



**RACE EQUALITY SCHEME**

**2008 - 2011**

**JEWEL & ESK COLLEGE**

**November 2008**

## **RACE EQUALITY SCHEME (2008 - 2011)**

### **Contents**

#### **Commitment Statement from the Principal**

- 1. Introduction to Jewel & Esk College**
- 2. Race equality vision, values and principles**
- 3. Legal framework**
  - 3.1 The General Duty**
  - 3.2 The Specific Duties**
- 4. Aims and Objectives of the Race Equality Scheme**
- 5. The development of the Race Equality Scheme**
  - 5.1 Involvement of BME students and staff and organisations which support BME people**
  - 5.2 The Race Equality Audit of the College policies and procedures**
- 6. Leadership and management**
  - 6.1 Management commitment**
  - 6.2 Students and The Students' Association Responsibility**
  - 6.3 Staff**
  - 6.4 Learning and Teaching**
  - 6.5 Procurement and Partnerships**
  - 6.6 Discrimination and non compliance**
  - 6.7 Members of the Public and other Stakeholders**
  - 6.8 Resources**
- 7. Arrangements for impact assessments**
  - 7.1 Timetable for identifying priorities for impact assessment**
- 8. Gathering information**
  - 8.1 Data gathering**
  - 8.2 Student data**
  - 8.3 Staff data**
- 9. Putting the Race Equality Scheme into practice**
- 10. Monitoring and evaluation of the Race Equality Scheme**
- 11. Conclusions and Target Outcomes**

#### **Appendices**

- 1. Race Equality Action Plan**
- 2. Student and Staff Statistics**
- 3. Glossary of terms**

## **Commitment Statement by the Principal**

**As Principal of Jewel & Esk I believe we are in the unique position of being able to have a positive influence on the large numbers of people we come in contact with in respect of Equalities issues. These people are representative of the population living within our local communities. Whether they are our students, staff, partnership and external organisations or visitors to the College, we have the means to ensure that the experience they have at Jewel & Esk is a positive one.**

**Everyone should have the right to fair and equitable treatment and in my role as Principal, I have a personal commitment to ensure we provide equality of opportunity in everything that we do. I lead the College in an holistic approach to equality, diversity and inclusion as I firmly believe that this is the best way to enhance the student experience and motivate staff.**

**The Race Equality Act was first introduced into United Kingdom legislation in 1976. However it has taken subsequent legislation - The Race Relations Amendment Act 2000 and The Race Relations Act 1976 (Statutory Duties)(Scotland) Order 2002 - to define for public institutions how we must meet our statutory duty in terms of Race Equality. Our challenge at Jewel & Esk is to go further than merely meeting our statutory duty. It is only by promoting equality of opportunity across all of our functions and processes will we ensure it is firmly embedded within our organisation.**

**I chair the College's Equality Diversity & Inclusion Group which enables me to promote the College ethos as one which recognises, values and respects the differences which are inherent within our communities. By publishing this Race Equality Scheme we are reaffirming our culture as one of inclusiveness and openness and our commitment towards tackling and eliminating race inequality wherever it is found.**

**Howard McKenzie  
Principal & Chief Executive**

## 1.0 Introduction to Jewel & Esk College

- 1.1 Jewel & Esk College is committed to embedding the ethos of Equality Diversity and Inclusion across all its services and provisions. This Race Equality Scheme forms part of the suite of Equality Schemes within its overarching Equality, Diversity & Inclusion Policy. The College, as a provider of Further Education in Scotland, has a duty to promote equality of opportunity for all and to challenge and eliminate discrimination in all its forms within our establishment.
- 1.2 As both a Public Authority and a Further Education College we have a statutory general duty and a specific duty to comply with The Race Relations Act. The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, placed on all public authorities a statutory general duty to promote race equality and to have due regard to the need to:
- Eliminate unlawful racial discrimination;
  - Promote equality of opportunity; and
  - Promote good relations between persons of different racial groups.
- 1.3 The Race Relations Act 1976 (Statutory Duties) Order 2002 placed additional specific duties on the governing bodies of Further & Higher Education institutions in Scotland. (These specific duties are detailed in Section 3.2 – Legal Framework – within this document.)
- 1.4 In terms of the Act, the College recognises that as a major provider of education/ training and an employer of staff within the communities it serves, it plays an important role in promoting race equality and challenging racial discrimination across all of its functions and provisions.
- 1.5 Other College Equalities policies to be read in conjunction with this Race Equality Policy are:

**Disability Equality Scheme**  
**Gender Equality Scheme**  
**Equality Diversity & Inclusion Policy**

- 1.6 Jewel & Esk College is a public body funded by the Scottish Funding Council (SFC). We serve almost 7,000 students each year from the City of Edinburgh, East Lothian, Midlothian and the Scottish Borders and deliver learning and teaching across a wide spectrum, from school pupils to school leavers, apprentices, adults returning to work, and those in employment. We employ approximately 400 staff across our Teaching and Support Staff categories.
- 1.7 Our Strategic Plan, objective 2 states that “The College will offer learners an environment and experiences that stimulate and facilitate their potential for economic contribution through the acquisition of specific, generic and transferable skills for employability.” In order to assist in this task “The curriculum delivery planning process will be refined and extended to monitor, review and respond to comprehensive information on student progress and achievement, on the overall student experience, on employability enhancement and **on the diversity and inclusiveness of the College community.**”

- 1.8 In mid-October 2008 the College moved into its new purpose-built accommodation at the Midlothian Campus and into its refurbished accommodation at Edinburgh Campus. Part of the building works at Edinburgh Campus included the additional provision of new premises “The Club” which incorporates a Spa, Hairdressing & Beauty Therapy treatment rooms, Health & Fitness gym and dance studio and a Restaurant. Some of these facilities replace our existing, outmoded facilities and provide up-to-date “Real Working Environments” for our students studying Catering & Hospitality, Health & Fitness and Hair/Beauty Therapy. However “The Club” will also operate as a commercial enterprise outwith normal working hours/ weekends. As this commercial enterprise is a new initiative for the College we will need to consider its impact as far as our statutory duties under the Race Equality Duty apply. Our Midlothian Campus incorporates a Trades Pavilion to consolidate the Faculty of Technology into one building for the first time.
- 1.9 The College participates in many partnership initiatives with the Councils of East Lothian, City of Edinburgh and Midlothian and with external business partners and voluntary organisations to increase access to our services and to promote lifelong learning. Our culture of inclusiveness recognises the value which diversity can bring to an organisation. Whilst we recognise we operate within communities where the population is predominantly White Scottish, reflected in the fact that 86% of our student population fall within this category, the percentage of minority ethnic students has remained steady over the past three academic sessions (statistics available at Appendix 2). However our catchment area has also seen an increase in population from mainly eastern European countries following the widening of the European Economic Community and our statistics for ‘Other White Background’ students has showed a marked increased over the same period. In session 2007-08 our student profile showed that 3% of our students were from a Black and Minority Ethnic (BME) background. However an additional 7% of our students indicated they were from an ‘Other White background’ indicative of migrant workers with predominantly Eastern European backgrounds where English may be their second language.
- 1.10 Our staffing statistics predominantly reflect staff from a ‘White’ and mainly ‘Scottish’ background. Statistics relating to session 2007-08 indicated that 2% of our staff were of BME background (0.53% in session 2006-07) and 5% declared “Other White Background” i.e. from outside the United Kingdom. We must continue to raise our profile as an employer of choice where applications are encouraged from those with minority ethnic backgrounds. We have worked to ensure that staff from minority ethnic groups do not feel isolated within the College and to put appropriate support mechanisms in place to assist them to settle into their role. All newly appointed staff are currently assigned a mentor to support them in settling into their working life within Jewel & Esk College.

