportunities Committee.
 - 6.1.2 Review and approve building plans that will improve accessibility.
 - 6.1.3 Consider and approve strategies that will improve student access and support.
- 6.2 The Principal and Senior Management Team will:
 - 6.2.1 Ensure that the Individual is placed at the centre of College policies and practices.
 - 6.2.2 Ensure that consultation with and/or representation from the student body is sought.
 - 6.2.3 Ensure that College committees consider the needs of students experiencing barriers to learning, and that those needs are met, wherever possible.
- 6.3 Senior Management/Faculty Heads/Programme Leaders will:
 - 6.3.1 Provide positive leadership that contributes to the College's culture of Inclusiveness.

- 6.4 Student Services will:
 - 6.4.1 Provide information and individual counsel.
 - 6.4.2 Aid students in the transition from school to College, and from College to employment.
 - 6.4.3 Give pre-entry guidance.
 - 6.4.4 Maintain ongoing records of planned student support measures.
 - 6.4.5 Help students to set study or career goals.
- 6.5 Individual Employees will:
 - 6.5.1 Work in partnership with students to anticipate and overcome potential barriers to learning.
 - 6.5.2 Set high learning expectations that are appropriate to the individual.
 - 6.5.3 Ensure that available and appropriate support measures are in place and are being used effectively.
 - 6.5.4 Seek out specialist support and advice where appropriate.
- 6.6 Individual Students will be encouraged to:
 - 6.6.1 Work in partnership with College staff to anticipate and overcome potential barriers to learning.
 - 6.6.2 Play an active role in deciding which courses and curricular areas are most appropriate to helping him/her achieve his/her learning goals.

7 **Monitoring and Evaluation**

- 7.1 The effectiveness of this policy as part of the overall Equal Opportunities Strategy and Action Plan will be monitored by an Equal Opportunities Committee, which will be chaired by the Principal or a nominated deputy and will include representatives from the staff and student body, including a member of the Human Resources Unit.
- 7.2 To assist in this process the Quality Unit will regularly collect returns on the reported incidence of perceived discrimination and the measures used to rectify these.
- 7.3 The College will gather statistics about students on the basis of race, disability and gender at the point of entry, by achievement and at all stages of progression.

- 7.4 Analysis of these statistics will be carried out to identify areas of under-representation and this information will be related to marketing and recruitment efforts.
- 7.5 Course teams will monitor teaching materials for bias and incorporate equal opportunities in the planning and review of academic and training programmes.
- 7.6 Responsibility for the overview and coordination of matters relating to Equality and inclusion for Students lies with a member of the Senior Management Team (SMT). Anyone who feels that an infringement of the policy has taken place should raise it with the designated member of the SMT who will deal with the matter on an informal basis initially and attempt to reach a resolution. If this is not possible a formal complaint will be raised and from this point the College Complaints Policy, including the Appeals process, will be followed.

Other relevant documents:

- The Dignity in the College Community Policy.
- The Race Equality Policy.
- Disability and Additional Support Needs.

Section 2

Policy on Equality of Opportunities for Potential and Existing Employees

1 Commitment to Equal Opportunities

- 1.1 It is the policy of the College to provide equality of opportunities in relation to recruitment, staff development, promotion and other employment practices to all applicants for College vacancies and to all current employees.
- 1.2 The College will make every effort to ensure that no job applicant or employee suffers discrimination or harassment by being treated less favourably than another on the grounds of:

sex, marital or family status, race, colour, nationality, ethnic or national origin, physical or mental disability, trade union membership, age, religion or belief, political opinion, sexual orientation, or membership of a minority or vulnerable group.
- 1.3 The College is committed to ensuring that staff comply with the legislation from the United Kingdom and Europe promoting equal opportunities in employment. Appendix 1, enclosed with the policy, contains descriptions of various forms of unlawful discrimination.
- 1.4 The College will not tolerate discrimination in the form of sexual or racial harassment or personal harassment on the grounds of disability or any other grounds, directed at either potential or existing employees. This refers to any physical, verbal or non verbal behaviour which is objectionable and offensive and which might threaten the victim's security. Also included is any behaviour which subjects an individual to an intimidating and hostile environment and which may hinder the victim's performance. (Examples of sexual and racial harassment and harassment on the grounds of disability are contained in Appendix 1).
- 1.5 The College is committed to taking steps to ensure, where possible in terms of available resources and other practical considerations, that employees who become disabled remain in the College's employment.
- 1.6 The College will work towards making the College buildings accessible to all potential and existing employees.
- 1.7 All staff will be made aware of their role and obligations in meeting the College's commitment to equal opportunities and appropriate training will be made available, as required.

