

Race Equality Procedure

[QP2.15]

Procedure Number:	QP2.15
Revision Number:	1
Date of issue:	March 2007
Status:	Approved
Date of approval:	March 2007
Responsibility for procedure:	Assistant Principal (Organisational Development)
Responsibility for implementation:	Principals Group, Directors Group, All Staff
Responsibility for review:	H R Manager, Diversity Committee
Date of last review:	June 2010
Date of last revision:	June 2010
Date of next review:	June 2013

Part 1 Introduction and Commitments

1.1 Background to Equal Opportunities in the College

Adam Smith College provides high quality, accessible learning opportunities that are relevant to the individuals, communities and organisations which we serve.

Adam Smith College aims to provide equal opportunities for learning at the College and to recruit students on the basis of their ability and the requirements of their course, irrespective of their race, sex, sexual orientation, transgender status, marital status, age, disability, political beliefs, religious beliefs, creed or social persuasion.

Adam Smith College also aims to provide equal opportunities to staff for employment at the College and to recruit, train and promote staff on the basis of their ability, their suitability for work, and the requirements of the job, irrespective of their race, sex, marital status, age, disability, religion or belief, political beliefs, creed or sexual orientation. For further details please refer to the *Equal Opportunities Policy and Procedure*.

The purpose of this Race Equality Procedure is to affirm the College's commitment to its statutory obligations with regard to race equality and to set out in detail how these obligations are to be met.

The College is actively involved in a range of national and local inclusive developments as part of the Community Learning Strategy for Fife, e.g. FRAE Fife and EMET.

1.2 Policy Aim

The College is committed to:

- (a) eliminating unlawful racial discrimination;
- (b) promoting equality of opportunity in recruitment and employment;
- (c) promoting good relations between people of different racial groups.

See separate Race Equality Policy for specific objectives.

1.3 Race Equality Targets

Targets identified are included in the Race Equality Action Plan, which can be found at;

<http://www.adamsmithcollege.ac.uk/humanresources/equality/race/scheme/2009/2010/report.pdf>

Part 2 Policy in Practice

2.0 Leadership and Management of the Policy and Procedure

2.1 Responsibilities

2.1.1 Board of Governors

As the governing body of the College, the Board is responsible for making sure that the College complies with the obligations conferred upon it by the Race Relations Act 1976 as amended (“the general duty”) as well as the specific duties conferred on the College by the Race Relations Act 1976, (Amendment) Act 2000, (Amendment) Act 2003, (Amendment) Act 2008, and the Race Relations (Statutory Duties) (Scotland) Order 2002.

The Board of Governors is also responsible for ensuring that this Race Equality Policy and Procedure are followed and any queries related to its implementation are addressed.

The Board of Governors consists of members appointed in line with the relevant elements of The Further and Higher Education (Scotland) Act 1992.

The strategy of the College shall be determined taking into account targets identified in the Race Equality Action Plan.

2.1.2 Working Groups

The College Diversity Committee will oversee all activities in relation to the implementation of this procedure. This committee will also consider information collated for the purpose of ethnic monitoring and promotion and shall provide recommendations to the Principals Group for any action required. The College’s progress against targets will also be considered by the Diversity Committee and regularly reported to the Board.

2.1.3 The Principal

The Principal is responsible for ensuring that the College’s commitment to race equality is not only followed through by the Board of Governors but is adequately communicated both internally and externally within the College. The Principal is committed to the seriousness of the obligations conferred upon him by this Procedure and his obligation to publicise it to external bodies in their dealings with the College.

2.1.4 Directors and Managers

Directors and Managers are responsible for:

- Putting the Policy and its strategies and Procedure into practice;
- Making sure all staff know their responsibilities and receive support and training in carrying these out;
- Following the relevant procedures and where appropriate taking action against staff or students who discriminate for reasons of race, colour nationality or ethnic or national origins;

2.1.5 All Staff

All staff are responsible for:

- Dealing with racial incidents and being able to recognise and tackle racial bias and stereotyping;
- Keeping up to date with the law on race relations (with appropriate training) and taking up learning opportunities and other training facilities which will enhance their understanding of commitment to ethnic diversity and the elimination of unlawful discrimination.
- Undertake the online Equality and Diversity Training.