- 1.11 Up-to-date statistics relating to the ethnicity of the communities in which we operate are not readily available. However the 2001 Census indicated that in East Lothian the White Scottish population was 88% (no information available on BME); in Midlothian the White Scottish population was 92% (with 0.9% BME); in Edinburgh the White Scottish population was 70.56% (with 4% BME). Based on the Census information, the percentage of population of BME background in our communities may be low, but we must not be complacent. In session 2007-08 seven student complaints were received about equality issues, none of which related to race or ethnicity. However we must recognise that people in our communities do from time to time face discrimination relating to their race/ethnicity and/or nationality. Our challenge is not only to tackle and eliminate discrimination in all its forms within Jewel & Esk College but also to promote equality of opportunity and good relations between people of different racial groups.
- 1.12 We recognise that in the current global climate certain ethnic groups have been targeted across the United Kingdom due to the extreme activities of a small number of people. We must ensure that everyone within Jewel & Esk College is treated with dignity and respect, and that everyone involved in College life shares our commitment to Equality, Diversity and Inclusion.

## **2.0 Race Equality – Vision, Values and Aims**

- 2.1 The College published its first Statement on Racial Discrimination in compliance with the specific duty placed upon it by the ***Code of Practice on the Duty to Promote Race Equality in Scotland*** which came into effect on 30 November 2002. This Statement was incorporated into our Equality & Diversity Policy and included an Action Plan covering both our (1) duty as an employer and (2) duty as a provider of education & training. It was overtaken by the publishing of our Race Equality Scheme and Action Plan which covered the period 2005 – 2008. It is now appropriate to review our progress against the duties and responsibilities we identified in that Scheme and reaffirm our aims and objectives in terms of Race Equality.
- 2.2 The publishing of this revised Race Equality Scheme updates our position in terms of the vision, values and aims of Jewel & Esk College as these relate to Race Equality. The appointment in June 2007 of our full-time Equality Diversity & Inclusion Manager at College Management Team level was a further indication of the commitment which the College has made to its vision to plan and build equality and diversity into all our functions and processes.
- 2.3 We are committed to promoting an inclusive culture within Jewel & Esk College. Our aim is to ensure we eliminate unlawful racism, stereotyping and discrimination and promote race equality and encourage good relations between people of different racial groups, across all the functions and services of the College. We are currently undertaking initial impact assessment of our policies and practices in relation to all equalities strands, including race equality, to ensure we comply with both the statutory general duty all public authorities are bound by and the specific duties assigned to us as one of Scotland's Colleges. We have published a revised Action Plan as part of this Race Equality Scheme and will continue to report upon and review this annually to ensure we achieve satisfactory progress towards our

objective of embedding Race Equality within the ethos of Jewel & Esk College.

2.4 Across the functions and services of Jewel & Esk College we have identified the following areas as being of paramount importance and having the greatest relevance to promoting Race Equality:

2.5 **Students**

- Admission and access
- Learning & Teaching
- Curriculum design
- Retention & Achievement
- Student Support Services
- Discipline and complaints

Our aim is to ensure that every student can progress through their studies to achieve their full potential, and that a person's race, ethnicity, nationality or citizenship should not be a factor in this. Policies and practices relating to these areas are being reviewed as a priority to establish any specific impact upon students from different racial backgrounds. Where any negative impact is identified, the Director responsible for that area will be expected to amend the policy/practice to ensure it reflects the ethos of equality for all.

2.6 **Staff**

- Recruitment & Selection
- Training & Development/Career Progression
- Support Services

Our aim is to ensure that the College appoints the best candidate for all of our vacancies and that our advertisements include only criteria which is relevant to the post. Access to training/development will be available to all staff on the basis of the requirements of their post. Other support services (e.g. Occupational Health, Counselling, etc) are available to all staff, generally accessed via Human Resources.

2.7 **General**

- Marketing, Publicity and Imagery
- Procurement of Services & Supplies.

Our aim is to ensure that the marketing and imagery relating to entry to and participation in College life both reflects and promotes diversity within our student and staff population. We will ensure that in awarding major contracts for services and/or supplies, and in our partnership working with other organisations, it is recognised that the ethos of Jewel & Esk College is one of welcoming diversity and challenging discrimination in all its forms and that our suppliers and partners are expected to comply with Equalities legislation and in particular with Race Equality in terms of our Race Equality Scheme.

### 3.0 Legal Framework

#### 3.1.1 The General Duty

As a College within the terms of the Further & Higher Education (Scotland) Act 1992 (c) we have a duty to comply with both the statutory general duty and the specific duty as assigned by the Race Equality Act and its amendments as detailed above.

3.1.2 The College particularly recognises the general statutory duty it is assigned under the Race Relations Act 1976, as amended by the Race Relations Amendment Act 2000, to ensure that discrimination does not occur on grounds of race e.g. ethnic or national origins (including citizenship) or colour. Under this general duty (Section 71.(1) of the Act) the College must have **due regard to the need:**

- to eliminate unlawful discrimination
- to promote equality of opportunity
- to promote good relations between persons of different racial groups.

#### 3.2 The Specific Duty

The Race Relations Act 1976 (Statutory Duties) Order 2002 placed additional specific duties on the governing bodies of Further & Higher Education institutions in Scotland by 30 November 2002 to:

- To prepare a written statement of its policy for promoting race equality
- Assess the impact of its policies, including its race equality policy, on students and staff of different racial groups
- Monitor, by reference to those different racial groups, the admission and progress of students and the recruitment and career progression of staff.
- To set out in its Race Equality Policy statement its arrangements for publishing the results of its monitoring and assessment.

3.2.1 Whilst we must comply with the statutory and specific duties assigned by the Act, we also recognise the benefits that embracing diversity can bring to an organisation. Our aim is to reflect an atmosphere where there is a shared commitment to value and respect the differences between people of different racial groups. We now live in a multi-ethnic society and it is our intention to reflect that within our organisation - in our workforce and our student population and across our policies and practices. Where specific policies and practices are shown to have a detrimental impact upon any racial groups we will take steps to change these.

#### **4.0 Aims and Objectives of the Race Equality Scheme**

##### **4.1 Background**

In response to the specific duties placed upon us by the 2002 legislation, we published our first Statement on Racial Discrimination as part of our Equality & Diversity Policy in November 2002. However following the introduction of The Disability Equality Duty and The Gender Equality Duty, which placed on the College the duty to publish a separate Equality Scheme and Action Plan for each, we took the decision to move towards developing our Race Equality Scheme and Action Plan, thus bringing the three separate Equalities areas into line. Our Race Equality Scheme sets out the rights and responsibilities of those within the College to eliminate unlawful discrimination and to promote equality of opportunity and the steps we will take to achieve these aims. However it is our ultimate aim to have a single Equality Scheme which regards all six current areas of equalities legislation (i.e. age, disability, gender, race, religion/belief and sexual orientation) as equally important.