2 Recruitment

2.1 The College's recruitment practices will ensure that:

- i Recruitment for all positions within the College will be carried out in a manner which accords with equal opportunities legislation.
- ii Selection panels will consist of persons aware of equal opportunities issues.
- iii All applications for vacancies will receive fair and thorough consideration.
- iv Every effort will be made to ensure that the requirements detailed in person specifications and job advertisements; and the decisions relating to short listing and selection are fair and non discriminatory.

3 Terms and Conditions of Employment

3.1 The College will endeavour to provide fair terms and conditions of service for all College employees.

4 Staff Development

4.1 The College's staff development policy promotes equality of opportunity. All College staff receive training at regular intervals and the staff development procedures will continue to be monitored and evaluated regularly to ensure that equal opportunities objectives are met.

5 Promotion

5.1 All decisions relating to promotions will be based on merit and will be monitored to ensure fair and non discriminatory practices.

6 Post Employment

6.1 No acts of discrimination will take place against a former employee by subjecting the former employee to a detriment or to harassment where the treatment complained of arises from and is closely connected to the employment relationship.

7 Complaints and Grievances

7.1 Any complaints and grievances relating to this policy will be dealt with in accordance with the College's dignity in the College Community Procedure, Complaints and Grievance Procedures and, where appropriate, the College's Disciplinary Procedure.

8 Monitoring and Evaluation

- 8.1 The effectiveness of this policy will be monitored by an Equal Opportunities Committee, which will be chaired by the Principal or a nominated deputy and will include representatives from staff, student and external groups.
- 8.2 This Committee will meet on a regular basis to review the views of staff and the progress of equal opportunities objectives.
- 8.3 The Committee will ensure that the College:
- i Gathers statistics about staff on the basis of gender, race, age and disability at the point of entry.
 - ii Analyses these statistics to identify specific areas of under-representation and relates this evidence to recruitment procedures.
 - iii Screens recruitment advertisements for bias and takes positive action as required.
 - iv Requires the incorporation of equal opportunities principles in the planning and review of provision across all College operations.
 - v Reports findings on a regular basis to the College's Board of Management.

Appendix 1 (of Appendix 2)

Summarised below are important details regarding employee rights under the Legislation from the United Kingdom and Europe promoting equal opportunities in employment.

1 An Employee's Right to Equal Pay

A contract of employment has an equality clause such that a woman is entitled to the same contractual terms as a man, and vice versa, who is an employee of the same organisation, undertaking a similar level of duties. This applies where the work being compared is more or less the same, or involves work rated as equivalent, or equal in value, under a job evaluation scheme. An employer can, however, pay a woman a different amount from a man although their posts are equivalent in one of the ways described above if the difference in pay is due to a genuine material factor that is not due to the difference in sex. Factors considered to be relevant include, eg, a difference in skill or qualifications and, in some circumstances, differences relating to skill shortages or other market forces.

2 Unlawful Discrimination

Please note that the examples of each category of unlawful discrimination, contained in this appendix, are not exhaustive.

- 2.1 It is unlawful with respect to potential as well as existing employees for an employer to discriminate on the grounds of: sex, married status, colour, race, nationality, ethnic or national origin, sexual orientation, religion or belief. This is unless the discrimination results from the existence of a genuine occupational qualification, which is referred to in paragraph 2.4 below. Also, by late 1996 it will be unlawful for an employer to discriminate on the grounds of physical or mental disability and, under European Legislation, it is unlawful to discriminate on the grounds of family status.
- 2.2 Discrimination can be either direct or indirect. Unlawful direct discrimination occurs where an individual is treated less favourably than another in similar circumstances due to one or more of the above mentioned grounds. For example, it would be unlawful for an employer to:
- i Advertise solely for male applicants for a position that could just as well be carried out by suitable female candidates. This would represent direct discrimination on the grounds of sex.
 - ii Appoint a white applicant to a post in favour of a more suitable black candidate. This would be an example of direct discrimination on the grounds of race.

- iii Promote to a senior position a non-disabled employee in favour of a more suitable disabled employee. This would be an example of direct discrimination on the grounds of disability.