2.1.6 Staff and Students

Staff and students are responsible for promoting race equality and good race relations generally and avoiding discrimination against anyone for reasons of race, colour, nationality or ethnic or national origin.

No limits are placed on this responsibility. The commitment to promoting race equality, good race relations and avoidance of discrimination is applicable equally in connection with students' relationship with staff as the College's relationship with students and its commitment to their progress.

2.1.7 Contractual and Service Providers

All contractors and providers of services on behalf of the College are responsible for following the Policy and this Procedure and any race equality conditions in contracts or agreements. The College will endeavour to ensure that the appropriate conditions are inserted in contracts or agreements with any external providers of services and will take reasonable steps to confirm the acceptance of those conditions by the providers in question.

2.2 Areas Relevant to Race Equality

2.2.1 Student Admissions and Access

The Information, Admissions and Student Funding Manager is responsible for Admissions and ensuring there is equity at recruitment so that access to courses is fair for students.

2.2.2 Guidance and Support - Students

The person in the College responsible for this area is the Director of Learner Services. The President of the Students Association will work together with the Director of Learner Services to ensure that support services, networks, social and sporting events and other opportunities are fully representative of ethnic groups within the College.

2.2.3 Teaching and Learning and the Curriculum

The Assistant Principal, Curriculum and Quality, has overall responsibility for teaching and learning and the curriculum. Institute Directors have responsibility for managing the quality and diversity of programmes delivered within their Institute.

2.2.4 Staff Recruitment

The HR Manager is responsible for the implementation of the Race Equality Policy and this Procedure with regard to staff recruitment.

2.2.5 Professional Development and Support

The Organisational Development Manager is responsible for the implementation of the Race Equality Policy and Race Equality Procedure with regard to professional development and support.

2.2.6 Partnership and Community Links

The Director of Learner Services in conjunction with members of the Diversity Committee will develop and maintain contacts which externally demonstrate the College's commitment to this Procedure.

This may include communication with the following

- Equality & Human Rights Commission
- The Race Equality Council
- FRAE FIFE
- The Scottish Refugee Council
- Police Race Relations Unit
- Black & Ethnic Minority Communities in Scotland (BEMIS)
- Social Inclusion Partnership

- Local Authority Community Education Services
- International Women's Groups and Centres
- Community (and Community Language) Radio Stations
- Buddhist, Christian, Jewish and Muslim groups and other religious and cultural groups
- Local Communities

The Diversity Committee will consult with representatives of the above organisations as appropriate to provide contributions to their meetings.

2.2.7 Procurement and Outsourcing

With regard to procurement and outsourcing, HR Manager will liaise with the Assistant Principal, Finance and Resources to ensure the initial communication of the terms of the Race Equality Policy and Race Equality Procedure to third parties and take appropriate steps to obtain acceptance by the third party of the conditions as set out in this Procedure.

2.2.8 Quality Assurance

With regard to Quality Assurance, the Assistant Principal (Curriculum and Quality) will be responsible for discussing the issue of Quality Assurance with his/her fellow members of the Diversity Committee.

2.2.9 Other Relevant Areas

All areas will take account of feedback received and amendments will be made to library resources and marketing materials etc as appropriate.

2.2.10 The Race Equality Action Plan

The Race Equality Action Plan will be updated on a regular basis by the Diversity Committee.

2.3 Breaches of the Race Equality Policy and Procedure

2.3.1 The College will view any breaches of the Policy or Procedure with the utmost seriousness and disciplinary action will be taken where appropriate. While much of the Policy and Procedure is concerned with the implementation of the general duty to promote racial equality, in many areas the standards are prescriptive. This is particularly so in relation to Section 6 of this Procedure on the elimination of unlawful discrimination.

