

Equality, Diversity and Inclusion Policy

Policy number:

Table 1: Policy administration

Item	Description
Lead Officer (Post)	Vicky Ferguson
Responsible Office/ Department	UHI EDI Manager/Committee
Responsible committee and officer	EDI Committee
Review Officer (Post)	EDI Manager
Date policy approved	
Date policy last reviewed and updated	18 September 2024
Date policy due for review	2025
Date of Equality Impact Assessment	14 September 2024

Table 2: Policy summary

Item	Description
Overview	This policy demonstrates UHI North, West and Hebrides' approach and commitment to equality for our students, staff, visitors, contractors and others who engage with us through any activity across the partnership.
Purpose	This policy sets out our vision and expectation that all individuals in the universities community are treated with dignity, fairness and respect. All individuals have a legal right (Equality Act 2010) and freedom to bring their true authentic selves to work and study at UHI North, West and Hebrides in a supportive and inclusive environment.
Scope	This policy applies to all current and prospective students and UHI North, West and Hebrides Staff. This includes temporary staff, agency staff, consultants, Board and Court Members, volunteers and collaborators at the University of the Highlands and Islands and Academic Partners.
Consultation	The policy will be shared via the Equality, Diversity and Inclusion Committee for consultation to appropriate UHI North, West and Hebrides Staff and Committees. Consultation was available to the EDI

Item	Description
	Committee which represents all partners. Approval will be sought from the Finance and General Purpose Committee.
Implementation and monitoring	The policy is implemented by all Academic Partners and the University of the Highlands and Islands. Each Academic Partner is responsible for ensuring the policy is adhered to within their organisation. The policy will be monitored on a strategic basis by the Equality, Diversity and Inclusion Committee.
Risk implications	This policy will apply to UHI and Academic Partners in compliance with the Equality Act (2010), Equality Act (Specific Duties) (Scotland) Regulations 2012 and Human Rights Act (1998). Failure for UHI North, West and Hebrides to comply with this policy may result in a breach of legal responsibility as set out in statutory obligations in Appendix 1. It would also have a negative impact on staff, student and communities' as well as reputational risk to UHI and Academic Partners.
Link with strategy	Policy relates to statutory compliance and governance arrangements.
Equality Impact Assessment	

Please contact HR if you require any reasonable adjustments.

1. Policy statement and Purpose

- 1.1 UHI North, West and Hebrides is a progressive and unique tertiary partnership which seeks to cultivate a more inclusive working, learning, teaching and research environment for all members of its community.
- 1.2 This policy sets out our vision and expectation that all individuals in the universities community are treated with dignity, fairness and respect. All individuals have a legal right (Equality Act 2010) and freedom to bring their true authentic selves to work and study at UHI North, West and Hebrides in a supportive and inclusive environment.
- 1.3 UHI North, West and Hebrides aims to enrich experiences through collaborating with our communities, staff and students to support, promote and celebrate equality, diversity and inclusion. We believe that every individual has the right to feel valued, respected and supported.

- 1.4 The University and all Academic Partners are committed to meeting the legislative obligations set under the Equality Act 2010, creating a positive culture which fosters good relations and advances equality of opportunity for all. UHI North, West and Hebrides will not tolerate unlawful discrimination, harassment, victimisation or any other prohibited conduct in all aspects of work, research and study.
- 1.5 UHI North, West and Hebrides has launched a new [Strategic Plan 2030](#) which highlights UHI's values and mission to have a transformational impact on our people, communities and economy

2. Definitions

This appendix provides definitions of key terms as well as links to guidance provided by Britain's equality and human rights regulator Equality and Human Rights Commission.

British Sign Language (BSL): UHI recognises that BSL is a language in its own right (with its own vocabulary and syntax). We are required to meet the requirements of the British Sign Language (Scotland) Act 2015.

Discrimination

Indirect discrimination occurs when an organisation has rules or policies, conditions or requirements, that are applied to everyone but leave a person with a particular protected characteristic at a disadvantage.

Harassment This means people cannot treat you in a way that violates your dignity, or creates a hostile, degrading, humiliating or offensive environment.

Harassment can take many forms including; spoken or written abuse, offensive emails, images and graffiti, physical gestures, facial expressions and banter that is offensive to you. Anything that is unwelcome to you is unwanted. You don't need to have previously objected to it. Please note our UHI North, West and Hebrides Dignity at Work Policy.

Victimisation is treating someone less favourably because of something they have done under, or in connection with, equalities legislation.

Diversity: is recognising, respecting and celebrating differences and similarities linked to personal characteristics, cultures, values, attributes, roles and workstyles.

Equality: refers to providing equal opportunities to everyone, making sure every person can make the most of their lives and talents, while protecting people against

discrimination.

Equity: ensures that everyone's needs are met through reasonable adjustments and providing fair and additional support where required.

Equality Act (2010): The Equality Act brought together more than 116 pieces of legislation, simplifying legislation and harmonising protection for all and became law in 2010. It covers everyone in Britain and protects people from discrimination, harassment and victimisation.