2.3 Unlawful indirect discrimination occurs where a requirement or condition is applied that disadvantages one group of individuals in comparison with another because a larger proportion of the disadvantaged group cannot comply with it and the requirement cannot be justified on grounds other than:

sex, married status, family status, colour, race, nationality or ethnic or national origin and, by late 1996, physical or mental disability. For example, it would be unlawful for an employer to:

- i Insist on a low age limit for applicants for a management post, where there was no fair reason for doing so. This would represent indirect sex discrimination because more women than men raise children during their early adult years, therefore, fewer women than men would be able to meet the requirement.
- ii Make it a condition that applicants for a labourer post must have a high standard of written English, where such a standard was not necessary in order to perform the duties of the post. This would constitute indirect race discrimination since individuals from some racial backgrounds would be disadvantaged in comparison with those who had been taught English as their first language in school.
- iii Require candidates for a vacancy to run a mile, as part of the selection procedures, where the ability to do this was not relevant to the duties of the post. This would result in indirect discrimination on the grounds of disability, because fewer disabled people than able bodied persons would be able to comply with the requirement.

2.4 Discrimination, as described above, will not be unlawful where it occurs because of a genuine occupational qualification. For example, it would not be unlawful for an employer to advertise for a black actor to play a black acting role. There are, however, few instances where discrimination can be justified in this way.

2.5 Sexual Harassment is a serious form of direct and unlawful discrimination. It is behaviour of a sexual nature or any action based on sex that is to the detriment of women or men in employment. This includes physical, verbal or non verbal behaviour based on sex that is unwelcome on the part of the recipient. Sexual harassment can involve, for example:

- i Unwelcome sexual behaviour ranging from touching to serious assault.

- ii Threatening the recipient or subjecting him/her to any form of detriment, eg hostile behaviour, for rejecting sexual advances.
- iii Offering bribes, eg promotion, for sexual favours.
- iv Verbal or written communication of a sexual nature which the recipient finds offensive.

2.6 Racial Harassment, like sexual harassment, is a serious form of direct and unlawful discrimination. This involves any verbal, non verbal or physical behaviour of a racial nature that is unwanted on the part of the recipient. Racial harassment includes, for example, subjecting an individual because of his/her race to:

- a Non co-operative behaviour on the part of other employees.
- b Racist or derogatory name-calling, jokes or insults.
- c racist threats or physical abuse.
- d Exposure to racist letters, posters, badges, graffiti etc.

2.7 Harassment on the Grounds of Disability

It is unlawful for an employer to discriminate on the grounds of disability. Harassment on the grounds of disability will therefore represent a serious form of direct and unlawful discrimination. This category of harassment involves subjecting an individual because of his/her physical or mental disability, which could include severe disfigurement, to any form of unwanted verbal, non verbal or physical behaviour. Examples of unwanted behaviour are similar to those described in paragraph 2.6 above, ie, derogatory name calling, threats or physical abuse.

2.8 Victimisation

Another form of unlawful discrimination occurs where an individual is victimised; ie treated less favourably, because he/she has asserted or helped another to assert a legal right to equal treatment under the legislation promoting equal opportunities. For example, it would be unlawful for an employer to treat a woman employee less favourably because she had made a claim to an industrial tribunal that her employer had discriminated against her on the grounds of sex.

2.9 Trade Union Discrimination

It is unlawful for an employer to refuse employment to an individual on the grounds of either trade union membership or non trade union membership. It is also unlawful for an employer to dismiss an employee or take action short of dismissal against the employee for either being a member of a trade union, or participating in trade union activities; or conversely, for not being a member of a trade union.

Section 3

Dignity in the College Community Policy

1 Policy Statement

Perth College is committed to a culture of equality of opportunity for all staff and students. Central to this is a belief in the right of all members of this educational community to experience dignity and respect in their work and studies. Furthermore to achieve an environment of mutual respect and ethical behaviour it is necessary to put into place clear policies for recognising and responding to any form of discrimination whether through harassment, bullying or victimisation and for such policies and mechanisms to be transparent, monitored, evaluated and acted upon. These beliefs have been encapsulated in our Dignity in the College Community Policy (referred to as DCC Policy throughout this document).

This policy will form part of the Perth College Equal Opportunities Strategy.

Perth College takes the issue of discrimination seriously and will take disciplinary action in proven cases. The College will publicise and promote this DCC Policy and put into place a system of designated DCC Policy Supporters throughout the institution who can advise and support staff and students who feel they are the subject of discrimination in any form. Student Advisers will be the first point of contact for students with such issues.

In principle it is the intent to deal with and resolve issues of harassment at the earliest opportunity and informally, whilst recording the nature and extent of the complaint in order that patterns may be identified which may require additional organisational responses and in case there is a repetition of the harassment which necessitates that the misconduct is dealt with at a formal level. Accordingly all DCC Policy Supporters will have a responsibility of recording and reporting confidentially all confirmed allegations to the Chair and Secretary of the College Equal Opportunities Committee. The Equal Opportunities Committee will monitor any complaint that has reached the formal stage to ensure there is no adverse impact on anyone involved, and recommend policies and actions to tackle any identified issues.