2.3.2 Those persons with delegated responsibility for the specific

areas relevant to racial equality (see above) will be charged with obtaining statistics and curriculum information in order to ensure that the College is discharging its duties under the legislation. This is especially true where ethnic monitoring is concerned. Any member of staff who fails, without good reason, to comply with duties conferred on them by the Policy or Procedure may be subject to disciplinary action. With regard to students, any breaches of the standards set out in the Policy or Procedure may result in disciplinary action being taken under the Student Disciplinary Procedure. All students and staff will have the right of appeal if disciplinary action is taken.

2.3.3 Where a breach of the Policy or Procedure results from services provided by external service providers or third parties [to include visitors] the College will request a report from the appropriate contact to establish the facts and draw a conclusion on the action to be taken if there is found to have been a breach. This may include the termination of any contract with external providers, appropriate counselling to visitors (or in more serious cases expulsion from the College's premises). Each case will depend on the circumstances of the alleged breach, the extent to which the individual knew that they were acting in breach of the Policy and Procedure and the proportional impact on the provision of the service if the contract is to be terminated.

2.3.4 Any queries in relation to this should be directed to the appropriate contacts as set out above at paragraph 4.2 – areas relevant to racial equality.

Part 3 Ethnic Monitoring

3.1 How Data will be compiled

3.1.1 Students

Ethnic category data is included on the Enrolment Form. Staff responsible for supervising the collection of this data shall encourage each student to make a comprehensive return and avoid using the "Not known/refused" category.

3.1.2 Staff

Ethnic origin data is collected at application stage with the data being provided on an Equal Opportunities Monitoring Form which is separated from the application form and retained by the HR Team.

3.1.3 Review

Forms that include categories for ethnic origin will be reviewed as appropriate.

3.2 How Data will be Used

Data will be collated and analysed for both students and staff in order that management information can be provided. Information will be taken into account during the planning process and the decision making of the College.

3.3 Responsibility for Collating Data

The staff detailed below will be responsible for providing annual reports / statistics to the Diversity Committee showing the ethnic breakdown. The HR Manager will provide information in relation to

- Staff recruitment
- Promotion
- Take up of training
- Evaluation of training events
- Grievances
- Disciplinary action
- Leavers

The Director of Quality will provide information in relation to

- Staff and student complaints
- Student surveys

The Marketing Manager shall provide information in relation to

- Student enquiries

The Director of Information Management shall provide information in relation to

- Student enrolment
- Student achievement

Monitoring of such data will be undertaken through the Diversity Committee so that positive action can be taken to improve provision where this is an issue.

Part 4 Assessment of Policies and Procedures

4.1 The Race Equality Policy and Race Equality Procedure - Consultation and Feedback

- 4.1.1** Whilst the College consulted with appropriate groups to design the Race Equality Policy and Race Equality Procedure and the arrangements through which they will be fulfilled, it is aware of the need for the Policy and Procedure to develop as “living instruments” and accordingly the College intends to go through a period of ongoing formal consultation about the effect of this Policy and Procedure on students and staff from different ethnic groups.
- 4.1.2** The Diversity Committee will continue consultation with individual groups to obtain feedback as to how the Policy and Procedure is working (generally) in practice.
- 4.1.3** The Race Equality Policy and Race Equality Procedure will be reviewed every two years by the newly created Policy and Procedure Sub Group of the Director’s Group and this will be initiated by the Assistant Principal, Organisational Development.
- 4.1.4** In order to prepare for the two-yearly review, the Diversity Committee will meet to specifically address the question of the Race Equality Policy and Procedure and how they should be amended.
- 4.1.5** To ensure that as many interested parties as possible have an opportunity to directly comment on the Race Equality Policy and Race Equality Procedure for the purposes of their overall development, the College will notify all staff and student members of the review and invite comments by return of e-mail which will also be considered by the Diversity Committee at their review meeting every two years. Consideration will be given to the creation of a Race Equality Advisory Group and if the staff and student bodies support this, their views will inform this process.