Equality Mainstreaming Duty: means integrating equality into the day-to-day working of authority. This means taking equality into account in the way the university exercises its functions.

Equality Impact Assessment (EIA): assesses the potential impact of new or revised policies, practices or services against the requirements of general public sector equality duties. Conducting an EIA is a legal requirement for public bodies in Scotland, and helps to ensure that everybody's needs are taken into account before changes are implemented. This allows University to proactively identify and mitigate against barriers to participation, attainment or wellbeing, and hopefully avert potentially negative experiences.

Gaelic Language: The Gaelic language is indigenous to the Highlands and Islands, among other areas. As such it is not covered under the definition of race/nationality as defined by the Equality Act 2010. University recognises responsibilities under the Gaelic Language Scotland Act (2005) to ensure that discrimination is not incurred by Gaelic speaking individuals and communities.

Gender Identity and Gender Expression: The Equality Act recognises sex as a binary characteristic (i.e. Male/ Female) and protects those who undergo or intend to undergo gender reassignment (i.e. from one gender to another). The University recognises that gender identity and gender expression are not necessarily fixed or binary; we will treat bullying and harassment on these grounds as seriously as if they relate to any protected characteristic as defined in the Act.

Positive Action: Anyone recruiting staff, students or volunteers can legally justify 'positive action' if a particular group is underrepresented. This involves taking action to increase the likelihood of underrepresented groups participating.

Protected Characteristics: It is against the law to discriminate against someone because of their protected characteristics. There are nine protected characteristics which include:

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).

Disability: A person has a disability if she or 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.

Gender Reassignment: Where a person undergoes, or proposes to undergo, a process for the purpose of reassigning their sex.

Marriage and Civil Partnership: Marriage is a union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

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.

Race: A race is a group of people defined by their colour, nationality (including citizenship) ethnicity or national origins. A racial group can be made up of more than one distinct racial group, such as Black British.

Religion or Belief: Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex: A man or a woman.

Sexual Orientation: Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Public Sector Equality Duty: as a publicly-funded organisation, the University has a statutory duty to fulfil both General and Specific Public Sector Equality Duties under the Equality Act (2010). The public sector equality duty as set out in the Equality Act 2010 is referred to as the 'general equality duty'.

General Equality Duties: **refers** direct the way the University treats its staff, students and visitors and reflect all UK public bodies' responsibility to have due regard to meet the need to:

- Eliminate unlawful discrimination, harassment and victimisation between people who share a relevant protected characteristic and those who do not.
- 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 protected characteristic and those who do not.

Specific Duties: Scottish-Specific Duties relate to how public bodies carry out, evidence and present their commitment to enacting General Duties, and responds to ongoing changes identified by the Scottish Government.

Reasonable Adjustments: Where a disabled person is at a substantial disadvantage compared with people who are not disabled, there is a duty to take reasonable steps to remove that disadvantage by:

- changing provisions, criteria or practices
- changing or removing a physical feature or providing a reasonable alternative way to avoid that feature
- providing auxiliary aids
- An adjustment should, as far as possible, remove or reduce any disadvantage faced by a disabled worker or service user.

3. Scope

- 3.1 This policy applies to all current and prospective students and employees of UHI North, West and Hebrides. This includes temporary staff, agency staff, consultants, Board and Court Members, volunteers and collaborators.
- 3.2 As a provider of education and employment, UHI North, West and Hebrides values diversity and is committed to encouraging everyone to realise their full potential. To this end, UHI North, West and Hebrides continues to work with students, staff, external agencies and the wider community to develop a positive and enabling culture of work and study.
- 3.3 The principles of non-discrimination and equality of opportunity apply to the way in which UHI North, West and Hebrides staff and students, 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 treat one another.

4. Legislation

- 4.1. This policy supports UHI to carry out its statutory duties under the [Equality Act 2010](#) and [Equality Act \(Specific Duties\) \(Scotland\) Regulations 2012](#).
- 4.2. The Equality Act recognises the following [protected characteristics](#)
 - Age

- Disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Not all Academic Partners have a legal obligation to the Scottish Specific Duties (2012), but all Academic Partners should have [due regard](#) to:

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

4.4 UHI North, West and Hebrides will conduct statutory duties under the [Equality Act \(Specific Duties\) \(Scotland\) Regulations 2012](#), demonstrating our commitment to mainstreaming equality and diversity by:

- 4.4.1. Publishing and delivering equality outcomes which reflect how UHI North, West and Hebrides plans to impact positively on our staff, students and communities, every four years.
- 4.4.2. Publishing a mainstreaming report, demonstrating our progress against our planned outcomes, showing what progress we have made to mainstream equality in our policies, practices and decision-making functions, every 2 years.
- 4.4.3. Monitoring the potential impact of our policies, procedures and practices on different protected groups to help tackle inequality, promote equality of opportunity and foster good relations.
- 4.4.4. Collecting, analysing and reporting on and improving the quality of student and staff protected characteristic data in line with public sector equality duties/sector best practice and Data Protection legislation, every 2 years.
- 4.4.5. Publish gender pay gap information annually and, future reporting commencing 2025, includes disability and ethnicity pay gap information.

