Item 17

For Endorsement

Glasgow Kelvin College

Board of Management

Finance and Resources Committee – 11 May 2021

Revised Policies and Procedures

Report by the Director of Human Resources

1. Introduction

Members will be aware that the College has developed, in partnership with representatives of its recognised Trade Unions, a range of policies and procedures for Glasgow Kelvin College. Four policies and procedures have been reviewed and revised in accordance with the agreed Policy and Procedure Review Schedule.

The purpose of this report is to apprise members of the outcome to the review of these policies and procedures and invite comment prior to the documents being presented to the Board of Management for approval.

2. Policies and Procedures

The policies and procedures have been reviewed and revised where appropriate to take account of legislative or other changes such as operational requirements of practices. The policies include the:

- Equality, Diversity and Inclusion Policy and associated Equality Impact Assessment, Appendix 1
- No Smoking (Smoke Free) Policy and associated Equality Impact Assessment, Appendix 2
- ICT Acceptable Use Policy and associated Equality Impact Assessment, Appendix 3
- Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure and associated Equality Impact Assessment, Appendix 4

The College undertook a consultation exercise with staff, students, managers and representatives of its recognised Trade Unions, EIS/FELA and Unison. Consultation began week commencing 18 March 2021 and ended 26 April 2021. A number of focus groups were held with staff and students during that time.

The policies and procedures were also discussed at the formal Joint Negotiation/Consultative Committee on 18 March 2021 with the EIS/FELA and with Unison on 07 April 2021. A submission was made by EIS/FELA. Unison did not submit feedback.

The College made a number of changes to the documents in direct response to the consultation feedback, these are highlighted in yellow. The outcome of the consultation process to date is undernoted.

2.1 Equality, Diversity and Inclusion Policy

Several changes were made to this document, the key amendments include:

- Section, 2.6: a revision to the commitments made by the College to:
  - emphasise a zero tolerance approach to bullying, harassment, victimisation and discrimination;
  - focus on the provision of training and development;
  - inform users of the Report and Support online reporting system which will be launched on 01 August 2021; and
  - ensure that individuals are fully aware that sexual harassment may amount to both an employment rights matter and a criminal matter;
- Section 3.6: clarify the expectations of the College from students to advance its equalities agenda and create a positive learning environment and learner journey for all students;
- Section 4: When does this Policy Apply? This additional section has been incorporated to ensure that individuals understand that the policy applies to conduct within and out with the workplace. It also sets out specific areas for policy application relating to: recruitment, promotion, training and during employment; and
- Section 5: Breach of the Policy. This additional section has been incorporated to provide reassurance that non-adherence to or a breach of the Policy will be investigated and managed appropriately and the process for reporting such instances.

2.2 No Smoking (Smoke Free) Policy

Three changes were made to the No Smoking (Smoke Free) Policy, these include:

- Introduction: a commitment to transition to a smoke free environment has been incorporated. Members will be aware that two of the College premises are smoke free and two have a designated smoking shelter on site. This reflects the consultation feedback from staff and students. It is recommended by the College's Health and Safety Manager that it becomes a smoke free environment. During the focus groups held with staff the concern with regards to social distancing was also raised should the use of smoking shelters continue. The College is aware that this is a sensitive issue and that the introduction of smoke free premises will not be without its challenges. The College will consult with stakeholders during session 2021/22 how it might transition to become a smoke free premises by 01August 2022;
- Section 3: a reminder that smoking and vaping should be undertaken within reasonable breaks to be agreed with the line manager and that smoking in smoke-free areas is a criminal offence; and
- Section 5: the provision of further advice for those who wish to cease smoking.

2.3 ICT Acceptable Use Policy

Several changes were made to this document in two key areas, misuse and breach of the Policy and cyber-security, the amendments include:

- Section 2: clarification on:
  - acts which can be construed as misuse and a breach of the Policy; and
  - accessing service or data remotely
- Section 3: additional information on security including a new section on Cyber Security to increase staff's understanding around cyber security and to better protect the College and their personal digital identify outside of the work.