4.2 Our aim is to mainstream equality, diversity and inclusion across all of the College functions and service provisions. We will do this by ensuring that:

- everyone within and associated with the College recognises the benefits that promoting equality and diversity will bring to College life
- no-one suffers detriment of any kind because of their race (including ethnicity, nationality, citizenship)
- we create a positive environment where students and staff can study and work and achieve their full potential without fear of discrimination on grounds of racial differences
- we promote an open and inclusive culture where differences are acknowledged and respected and can be discussed openly
- we operate within a policy of zero tolerance towards discrimination, bullying and harassment of any kind within our organisation
- we work toward building a diverse student population and workforce

4.3 In terms of this Race Equality Scheme we will not condone racial discrimination or harassment/victimisation by any person against another person because of ethnic differences. We undertake to investigate all complaints of this nature promptly within the terms of the appropriate Disciplinary Code (i.e. Student Disciplinary Code /Staff Disciplinary Code).

## **5.0 The development of the Race Equality Scheme**

### **5.1 Involvement of Black and Minority Ethnic (BME) students and staff and organisations which support BME people**

We want to include our students and staff from different ethnic backgrounds in the development/review of our Scheme. We recognise that our student population may change from one academic session to another. However we continue to hold focus groups with our students and staff to gain insight from their views and experiences. We have formed links with other external groups with a view to holding joint events to promote cultural diversity. One proposal is to develop work placements from organisations assisting BME people in updating their skills to help them gain employment. Members of staff from different ethnic backgrounds have been invited to join our Implementation Group to advise on their experiences of our working environment and on ways it may be improved upon.

### **5.2 Assessment of College policies and procedures**

All major College policies and procedures require to be checked to ascertain whether these have a detrimental impact upon our students and staff. We developed an Impact Assessment toolkit to enable us to conduct an initial assessment of our policies and practices. This toolkit is also used to impact assess in terms of our responsibilities for some of the other strands of Equalities legislation i.e. Disability, Gender and Age.

Policies which may have an impact upon students and staff from different racial groups and which will be prioritised within the Impact Assessment process have been identified as:

- Student Admissions Policy
- Student Assessment Policy
- Student Appeals Policy
- Student Disciplinary Policy
- Student Attendance, Participation & Achievement Policy
- Staff Recruitment & Selection Procedure

## **6.0 Leadership and management**

### **6.1 Commitment and key responsibilities - Management**

The Board of Governors is fully aware of its duties and responsibilities under the law for employment matters including equality of opportunity and for the specific duties imposed on the College as a Public Authority and an education provider. Members of the Board have undertaken training in Equality, Diversity and Inclusion. Governors are aware that the Board's composition does not currently reflect diversity in terms of ethnicity and fully intends to address this issue in due course.

6.1.2 The College has an established Equality, Diversity and Inclusion Group (EDIG) led by the Principal and Chief Executive which sets and undertakes ongoing review of the College's equality, diversity and inclusion strategy. EDIG acts as a focal point and forum for issues of equality and discrimination and reports directly to the College Board of Management, through the Principal, on issues relating to Equalities and on progress towards achieving actions identified within the separate College Schemes relating to Disability, Gender and Race as well as the results of monitoring statistics of students and staff. The full-time post of Equality, Diversity & Inclusion Manager at College Management Team (CMT) level and as a member of EDIG is evidence of the College's ongoing commitment to promoting equality and diversity. Students are represented on EDIG through the Students' Association representative for Equality and Diversity. EDIG meets three times per session and notes of the meetings are placed on the College Intranet. EDIG monitors progress towards the Action Plan identified within this Race Equality Scheme together with relevant student and staff statistics. Where appropriate EDIG may investigate any allegations as necessary, but only after other College procedures have run their course.

6.1.3 A sub committee of EDIG was charged with bringing forward formal Schemes in respect of three of the six strands of Equality (ie. Disability, Gender and Race) and in ensuring the remaining areas of legislation relating to Age, Religion & Belief, and Sexual Orientation are also taken into account. EDIG has assigned a major Equalities theme from each of the six Equalities strands to a member of the Group, who champions that theme.

6.1.4 The CMT comprises middle and senior managers across the entire College, in both Teaching and Support Staff areas. Each member of CMT is aware of their responsibilities to ensure discrimination is eliminated within their specific areas of work and to promote equality of opportunity.

6.1.5 We recognise that priority should be given to:

- support the College processes and procedures in respect of race equality
- undertake an impact assessment of our policies and practices
- undertake a series of consultation and engagement with our students, staff and external stakeholders.

6.1.6 We will continue the consultation process over the coming months, using a range of devices to reach different groups. We have designed and distributed publicity materials to accompany our Equality Schemes – “Getting in on the Acts” - to advise and inform students and staff of our legal obligations in respect of Equality. We have also published a separate Summary of our Race Equality Scheme for ease of reference by our students.

## **6.2 Students and the Students’ Association**

### **6.2.1. Students’ Association Responsibility**

It is recognised that with the student population changing each academic session, it can be difficult to develop continuity within the Students’ Association (SA) to assist with promoting equalities issues. However the SA has created the position of Equality and Diversity Officer within its office bearers to replace the specific Officer positions for Women, Disabled students and LGBT which were not previously always filled or active. The student appointed to this office will join the Equality Diversity & Inclusion Group and will be supported via the Student Services Co-ordinator to promote equalities issues to the Student Body. The College’s Equality Diversity & Inclusion Manager will assist the SA wherever possible to encourage commitment from the Student Body to eliminate racism and promote equality in respect of people of different ethnic groups.

### 6.2.2. Students

We launched our “RESPECT” Campaign in session 2007-08. This campaign was intended to raise students’ awareness of the rights and responsibilities everyone has within Jewel & Esk regarding equality and diversity, Our Students Association have been heavily involved in the Respect Campaign from the start and the Student President launched it as “a campaign for the students.....by the students”. We produced posters using our own students with the message “I have the right to be respected.....and a responsibility to treat others with respect”. The use of our own student images/photos seemed to make the message more relevant to our students. We started off the Campaign by tying it into to several “themed” events e.g. developing the slogan for the Respect Campaign and also Polish National Day when our Refectory produced a menu relevant to the event.

Recognising that we have a new student intake at the commencement of Session 2008-09 we re-launched our campaign at the Student Welcome event in early September 2008. In addition to posters and stickers, we distributed a card with our Respect slogan and included a calendar of events to highlight the various equalities themes including Disability, Race, Religion/Belief, Sexual Orientation. We also distributed separate summaries of our formal Equalities Schemes of Disability, Gender and Race together with a leaflet “Getting In On The Acts” to inform students of the six equalities strands and the legislation and statutory duties the College must comply with, recognising that students may not have the time to read lengthy documents. All these materials are also available to our students on the Student Virtual Learning Environment (VLE) “Discover”.

Our September theme related to Religion/Belief and raised awareness about Ramadan by linking our Student VLE to a slide-show explaining the background to the celebration by Muslims of this Holy Festival. October was linked to Black History Month when we publicised the statistics relating to Black and Minority Ethnic people within and outwith Scotland and the United Kingdom. Our RESPECT Campaign will continue throughout the current academic session.

### 6.3 Staff

We have put in place on-line training in Equality & Diversity and it is mandatory for all staff to undertake this training. Particular emphasis is put on raising awareness of the College’s ethos towards Equality & Diversity at the Induction sessions for new staff as we want everyone to be aware of our commitment to eliminate discrimination and that it’s the responsibility of every member of staff to promote equality. Staff have a responsibility to familiarise themselves with the requirements of this Race Equality Scheme and other related College Policies/Schemes (i.e. Equality Diversity & Inclusion, Disability Equality, Gender Equality) relating to Equality and to challenge discrimination wherever this is found, using formal College Policies & Procedures.