- 4.4.6. Publish equality statements on equal pay and publish board member diversity information gathered by the Scottish Ministers.
- 4.4.7. Publish all requirements in a manner that is accessible and available to the public on UHI North, West and Hebrides' website.
- 4.4.8. Completing where appropriate Equality Impact Assessments, removing any potential barriers to access, learning, participation, retention and achievement of students and staff by making reasonable adjustments where appropriate.
- 4.4.9. Consider award criteria and conditions in relation to [public procurement](#).
- 4.4.10. Creating inclusive and accessible learning and working environments that promote respect for all. These environments aim to prevent and challenge stereotyping, prejudice, discrimination and harassment and disadvantage.

5. Roles and responsibilities

- 5.1 UHI North, West and Hebrides' Finance and General Purpose Committee is responsible for approving the policy and for ensuring that University complies with its statutory and moral obligations for all at UHI.
- 5.2 UHI North, West and Hebrides will promote and proactively mainstream equality, diversity and inclusion across all its functions.
- 5.3 The Principal and Senior Management Team are responsible for operational compliance of the policy. They must ensure that Managers, Staff and Students operate in an environment where they can fulfil their responsibilities in relation to the policy.
- 5.4 Line Managers are responsible for implementing this policy, ensuring that our commitment to equality is followed through and adequately communicated both internally and externally.
- 5.5 Line Managers are responsible for ensuring selection for recruitment, promotion, training and work allocation is carried out in a non-discriminatory manner and in accordance with the law.
- 5.6 All UHI North, West and Hebrides' staff are responsible for ensuring that selection for admission and ongoing assessment of students is carried out in a non-discriminatory manner.

- 5.7 The Equality, Diversity and Inclusion Committee is responsible for monitoring and reviewing this policy as well as developing and progressing our EDI legislative responsibilities and strategic goals.
- 5.8 Everyone at UHI North, West and Hebrides has a responsibility to ensure the continuing success of this policy by:
- Treating everyone with dignity and respect irrespective of their protected characteristics.
 - Bringing to the attention of management any suspected breaches of this policy.
 - Working together to promote and prevent an environment that does not tolerate discrimination, harassment or victimisation.
 - Proactively seek opportunities to identify, implement, share and reflect upon potential improvements to inclusive practice.
 - Seeking opportunities to include staff and students who may be or feel peripheral to the University and Academic Partner communities.
- 5.9 UHI North, West and Hebrides will work in conjunction with HISA to take forward their work on equality and diversity and to seek student feedback relevant to equality of opportunity and experience.
- 5.10 All current and prospective students and employees: this includes temporary staff, agency staff, consultants, Board and Court Members, volunteers and collaborators are responsible for adhering to the principles of this policy in the context of their engagement with the University.
- 5.11 UHI will take reports and allegations of discrimination, harassment, victimisation or any other relevant complaints seriously and will investigate such complaints, which may result in disciplinary action. Following investigation, allegations of discrimination, harassment or victimisation may result in action being taken as specified in related policy and procedures.
- 5.12 This policy will be available on UHI North, West and Hebrides' website and the all-staff Equality, Diversity and Inclusion SharePoint site.

6. Procedures

All academic partners and Executive Office have their own separately documented procedures to implement this policy which must be complied with. These procedures can be found [NWH Human Resources - NWH Policies from 1st August 2023 - All Documents](#)

7. Risk assessment

The EDI Committee monitors and assesses the implementation of the policy on a regular basis discussing and agreeing modifications and updates as appropriate. Reporting is via the Public Sector Equality Reporting Duty (PSED).

8. Legislative framework

8.5 Legislative Framework

8.5.1.1 This policy will be applied by UHI North, West and Hebrides in accordance with relevant legislation

- [British Sign Language \(Scotland\) Act 2015](#)
- [Children and Young People \(Scotland\) Act 2010](#)
- [Data Protection Act 2018](#)
- [Equality Act 2010](#)
- [Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#)
- [Employment Rights Act 1996](#)
- [Gaelic Language \(Scotland\) Act 2005](#)
- [Higher Education Governance \(Scotland\) Act 2016](#)
- [The Further and Higher Education \(Scotland\) Act 2005](#)
- [Islands \(Scotland\) Act 2018](#)
- [Human Rights Act 1998](#)

8.5.2 This policy will be reviewed to consider any new relevant legislation.

9. Related Policies, Procedures, Guidelines and Other Resources

- UHI North, West and Hebrides Safeguard Policy
- UHI North, West and Hebrides Safeguard Procedures
- UHI North, West and Hebrides Dignity at Work Policy
- UHI North, West and Hebrides Disciplinary Policy
- UHI North, West and Hebrides Complaints Policy and Procedures
- UHI North, West and Hebrides Student Code of Conduct

10. Version control and change history

Table 3: version control and change history

Version	Date	Endorsed by	Amendments	Author
0				
1	2019		New Policy for 2019	Equality, Diversity and Inclusivity Policy Ownership Group
2	09/2024		Review of policy	EDI Manager and EDI Committee
3				
4				