2.4 Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure

Several changes were made to this document, the key amendments include:

- Section 2: the definition of children and young people and adults at risk has been incorporated;
- Section 10: the addition of the site details for staff to access supporting materials to assist them when managing a safeguarding issue;
- Section 11: the incorporation of an additional section which sets a process out for the withdrawal of an offer or a place on a programme where the College establishes that an individual poses a risk to other students taking cognisance of its statutory duties which arise as a consequence of the Protection of Vulnerable Groups (Scotland) Act 2007 and other related legislation;
- Section 12: the incorporation of an additional section which clarifies for staff the role of a safeguarder and how to access contact details:
- Section 13: the incorporation of an additional section which details training and development for staff on safeguarding, prevent and corporate parenting; and
- Appendix 3 – the provision of a flowchart to assist staff determine if an issue is a safeguarding or welfare matter and how to refer or who to contact.

The attached polices will be reviewed in three years or earlier if there are further developments in legislation or operational requirements.

The revised policies and procedures will be placed on the agenda of the Board of Management being held 07 June 2021 subject to any amendments required following any further comments from the Trade Union representatives or consideration by members.

3. Equality

Staff, students, representatives of recognised Trade Unions and external stakeholders were involved in the review and revision of the policies and procedures contained within this report. The Equality Impact Assessment for each policy has been revised and amended in light of the consultation process in compliance with the Equality Act 2010.

4. Risk

There are no new risks identified as a result of this item.

5. Recommendations

Members of the Human Resources Committee are recommended to:

i) note the content of this report and its appendices;

ii) provide feedback on the policies;

iii) endorse the revised policies and procedures subject to any amendments required by the Committee; and

iv) note that the revised draft policies and procedures will be placed on the agenda of the Board of Management, 07 June 2021, subject to any amendments required by the Committee.

6. Further Information

Further information on the content of this report can be obtained from Jeanette Evans, Vice Principal, Operations (jevans@glasgowkelvin.ac.uk) or Doreen Shiels, Director of Human Resources (dshiels@glasgowkelvin.ac.uk) or Andy Laszlo, Director of Digital Services (alaszlo@glasgowkelvin.ac.uk) or Geoff Lawson, Health and Safety Manager (glawson@glasgowkelvin.ac.uk) Derek Smeall, Principal (dsmeall@glasgowkelvin.ac.uk)

Appendix 1

Glasgow Kelvin College

Equality, Diversity and Inclusion Policy

Document Control Information	
Reviewed by the Senior Management Team:	
Date of Next Review:	
Approved by the Board of Management:	

The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives. This Policy has been subject to an Equality Impact Assessment this can be accessed on https://www.glasgowkelvin.ac.uk/equality-diversity/

Glasgow Kelvin College

Equality, Diversity and Inclusion Policy

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1. Statement of General Policy

This is the approved Policy of the Board of Management of Glasgow Kelvin College (the College") produced in partnership with management, trade unions, students, student and staff representatives and stakeholders.

Our College believes that equality, diversity and inclusion is integral to a successful modern workplace. We want to develop and implement policies and systems that challenge stereotypes across all aspects of our work. Such a culture, and the consequent sustainable programme of change, will benefit everyone in the College. It will attract a diverse range of high quality staff and students and identify our College as a progressive and innovative workplace that is committed to providing its students and staff with an environment in which they are welcomed, respected, valued and supported. We oppose all forms of discrimination, harassment and victimisation of any kind and we aim to ensure that the College provides an environment that advances equality, celebrates diversity and allows everyone to achieve their fullest potential. Its equality policies, procedures and associated practices apply to all students, staff, partnership organisations, contractors and service providers who shall be required to comply with their requirements.

The purpose of this Policy is to communicate this commitment of the Board of Management to the promotion of equal rights and advancement of equal opportunities for all student and staff of the College. This policy seeks to establish coordinated and positive measures to promote inclusiveness, diversity and equality in all our actions and in line with Equality legislation.

The College's commitment to equality, diversity and inclusion supports our vision and reflects its ethos and values, as expressed in our Strategic Plan. The College's reports, Public Sector Equality Duty and Equality Outcomes provide information on our progress in meeting our obligations under The Equality Act 2010. The College is committed however to going beyond legal compliance as we aspire to achieve excellence in equality, diversity inclusion in all that we do.

Signed:_____(Principal / Chief Executive of the College)

Date:_____

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2. Policy and Scope

2.1. The College recognises the strength of a multi-cultural and diverse society and is committed to advancing equality of opportunity and fairness in all areas of learning, employment and service delivery. We value the diversity of our student population, staff, service users and people living in our communities.