### 6.4 Learning and Teaching and the Curriculum

We are committed to ensuring we provide a learning environment which is free from racism and which promotes equality and good relations between different ethnic groups. Members of staff are aware of their responsibility to

ensure that the learning and teaching materials they develop and use are free from discrimination. However it was recognised that not all staff had the appropriate expertise to make their learning and teaching materials of sufficient high quality and compliant with legislation and/or good practice. It was further recognised that the guidelines produced from the Quality & Equality in Learning & Teaching Materials (QELTM) Project, funded by the Scottish Funding Council to promote equality, diversity and inclusiveness in the writing of learning and teaching materials needed to be disseminated amongst staff to raise awareness of good practice. The College has therefore developed and produced its own on-line interactive training resource entitled “Quality & Equality in On-line Learning” which incorporates best practice in Style, Accessibility, Copyright and Equality/Diversity. All staff using the College’s Virtual Learning Environment (VLE) to disseminate their own materials to students must complete the interactive training course in the first instance.

Staff have the added responsibility of ensuring that within their classes there is no evidence of racism and that they create a positive learning environment and encouragement of positive relations between different racial groups. Staff involved in designing the curriculum are responsible for ensuring that no group should be disadvantaged by the content of the curriculum.

## **6.5 Procurement and Partnerships**

In terms of purchasing supplies and contracts the College works in conjunction with the Advanced Procurement for Universities & Colleges (APUC), an organisation which aims to deliver and demonstrate best value from advanced procurement for the Public Sector in Scotland. APUC’s commitment to its Corporate Social Responsibility is to be a socially-responsible business that respects and promotes equality of opportunity and diversity and a belief that the company should operate from an ethical viewpoint. In terms of procurement on behalf of the Scottish Colleges and Universities it has a stated policy to ensure that:

- the purchase of goods, services and facilities is undertaken in line with its equality and diversity commitments and
- it will not use suppliers who do not share its values on equality of opportunity and diversity.

6.5.1 Where the College is involved with organisations or in partnerships but where there is no collaboration to produce joint outcomes (e.g. Student Placements), the College will seek confirmation that the organisation is compliant with the general duty to provide Equality and Diversity, but will not necessarily demand to see measurable indicators.

6.5.2 Any contractual or other service provision arrangements made on behalf of the College with outside public, voluntary or private organisations, to obtain goods, work or services have to be within the requirements of the general and specific duties of Equality and Diversity and in particular, the duty to promote equality of opportunity.

## **6.6 Discrimination and non-compliance**

All staff, students and stakeholders are expected to treat colleagues with dignity and respect. Any form of discrimination, bullying or harassment of a person on account of their race (ethnicity, nationality or citizenship) is regarded by the College as unacceptable behaviour.

- 6.6.1 The College regards incidents of discrimination, bullying or harassment very seriously and as possible grounds for disciplinary action which may lead to dismissal. Copies of the Equality Diversity & Inclusion Policy and other associated College equality Schemes (Disability, Gender and Race) are available on the College website. These include clear statements on discrimination covering both staff and students. All members of staff are required to become familiar with and understand the contents of the College Equality and Diversity policy and other related policies.
- 6.6.2 Copies of the Student Disciplinary Policy and procedures are available in the College Library Learning Centres and on the College website. A statement promoting Equality & Diversity is included in the Student diary issued on enrolment/induction and refers to the formal Equality Diversity & Inclusion Policy & Procedure. Guidance for staff in dealing with student discipline indicates how seriously a breach of this policy will be taken. For staff it should be noted that any intentional breaches of the legislation on equal opportunities or of the College policy may lead to disciplinary action.
- 6.6.3 The College endeavours to provide an environment which is supportive and fair. Where problems do occur, staff and students are encouraged to advise an appropriate member of staff as soon as possible. Where a complaint is not dealt with satisfactorily at an informal level any formal complaint or grievance should, in the case of a student, be pursued through the College complaints procedure (the 3Cs). In the case of a member of staff, the complaint should be pursued through the appropriate procedure.
- 6.6.4 We currently monitor student complaints with reference to issues of discrimination. We have not recorded any student complaints in session 2007-08 which relate to Race Discrimination.  
There have been no recorded incidents of staff disciplinary complaints or grievances where discrimination of any type has been at the centre of the complaint. However we must continue to ensure all students and staff are clear that we will deal swiftly with any unacceptable discriminatory behaviour.
- 6.7 Members of the Public and other Stakeholders**  
We currently work within our communities and have established key partnerships with other organisations in order to break down barriers to learning. Within our local communities we provide appropriate learning opportunities particularly in south east Edinburgh, greater Craigmillar, Midlothian and East Lothian. However our aim is to ensure we are as accessible as possible to prospective students and other stakeholders.
- 6.7.1. We are working in partnership with other local Colleges in order to improve our Equality & Diversity practices. A key issue in this is asking our community stakeholders/partners, students and members of the public their views on how well our policies and practices are operating to promote equality, diversity and inclusion and whether these are having a positive impact upon people who may otherwise be disadvantaged; that our policies and practices take account of the diverse needs of our communities; that there's no potential within these policies and practices to discriminate against particular groups which might otherwise experience discrimination – for example disabled people, black and minority ethnic people, men and women because of their gender, age, sexuality, etc.

We have identified joint stakeholders to participate in “Equality Citizens Panels” where we can engage them in debate and in identifying areas for improvement; where they also have the opportunity to influence areas common to all the local Colleges – in particular the following areas:

- Communication between Colleges and key partners
- Recruitment of both students and staff
- Curriculum.

## **6.8 Resources**

Resources for the development, implementation and impact assessment of this Race Equality Scheme and Action Plan were identified by the Equality Diversity & Inclusion Team (EDIT) as under:

Staff time allocated to:

- attend meetings initially to develop and then review this Equality Scheme and Action Plan
- initially train staff as Equalities Champions and to allow them time to promote equality issues within their own area of work
- identify and train Impact Assessors across the College and to participate in Impact Assessment Panels reviewing College policies & processes.

Funding has been provided to purchase and implement on-line training courses (3 levels) in Equality & Diversity to raise staff awareness of general Equality & Diversity issues.

A budget has also been allocated to the Equality Diversity & Inclusion Manager to produce literature and host awareness-raising events on general equality issues and on specific Race Equality issues i.e. promotional materials (posters, etc) publicising Black History Month, the development/printing of the Summary of our Race Equality Scheme, hold focus groups and for people participating in our Equality Citizens Panels.

## **7.0 Arrangements for Impact Assessment**

7.1 Prior to publishing this Race Equality Scheme & Action Plan we undertook an initial assessment of our progress towards the duties we had identified in our previously published Statement on Racial Discrimination and its separate Action Plans as both (a) an employer and (b) a provider of Education & Training. This assessment identified that we had made some significant progress in the actions identified in relation to:

- Recruitment of Staff
- Developing our Staff
- Managing Staff Performance
- Monitoring and analysis of Ethnic Origins of our staff
- Student Admissions
- Student performance
- Monitoring and analysis of Ethnic Origins of our student population.

7.2 However we recognise the need to ascertain whether our existing formal policies and processes are assisting the College to achieve race equality or whether these are having an adverse impact on students and staff from different ethnic groups. We have established a formal process to enable us to undertake an impact assessment of these policies and processes. Where any negative impact is found, we will alter/amend that policy/process, thus ensuring our commitment to promote race equality and eliminate unlawful discrimination and harassment. In future all new policies and practices will be assessed for their likely impact on race equality prior to implementation.

