



University of the Highlands and Islands

Equality, Diversity, and Inclusiveness Policy

POL034

Lead Officer (Post):	Equality Outcomes Advisor
Responsible Office/ Department:	Principal and Secretary's Office
Responsible Committee:	Finance and General Purposes Committee
Review Officer (Post):	Equality Outcomes Advisor
Date policy approved:	07/09/2017
Date policy last reviewed and updated:	18/07/2017
Date policy due for review:	07/09/2019
Date of Equality Impact Assessment:	Not yet completed
Date of Privacy Impact Assessment:	Not yet completed

Accessible versions of this policy are available upon request. Please contact the Governance and Policy Officer on 01463 279000.

Policy Summary

Overview	Having an equality policy will show our commitment to equality for our staff, students, contractors etc.
Purpose	To specify the Equality, Diversity and Inclusion Policy of the University, identify protected characteristics under the Equality Act (2010), and outline the principles, responsibilities, and commitments of the institution in realizing the statutory obligations of the Equality Act (2010) and all other relevant Equality and Diversity statues and policies, and delineating processes and procedures in cases of breach/ discrimination.
Scope	This policy applies to all current and potential (ie applicants) UHI employees, temporary and agency staff, consultants and students.
Consultation	The revised policy will initially be reviewed by the university's Equality Outcomes Group prior to consideration by the Finance & General Purposes Committee and approval being sought from the University Court.
Implementation and Monitoring	The policy will be implemented through the Senior Management Group of the University and monitored by the University's Equality Outcomes Group.
Risk Implications	Failure to comply with policy will result in breached of Equality Act (2010)
Link with Strategy	Policy relates to statutory compliance and governance arrangements.
Impact Assessment	Equality Impact Assessment: To be completed
	Privacy Impact Assessment: To be completed

1. Policy Statement

The University of the Highlands and Islands is committed to equality of opportunity and non-discrimination in all aspects of its work and study and recognises that individually we all have differences of some sort, from which we can share and learn.

As a provider of education and employment, the University of the Highlands and Islands values diversity i.e. difference and is committed to encouraging everyone to realise their full potential. To this end, the University will work with students, staff and their representatives to develop a positive and enabling culture of work and study.

In particular, the University will strive to ensure that people in the Highlands and Islands have the opportunity to:

- study
- take up employment
- be involved in their community without discrimination, and be treated with dignity and respect i.e. treated in a courteous, caring and sensitive way in all their engagement with the University.

This requires the promotion of practices both to overcome any existing educational barriers and geographical isolation, and the provision of opportunities which reflect the linguistic and cultural diversity of the region.

2. Definitions

- 2.1. **Discrimination** occurs when prejudices and stereotypes prompt actions that result in less favourable treatment of individuals or groups. The Equality Act 2010 prohibits both direct and indirect discrimination on the grounds of age, disability, sex, gender re-assignment, race, religion and belief, sexual orientation, marriage and civil partnership and pregnancy and maternity. There are 7 different types of discrimination under the 2010 Equality Act legislation.
- 2.2. **Direct discrimination** occurs when someone is treated less favourably than another on grounds of their perceived or actual protected characteristic. For example, it is unlawful to decide not to employ someone, to dismiss them, refuse to promote them, deny them training, give them adverse working conditions or deny them benefits based on such grounds.
- 2.3. **Indirect discrimination** occurs when an organisation has rules or policies, conditions or requirements that are universally applied to everyone but disadvantages a person with a particular protected characteristic.
- 2.4. **Associative discrimination** is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.
- 2.5. **Direct discrimination by perception** means treating one person less favourably than someone else, because you incorrectly think they have a protected characteristic.
- 2.6. **Harassment** denotes unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.
- 2.7. Harassment can take many forms and examples include physical contact, offensive language, gossip, slander, graffiti, obscene gestures, exclusion. Harassment can involve persistent conduct or behaviour that continues after the individual states they want it to stop. A single incident can also constitute harassment if it is sufficiently serious.
- 2.8. **Harassment by a third party** – employers are potentially liable for the harassment of their staff or customers by people they don't themselves employ, i.e. a contractor.

- 2.9. **Victimisation** is treating someone less favourably because of something they have done under or in connection with the equalities legislation, for example, made a formal complaint of discrimination, provided support to a colleague raising a complaint of discrimination.

Protected Characteristics

The Equality Act (2010) prohibits discrimination against the following 9 protected characteristics:

1. Age

This refers to a person belonging to a particular age group, which can mean people of the same age (e.g. 32 year olds) or range of ages (e.g. 18-30 year olds, or people over 50).

2. Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

3. Sex

Refers to whether a person is a man or a woman.

4. Gender Reassignment

Gender reassignment is a personal, social, and sometimes medical process by which a person's gender presentation (the way they appear to others) is changed. Anyone who proposes to, starts or has completed a process to change his or her gender is protected from discrimination under the Equality Act. An individual does not need to be undergoing any medical supervision to be protected.

5. Race

It refers to a group of people defined by their race, colour, nationality (including citizenship), ethnic or national origins.

6. Religion or Belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (eg atheism). Generally, a belief should affect your life choices, or the way you live, for it to be included in the definition.

7. Sexual Orientation

A person's sexual attraction towards their own sex, the opposite sex or to both sexes i.e. lesbian, gay, bisexual, heterosexual

8. Marriage and Civil Partnership

In Scotland, marriage is no longer restricted to a union between a man and a woman, but also includes same-sex couples.

Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples (except where permitted by the Equality Act).

Marriage and civil partnership is listed in The Equality Act 2010 as a protected characteristic. The Act provides protection against discrimination only in respect of the requirement of the need to eliminate unlawful discrimination in employment.

9. Pregnancy and Maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

3. Purpose

The University will carry through its statutory duties to:

- eliminate unlawful discrimination, harassment and 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

4. Scope

This policy applies to all current and potential (i.e. applicants) UHI employees, temporary and agency staff, consultants and students.

The principles of non-discrimination and equality of opportunity apply to the way in which staff and students treat one another, as well as visitors, contractors, sub-contractors, temporary and agency staff, service providers, suppliers, former staff and students and any other persons associated with the functions of the University.

5. Exceptions

This policy applies without exceptions, exclusions, or restrictions.

6. Notification

This policy will be shared via SharePoint and the university's public website. All individuals named in this policy will also be notified of their responsibilities.

7. Roles and Responsibilities

Arrangements for the roles and responsibilities relating to the implementation of this policy will necessarily be local to the each academic partner of the university. The implementation of this policy across the university is described below.

7.1 The Equality Outcomes Adviser of the University is the policy owner and thus has responsibility for the creation, oversight and review of this policy.

7.2 The University Court

As the governing body of the University, the Court is responsible for ensuring that the University complies with its statutory obligations in terms of meeting the requirements of the Equality Act 2010, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and the Scottish Funding Council

7.3 Managers

Managers are responsible for implementing this policy, ensuring that our commitment to equality is not only followed through but is adequately communicated both internally and externally.

Managers will ensure that everyone in their area of responsibility understands the policy and implements it where appropriate and where necessary will deal with non-compliance of this policy through appropriate disciplinary procedures.

Managers are responsible for ensuring that selection for recruitment, promotion, training and work allocation is carried out in a non-discriminatory manner and in accordance with the

Management are responsible for ensuring that selection for admission and on-going assessment of students is carried out in a non-discriminatory manner.

7.4 All Staff and Students

All staff and students have a responsibility to ensure the continuing success of this policy by:

- Treating other people with respect
- Bringing to the attention of management any suspected breaches of this policy through the University's complaints and disciplinary procedures.
- Working together to promote a harmonious working and studying environment and to eliminate discrimination and harassment

7.5 Contractors

All contractors and providers of services on behalf of the University shall be informed of their duties under this Equality, Diversity and Inclusiveness Policy, via contract enforcement and service agreements and are expected to adhere to this policy.

7.6 Equality Outcomes Group (EOG)

The effectiveness and implementation of this policy will be monitored by the Equality Outcomes Group who will meet to review progress against our equality and diversity objectives and action plan, on a quarterly basis. The EOG steering group is comprised of management, staff and student representatives and is supported by the Equalities Practitioner Network (EPN) - a wider pan-university communication and consultation network.

7.7 Personal Academic Tutor

The Personal Academic Tutor is responsible for advising and supporting any student who believes they have experienced discrimination. Students can raise concerns through their local Student Services team or through the University's Complaints Handling Procedure. The central Student Support team can assist with support.

7.8 Head of Human Resources

The Head of Human Resources is responsible for offering advice and support to:

- Members of staff or applicants for employment who believe they have experienced or observed discrimination.

- Any manager who believes they have experienced discrimination.
- Any other member of the University Community, including applicants for courses, visitors, alumni, contractors and work placement providers, who believe they have experienced or observed discrimination.

8. Procedures

The University will demonstrate its commitment to mainstreaming equality and diversity by:

- 8.1. Developing policies, procedures and processes to achieve the general and specific public sector duties in accordance with the Equality Act 2010, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and the Scottish Funding Council.
- 8.2. Monitoring the potential impact of its policies, procedures and practices on different protected groups to help tackle inequality, promote equality of opportunity and foster good relations by conducting Equality Impact Assessments.
- 8.3. Removing any barriers to maximise access, participation retention and achievement of students and staff, making reasonable adjustments where appropriate
- 8.4. Creating learning and working environments based on fostering good relations between all people, with a shared commitment to preventing and challenging stereotyping, prejudice, discrimination and harassment and promoting respect for all
- 8.5. Meeting the needs of all students by responding flexibly and placing students at the heart of delivery
- 8.6. Collecting, gathering, using and reporting on any disclosed student and staff protected characteristic data appropriately and in line with Data Protection guidelines (Data Protection Act (1998)).
- 8.7. Work in conjunction with the Highlands and Islands Students' Association (HISA) to take forward their work on equality and diversity and to seek student feedback relevant to equality of opportunity and experience
- 8.8. Involving and consulting with the wider community ie and in particular those with protected characteristics and their representatives, to inform policy and practice
- 8.9. Ensuring that equality and diversity are embedded within the Scottish Funding Council Regional Outcome Agreement process
- 8.10. Publishing equality outcomes and progress towards the achievement of these
- 8.11. Publishing a mainstreaming report which demonstrates the embedding of equality and diversity across the University
- 8.12. Publishing a Gender Action Plan which demonstrates our commitment to gender equality across the organisation.

9. Legislative Framework

[Equality Act \(2010\)](#)

10. Related Policies, Procedures, Guidelines and Other Resources

[Equality Act \(2010\) Guidance](#)

11. Version Control and Change History

Version	Date	Approved by	Amendment(s)	Author
0.9	23/07/17	H Duncan	New policy created	H Duncan
1.0	07/09/17	FGPC	Policy approved.	FGPC