This Policy applies to:

- student and/or where necessary their carer/advocate;
- all staff;
- members of the Board of Management;
- employers associated with the College;
- visitors;
- service users;
- partnership organisations; and
- contractors and service providers.

2.2. The College's main function is to provide teaching and learning. The Equality, Diversity and Inclusion Policy applies to all aspects of the College's functions but in particular areas such as:

- student admissions and access;
- student attainment, achievement and assessment;
- provision of student guidance and support;
- curriculum design and delivery;
- staff recruitment, selection, employment, career progression and professional development;
- working in partnership with the community and establishing community links;
- service delivery and procurement;
- marketing; and
- quality assurance in all policies and functions.

2.3. The College aims to fulfil the statutory and general duties in current Equality Legislation, The Equality Act 2010 (The Act), in carrying out its functions, it will have due regard to the need to:

- to eliminate all forms of discrimination, harassment and victimisation that are prohibited by the Act;
- advance equality of opportunity; and
- foster good relations.

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2.4. The College aims to ensure equality for all and that those groups within society who are more likely to experience discrimination, and are protected by The Act, do not experience unlawful discrimination, harassment or victimisation while working, studying or visiting the College. The College opposes all forms of direct and indirect discrimination against an individual because they have one or more protected characteristic or through association in accordance with the legislation. These protected characteristics (of which there are nine for employment and eight for the provision of services) are listed in the table below:

Table 1: Protected Characteristics

Employment	**Provision of Services**
Disability Sex (gender) Gender reassignment Marriage or civil partnership Pregnancy and maternity Race Religion or belief Sexual orientation Age	Disability Sex (gender) Gender reassignment Pregnancy and maternity Race Religion or belief Sexual orientation Age (over 18s only)

2.5. The College's policy also prohibits discrimination on the grounds of:

- language or social origin;
- membership, or non-membership, of a trade union;
- a real or suspected medical condition or infection (a violation of The Equality Act based on an actual or perceived medical condition);
- social background (background such as family, education, social, financial status);
- status as looked after children or care leavers;
- menopause (largely covered under three protected characteristics: age, sex and disability discrimination); or
- status as ex-offender other than non-spent convictions.

2.6. To meet the requirements of The Act and the specific duties of the Public Sector Equality Duty the College commits to:

- promote a culture of equality, diversity and inclusion. We are committed to adopting flexible strategies and practices and will strive to ensure that there are no barriers to the progress of students or staff and that everyone has a chance to achieve their

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aspirations;

- create a working and learning environment free of bullying, harassment, victimisation and discrimination, promoting dignity and respect for all, and where individual differences and the contributions of our staff and students are recognised and valued;
- consider the needs of our stakeholders in decision making processes;
- assess the impact of any changes to services or how they are accessed to ensure that these do not impact negatively on any section of society and publish these accordingly;
- provide opportunities for training, development and progress to our staff, who will be helped and encouraged to develop their full potential, and fully support our Equality, Diversity and Inclusion Policy and associated practice. This commitment includes training managers and employees about their rights and responsibilities under the Policy. Responsibilities are contained within the staff job description and online training is provided every two years. Training and development will include how staff should conduct themselves to help the College provide equal opportunities in employment and learning, and challenge/prevent bullying, harassment, victimisation and unlawful discrimination;
- seek opportunities for the celebration of diversity within its learning community and within the communities which it serves;
- make decisions concerning staff based on merit (apart from any necessary and limited exemptions and exceptions allowed under the Equality Act)
- monitor the impact of our policies, practices and plans through the collection and analysis of statistical data on protected characteristics of job applicants, full-time and part-time employees and student and service users and review when necessary;
- fully investigate any breaches of this Policy and take appropriate action. Employees and students who believe that they have suffered any form of discrimination, harassment, victimisation or bullying are encouraged to raise the matter through the College's Report and Support online reporting system or agreed policies and procedures. Any person contracted to work for the College, agency worker or member of a partnership organisation working with the College who believes that they have suffered any form of discrimination are encouraged to try to resolve the matter through the College's policies and procedures, these are listed in section 7, if you are not clear which policies apply please contact HR, your course tutor or main contact at the College. Such acts will be dealt with as misconduct under the College's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice. Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

- regularly review its learning, teaching and working environment to understand how different individuals may be affected by our activities, so that our policies and services are appropriate and accessible to all, meet their needs and work to achieving equal outcomes in learning, employment and service provision. Thus ensuring the best match to current and future needs of all the communities we serve.
- ensure a College wide approach to mainstreaming equality through our:
  - policies, practices and plans;
  - Public Sector Equality Duty Report;
  - action plan to support the implementation our Equality Outcomes; and
  - inclusion of equality in planning and annual review; and.
- monitor our findings on an annual basis and publicly report these in the College's Public Sector Equality Report.