7.3 The impact assessment of our policies and practices considers the following points:

- does this policy/practice promote or enhance race equality
- does this policy/practice challenge or reinforce race bias
- does this policy unintentionally disadvantage any particular racial groups
- is there evidence that people of different racial groups have different needs in relation to this policy/practice
- is there evidence that particular racial groups have specific needs in relation to this policy/practice (e.g. Black and Minority Ethnic (BME) men/women)..

As part of this process we will look for possible evidence of adverse effect i.e.

- Lower application rates (staff and students)
- Lower recruitment rates (staff)
- Lower enrolment rates (students)
- Lower achievement rates (staff and students)
- Lower retention rates (staff)
- Increased withdrawal rates (students)
- Lower course evaluation rates (students)
- Lower training and development evaluation rates (staff)
- Higher rates of complaints (staff and students)
- Higher rates of grievances (staff and students)
- Lower usage rates of facilities (staff and students)
- 

These rates would require to be compared to an appropriate bench-mark (e.g. previous year's rates/other local FE College rates/FE National average rates or similar)

#### 7.4 **Timetable for Impact Assessment**

7.4.1. Initial screening of College Policies & Procedures by 4<sup>th</sup> quarter of 2008

7.4.2. Detailed assessment of Policies identified through Initial screening as having major impact with regard to Race Equality by 2nd quarter 2009

7.4.3. Report progress and publish findings by 3<sup>rd</sup> quarter 2009

7.4.4. Check appropriate actions taken/build into revised Race Equality Action Plan 4th quarter 2009

## **8.0 Gathering Information**

- 8.1 The College, as a body funded by the Scottish Funding Council must provide on an annual basis specific statistics relating to its student and staff population for monitoring purposes, including ethnicity. Statistical information will be included in the annual reporting of progress against the Race Equality Action Plan. However we must ensure that we monitor and evaluate information on our students and staff in respect of other issues to ensure that ethnicity is not a factor in relation to:
- people who leave our organisation
  - disciplinary incidents
  - grievances

## **8.2 Student data**

### **8.2.1. Student Admissions & Access**

In the past sessions we have monitored our Student population by ethnicity although information has related to student enrolments only. Information on ethnicity of all applicants, including those who had been rejected, was not available for comparison. We have now put in place improved processes to enable us to monitor ethnicity based on all applicants and the results of this monitoring will be reviewed by the College's Equality Diversity & Inclusion Group (EDIG) in due course. We will ensure that our policies & practices relating to admission and access do not discriminate against anyone, either directly or indirectly, on racial grounds. Admission to the College is based on the criteria of the student's ability to undertake the course and to make reasonable progress towards achievement of award/successful completion of the course.

### **8.2.2. Student Achievement and assessment**

We currently monitor and review student achievement and retention in terms of ethnicity and this information is reviewed by EDIG on an annual basis. No particular issues have to date been identified in respect of the progress and achievement of minority ethnic groups. (Statistics are available at Appendix 2)

## **8.3 Staff data**

### **8.3.1. Recruitment of Staff**

We advertise widely and use only those clearly identifiable criteria relating to the post, in order to recruit staff. Appointments are made on the basis of the best candidate for the post and all promoted staff involved in recruitment and selection of staff have been given training in equality of opportunity. The College does not have a large percentage of ethnic minority staff but has exceeded previous targets set (i.e. target of 0.5% set for 2009, which has been exceeded in 2007-08 as 2% of our staff have declared their ethnicity as BME). We also reflect an increase in recruitment of staff from EEC countries which is reflected in the population of our local communities. Whilst in previous years the monitoring of ethnicity statistics related to our workforce, it is possible to monitor and compare statistics in relation to the ethnicity of all applicants for employment with Jewel & Esk College.

8.3.2. Career development/training opportunities

We recognise that investment in staff development and training enables us to develop as an organisation. The College invests heavily in the development of its staff and our commitment to this is highlighted in our strategic objective 3.3 which states ***'Continuing professional development, workforce planning and organisational development will support all staff to perform as confident and talented individuals and in enterprising and high-performing teams, by identifying, acknowledging and developing key skills and by clearly focussing them on business objectives.'*** We believe that development and training opportunities should be available to all staff as this will help the College to achieve its purpose by adding value to its key resource – the people it employs.

All staff have an annual appraisal and a six-monthly interim review with their line manager where training needs and development opportunities are discussed and identified. The information on training needs is collected from the appraisal process and is used to inform our Staff Development Programme. Training Courses are advertised on the staff intranet and staff may book onto courses as appropriate to their needs and interests. Any member of staff may submit an application to attend an external course/seminar providing this is linked to the College's strategic or operational objectives and this will be subject to relevant line management authorisation/Staff Development budget approval.

8.3.3 Monitoring of training information by ethnicity was previously not possible as this information was held on spreadsheets and consisted only of course detail/name of attendee. Staff development information has now been centralised within our staff database and this should enable us in future to monitor by ethnicity the take up of courses and training.

8.7 **Service Delivery**

We will continue to undertake surveys of our student and staff population to ensure the services we provide are consistent and relevant to their needs and do not have a negative impact upon different racial groups.

8.8 We want to improve the quality of our services by:

- removing any barriers which may limit the ability of our students and staff to obtain fair and equal treatment
- developing a provision that is responsive to the diversity of the communities we serve and with a workforce which is more reflective of our communities
- ensuring the accessibility of all of our service provision to people of diverse racial groups

9.0 **Putting the Race Equality Scheme into practice**

9.1 This Race Equality Scheme is published on the College website and staff will be made aware of it via the Staff Intranet – JET. The College has already circulated an Equalities leaflet 'Getting in on the Acts' to inform and advise students and staff of their duties and responsibilities with regard to Equalities. New staff are advised at Induction of the Policy & Procedures relating to Equality, Diversity and Inclusion and the Schemes on Race, Disability and Gender. Students will also be informed through the Induction process, via

'Discover' – our student information portal, our RESPECT Campaign and through the offices of the Students' Association. The results of Impact Assessment will be published in annual reporting processes.

- 9.2 We will continue to use leaflets, articles on the staff intranet and the website to inform staff regarding Race Equality issues.
- 9.3 The Sub Group responsible for the Race Equality Scheme and Action Plan will report to the Equality Diversity & Inclusion Group and an annual report will be submitted to the Board of Management on all Equalities issues, including Race. As the employer, our Board of Management has overall responsibility for equality matters across the College.
- 9.4 This Race Equality Scheme and Action Plan will be reported upon annually and will be formally reviewed within 3 years – the next formal review taking place in 2011. The full Action Plan is attached in Appendix 1.

#### **10.0 Monitoring and Review of the Race Equality Policy/Scheme**

- 10.1 The arrangements for updating the Action Plan, in the light of information gathered and analysed, and the arrangements for the regular monitoring and evaluating of the implementation of the Race Equality Scheme, are the responsibility of EDIG.
- 10.2 In order to embed race equality within planning processes, it is important these reviews form part of the College's strategic planning, quality assurance and review processes. We will report on progress at key committee meetings such as the Board of Management, Academic and Planning Committee and College Management Team to ensure we are embedding the ethos of equality throughout the College in all its functions and processes.

