

Al-Maktoum College of Higher Education

Equality and Diversity Policy

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Approved by:

Board/Committee	Date
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1. POLICY STATEMENT

This policy demonstrates how Al-Maktoum College celebrates and values the diversity of its students and employees and is committed to equality of opportunity for all. It intends to provide general guidance and advice to all staff, students and visitors. We want to ensure that people with diverse characteristics and backgrounds consider Al-Maktoum College to be a learning provider and employer of choice. We want everyone that works or study with Al-Maktoum College to reach their full potential; in an environment which is respectful and that accepts individual difference.

At Al-Maktoum College, we celebrate and value diversity and we are committed to advancing equality of opportunity, regardless of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race and ethnicity, religion or belief, sexual orientation, or social background and family responsibilities, or other unjustifiable factor, within the constraints of available resources and current legislation.

In particular, Al-Maktoum College strives to:

- Encourage the participation of students of all abilities
- Provide a safe and welcoming physical and learning environment
- Develop its facilities and courses to improve access and widen participation
- Offer support to meet individual students and employee needs
- Ensure its recruitment processes are fair and transparent
- Ensure that the College is an environment that is free from discrimination, bullying or harassment

This policy should be viewed in the context of the Equality Act 2010 and the extent of protection it provides.

This policy should be read in conjunction with the College's:

- Grievance Policy and Procedure (Staff)
- Recruitment and Selection Policy (Staff)
- Health and Safety Policy
- Student Recruitment and Admissions Policy
- Malpractice Policy
- Teaching and Learning Strategy
- College Strategy

2. PRINCIPLES

Al-Maktoum College celebrates and values the diversity of its students and staff and is committed to equality of opportunity for all. The College resolves to eliminate discrimination or other unfair treatment against any of its staff, potential staff, students or users.

Al-Maktoum College wishes to be recognised as an organisation which provides excellent employment and educational opportunities. We are committed to complying with the relevant

legislation and where possible will endeavour to exceed this creating a culture of inclusivity where everyone is treated with respect and dignity. Al-Maktoum College does not tolerate any prejudicial behaviour by any member of the College.

Our commitment:

Marketing and Access to learning

- College publicity and student recruitment procedures will be designed to encourage applications from all sections of the community and from all levels of ability and will be available in a range of formats.
- The College will ensure that admission procedures are user friendly and avoid unnecessary barriers to access for intending students.
- The College will continue to identify and respond to learning needs within the community and will encourage widening participation from under represented, disabled, disadvantaged or excluded groups.
- Make clear our expectations and commitments to equality and diversity in our marketing materials and events, during the students' admissions process and again during induction.
- Equal opportunities data will be collected, analysed and used to inform the planning and decision-making process of our Admissions and Marketing policies.

The learning Environment

- The College is committed to the development of a learning environment that is welcoming and safe for all students.
- The College will continue to develop its facilities to improve access for students with learning difficulties and or disabilities.

Teaching, Learning and Assessment

- Academic staff will ensure that teaching and learning materials and delivery methods are free from bias, avoid stereotyping and discrimination. In other words, they will be consistent with the College's strategies and mission for multiculturalism.
- Academic staff will highlight the significance of valuing equality and diversity to the students and other stakeholders.
- Awareness raising of equality and diversity issues will be part of the general induction and tutorial programme for students.
- Academic staff will always bear this in mind in designing, delivering and assessing exercises.
- The College will ensure that students with learning difficulties and/or disabilities receive appropriate additional support to meet individual students' needs to reach their potential.
- Provide a range of support services and facilities which will enable students with particular physical, social and cultural needs to participate fully in College life, including:
 - tutorial support
 - additional support with learning
 - financial and welfare advice
 - personal counselling

- social/recreational/catering facilities
 - multi faith rooms, if required.
- Resources will be available in formats appropriate to the needs of individual students, including the use of specialist equipment where appropriate.

Recruitment, Training and Development

- The College will treat all staff members with respect and dignity, and seek to provide a working environment free from harassment, discrimination and victimisation. The College will not tolerate any form of discriminatory behaviour against its staff, either from other staff members, students or members of the public.
- Individual training and development needs will be identified through the Staff Appraisal process.
- Work towards the achievement of a workforce that is representative of the diversity of the communities from which we recruit and the students population.
- Ensure progression opportunities are available to all staff members
- Ensure all policies and procedures promote equality of opportunity and are not unlawfully discriminatory in their operation.
- Applicants must not be treated less favourably because of disability, age, gender, race, religion or belief, pregnancy or maternity, marriage or civil partnership, gender reassignment and sexual orientation.

The College will abide by its current statutory duties for students and staff, in line with its obligations under the Equality Act 2010 and resulting duty to:

- Eliminate discrimination, harassment and victimisation (harassment and victimisation and any other conduct prohibited by the Act).
- Advance equality of opportunity (between people who share a protected characteristic and people who do not share it) and
- Foster good relations between different groups (between people who share a protected characteristic and people who do not share it).