3. Responsibilities and Arrangements

To ensure that the Equality, Diversity and Inclusion Policy is effectively implemented, individual responsibilities and arrangements are specified in this section.

3.1. Board of Management

It is the responsibility of the Board to ensure that the College fulfils its legal responsibilities under The Act. The progress against its equality agenda and implementation of its Equality Outcomes is reported by the College at regular intervals to the Board of Management and its standing committees.

3.2. The Principal

Through demonstrating visible leadership and accountability at all levels of management and working in partnership with our staff, students, trade unions and other stakeholders we will embed equality in all that we do, in our culture and service provision.

The College Principal is accountable to the Chair to the Board of Management and has an overall responsibility for giving a consistent and high profile lead on equality issues and ensuring the implementation of its equalities agenda within all aspects of the College's strategic and operational functions.

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3.3. The College Management Team

The College Management Team is responsible for:

- embedding actions to achieve the College's Equality Outcomes into Operational Plans;
- the implementation of the Equality, Diversity and Inclusion Policy, its associated procedures and practices;
- ensuring that staff are aware of their responsibilities and that they receive support and training; and
- following the relevant procedures and taking action against staff or students who breach the College's Equality, Diversity and Inclusion Policy.

All managers are required to demonstrate leadership in implementing the Board's equality agenda and in advancing equality and diversity. In addition the College has an expectation of all staff to undertake a leadership role for advancing equalities in the activities they discharge on its behalf, to challenge discrimination in all its forms and foster good relations.

3.4. Managers

Managers are responsible for ensuring the implementation of the College's Equality, Diversity and Inclusion Policy and its associated procedures and practices. Managers will ensure that staff actively participate in training and development and monitor and report their team's contribution to the College's equality agenda and identify and share good practice in their area of responsibility.

3.5. All Employees

All staff are responsible for advancing equality, challenging discrimination in its various forms including, stereotyping, victimisation, bullying and harassment and fostering good relations. Staff are required to attend training to enhance their understanding of equality issues and equip them to challenge discrimination in its various forms. It is the responsibility of every member of staff to report breaches of this policy and its associated procedures.

All staff should understand they, as well as the College, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.

All job descriptions for staff contain a clause relating to their duty and responsibility to eliminate unlawful conduct, advance equality of opportunity and foster good relations across the protected characteristics.

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This ensures that staff clearly understand the Board's commitment to equality and actively challenge discrimination or harassment, should it occur, and advance equality.

3.6. Students

Students are:

- required to adhere to the College's codes, policies, procedures and practices associated with its equality, diversity and inclusion agenda;
- responsible for promoting equality, challenging or reporting any discriminatory behaviour / practices they witness;
- encouraged to participate in campaigns, activities that support and advance the College's equalities agenda and celebrate multiculturalism;
- work collaboratively with diverse groups and be respectful of others challenging negative attitudes; and
- expected to engage with the Student Engagement Officer and the Student Association to promote diversity in College life creating an all-inclusive learning environment.

It is the responsibility of every student to report breaches of this policy and its associated procedures, to actively promote mutual respect and positive attitudes between communities and groups that differ from one another.

3.7. Contractors

A contractor is an individual or company we do not employ but who we commission/contract to carry out a set task or tasks during the duration of contract, whether this is on a formal contract basis or not. Contractors and Service Providers on behalf of the College are responsible for following this Policy, and to report breaches of this policy and its associated procedures.

3.8. Equality and Diversity Committee

The Equality and Diversity Committee oversees the Board's equalities agenda. The Committee will review and monitor the implementation of this Policy and associated practice annually.

4. When does this policy apply?

This policy applies to all conduct in the workplace and also to conduct outside of the workplace that is related to your work (e.g. at meetings, social events and social interactions with colleagues) or which may impact on the College's reputation (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be

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linked to the College).