#### **11.0 Conclusions and Target Outcomes**

**The challenges facing us in relation to our Race Equality Scheme and Action Plan are as follows:**

- **not to become complacent by what we have already achieved but to continue to raise awareness of race equality**
- **to identify and address any adverse or negative impact any policy may have on different racial groups through our impact assessment process**
- **to encourage all students and staff to declare their ethnicity in order to provide us with clear statistical information about the people who use our services and to enable us to set realistic targets in promoting equality between different racial groups.**

**We have identified specific outcomes we wish to achieve within the time-frame of this revised Race Equality Scheme:**

- **Increase the percentage of applications/enrolments from students of 'Black and Minority Ethnic' and 'Other White Background' ethnicity to reflect the local communities we serve**

- **Increase the percentage of staff of 'Black and Minority Ethnic' and 'Other White Background' ethnicity employed by the College year-on-year**
- **Increase the percentage of 'Black and Minority Ethnic' and 'Other White Background' ethnicity students studying at Higher National level to match that of students who have declared their ethnicity as White Scottish/English/Welsh/Irish.**

**APPENDIX 1 – ACTION PLAN - RACE EQUALITY SCHEME**

**Race Equality Implementation and development of good practice**

| Action  | Person(s) responsible                                      | Timescale                                     | Progress by November 2008  |
|---|--|---|--|
| 1 Set up an Implementation Group which is representative of the ethnicity of our student and staff population to identify issues and carry forward good practices. Relevant stakeholders to be invited to participate | Equality Diversity & Inclusion Manager (EDI Manager)       | December 2007                                 | This has proved more difficult to implement than originally anticipated. Decision taken to establish general Equalities Implementation Group (see Action 14)   |
| 2 Undertake consultations with students, staff and stakeholders in respect of Race Equality   | EDI Manager and Implementation Group                       | December 2007 – March 2008                    | Initial consultations took place but these now require to be updated.  |
| 3 Train staff to conduct impact assessment of all College policies and practices.   | EDI Manager  | August 2007-2009                              | We identified Impact Assessment process and tools and training of College Impact Assessors by External Trainer was effected in August 2008.  |
| 4 Conduct impact assessment and report to EDIG any recommendations regarding College policies and procedures as these relate to Race Equality   | Implementation Group                                       | June 2008                                     | Policies identified as high priority have been assigned to impact assessors for initial check – completion expected December 2008 and EDI Manager to report to EDIG in January 2009. Full Impact Assessment will be carried out on those identified as high priority by June 2009. |
| 5 Continue to provide rolling 3-year mandatory staff development programme covering all strands of Equality. Continue to provide awareness-raising for staff and students in respect of Equalities issues             | EDI Manager in conjunction with Staff Development Advisers | Within timeframe of this Race Equality Scheme | Implementation of mandatory on-line Equality & Diversity Training for all staff June to November 2008. All new staff are given Equalities briefing at Induction and also expected to complete mandatory on-line training.  |

|   |  |   |   |  |  |
|---|--|---|---|--|--|
|   | including Race Equality via briefings, intranet news items, etc.   |   |   |  | Separate Equality & Diversity on-line training has been made available to all students via Tutor Information on our student and staff intranets.   |
| 6 | Development of 'Equalities' section on Staff intranet and on student MOODLE containing information with section particularly relevant to // Race Equality.   | EDI Manager/ Implementation Group with assistance from Learning Resources/Network Services Managers | Staff Intranet – Dec. 2007<br>Student Intranet – April/May 2008 |  | Equality & Diversity Section set up on Staff Intranet (JET) and on Student Virtual Learning Environment (DISCOVER). Materials cover all six equalities areas including Race. Information promoted about Black History Month in October 2008 via DISCOVER |
| 7 | Develop links with BME groups and organisations and ensure that adverts for vacancies are promoted and work placements are encouraged  | EDI Manager / Human Resources Team  | December 2007   |  | Links already being established via contact with Trust HA. Other contacts currently being identified. To date no actual work placements have taken place.  |
| 8 | Develop links with stakeholders (i.e. local Councils/Fire/Police Boards) to encourage participation in joint ventures to promote Race Equality and to consult minority ethnic groups on their views. | EDI Manager   | December 2007   |  | EDI Manager has established links with Police, Fire, NHS and local Councils via Edinburgh & Lothians Equality Practitioners Forum. Also a member of Midlothian Council Community Planning Equality Forum.  |
| 9 | Support the Students' Association by providing briefing on Equality best practice to the Association Executive Officers  | Student Services Co-ordinator   | November 2007 to June 2008                                      |  | Students' Association President appointed and has actively participated in College Equality groups (EDIG). In September 2008 the SA appointed an EDI Officer   |

## Race Equality Scheme (2008-2011)

---

- |    |   |  |                           |   |
|----|---|--|---------------------------|---|
| 10 | Ensure all College publicity (prospectuses/leaflets) and advertising of courses and staff vacancies reflects College ethos of Race Equality.                                    | Marketing Team and Human Resources Team  | August 2007               | Stringent checks currently made on College publicity. Staff involved (Marketing and Human Resources Team) are aware of their responsibilities in this respect..   |
|    | New publicity photos to be taken following move to Edinburgh and Midlothian Campuses – account to be taken of photographs being representative of our student body.             | Marketing Team   | March 2009                |   |
| 11 | Ensure learning, teaching and support materials are audited for compliance with QELTM guidelines on best practice   | All staff  | December 2007 – July 2008 | Decision taken to develop in-house and implement training resource to enable “Quality & Equality in On-line Learning” which covers Style, Accessibility, Copyright and Equality & Diversity. (Action now completed) |
| 12 | Enhance and further develop existing monitoring practices of staff and student data to facilitate more in-depth analysis of Race Equality statistics.                           | Human Resources re Staff Statistics<br>Management Information Co-ordinator re Student Statistics | December 2007             | Reporting specification identified. Reports being monitored for patterns and actions taken forward.   |
| 13 | Equality Diversity & Inclusion Group will annually review student and staff statistics and make appropriate recommendations which may be used to inform College strategic plans | Chair of EDIG  | January – March 2008      | EDIG reviewed student and staff statistics for session 2007-08 in September 2008. (Statistics relating to Race are included in Appendix 2 of this document)   |
| 14 | Decision taken to establish a more ‘general’ Equalities Implementation Group and invite students, staff and stakeholders representative of all six                              | Equality Diversity & Inclusion Team  | January/February 2009.    |   |

major equalities issues to participate.