Allegations of persistent, serious or disputed discrimination will be required to be investigated formally through the College's disciplinary or grievance procedures, and the outcomes reported to the Equal Opportunities Committee.

2 Why is a DCC Policy Required?

There are 2 main reasons why a DCC Policy is necessary. Firstly it is good ethical practice, which recognises that incidents of discrimination are damaging to individuals, harmful to the business of the organisation and contrary to the College's commitment to equality of opportunity for all. Secondly legislation requires all employers and those responsible for providing educational services

to act responsibly in discharging their duties to staff and students. For example the following pieces of legislation have particular relevance here:

- Sex Discrimination Act 1975
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995
- Disability Discrimination Act (Part1V) 2001
- Disability Discrimination Act Amendment 2003
- Disability Discrimination Act 2005
- Protection from Harassment Act 1997
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations (Due October 2006)

3 Definitions

3.1 **Discrimination:** Discrimination occurs when you are treated differently (eg less favourably) because of your gender, race, disability, religion or belief or sexual orientation.

3.2 **Harassment:** Because it can take many forms, occur on a variety of grounds and may be directed at one person or a group of people, it is not possible to completely define. A simple definition is any form of unwanted and unwelcome behaviour which may range from mildly unpleasant remarks to physical violence. For the purpose of this procedure the following is used:

The repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the person, property or reputation of another. It may be direct or indirect, eg by the spreading of malicious or unfounded rumours.

It is not a defence to say that the harasser did not intend to cause offence, but the impact on the recipient which determines what constitutes harassment. The impact of harassment can result in the recipient feeling discomfort or humiliation or may adversely affect the recipient's job performance, undermine job security or prospects or create a threatening or intimidating work environment. It can provoke aggressive, retaliatory attitudes and actions. Certain behaviour will be, by its nature and severity, unwelcome on even a single occasion.

3.3 **Bullying:** is a form of harassment described by the Management School of Business Studies as *"a situation where one or several individuals persistently over a period of time perceive themselves to be on the receiving end of negative actions from one or several persons in a situation where the target of the bullying has difficulty in defending him/herself against these actions"*.

- 3.4 **Victimisation:** consists of treating another individual in the College Community unfairly or less favourably because they have exercised their rights not to be bullied or harassed.

4 **Procedures for Dealing with Allegations of Harassment, Bullying or Victimisation or Infringements of the College's Race Equality Policy**

4.1 **First Informal Stage**

An individual or group believe themselves to be the subject of inappropriate behaviour as defined above. They identify the misbehaviour to the instigators who agree to desist. This is not recorded. Every effort should be made by all the individuals concerned to find an amicable solution to the problem.

4.2 **Second Informal Stage**

An individual or group seeks assistance, either from a DCC Policy Supporter, or Student Adviser as they believe they are the subject of discrimination. This person will offer support and guidance and advise on the options available. If there is agreement between the parties involved that the behaviour was a breach of the DCC Policy, and a clear commitment not to repeat the behaviour established, then the matter is considered successfully resolved with the events being recorded and reported by the DCC Policy Supporter to the Chair and Secretary of the College Equal Opportunities Committee as detailed in 4.2 above. No further action will be pursued in respect of the alleged instigators.

4.3 **Third Informal Stage**

If the allegation remains unresolved the complainant can, with the assistance of a DCC Policy Supporter, refer the matter informally to their line manager for appropriate guidance and assistance. If the alleged instigator is the complainant's line manager, the complaint may be referred informally to the alleged instigator's manager. Every effort should be made by all the individuals concerned to find an amicable solution to the problem. If there is agreement that the behaviour was a breach of the DCC Policy, and a clear commitment not to repeat the behaviour established, then the matter is considered successfully resolved with the events recorded and reported as detailed above with no further action being pursued in respect of the instigator.

- 4.4 None of the informal stages above prejudices any individual, or groups, opportunity to exercise their right to invoke formal complaints or grievance procedures. The role of the designated DCC Policy Supporter is to provide impartial advice as to the reasonableness of the complaint and information, which will help the complainant determine their choice of action based on the options open to them either formally or informally.

- 4.5 If there is no agreement over the nature of the reported behaviour, or no commitment to desist the behaviour, or if the allegation is felt to be malicious then the full matter will be referred for formal procedures through the complaints and grievance processes.