Set out below some specific areas of application:

a) Recruitment

Selection for employment at the College will be on the basis of aptitude and ability. Further detail is set out in our Recruitment and Selection Policy. The College will capture applicants' diversity demographics as part of its recruitment processes to promote the elimination of unlawful discrimination and inform its Recruitment and Selection approaches. Statistical data is published in our Public Sector Equality Report by protected characteristics.

b) Promotion

All promotion decisions will be made on the basis of merit, and will not be influenced by any of the protected characteristics. Promotion opportunities will be monitored to ensure equality of opportunity at all levels. Where appropriate, steps will be taken to identify and remove unnecessary or unjustifiable barriers to promotion.

c) Training

Staff (and students when appropriate) will be required to participate in training and development activities, to encourage the promotion of the principles of this policy.

d) During employment

The terms and conditions of employment available to staff are agreed under the National Recognition and Agreement Procedure, the application of these agreed terms and conditions will be reviewed on a regular basis to ensure that access is not restricted by unlawful means locally within the College. All College Policies and Procedures are reviewed every three years (or when necessary in light of changes to legislation or developments in case law) in partnership with our recognised Trade Unions, staff and students (where appropriate) to provide conditions to meet the needs of all of our staff and students and in particular to ensure the needs of disadvantaged or under-represented groups are met.

5. Breach of the Policy

The College will take seriously any instances of non-adherence to or a breach of the Policy by students, staff, contractors or visitors. Any instances of non-adherence will be investigated with the intent of resolving matters. Where appropriate, such instances may be considered under the relevant formal policies and procedures.

The College strongly encourages informal and local resolution of issues or complaints. Our Dignity and Respect Policy details the informal process to support staff and students to this

end.

Where appropriate, all student and staff complaints about breaches of the Policy should be raised at a local level in the first instance, with a view to informal and timely resolution. If such attempts to resolve complaints are not successful, or are inappropriate due to the nature of the breach of the Policy, then:

- students who believe there has been a breach of the Policy in relation to the provision of a service, the academic process or facilities provided by the College may raise this through the Student Complaints Procedure;
- instances of students breaching the Policy may be investigated under the Student Code of Behaviour;
- staff who believe there has been a breach of this policy may raise this through the Grievance Policy and Procedure or where appropriate the matter will be dealt with directly in accordance with the Disciplinary Policy and Procedure.
- students and staff may report a breach using the Report and Support system either anonymously or formally by making a named report.

Support is available for students and staff when these procedures are invoked. For students, support is available from their Course Tutor, the Student Association or Learner Support Services and Student Counsellors. For staff, advice and guidance is available from their manager or HR Team. Staff also have access to an independent externa Employee Assistance Provider www.pamassist.co.uk

Any visitor, or service user other than students, who believes there has been a breach of this policy may complain in writing to the Director of Human Resources.

6. Distribution of the Equality, Diversity and Inclusion Policy

The Equality, Diversity and Inclusion Policy for the College is easily accessible and is available from the:

- College Website or Intranet;
- Human Resources Department; and
- Guidance and Advice.

In addition, the College will ensure that:

- a copy of the Policy a copy is contained within the self-service account of staff;
- the policy is communicated to all employees, through induction training, management training, team briefings, displayed on notice boards, contained in the staff handbook, accessible through the College Intranet, referred to in the College Newsletter on a regular basis and made known to job applicants through its website;

- the policy is communicated to all student through the induction process;
- the policy is communicated to all potential students via the website;
- the policy is issued to individuals contracted to carry out work for the College, agency workers and partnership organisations; and
- managers and supervisors are aware of their responsibilities through appropriate and regular training.

7. Monitoring and Review

Evaluation and auditing will include information taken from the following sources:

- collection and analysis of statistical data on the age, disability, sex, gender reassignment, race, marital status, religion or belief and sexual orientation of all job applicants, full-time and part-time employees (including Pregnancy and Maternity) and student;
- recorded incidents of bullying, harassment, victimisation or discrimination through policies and procedures such as Code of Student Behaviour, Commendations and Complaints Procedure, Discipline and Grievance policies;
- Public Sector Equality Duty Report;
- Report and Support online reporting tool;
- information gained from the use of exit Interviews;
- feedback from the general staff through the Joint Negotiation and Consultation Committee;
- feedback from the Student Association;
- review of the annual Student Satisfaction Survey data;
- quarterly statistics from the Employee Counselling Service;
- information gained from the equal opportunities form used during the recruitment process;
- information gained from return to work interviews after periods of sickness absence;
- staff attitude surveys; and
- recorded incidents of harassment raised through the Complaints Procedure.