3. SCOPE AND LIMITATIONS

This is an overarching policy on equality and diversity that applies across all areas of the College, including employment, teaching and learning, procurement and marketing and admissions. This policy should not be read in isolation but cross referenced with all associated policies, procedures and practices, as listed above. The College will operate within the legislative framework of the Equality Act 2010. This policy applies to all staff, temporary staff from employment agencies, contractors, visitors, employers and students. The College views discrimination against any students or staff on any grounds as a serious disciplinary offence.

The College will not tolerate any forms of discrimination based upon:

- Direct discrimination
- Indirect discrimination
- Associative discrimination
- Perceptive discrimination
- Harassment
- Victimisation

- Third party harassment

The College will not tolerate any form of discrimination, bullying or harassment on the grounds of:

- Age, disability, gender; gender reassignment, maternity and pregnancy, race, religion or belief, sexual orientation, marital or civil partnership or socio –economic status.

Breaches of this policy will be regarded as misconduct and will therefore be subject to the students and team member Malpractice Policy.

4. RESPONSIBILITIES

This policy applies to all staff, including agency staff, students, employers, work placement providers, visitors, and contractors working on campus and sub-contractors.

Board of Directors

It is the responsibility of the College Board of Directors to ensure that the College meets its legislative responsibilities in respect of equality and diversity and for receiving and responding to monitoring information.

Senior Management Team

They are responsible for ensuring that staff and students are familiar with their roles and responsibilities and the content of this policy. It is committed to providing support and equality and diversity training to promote a positive and inclusive culture for learning and for work. The Senior Management Team will provide support to Equality and Diversity Officer, who is responsible for monitoring the profile of the students and staff profiles by age, gender, race and disability in order to enhance equality and diversity on an annual basis.

Head of Department / Programme Coordinators

They are responsible for the promotion of equal opportunities for students with respect to curriculum planning; materials and resources, assessment, role models, teaching and learning methods, the management of the environment, and social and economic aspects of learning.

Human Resources

It is responsible for ensuring that the recruitment and selection policy does not discriminate in any way any candidate with any protected characteristics and that job advertisements are fully inclusive. This will include advertising through recognised minority group's publications. The College will ensure that recruitment and selection procedures are open, consistently applied and free from bias, stereotyping and discrimination. Additionally, the College will endeavour to ensure that reasonable adjustments are made to arrangements and premises to ensure both current and potential staff members with a disability have equality of access.

The Equality and Diversity Officer

The purpose of the Equality and Diversity Officer is to support all aspects of the equality, diversity and inclusive environment, ensuring that we meet the needs and interests of our students and staff. They will support and monitor performance and champion excellence amongst both staff and students in order to promote equality, diversity and social mobility.

Staff and Students

All staff and students are responsible for ensuring the implementation of this policy, and for their own conduct. All team members should challenge discriminatory behaviour by students, placement providers, outside contractors and other staff members. It is the duty of all staff and students to avoid unfair discriminatory practices.

The College is committed to the general health and wellbeing of its students and staff, and encourages them to develop positive relationships, to respect others and to celebrate diversity. Bullying or discrimination or any other form of discriminatory behaviour will not be tolerated. Safeguarding procedures are in place to ensure that students have a safe and secure environment.

The College will seek to provide a supportive environment for those who make claims of discrimination or harassment according to the policies listed in this document.

5. IMPLEMENTATION ARRANGEMENTS

New members of staff are made aware of the policy and procedure during the formal College induction process. Updated and amended procedures are disseminated and reinforced in training sessions and team meetings. Staff and students have access to this policy via the College website.

6. MONITORING AND REVIEW

The Equality and Diversity Policy is subject to regular review. The policy and the implementation arrangements which underpin it will be formally reviewed on an annual basis. This review will take into account the views of team members and students and relevant legislation.

The College monitors the profile of its students and staff by age, gender, disability and ethnicity. Data in respect of staff and students collected for monitoring purposes will be reported to the Principal and Vice Chancellor by the Equality and Diversity Officer on annual basis. The Principal and Vice Chancellor will ultimately report the equality and diversity matters to the College Council and the Board of Directors. The presentation of such information shall observe the College's legal and contractual responsibilities in respect of individual confidentiality particularly in regard of sensitive data and will not unnecessarily identify individuals.

Students' enrolment, retention, and achievement, students' survey and complaints are annually monitored by ethnic group, gender, age and disability and the findings are used to inform the Self-Assessment Reviews. Students' views are identified by means of satisfaction surveys, and students' representatives.

Complaints made to the College on grounds associated with equality and diversity are actioned and analysed to establish any trends.