5 **Formal Stage**

- 5.1 All very serious allegations of discrimination, harassment, bullying and victimisation will be acted on immediately by a DCC Policy Supporter who will take the issue to a member of the College Executive for an interim action pending the full disciplinary process. Other serious or disputed allegations will be investigated through the College's Staff and Student Procedures covering Discipline, Grievance or Complaints.
- 5.2 The outcome of all disciplinary, grievance and complaints processes invoked under the above terms shall be reported confidentially to the Chair and Secretary of the Equal Opportunities Committee for the purpose of monitoring and recommending action as appropriate.

6 Appeals

The appeals processes contained in Staff and Student procedures relating to Discipline, Grievance and Complaints will be followed.

7 **Responsibilities**

- 7.1 In respect of the foregoing, The Equal Opportunities Committee is responsible for:
- Ensuring provision of General Awareness Training in all equalities issues.
 - Notifying staff and students of the DCC Policy at induction and in published information.
 - Widely distributing the list of trained DCC Policy supporters.
 - Ensuring that support mechanisms in place both for alleged instigators and complainants.
- 7.2 Under direction from the Equal Opportunities Committee, the Continuing Professional Development Unit will undertake to:
- Ensure provision of Specific DCC Policy Supporter Training.
 - Ensure training for all managers in respect of their specific DCC Policy conflict resolution role.

Race Equality Policy

Also available in large print (16pt)
And electronic format.

Ask Student Services for details.

www.perth.ac.uk

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Appendix 1 – Race Equality Information for Staff, Students and Others

Appendix 1 – Race Equality Information is available in Cantonese, Mandarin, Urdu and Arabic. Please contact Student Services on 01738 877379 to request a copy.

Introduction - Commitment to Race Equality

Perth College believes there is no place for racial discrimination in any of its services or activities. It is fully committed to the principles embodied in the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000 and to encouraging and supporting all staff and students to reach their potential. Perth College aims to ensure that all of its policies, procedures and practices are non-discriminating and that positive action is taken to redress any inequalities in employment practices, provision of services to students or the way in which the College manages its business. The Race Equality Policy is a stimulus for action across the College Community and requires members of the Board of Management, the principal and managers, staff, students, clients, contractors and partner agencies, including its Students' Association, to be aware of and to support its philosophy and aims. The duties placed on the College by race equality legislation are recognised as binding, both corporately and individually. The College will work to meet its general duty to:

- Eliminate unlawful racial discrimination.
- Promote equality of opportunity.
- Promote good relations between people of different racial groups.

These duties are reinforced by its specific duties to:

- Maintain a copy of its Race Equality Policy and fulfil its duties in accordance with legislation.
- Assess the impact of its Race Equality Policy on students and staff of different racial groups.
- Monitor, by reference to these racial groups, the admission and progress of students and the recruitment and career progress of staff.
- Include in its written statement of its Race Equality Policy an indication of its arrangements for publishing that statement and the results of its assessment and monitoring.
- Comply with the specific duties of the Race Relations Act 1976 as amended by the 2000 Act in relation to all other employment obligations.

The College Equal Opportunities committee, which is a body representative of the Board of Management, senior staff, representatives from college faculties and units, students and other stakeholders as appropriate, will oversee the management and implementation of the Race Equality Policy and assist the College to recognise and celebrate cultural diversity. The Equal Opportunities Committee reports to the Finance and General Purposes Committee of the Board of Management.

A member of the College Executive will act as the main contact for Race Equality issues as part of the Equal Opportunities Committee. The Human Resources Manager will also play a key role in the administration of the policy.

The College is committed to providing the facilities and services required to enable students and staff who hold particular religious or cultural beliefs to practice their beliefs, as far as is reasonable eg halal food preparation in compliance with Muslim law and prayer facilities for Islamic religious observance.

Continuing Professional Development is made available to all staff with regard to race equality and forms part of the staff and student induction process.

1 Introduction and Context

- 1.1 Perth College is an incorporated Further Education College and an Academic Partner in UHI Millennium Institute. The College is located in the Perth and Kinross area which has a population of 135,000 people and an ethnic mix of white 99.03%, Asian 0.28%, Chinese 0.23%, Black 0.10%, Mixed 0.23% and other 0.14% (Census 2001).
- 1.2 The College has a commitment to recruit overseas students and this part of its operation is growing steadily. The College staffing and student profile reflects to an extent the ethnic mix in the area and the College will work consistently to achieve a balanced representation.
- 1.3 The College has in place an Equal Opportunities Strategy that incorporates all of its policies relating to equalities issues, including Race Equality. An annual Equal Opportunities Action Plan is prepared and published by the Equal Opportunities Committee and this is informed both by the results of Equal Opportunities monitoring, including race equality monitoring, and through consultation with College managers and others, both internal and external representatives. The Race Equality Action Plan is incorporated into the annual Equal Opportunities Action Plan. The Equal Opportunities Committee, which reports to the Board of Management, has the responsibility to analyse data, set and monitor targets, assess the impact of the Race Equality Policy and to publish the outcomes.
- 1.4 The College also has a commitment to the Race Equality Policy of UHI Millennium Institute.