Responsibility for monitoring the application of this policy will rest with senior management.

8. Methods of Publication

The College will report regularly and, formally monitoring information collected and analysed to the relevant College Committees as appropriate. The results of assessment and monitoring data shall be published on annual basis through the College's Public Sector Equality Duty Report.

This will be presented to the Joint Negotiation and Consultation Committee and the Board of Management Committee and relevant standing committees. Copies of the report shall be made available upon request. The availability of the report shall be advertised when

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appropriate in the Staff Newsletter, 'Staff' email and through team briefings. Existing staff and students can access the report through the College's Intranet or can obtain a copy from the College's Human Resources Department. Copies of minutes from the Board of Management and its Committee meetings are available in the College via the Intranet which is accessible to staff and students.

9. Supporting Policies, Procedures and Practice

https://www.glasgowkelvin.ac.uk/policies-procedures/

- Dignity and Respect Policy and Procedure
- Grievance Policy and Procedure
- Disciplinary Policy and Procedure
- Public Interest Disclosure Policy
- Recruitment and Selection Policy and Procedure
- Policy and Procedure for PVG and Criminal Record Checks
- ICT Acceptable Use Policy
- Social Media Procedures
- Data Protection Policy
- Gender Based Violence Policy (will be launched 2021/22)
- Safeguarding Children, Young People and Vulnerable Adults Policy
- Menopause Policy

- Commendations and Complaints Handling Procedure
- Code of Learner Behaviour
- Staff Guide to Challenging Behaviour
- Student Online Etiquette
- Student Association Partnership Agreement
- Student Charter
- Ethos and Values Framework

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Glasgow Kelvin College

Equality Impact Assessment - 2021

Equality, Diversity and Inclusion Policy

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Practitioners conducting assessment		
Name	Designation	Date
Doreen Shiels	Director of Human Resources	26.04.21
Patricia Currie	EDI Manager	27.04.21

Step 1 – Identification and Scope

Brief description of the decision, policy or practice being assessed

Equality and Diversity Policy assists the College fulfil its statutory and general duties in Equality Legislation, The Equality Act 2010 (The Act), in carrying out its functions.

The EIA has been reviewed and updated in light of the recent consultation process to review and revise the Equality and Diversity Policy now titled Equality, Diversity and Inclusion Policy.

Aims of the decision, policy or practice?

To demonstrate the commitment of Board of Management to advancing equality of opportunity and fairness in all areas of learning, employment and service delivery. The policy aims to demonstrate that the Board values the diversity of its learner population, staff, service users and people living in its communities.

The document outlines the main function is to provide teaching and learning. The Equality and Diversity Policy applies to all aspects of the College's functions and identifies particular areas where equality is key to ensure equal access, progression, etc such as student admissions and access; curriculum design and delivery; staff recruitment, selection, employment, career progression and professional development; etc.

The Policy outlines the responsibilities of the Board of Management, management, staff, learners and stakeholders and the role of the Equality and Diversity Committee in meeting the general and specific duties under the Equality Act.

The document details how the Policy will be distributed, monitored, reviewed and publicised.

Who is affected by the decision, policy or practice?

- [x] Students
- [x] Staff
- [x] Members of the public/Stakeholders

Step 2 – Research and Consultation

Outline evidence / research

Equality Act 2010 - legislation
Public Sector Equality Duty Amendment Regulations 2016
EHRC
ACAS
CIPD
ECU
CRER
BTO
Education Outcomes for Looked After Children - Scottish Government

What consultation has been undertaken on this policy or practices, including consultation with those affected?

Trade Union Unison – Joint Negotiation and Consultation Committee Unison;
Trade Union EIS (FELA) – Joint Negotiation and Consultation Committee EIS/FELA;
College Managers;
Staff – team meetings and manager feedback;
College Legal Advisor;
Learners – focus groups April 2021;
Staff – focus groups April 2021

Research Key Findings

Consultation resulted in a number of changes to the policy document. Students largely found that the policy met their requirements however they felt that there should be more emphasis on the support available.