The following systems are in place to monitor and evaluate the equality and diversity impact of the College policies;

- Students surveys and input;
- Equality and diversity analysis via applications and enrolment rates ;
- Student Society and Student-Staff Consultative Group meetings;
- TeLSEC, Academic Council and SMT meetings;
- Annual reports by the Equality and Diversity Officer.

Appendix A - Legal Context and Definitions

A1. The Equality Act 2010

The Equality Act came into force in October 2010. Sections of the Act apply to the provision of goods, facilities and services, premises, employment and education.

A1.1 Protected Characteristics

The Equality Act outlines nine grounds upon which discrimination is unlawful. These are known as 'protected characteristics' and they are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

A1.2 Direct Discrimination

Direct discrimination is defined as treating one person less favourably than another, because of a protected characteristic.

A1.2.1 Discrimination by association is a type of direct discrimination against someone because they associate with another person who possesses a protected characteristic.

A1.2.2 Discrimination by perception is a type of direct discrimination against someone who is perceived to have a protected characteristic.

A1.3 Indirect Discrimination

Indirect discrimination is when a provision, criterion or practice is applied, which particularly disadvantages people with a protected characteristic. Indirect discrimination can be justified, if it can be shown to be a proportionate means of meeting a legitimate aim.

A1.4 Discrimination arising from a disability

Discrimination arising from a disability is when someone is treated unfavourably because of something arising as a consequence of their disability. This type of discrimination can be justified, if it can be shown to be a proportionate means of meeting a legitimate aim.

A1.5 Harassment

Harassment is defined as unwanted conduct that has the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for a person, or violating a person's dignity.

A1.6 Victimisation

Victimisation is defined as treating a person less favourably because they have complained about discrimination or harassment, or helped someone else to do so.

A1.7 Positive Action

The Equality Act 2010 allows “positive action” as a proportionate means of enabling or encouraging people with a protected characteristic to overcome or minimise disadvantage, or participate in activity where they are underrepresented. This includes allowing employers to recruit or promote employees because of their protected characteristic **if they are as qualified as other candidates**, provided this is done on a case-by-case basis rather than as a matter of policy.

A2. Public Sector Equality Duty

A2.1 While the Al-Maktoum College is a private sector provider, we aim to be compliant with, the Public Sector Equality Duty. This is defined as the general duty which is supported by specific duties.

A2.2 The general duty requires the College to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other prohibited conduct.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

A3. The Human Rights Act 1998

A3.1 The Human Rights Act came into force in 2000, and incorporates the rights and freedoms of the European Convention on Human Rights into UK law. Particularly relevant to the Higher Education context are the rights to:

- Freedom of expression, including the freedom to hold opinions and to receive and impart information and ideas.
- Freedom of thought, conscience and religion, including the freedom to manifest religion or belief.
- Freedom of peaceful assembly and freedom of association
- The prohibition of discrimination in pursuing the rights and freedoms of the Act.

A3.2 The freedoms set out above are not absolute rights, but are qualified, in that they may be interfered with if there is a threat to public order or safety, health or morals, or the rights and freedoms of others. Any interference must be lawful and proportionate.

A4 The Further and Higher Education (Scotland) Act 2005

A4.1 Section 26 of this Act provides that institutions must have regard to the desirability of ensuring academic freedom for those who are teaching, providing learning, or engaged in research. The exercise of such freedom must not adversely affect the person’s appointment or any entitlements or privileges.

A4.2 In this context, academic freedom includes freedom, within the law, to hold and express ideas, to question and test established ideas and received wisdom, and to present controversial or unpopular points of view.

Appendix B - Equality monitoring

B1 Monitoring is a key process for the successful implementation of equality and diversity policies and action plans, and conducting Equality Impact Assessments (EIAs). Monitoring assists with highlighting positive and negative trends within the organisation and is particularly relevant to:

- Student and staff recruitment
- Student attainment
- Student retention
- Staff grades and occupational types
- Staff recruitment, development and promotion
- Take up of services by diverse groups
- Complaints

B2 Monitoring is required for the following reasons:

- Higher education institutions have a legal duty to collect, analyse and monitor equality data.
- To assist the College in providing an accurate picture of the diversity of its population and achievements.
- To assist with good practice by proving or disproving any myths about any minority group or its achievements.
- To meet requirement of external agencies such as providing data sets to the Higher Education Statistical Agency (HESA).
- To aid the completion of Equality Impact Assessments.

B3 The benefits of monitoring

- To support institutional strategies, such as internationalisation
- To inform and improve policy and practice for staff and students
- To identify gaps or where there is under-representation
- To enable programmes of positive action
- To assist with measuring the quality of experience for diverse staff and students
- To ensure implementation of good practices
- To inform management and assist with objective decision making

Appendix C – Age

C1 Age requirements for certain courses

Decisions on admission to certain courses are made not only on the basis of qualifications achieved, but on maturity and experience judged necessary to successfully participate in aspects of the course. This may result in some exceptionally young applicants not being admitted to the course. Courses will make their entry requirements clear to applicants, and will judge each case on its merits. Currently College programmes are designed for students with certain levels of education. Normally a first degree and we do not anticipate this to change in the short to medium term. Accordingly, no students under the age of 18 are admitted onto some College programmes.