Part 5 Assessment of other Policies and Procedures

- 5.1** The policies and procedures of the College together with the name of the person with overall responsibility for reviewing that procedure are listed on the cover of each policy and procedure. The 'owner' of each policy and procedure will assess these policies and procedures in the context of the duty to eliminate unlawful discrimination, promote equality of opportunity and promote good race relations between different ethnic groups.
- 5.2** The policies and procedures will be reviewed regularly, in line with the review date detailed on the Policy front cover, to ensure that they continue to reflect the Race Equality Policy and Race Equality Procedure as amended from time to time.
- 5.3** Any person who considers that the College's policies and procedures are not compliant with this Race Equality Policy and Race Equality Procedure and the College's commitment to equal opportunities and the promotion of racial diversity is invited to contact the Director of Learner Services (student issues) or the Assistant Principal, Organisational Development (staff issues).

Part 6 Eliminating Unlawful Discrimination

6.0 Eliminating Unlawful Discrimination

6.1 Provision of Equal Opportunities

The College is committed to providing equal opportunities throughout employment and the provision of education. This includes the recruitment, training and promotion of staff. It is committed to eliminating discrimination in the College on grounds of race, colour, national or ethnic origin or nationality. All applicants, students and staff are to be treated equally.

The College will endeavour to ensure that job vacancies and courses are widely advertised/publicised so that the widest range of candidates can apply. The College's objective is to attract applications for courses, jobs, promotion and training from the best candidates regardless of race, sex, sexual orientation, transgender status, marital status, age, disability, political beliefs, religious beliefs, creed or social persuasion.

6.2 Everyone has a Responsibility

Everyone who works for the College (whether employed or not) has a responsibility to ensure that the College's Race Equality Policy and Race Equality Procedure are properly observed and fully complied with. Any act of discrimination (including harassment) by a member of staff, worker or student is viewed very seriously by the College and should be reported to a member of the Learner Development Services Team (students) or to a member of the HR Team (staff). Proven Harassment will be viewed as gross misconduct and may, in appropriate circumstances lead to dismissal.

6.3 Harassment

The College's Anti Harassment and Bullying Policy and Procedure (students) and Anti Harassment Policy and Procedure (staff) are available on the College Business Gateway for staff and on the VLE and website so students can access these easily. Copies can also be viewed in the Learning Centres at each Campus.

Part 7 Promoting the Procedure

7.0 Publishing

7.1 Making the Race Equality Policy and Race Equality Procedure Available to All

As well as publishing the Race Equality Policy and Race Equality Procedure on the Business Gateway, the website and on the VLE, information will be issued to all students offered a place at the College so that they are made aware of the College's commitment to the promotion of equality of opportunity and good relations between people of different ethnic groups.

The Policy and Procedure will also be issued to the following:

- all new staff during the induction process;
- all persons who are contracted to provide other services for the College (e.g. cleaners);
- the trade unions, ie the EIS, UNISON and the UNITE
- the Students Association;
- Board Members
- A master copy will be issued for use in outreach locations so that staff have access to a copy.

7.2 Review of the Race Equality Policy and Race Equality Procedure

The Assistant Principal, Organisational Development will invite comments from staff and students on the implementation to date of the *Race Equality Policy and Race Equality Procedure* with suggestions on how they might be amended in the future.

Part 8 Training

8.1 Training

The College is committed to ensuring that the *Race Equality Policy and Race Equality Procedure* are fully communicated to all students and members of staff. Staff at the College have a key role to play in implementing the Policy and Procedure. Training will be extended to all new members of staff on their commencement.

The training will consist of:

- An introduction to the legal obligations behind the *Race Equality Policy and Procedure*;
- General objectives of the *Race Equality Policy and Procedure* (to include the requirement to assess and monitor the impact of policies on different racial groups);
- Online Equality and Diversity Training

8.2 Other Training

Training on promoting diversity will be provided to the Board of Governors through the induction process for newly-appointed members. In addition, information will be included in guidance documentation for Board members.

Part 9 Strategic Plan

The Policy and Procedure are designed to facilitate an ongoing dialogue between staff and student groups (together with the Board of Governors) to fulfil the College's commitments as set out in the Race Equality Policy Aim.

In addition to this, the College's Strategic Plan will be influenced by the Race Equality Policy and Procedure and associated Action Plan.

The Strategic Plan is currently produced by the College every three years. Objectives will take account of targets identified in the Race Equality Action Plan, in order to meet the College's Race Equality Policy Aim.