Managers and staff requested that the policy be strengthened to emphasise a zero tolerance approach to bullying, harassment, victimisation and discrimination and a greater focus on the provision of training and development. The document was updated to inform users of the Report and Support online reporting system which will be launched on 01 August 2021. There is a greater emphasises on GBV, sexual harassment, victimisation and discrimination and the Policy ensures that individuals are fully aware that sexual harassment may amount to both an employment rights matter and a criminal matter. The document is clearer about the expectations of the College from students in terms of their behaviour to advance its equalities agenda and create a positive learning environment and learner journey for all students. Two additional sections where added to ensure that individuals understand that the policy applies to conduct within and out with the workplace. It also sets out specific areas for policy application relating to: recruitment, promotion, and training and during employment; and a further section was incorporated to provide reassurance that non-adherence to or a breach of the Policy will be investigated and managed appropriately and the process for reporting such instances.

These changes were made as a direct feedback from staff and students.

Is there any evidence that different groups have, or may have, different needs, experiences and priorities in relation to this policy or practice?

Protected Characteristic	Yes (+ or -)	Potentially (+ or -)	Neutral (no impact)	Not known
Age		+		
Disability		+		
Gender		+		
Gender reassignment		+		
Marriage and Civil partnership		+		
Pregnancy and Maternity		+		
Racial group		+		
Religion or belief		+		
Sexual orientation		+		

Step 3 – Assessing the Impact

What impact could the proposal have on people who share protected characteristics (positive, negative and/or neutral?) Please provide details below.

Protected Characteristic	Likely Impact
Age	The policy applies to all regardless of age. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy.
Disability	The policy applies to all regardless of disability. It is available on intranet and therefore available in different fonts, text size and through assistive technology. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy.
Gender	The policy applies to all regardless of gender. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy. The Policy specifically addresses GBV and sexual harassment.

Protected Characteristic	**Likely Impact**
Gender reassignment	The policy applies to all regardless of gender reassignment. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy.
Marriage and Civil partnership	The policy applies to all regardless of marital status. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy.
Pregnancy and Maternity	The policy applies to all regardless if the woman is pregnant or is/has been absent previously on maternity leave. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy.
Racial group	The policy applies to all regardless of race. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy.
Religion or belief	The policy applies to all regardless of religion or belief. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy.
Sexual orientation	The policy applies to all regardless of sexual orientation. Positive affect to make sure that all groups are treated consistently and fairly, are aware of the College's commitment to equality and diversity, understand what is expected of them in terms of roles and responsibilities and know how to raise concerns about breaches to the policy.

Step 4 – Taking Action

Detail the actions you would take to remove or minimise any actual or potential negative impacts identified, and to build positive impacts.

Partnership working with the Trade Unions to jointly implement revised policy through an agreed implementation process.
Policy issued to all existing staff to raise awareness;
Policy issued to all new staff as part of induction process and added to staff self-service portal;
Policy available on the intranet and internet;
Training for managers in equalities legislation;
Online training package available to all staff;
Equality, Diversity and Inclusion post holder works with managers, teams and learners to raise awareness of policies, processes, practices and meet the three duties;
Monitoring and reporting of grievances, commendations and complaints, disciplinaries or issues relating to breaches of the equality policy to the Board of Management and HR Committee;
Partnership working with external bodies such as Advance HE and Glasgow Regional Equality Group;
Staff Conference Events;
Monitoring of Employee Assistance usage;
Launch of the Report and Support online reporting tool – 01.08.21
Activities which promote equality and diversity;
Equality and Diversity questions built into the learner satisfaction survey; and
Periodic Equality and Diversity Survey for staff.

Step 5 – Monitoring and Evaluation

Identify how this policy will be monitored and any areas of concern reported.

Monitoring and evaluation lies with the senior management team. Processes include:

- collection and analysis of statistical data on the age, disability, sex, gender reassignment, race, marital status, religion or belief and sexual orientation of all job applicants, full-time and part-time employees (including Pregnancy and Maternity) and learners;
- recorded incidents of bullying, harassment, victimisation or discrimination through policies and procedures such as Code of Learner Behaviour, Commendations and Complaints Procedure, Discipline and Grievance policies;
- Annual Reports and Action Plans;
- information gained from the use of exit Interviews;
- feedback from the general staff through the Joint Negotiation and Consultative Committees;
- feedback from the Student Association;
- review of the annual Student Satisfaction Survey data;
- quarterly statistics from the Employee Counselling Service;
- information gained from the equal opportunities form used during the recruitment process;
- information gained through the annual use of workforce profiles;

• information gained from return to work interviews after periods of sickness absence; • staff attitude surveys; and • recorded incidents of harassment raised through the Complaints Handling Procedure.