2 The Functions of the College

- 2.1 The College has identified the following elements of its operation and function as race equality relevant:
 - 2.1.1 The systematic monitoring and review of all College policies that enable the College to meet the requirements of the Race Relations (Amendment) Act 2000.

- 2.1.2 Student recruitment, admissions, retention and achievement.
- 2.1.3 Student guidance and support services including the disbursement of funding, learning support, English language support, childcare, facilities for religious observance, personal support and disability services.
- 2.1.4 Comments, suggestions and complaints services and issues relating to threats to personal safety and strategies for dealing with racism.
- 2.1.5 Staff recruitment, selection and retention.
- 2.1.6 Staff career development and progression, (including temporary promotion and acting-up arrangements) and all continuing professional development opportunities and Professional Development reviews.
- 2.1.7 Staff turnover and the results of exit interviews.
- 2.1.8 Student and staff grievances and complaints.
- 2.1.9 Curriculum, learning, teaching and assessment.
- 2.1.10 Quality assurance and quality enhancement.
- 2.1.11 Student work placement and field trips.
- 2.1.12 Disability and learning support.
- 2.1.13 Partnerships and collaborations, business and community links.
- 2.1.14 Tendering, outsourcing and procurements.
- 2.1.15 Student and staff disciplinary issues.
- 2.1.16 Bullying, harassment, victimisation and discrimination.
- 2.1.17 Inclusiveness and social inclusion.
- 2.1.18 Estates.
- 2.2 The College's priorities for gathering evidence of success in promoting race equality and tackling any indication of institutional discrimination in relation to the above functions will be set out in the annual Race Equality Action Plan. Benchmarks will be set in relation to key anti-racist issues. (See Section 4)
- 2.3 The College will take reasonable steps to ensure any agreements relating to the procurement, outsourcing and tendering of services and the setting up of partnerships and collaborations with outside public,

voluntary or private organisations will include a requirement to support the College's policy and commitment to the general and specific duties, if the particular function is race equality relevant. All contractors and partners will be provided with a copy of the College Race Equality Information document. (See Appendix 1)

3 Communication and Consultation

- 3.1 The College's Race Equality Policy and Action Plan is an integral part of its Equal Opportunities Strategy and Action Plan. The Strategy and Action Plan is prepared by the Equal Opportunities Committee, which is a representative body drawing membership from the Board of Management, Senior Staff, representatives from College Faculties and Units, students and other stakeholders as appropriate, following analysis of data and consultation with groups across the College and external partners.
- 3.2 Internal consultation on the draft Equal Opportunities Strategy, its supporting policies, including the Race Equality Policy, and annual Action Plan is carried out by submitting these documents to the Board of Management, the Senior Management Team, College Managers, Faculty and Unit meetings and the Student Association for comment and agreement. The Finance and General Purposes Committee of the College Board of Management approves the final version before submission to the full Board of Management. A copy is also submitted to the College's Academic Board.
- 3.3 External consultation is carried out with partners in the Community Planning Partnership. The College is also consulted on the Race Equality actions of its Community Planning partners.
- 3.4 The approved version of the Race Equality Policy is made available to all staff and students through the Handbook of Student Entitlement and signposted in the Student Guide and the Race Equality information sheet that is available to all staff students and external stakeholders – see Appendix 1. The Action Plans are circulated to all managers and actions they have taken are monitored at meetings of the Equal Opportunities Committee.
- 3.5 Communication of the Race Equality Policy to all staff, students and visitors to all College premises takes place on a daily basis by means of displaying the Race Equality Policy Statement in all rooms and public areas of the buildings. In addition a standard screen saver showing the statement is used on the majority of student PCs.

4 Analysis of Data, Target Setting and Monitoring

- 4.1 Race Equality data in relation to the Specific Duties covering staff and students is gathered and analysed on an annual basis. This information is used to formulate amendments to the Race Equality and other relevant

policies on a bi-annual basis and to annual target setting activities across the College that are race equality relevant.