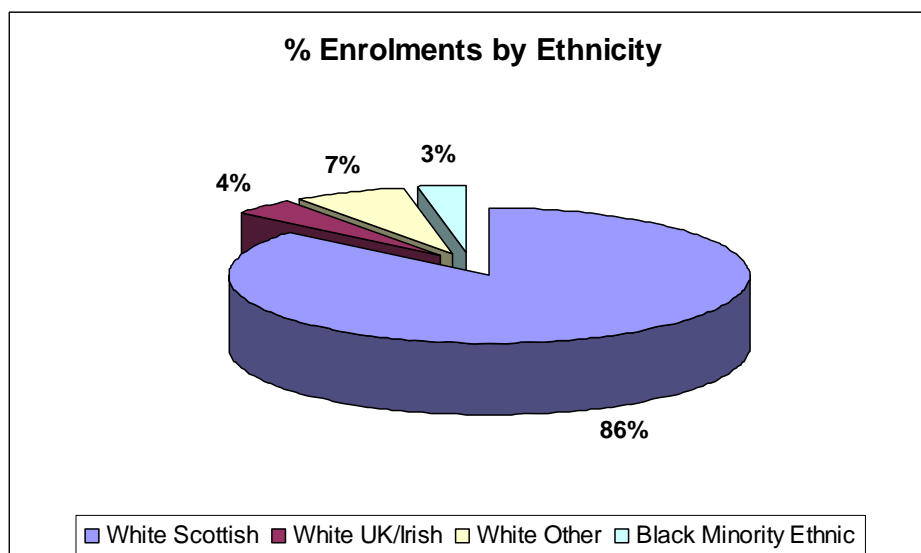
- |    |   |   |  |   |
|----|---|---|--|---|
| 15 | Updated consultations/focus groups will be held with students, staff and stakeholders.  | EDI Manager and Marketing Team                              | January to April 2009.   |   |
| 16 | Any gaps in Staff Ethnicity Statistics should be investigated to ensure complete accuracy of Staffing Establishment.  | Human Resources   | March 2009   |   |
| 17 | Monitoring of equality and quality of staff materials being placed on Student Virtual Learning Environment (VLE) by College staff.                            | Overview of materials undertaken by Learning Resources Team | June 2009 and continuing onwards   |   |
| 18 | All existing staff to have completed On-line Equality & Diversity Training.<br><br>Newly appointed staff to complete within two months of date of appointment | EDI Manager   | Mandatory for all existing staff to complete by early December 2008.<br><br>To be reviewed | Review percentage of staff having completed E & D Training<br><br>Checks to be put in place to ensure new staff complete E & D Training within specified time-scale |



## APPENDIX 2 - Statistics

### (A) Student Statistics by ETHNICITY (Session 2007-08)

In session 2007-08 we have mirrored previous years in that our student population is predominantly White Scottish (86%). Other White UK/Irish students account for 4% of our student population, 7% have Other White background and 3% of our students are Black and Minority Ethnic (BME). Only 2 students refused to declare their ethnicity.

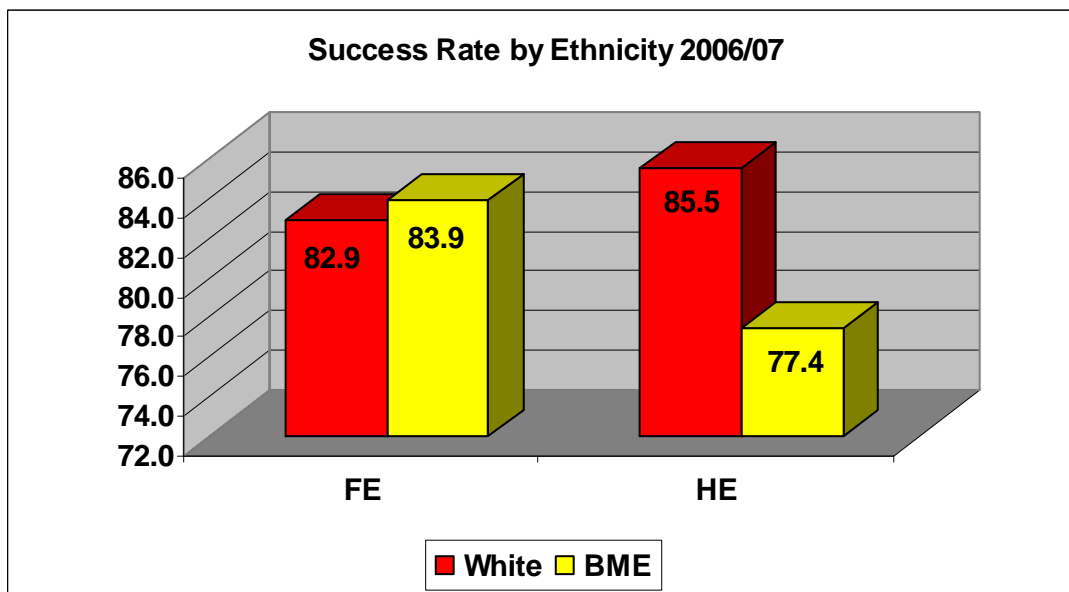


A comparison with previous years indicates that we have remained fairly steady as approximately 3% rate of our students have a BME background and this reflects favourably with the previous two sessions (**comparison 2005-06 : 2.64%; 2006-07 : 2.78%**). **The most recent information available as comparison of BME population is the 2001 Census, which indicated that the BME of City of Edinburgh as 5.57%, Dalkeith/Eskbank as 2%, and Scotland being 2.5%. As the College has been based at Dalkeith for the entire session 2007/08 our BME statistics reflect statistics for the local community.**

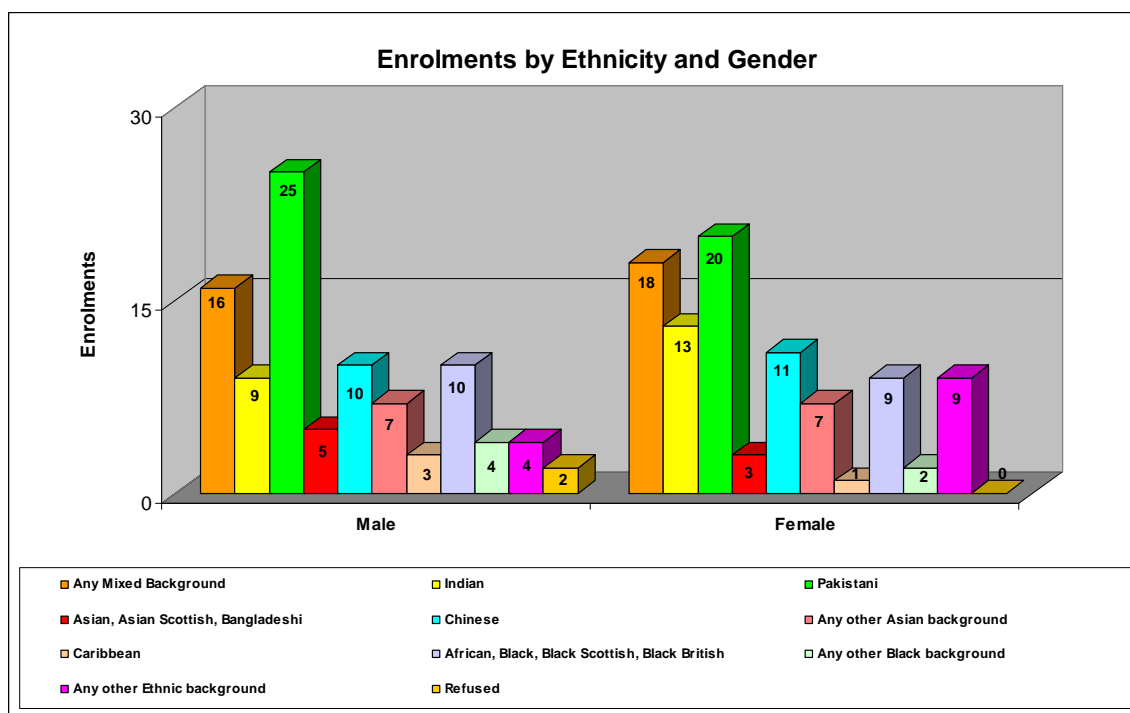
We are currently showing a slight downturn in numbers of students from White UK/Irish backgrounds – 4% of our student population in the current session (**comparison 2005-06 : 6.4%; 2006-07 : 5.2%**). Also the number of students from Other White backgrounds has declined from its peak in the previous session when large numbers of eastern Europeans came to the UK to work and is currently 7% (**comparison 2005-06 : 4.8%; 2006-07 : 12.8%**).