C2 Retirement Guidance for College staff

C2.1 The College does not operate a default retirement age. This means that there is not a set age when staff are required to retire from the College. Members of staff can still choose to retire from their post by giving their normal contractual notice.

C2.2 Should a member of staff wish to retire, they should discuss it with their line manager in the first instance, who will then make the necessary arrangements.

C2.3 It is recognised that discussing future retirement provides the opportunity for both the member of staff and the College to plan for the future. In line with ACAS guidelines it is suggested that a good forum for discussion of future plans including retirement is through the annual appraisal process. This process can incorporate discussion with staff of all ages about where they see themselves in the next few years and their future contribution to the organisation. Where an employee indicates that they are considering retirement, a more detailed discussion can take place around their intentions. To avoid age discrimination it is good practice to ensure that all staff are asked about their future plans. This does not preclude members of staff who are considering retirement discussing their plans with their line manager or Head of Department at any point in the year.

C2.4 It is important to note that if a member of staff indicates in discussions that they intend to retire, this decision is not binding until they give formal notice.

Appendix D - Disability

D1 Definition of 'disability'

Disability is defined in the Equality Act 2010. A person has a disability if they have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day to day activities.

In addition, the College recognises the social model of disability, which defines disability as created by barriers in society such as inaccessible buildings, stereotyping and prejudice, and inflexible policies and practices. The College aims to eliminate such barriers for staff, students and visitors to campus.

D2 Supporting Infrastructure

D2.1 Arrangements for Disabled Students

Support for disabled students is organised by the College's Equality and Diversity Officer who oversees all disability-related activities.

1. Any student who discloses a disability when applying for a place is sent further information about the structure of support for disabled students at the College, together with advice on how to access this support. Contact details for College's Equality and Diversity Officer are provided and the offer of a meeting for further discussion is made.
2. At the beginning of each academic year, all new disabled students are sent an information pack with further details of available support. If a student has provided further information regarding their requirements, an explanation of their individual provision is given.
3. Students give their consent for relevant information to be sent to appropriate staff by signing the Disabled Students Provision Form. Each student's requirements are conveyed to the Head of Department, using a Disabled Student Provision form. The form shows the most common adjustments but other arrangements are also possible.
4. At examinations, appropriate arrangements are made to meet the requirements of individual disabled students – e.g. extra time, scribes, separate rooms, IT support. Alternative methods of examination are also arranged, when appropriate.
5. The College Library is informed of those students who require priority access to specialist equipment and/or flexible borrowing arrangements.
6. Local voluntary organisations, such as Dundee Blind and Partially Sighted Society and Tayside Association for the Deaf, provide specialist support and advice, if requested.
7. If required, the College may appoint note-takers, scribes and proof-readers.

8. Students can make an appointment with the Equality and Diversity Officer at any time to discuss or review their support arrangements. Equality and Diversity Officer will contact the disabled students at least twice a year to check whether the agreed support has been working smoothly.
9. Students who think they might have dyslexia may be given the opportunity to do a pre-screening test and, if this is positive, are referred to a local Educational Psychologist for a full dyslexia assessment. Other Specific Learning Difficulties can also be diagnosed.
10. Students with Specific Learning Difficulties may be referred to a specialist Support Tutor organised by the College. The tutor provides one-to-one study skill support to individual students as well as delivering small group workshops and staff training.
11. Disabled students are able to receive advice on career opportunities at the University of Dundee's Careers Service <http://www.Dundee.ac.uk/careers/>
12. Access to social and recreational facilities, including sports and recreation facilities for disabled students may be made available through one of the local universities.

D2.2 Arrangements for Disabled Staff

The College is committed to provide full support to those employees who are disabled upon appointment and to those who become disabled during their employment. Members of staff who require an assessment of their requirements and/or possible adjustments are referred to the NHS Tayside Occupational Health Service. This can be arranged by self-referral or through the Director of Operations.

The College is committed to engaging in constructive dialogue with members of staff wishing to explore the possibility of flexible working practices to arrive at a mutually beneficial agreement wherever possible. This commitment to exploring flexible working practices, including part-time working and flexible working hours, whilst open to all members of staff, can potentially be of significant assistance to disabled employees.

D3. Reasonable Adjustments

D3.1 When shortlisted for interview, job applicants will be given the opportunity to indicate whether there are any reasonable adjustments that can be made in order for them to participate fully in the interview process.

D3.2 It is the responsibility of the Head of Department/ Line managers, with support from the appropriate College authority, to ensure that reasonable adjustments are made for a disabled employee. It is important that consultation is carried out with the disabled person prior to their starting work.