- 4.2 Data on the achievement of Race Equality targets is gathered by the College Managers tasked with the target and monitored by the Equal Opportunities Committee. Revised Race Equality targets are set annually, as appropriate and indicated in the annual Action Plan.
- 4.3 Staff recruitment, selection and retention and student recruitment, admissions, retention and achievement data are collected annually in accordance with the Specific Duty. 2002-2003 was the baseline year for this information. The impact of a new Management Information System in 2003 – 2004 is yet to be felt in relation to changes in the types of report which will become available but it is expected that an improved reporting process for these aspects will be achieved.
- 4.4 2003 - 2004 will be the baseline year for data collection and target setting in relation to: comments, suggestions and complaints; staff grievance; staff and student disciplinary processes; and monitoring the availability and take-up of Continuing Professional Development opportunities for staff from all racial groups.
- 4.5 2004 – 2005 will be the baseline year for target setting in relation to: student guidance and support services, including disbursement of funding, learning support, English language support, childcare, personal support, disability services and career progression planning; inclusiveness and social inclusion; bullying, harassment, victimisation and discrimination; curriculum, learning, teaching and assessment; student work placement and field trips; and tendering, outsourcing and procurements.
- 4.6 The Tayside Partnership Racist Incidents Recording Form will be used on all College sites and the record of incidents will be monitored annually.
- 4.7 The Equal Opportunities Committee has responsibility for annually monitoring race equality, in particular its performance in relation to its general and specific duties under the legislation. The Committee will be assisted to carry out this duty by key staff: the Human Resources and Continuing Professional Development Manager, the MIS Manager and the Quality Manager. Senior Managers, Curriculum and College Managers and Course and Programme teams will also support the process.

5 Impact Assessment

- 5.1 An initial assessment of the impact of College policies on staff and students from different racial groups is carried out by specific committees eg The Learning, Teaching and Student Support Sub Committee, the Academic Standards Committee and by managers then communicated to the Equal Opportunities Committee.

- 5.2 The Equal Opportunities Committee has overall responsibility for assessing the impact of the College's Race Equality Policy, in particular its general and specific duties. The Committee will be assisted to carry out this duty by key staff: the Human Resources and Continuing Professional Development Manager, the MIS Manager and the Quality Manager. Senior Managers, Curriculum and College Managers and Course and Programme teams will also support the process.
- 5.3 All College policies have a clearly stated review date and are reviewed bi-annually. Amendments in relation to the impact of race equality issues are considered and amendments made at this time.
- 5.4 Where differences are found which are believed to have an adverse impact on race equality these will be investigated by the manager responsible and measures taken to redress the inequality if required. The process of taking action as a result of impact assessment will be assisted by Community Planning partners and other relevant collaborators, as appropriate.

6 **Publication**

- 6.1 The Race Equality Policy will be available to all staff through the Human Resources Unit of the College. An information sheet outlining the general and specific duties will be given to all staff, students, partners and those providing goods and services. Induction of staff and students will refer to the Race Equality Policy.
- 6.2 A copy of the Race Equality Policy will be published in the Handbook of Student Entitlement and signposted in the annual publication of the Student Guide.
- 6.3 The results of monitoring to meet the duty will be published in the Strategic Plan, on the College website and information sent to the Board of Management, all College Managers and to the Students' Association.
- 6.4 The results of monitoring and impact assessment will be published in-house to Managers and to partners as appropriate in relation to effecting any needed change. Any required revision to College policies will be published in the usual way.

7 **Support for Staff and Students**

- 7.1 Continuing Professional Development will be available for all staff in respect of their duties and the College Race Equality Policy. Specific training for the Board of Management and senior managers will take place and be updated as required. Training for those who recruit and select staff and for student admissions and interviewing staff will be carried out annually.

- 7.2 Any discrimination against the staff or students whom the Race Relations legislation has in its sights will be dealt with through the College's Dignity in the College Community Policy (DCCP) framework initially using a trained Supporter. DCC supporters will also be trained as racist incident recorders in accordance with the Tayside Partnership procedures for dealing with racist incidents. A copy of the DCC policy can be found in: the Handbook of Student Entitlement located at all Reception points, in Directorate offices, Student Services and the Learning Resource Centre; from the Human Resources Unit; and from the Customer and Student Services Unit. Issues that are not resolved by this process will be moved into the formal College Disciplinary structures for staff or students, which are always managed by a member of the College Executive Team.
- 7.3 The College will endeavour at all times to ensure that its partners or those with whom it collaborates from the public, private or voluntary sectors and those providing goods or services to the College comply with the College's statement on Race Equality.

Race Equality Information

Perth College is committed to promoting race equality and to provide an environment where employment and education are free from discrimination.

The Race Relations (Amendment) Act 2000 gives the College a statutory general duty to promote race equality. The aim of the duty is to:

- To eliminate unlawful racial discrimination.
- To promote equality of opportunity and good relations between people of different racial groups.