We have **188 BME** enrolments spread across the separate age categories we record with the greatest number within the age range of 35-60 (**56 enrolments – 0.8% of our student population**). BME enrolments are lowest in the >60 age range where only 0.1% of our students are BME.

At present our most up-to-date statistics on success rate of students by **Ethnicity** relate to session **2006-07**. These show that of those students studying at **FE level** with a White background had a success rate of 82.9% while students with a BME background had a success rate of 83.9%. However at **HE level** the success rate for students with a White background is 85.5% but for students with a BME background the success rate is 77.4%.

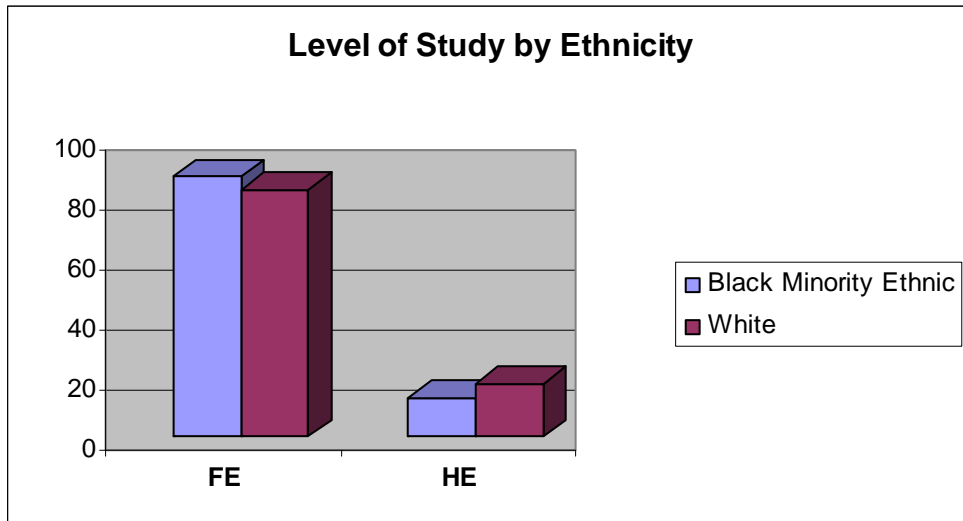


The split overall of BME student enrolments in respect of gender is fairly even as 49.5% are female and 50.5% are male.



With regard to **level of study by ethnicity**, 86.7% of our BME population studied at FE level and 13.3% at HE level. A comparison of the remainder of our student

population (i.e. White Scottish, White UK/Irish, White Other) indicates that 82.3% studied at FE level and 17.7% at HE level.

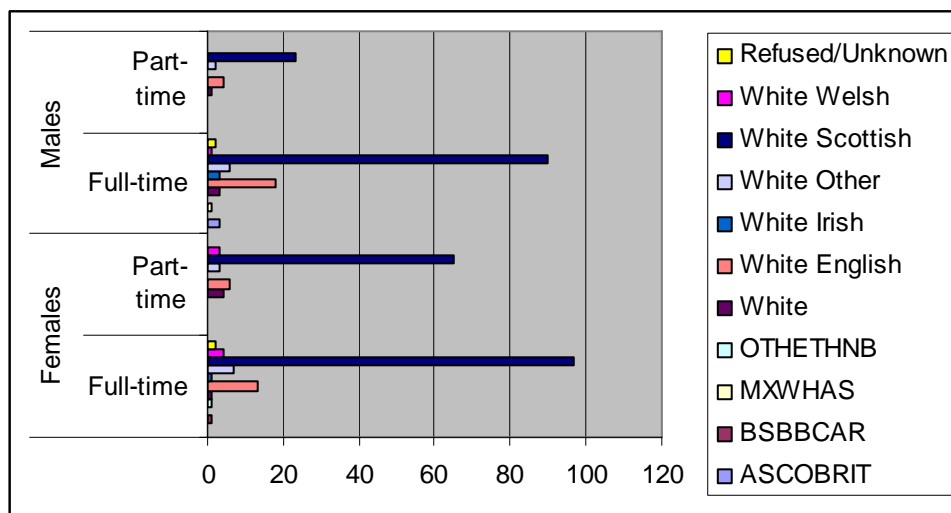


**STAFF STATISTICS BY ETHNICITY (SESSION 2007-08)**

Whilst our statistics indicate that we do not have a high percentage of our employees who have a Black or Ethnic Minority (BME) background, we have increased the number of BME staff employed by Jewel & Esk from 0.6% in 2006-07 to 2% in 2007-08. This exceeds the original target set in our first Action Plan which was “0.05% of our staff from BME backgrounds by 2009”. Current staff statistics for 2007-08 are given below:

**Ethnicity**

The College had a total of 365 staff split between the categories of Teaching, Support and Director/Manager. The majority of College staff fall within the ethnic category of “White Scottish” (75%) with Black and Minority Ethnic Staff accounting for 2% of our total staff. However 5% of our staff have declared their ethnicity as White Other (i.e. from outside the UK) whilst 14% of our staff are White English (11%) White Irish (1%) and White Welsh (2%). 2.5% of our staff have declared their ethnicity as White and only 1% of our staff have not declared their ethnicity. The following chart shows staff ethnicity by gender and staff category of full-time/part-time.



Our revised Action Plan identifies the steps we will take to further encourage more people of BME background to apply for employment with Jewel & Esk College.

### **APPENDIX 3 - Glossary of terms**

**Direct racial discrimination** occurs when a person is treated less favourably than another on the grounds of their race (ethnicity, nationality including citizenship)

**Indirect racial discrimination** occurs when a provision, criteria or practice which is applied equally to everyone (1) can be met by a considerably smaller proportion of people from a particular racial group; (2) the provision, criterion or practice is to their disadvantage/detriment; and (3) the provision, criterion or practice cannot be justified on non-racial grounds. All three elements must be present.

#### **Institutional Racism**

Institutional Racism is defined by the Macpherson Report as:

“The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or racial origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping, which disadvantage minority racial people”.

#### **Racial Harassment**

Racial harassment is where, on grounds of race, ethnic or national origins (including citizenship) a person engages in any behaviour, deliberate or otherwise, which has the effect of violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment or which is directed at an individual or groups and is found to be offensive and objectionable to that individual or group. Such behaviour can include hostile or offensive acts or expressions by a person or group, or incitement to commit such an act. Some examples of harassment include:-

- Derogatory name-calling.
- Insults and racist jokes.
- Ridicule for cultural differences.
- Deliberate exclusion from normal workplace or social events.
- Reference to an individual's skin colour.
- Unfair allocation of work and responsibilities.
- Derogatory actions, statements, joke, taunts or reference to an individual's racial origin, customs, dress, diet or culture.
- Insulting behaviour or gestures, physical threats or assault.
- Incitement of other to commit any of the above.

#### **Racist Incidents**

A racist incident is one which involves any form of racial harassment as classified above, which can involve either verbal or physical behaviour.

#### **Victimisation**

Victimisation: It is unlawful to treat an individual less favourably because they are known to have, or are suspected of having:

- Made a complaint of racial discrimination
- Planned to make a complaint; or
- Supported someone else who has made a complaint of racial discrimination or is planning to do so.