D3.3 Reasonable adjustments may include amending a provision, criterion or practice, altering premises, or providing auxiliary aids. A reasonable adjustment does not include lowering of competence standards.

D3.4 Advice and guidance on reasonable adjustments can be obtained from the Director of Operations.

D3.5 Disabled students should consult with the Student Administration team, as early as possible in their course, with regard to reasonable adjustments to enable them to participate as fully as possible in their course of study. Examples may include assistive technology, extra time in exams or a note-taking service. Assistance may include an application to the College's Students' Hardship Fund to help towards the cost of any aids, services or equipment.

D3.6 Visitors to the College may also request reasonable adjustments to enable them to use the College's facilities and services. Depending on the nature of the visit, this may include information in alternative formats, a hearing loop system, accessibility to public events and venues, and arrangements for emergency evacuation of disabled visitors.

D4. Staff or students who become disabled at work or study

D4.1 Every effort will be made to ensure that the staff member or student can continue in employment, or on their programme of study. This may include reasonable adjustments, depending on the nature of the situation. The staff member or student will be consulted fully.

D4.2 Possible options for staff could include modification of the post, redeployment, early retirement or termination of employment on the grounds of incapacity. Termination or early retirement can only be justifiable if the disability makes it impossible for the individual to perform the main functions of the job, and if redeployment is not practicable.

D4.3 An employee who becomes disabled at work should discuss the situation and their requirements with their Line Manager.

D4.4 A student who becomes disabled during their programme of study should discuss the situation and their requirements with their Programme Coordinator and the Equality and Diversity Officer.

D5 Carers

D5.1 Carers are protected against discrimination by association (see appendix A) with the protected characteristic of disability. The College will strive to implement policies and procedures to support staff and students who are Carers.

D6. Further information and contacts

SKILL – the National Bureau for Students with Disabilities
Helpline: 0800 328 5050
Email: students@disabilityrightsuk.org
Web: www.skill.org.uk

LEAD Scotland – Linking Education And Disability
Tel: 0131 228 9441
Email: enquiries@lead.org.uk
Web: www.lead.org.uk

Appendix E – Gender Reassignment

E1 Definition of ‘gender reassignment’ and ‘trans’

E1.1 Gender reassignment is defined in the Equality Act 2010 as a person who is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning a person’s sex by changing physiological or other attributes of sex.

E1.2 Trans is an inclusive term for people who identify themselves as transgender or transsexual. The word ‘trans’ can be used without offence (as an adjective) to describe people who:

- Are undergoing gender transition/reassignment
- Identify with a different gender from that which they were assigned at birth, but have not decided to undergo medical treatment
- Choose to dress in clothes typically worn by the other sex.

Sometimes ‘trans’ is written ‘trans*’ to refer to the full diversity of gender identity.

E2 Confidentiality

It is an offence under the Gender Recognition Act 2004 to disclose information about a person’s gender history, or any application they may have made for a gender recognition certificate, unless that disclosure is made with the person’s explicit consent. It would be good practice for any such consent to be in writing in order that a record may be kept.

E3 Supporting Infrastructure

E3.1 The remit of the **Senior Management Team** requires the members to ensure that the College meets its statutory and legislative duties, including monitoring and promotion of equality and diversity within the College. This embraces both policies and practices in relation to the protected characteristics of sexual orientation, gender reassignment and marriage and civil partnership. The SMT may consult with relevant stakeholders as appropriate.

E3.2 The College will support a **LGBT (Lesbian, Gay, Bisexual and Transgender) staff network**, whose purpose is to provide a forum for discussing appropriate issues of mutual interest in a safe environment, networking opportunities, contributions to policy and social events when the need for such a group arises.

E4 Code of Practice on supporting a student or staff member who is transitioning

E4.1 Awareness of potential barriers

All staff and students should be aware of the barriers and discrimination that may be encountered by a trans person. Examples include:

- Excluding the trans person from work or work-related activity.
- Verbal or physical threats.
- Refusing to address the person in their acquired gender or to use their new name.

- Revealing the trans status of a person to others without their consent ('outing' them).
- Passing judgement on how 'convincing' the person is in their acquired gender.
- Refusing to allow a trans person to use single-sex facilities appropriate to their acquired gender.
- Less favourable treatment in regard to sickness or other absences.
- Refusal to acknowledge the rights of a trans person, or that a transition has occurred.