The College also has specific duties to help meet the general duty. This includes:

- A duty to prepare and maintain a written statement of the College's race equality policy;
- Assess the effects of the policy on staff and students from different racial groups;
- Monitor by different racial group, the admission and progress of students from these groups;
- Set out arrangements for publishing the College's race equality policy statement, and the results of the assessment and monitoring; and
- Take reasonable practicable steps to publish the results of the monitoring each year.

All staff and students, partners and suppliers of goods and services are asked to work with us to achieve these aims and to participate in the creation of an environment that supports equality of opportunity for all.

The policy and information on how the duties will be addressed by the College are contained within the College's Race Equality Policy, which is monitored and evaluated by the Equal Opportunities Committee. A copy of the Race Equality Policy is available from Customer and Student Services, the Human Resources Unit, from each Directorate Office and is also available on the College intranet.

- If as a member of staff or other interested person you have any queries regarding the Race Equality Policy or any other related questions, please contact: The Human Resources Manager, Ext 77312.
- Students should contact the Customer and Student Services Manager, Student Services Unit, Brahan Building.

Further information on the Race Relations Act and the duty of the College to promote race equality is available by contacting the Commission for Racial Equality (CRE) on 0131 524 2000 or www.cre.gov.uk

Perth College

Disability Statement

Perth College welcomes applications from people who have visual, hearing or motor impairments, specific learning disabilities and/or difficulties, or any medical or psychological impairment and who require additional support, advice or guidance.

Perth College recognises that you have a right to equality of opportunity in education and a positive environment in which to study, to achieve qualifications and to make progress towards employment in your chosen profession.

Perth College promises to give you the support you need so that you can enjoy your learning experience and get maximum benefit from your studies.

Our publication 'Learning Together' gives further detail of the support and facilities available.

For more information please contact Student Services or call 01738 877379.

Disability and Additional Support Needs

Policy

Perth College sees education as a right for all. With this in mind every effort is made to support students with learning difficulties and disabilities who wish to study on mainstream programmes. Extended Learning Support is available to students who need it to enable them to follow their chosen course of study and it may comprise:

adaptations to teaching; learning or assessment materials; provision of specialist equipment; provision of specialist support for students with sensory impairment; use of techniques to work with students with specific learning difficulties; provision of personal care to access and use College facilities and services; any other necessary services.

Students with additional support needs may be identified at any one of several stages.

- 1 Pre-entry – Students may contact the College concerning course choice. Students may access the College as a result of a future needs meeting, through an outside agency or they may self-refer. Student Services staff will discuss appropriate support.
- 2 On application, students may disclose a disability. Students Services staff will aim to contact each student and discuss their support needs and initiate a Personal Learning Support Plan (PLSP), if appropriate.
- 3 At interview, all students will be asked if they have any additional support needs which may affect their ability to gain maximum benefit from their chosen course of study. Students with additional support needs should always be referred to Student Services.

Members of staff in Student Services will advise the student about courses available, the potential sources of financial support and will assist in the completion of applications for this support if necessary. At the same time an assessment is made of any specific support needs the student may have.

Support measures will be put in place before the start of the course of study and a PLSP is set up for the student.

- 4 At enrolment all students are asked to indicate if they have any health related matters of which the College should be aware in order to provide additional support.

It is at this stage that some students will first be identified as having a need for Extended Learning Support.

- 5 At Induction or on course, students may disclose a disability or a Student Adviser may recognise that a student has additional support needs. Extended learning support will be discussed and a PLSP initiated.

Procedures

Once a student has been identified as being in need of Extended Learning Support a Personal Learning Support Plan is set up, the Student Adviser and the Extended Learning Support Co-ordinator will work together to ensure adequate support for the student.

Regular monitoring sessions are held with the student and changes made to the programme and to the support arrangements as necessary. In addition, the usual pattern of on-programme and pre-exit guidance is available to all students with learning difficulties and disabilities. Personal Learning Support Plans are updated regularly and are made available for audit if this is required.

All of the following UHI Millennium Institute Equal Opportunities policies and statements can be found at:

www.uhi.ac.uk/uhi/governance/policies

- Access and Admissions Policy – under review
- Accessing Learning Support (Disability Statement)
- Disability Equality Scheme and Action Plan
- Equal Opportunities Policy
- Equality and Diversity Charter
- Learning, Teaching and Assessment Strategy
- Linguistic and Cultural Identity Policy (English, Gaelic, Orcadian, Scots and Shetlandic)
- Race Equality Policy
- Student Charter