E4.2 Planning and Managing transition

A member of staff who is planning to transition should speak with their line manager, or the Equality and Diversity Officer, in the first instance. A student who is planning to transition should speak with the Equality and Diversity Officer. In both cases, the trans person should be supported to put in place a plan for managing the transition. The plan may include:

- New name and title.
- When they wish to start using the new name and title.
- When they wish to start dressing and presenting in their acquired gender.
- Any dress codes which need to be considered (e.g. uniform requirements).
- When the person wishes to start using toilet and changing facilities appropriate to their acquired gender. (NB: Disabled toilets should not be suggested as an alternative).
- Expected timescale of any medical procedures, if known.
- Details of time off required for medical treatment and how this will be managed.
- List of records or other systems requiring amendment. Note issues may arise if a student holds a student visa.
- When other members of staff and students should be informed, and how this should be done.
- Details of any educational material which could be used when informing others of the transition.
- Other College departments which need to be made aware of the transition, and when they should be informed.
- Note of how any bullying or harassment will be dealt with.

E4.3 Name and Gender Changes

E4.3.1 Once a trans person has made known their chosen name, this name should be used in all circumstances, rather than their birth name. However, if a student holds a student visa in their birth name or gender, the College will not be able to change their primary record. The College is required to maintain student personal records consistent with the identity given on their visa.

E4.3.2 The College will normally need to see some proof of a name change, for example a birth certificate, passport or statutory declaration of name change in order to amend student records. Requests for such changes will be kept confidential. This will change a student's primary name in the College records and on their degree certificate. If a student is unable to provide such proof of identification in a new name or gender they should contact Student Administration in writing or email to request a change to their records, quoting this section of

the Equality and Diversity Policy. Student Administration will provide a declaration form to be completed to enable the College to verify the request.

Staff should make contact with their Line Manager or the Equality and Diversity Officer in order to have their records amended.

E4.3.3 It is not appropriate to ask for evidence of medical supervision in order to amend records, as not all trans people will be under medical supervision. It is unlawful to require a Gender Recognition Certificate.

E4.3.4 No records should be changed without the permission of the person concerned. The College will need to agree with them the date from which their name and gender is changed on all student or staff records and public references (e.g. ID cards, contact details, email addresses, website references, payroll and pensions etc.).

E4.4 Time off for medical reasons

Where a person needs to take time off work or study for medical assistance because of gender reassignment, they should not be treated any less favourably than if the absence was due to sickness or injury. Trans people may require time off for appointments (e.g. psychotherapy or voice therapy), surgery and recovery from surgery. Time off may vary considerably, from one week to around 12 weeks, depending on the nature of the surgery and the demands of the person's job or programme of study.

E4.5 Provision of Gender Neutral Facilities

A trans person should have access to 'men-only' or 'women-only' areas – such as changing rooms and toilets – according to the gender in which they present. The College shall strive to ensure such a provision.

E4.6 In class/In front of colleagues

The trans person should be referred to by their preferred name and pronoun. If there is uncertainty regarding the correct pronoun to use, the person should be asked in advance how they would prefer to be addressed. Thoughtful planning and management of the transition process should help to avoid uncertainty and embarrassment in this regard. See E4.2 'Planning and Managing the transition' above.

E5 Further information and contacts

Stonewall Scotland

Web: www.stonewallscotland.org.uk

Scottish Transgender Alliance

Email: sta@equality-network.org

Web: www.scottishtrans.org

Transition Support Service

LGBT Health

Web: www.lgbthealth.org.uk/content/transition-support-service

Gender Identity Research and Education Society
Web: www.gires.org.uk

Equality Challenge Unit Guidance
“Supporting a Student or Member of Staff who is Transitioning”
www.ecu.ac.uk/publications/supporting-transitioning-guide

Appendix F – Marriage and Civil Partnership

F1 Equality legislation

Marriage and civil partnership is a protected characteristic under the Equality Act 2010, for the purposes of direct or indirect discrimination, and relates only to employment.

The protected characteristic applies only to people who are married or in a civil partnership, in other words single people are not protected under this heading.

F2 Supporting Infrastructure

F2.1 The remit of the **Senior Management Team** requires the members to ensure that the College meets its statutory and legislative duties, including monitoring and promotion of equality and diversity within the College. This embraces both policies and practices in relation to the protected characteristics of sexual orientation, gender reassignment and marriage and civil partnership. The SMT may consult with relevant stakeholders as appropriate.

F2.2 The College can be used as a venue for weddings and civil partnerships.

Appendix G – Race/Ethnicity

G1 Definition of ‘race’

The Equality Act 2010 defines race as including colour, nationality and ethnic or national origins.

G2 Degree Attainment Gap

The Degree Attainment Gap is defined as the difference between the percentage of white UK-domiciled students and the percentage of Black/Minority Ethnic UK-domiciled students gaining a First or 2(i) degree. The College will strive to reduce the degree attainment gap. To this end, the College will investigate the nature of, and reasons for, the gap, and will develop an action plan to address it.

G3 Equality Outcomes

A number of the College’s Equality Outcomes under the Public Sector Equality Duty are linked to the protected characteristic of race/ethnicity. These include work on:

- Inclusive and accessible learning materials
- Investigating and reducing any disparities in degree attainment for students from different protected characteristic groups
- Addressing retention and progression issues based on protected characteristic groups
- Fostering a supportive culture which promotes dignity and respect and where all staff feel valued and inappropriate behaviours are challenged.

G4 The College is to consider the membership of **BEMIS** (Black & Ethnic Minority Infrastructure in Scotland) which aims to tackle inequalities and empower ethnic minority communities.

G5 Further information and contacts

Black and Ethnic Minorities Infrastructure Scotland (BEMIS)

The Centrum Building

3rd Floor, 38 Queen Street

Glasgow

G1 3DX

Web: www.bemis.org.uk

West of Scotland Regional Equality Council

39 Napiershall Street

Glasgow

G20 6EZ

Web: www.wsrec.co.uk

Coalition for Racial Equality and Rights (CRER)

78 Carlton Place

Glasgow

G5 9TH

Appendix H – Religion and Belief

H1 Definition of ‘religion or belief’

H1.1 Under the Equality Act 2010, references to religion and belief include any religious or philosophical belief, or lack of religion or belief.

H1.2 The Human Rights Act 1998 provides freedom of thought, conscience and religion, including the freedom to manifest religion or belief. The freedom to manifest one’s religion or belief is not an absolute right, but is qualified, in that it may be interfered with if there is a threat to public order or safety, health or morals, or the rights and freedoms of others. Any interference must be lawful and proportionate.

H2 Supporting Infrastructure

H2.1 The remit of the **Senior Management Team** requires the members to ensure that the College meets its statutory and legislative duties, including monitoring and promotion of equality and diversity within the College. This embraces both policies and practices in relation to the protected characteristics of sexual orientation, gender reassignment and marriage and civil partnership. The SMT may consult with relevant stakeholders as appropriate.

H2.2 The College is strongly committed to interfaith working. Indeed, it is a major element of the College’s mission.

H3 Code of Practice for implementing the Equality and Diversity Policy with respect to Religion and Belief.

H3.1 Religious observance

H3.1.1 The College will make all reasonable efforts to provide suitable accommodation for prayer and religious observance, or quiet contemplation, when required.

H3.1.2 All staff, regardless of their religion and belief, are required to work in accordance with their contract. There is likely to be some flexibility over how the hours are worked whilst still meeting service/business needs. Line Managers should make every attempt to ensure that those whose religion requires them to pray at certain times during the day are enabled to do so through agreed flexible working arrangements. Similar requests from students should also be considered sympathetically as long as it does not compromise the business interests and cause inconvenience to other stakeholders.

H3.2 Leave for religious festivals and extended leave

H4.2.1 In celebration of diversity of staff from any belief system or background, the College recognises their right to participate in their own religious festivals and, therefore, the College welcomes any such requests for annual leave, as long as it doesn’t exceed the limits of their entitlement. They are not obliged to use their leave entitlement in order to celebrate the host society’s or other members’ festivities, with the exception of Christmas and New Year holidays. For example, in the UK some public holidays coincide with Christian religious festivals and holiday arrangements. In the interests of equality, those practicing religions other than

Christianity may request annual leave entitlement on dates most significant to them. These days should be agreed with the Head of Department/Line Manager before timetables or assessment dates are drawn up. Requests for holiday entitlement to be taken at times of religious significance, the dates of which are uncertain in some religions (e.g. based on the lunar calendar) will be treated sympathetically. The number of annual leave days overall will remain as in the contract of employment for staff of any religious belief or none.

H3.2.2 Staff may request occasional extended leave associated with religious or cultural needs. Line Managers should attempt to accommodate requests for extended leave for the purpose of, for example, going on pilgrimage. If the extended leave exceeds annual holiday entitlement, the excess days will be counted as unpaid leave.

H3.2.3 If unclear, advice should be sought from the Equality and Diversity Officer or the Director of Operations.

H3.3 Assessments, Examinations, Interviews and Placements

H3.3.1 The College expects every student to take full responsibility for their academic work and progress, including class/placement attendance, assessed assignments and examinations.

H3.3.2 However, the College recognises that there are circumstances where students may require to be absent, including religious observance, where the nature of the observance prevents attendance at a class or classes.

H3.3.3 Head of Department, Line Managers and Student Administration should consider the main religious festivals when drawing up assessment, examination and interview dates (for student admissions and staff appointments).

H3.3.4 Reasonable requests from students for extensions to assessment submission deadlines to accommodate religious observance may be considered sympathetically, but only if requests are received as soon as the deadlines are announced.

H3.3.5 Consideration in examination timetabling requirements will be given to requests from students whose religious observance may result in absence on certain week days or at weekends, or at other times for specific religious festivals, but only if such requests are made early around the time of class enrolment and within 3 weeks of the start of the semester. Later requests, especially if made after examination timetables have been published, will not be granted.

H3.3.6 Similar considerations as in H3.3.5 would be given to students on placements.

H3.4 Dress Code

H3.4.1 The College does not operate an overarching dress code for staff and students, except for uniformed staff (such as janitorial, security and hospitality staff). Local arrangements regarding appropriate standards of dress (particularly in service areas) may apply.

H3.4.3 The wearing of religious and cultural dress, including clerical collars, headscarves, turbans and kipa (skull cap) is allowed and must not be discouraged. The exception to this is where the health, safety and welfare of the person is compromised by the wearing of such

dress, or whether this is likely to enhance the risk to other persons, or where communication is hindered.

H3.4.4 Students wearing face-coverings (e.g. niqab or burqa) may be required to remove these for the purposes of identification prior to the start of an examination. The College will ensure that such requests are made sensitively and that provision is made for the face-covering to be removed in private, in the presence of a female member of staff only.

H3.4.5 The following points should be noted:

- Some religions and cultures determine a certain mode of dress. For example, the wearing of compulsory items such as the Kara (bangle) by Sikh men and women.
- Wearing of clothes displaying offensive material, in any language, or which are in some other way offensive and may breach national law (for example, sectarian or racist slogans) will be considered a breach of the Equality and Diversity Policy and other College policies and regulations.
- Where necessary, the Equality and Diversity Officer may be contacted to assist with disseminating appropriate information explaining cultural dress and customs.

H4 Further information and contacts

Interfaith Scotland

532 Shields Road, Glasgow

Email: admin@interfaithscotland.org

Web: www.interfaithscotland.org

Appendix I – Sex (Gender) including Pregnancy and Maternity

I1 Legal Context

Sex is a protected characteristic under the Equality Act 2010. This means that men, women and bisexuals are protected from discrimination because of their sex.

I2 Equal Pay and Gender Pay Gap

The College will strive to eliminate gender bias in pay and remuneration processes.

Appendix J – Sexual Orientation

J1 Definition of ‘sexual orientation’

- J1.1 The Equality Act defines sexual orientation as meaning a sexual orientation towards:
- Persons of the same sex
 - Persons of the opposite sex
 - Persons of both sexes.

J2 Supporting Infrastructure

J2.1 The remit of the **Senior Management Team** requires the members to ensure that the College meets its statutory and legislative duties, including monitoring and promotion of equality and diversity within the College. This embraces both policies and practices in relation to the protected characteristics of sexual orientation, gender reassignment and marriage and civil partnership. The SMT may consult with relevant stakeholders as appropriate.

J2.2 The College will support a **LGBTQ+ (Lesbian, Gay, Bisexual, Transgender and Queer) staff network**, whose purpose is to provide a forum for discussing appropriate issues of mutual interest in a safe environment, networking opportunities, contributions to policy and social events when the need for such a group arises.

J3 Code of Practice on implementing the Equality and Diversity Policy with respect to Sexual Orientation

J3.1 A supportive environment is provided for staff or students who wish it to be known that they are lesbian, gay or bisexual (LGBTQ+). However it is the right of individuals to choose whether they wish to be open about their sexuality in the College, although the College will encourage individuals to be open about their sexuality without fear of exclusion.

J3.2 Assumptions must not be made that partners of staff and students are of the opposite sex. Whenever possible, workplace benefits will apply equally to same-sex partners.

J3.3 Harassment or bullying will not be tolerated. Threatening to publicise the sexuality of a member of staff or student without their permission will be regarded as a form of harassment and will be subject to the Malpractice Policy.

J4 Further information and contacts

Stonewall Scotland

Web: www.stonewallscotland.org.uk

Stonewall Diversity Champions

Web: www.stonewall.org.uk/scotland/at_work/diversity_champions_scotland/default.asp

Equality Network

Web: www.equality-network.org/

Appendix K – Refugees and Asylum Seekers

K1 Definitions and legal position

K1.1 A 'refugee' is someone whose application for asylum in the UK has been successful. A refugee will have the right to work and claim benefits (or, in the case of students, apply for student support) in the same way as UK citizens.

An 'asylum seeker' is someone who has sought asylum but whose application has not yet been accepted. Asylum seekers are not allowed to work in the UK, but they may do voluntary work. Some asylum seekers who are students may be entitled to assistance with tuition fees but are not entitled to student loans for living costs.

K1.2 Neither Refugee nor Asylum Seeker status is included as a protected characteristic in the Equality Act 2010. Nevertheless, the College recognises the difficulties such groups face and will endeavour to support asylum seekers and those with refugee status within the College community. The College further recognises that the reasons for seeking asylum are likely to include reasons relating to one or more of the protected characteristics under the Equality Act 2010.

K2 Further information and contacts

Council for Assisting Refugee Academics

Web: www.cara1933.org/

UK Universities Network representative: [Professor Alison Phipps](#)

Scottish Refugee Council

Web: www.scottishrefugeecouncil.org.uk

Bridges Programme

Web: www.bridgesprogrammes.org.uk