Please present your EIA with recommendations for endorsement. All EIAs will be published on the Portal and added to the current record of EIAs.

Step 6 – Approval – Equalities Committee

Identify outcome

A. Proceed – • no potential identified for discrimination or adverse impact, and: • all opportunities to advance equality have been taken.	
B. Proceed with adjustments to: • remove barriers identified or • better advance equality.	
C. Stop and rethink as actual *or* potential unlawful discrimination has been identified.	

Approved	**Yes**
*Not Approved and Requires Further Information	

**Please add Comments*

Person(s) responsible

Name	**Designation**	**Date**
Moinca McKerlie	Head of Learner Services	29.04.21
Arlene Sweeney	Learner Engagement Officer	29.04.21

Signed …… Date ……

Signed …… Date ……Central

Monitoring

Once your EIA is complete:

1. add it to the EIA monitor on the Equalities Section of the Intranet
2. In Col A. Insert Title **and** Hyperlink Doc

NB: Finalisation of central monitoring & identification of compound impact will be undertaken within Equalities Management.

Appendix

Equality Act General Duty requires colleges to have **due regard** to the need to:

1. **Eliminate**

a) discrimination,
b) harassment,
c) victimization; or
d) any other prohibited conduct

2. **Advance** equality of opportunity by

a) removing or minimising disadvantage
b) meeting the needs of particular groups that are different from the needs of others
c) encouraging participation in public life

3. **Foster** good relations – tackle prejudice, promote understanding

Protected Characteristics:

1. Age
2. Disability
3. Gender Reassignment
4. Marriage And Civil Partnership (applies only in relation to (1a) discrimination in *employment*, not to learners)
5. Pregnancy And Maternity
6. Race
7. Religion Or Belief
8. Sex/ Gender
9. Sexual Orientation.

Appendix 2

Glasgow Kelvin College

No Smoking (Smoke-free) Policy (Tobacco and E Cigarettes)

Document Control Information	
Reviewed by the Senior Management Team:	
Date of Next Review:	
Approved by the Board of Management:	

The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives. This Policy has been subject to an Equality Impact Assessment, which is published on our website: https://www.glasgowkelvin.ac.uk/equality-diversity/

Glasgow Kelvin College

No Smoking (Smoke-free) Policy

(Tobacco and E Cigarettes)

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5	Support for those who wish to stop smoking	3
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Draft

1. Introduction

This policy aims to protect staff, students, Members of the Board of Management, Contractors, consultants, agency workers, partnership organisations and visitors to the College from exposure to second hand smoke. Tobacco smoke has now been shown to cause serious damage to the health of both smokers and non-smokers.

The Smoking, Health and Social Care (Scotland) Act 2005 and Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006 require workplaces and vehicles for business purposes to be smoke free. Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses.

Section 2(2)(e) of the Health and Safety at Work Act (1974) places a duty on employers to provide a working environment for employees that is:

- safe;
- without risk to health; and
- adequate as regards facilities and arrangements for their welfare at work.

The requirements of the Management of Health and Safety at Work Regulations 1999 and the Workplace (Health, Safety and Welfare) Regulations 1992 and Safety and Health of Pregnant Workers Directive (92/85/EEC) place stringent requirements on employers to assess risks and ensure that non-smokers are protected from the dangers of tobacco smoke in work and rest areas, so far as is reasonably practical.

Smoking in any of Glasgow Kelvin premises and vehicles used for business purposes is strictly prohibited.

Each College building has rules in regard to smoking as detailed below:

West Campus	Designated smoking area available outside the gate on Hotspur Street
Easterhouse Campus	Designated smoking area available in area to the front of the campus boiler house (smoking shelter): this will cease effective from 01 August 2022
East End Campus	Designated smoking area available at rear of campus along back wall facing car park: this will cease effective from 01 August 2022
Springburn Campus	Designated smoking area available on Flemington Street

Draft

The College will aim to transition towards becoming a smoke free estate by academic year 2022/23. The College will consult with staff, students and representatives of its recognised Trade Unions as to how this might be achieve. The aim is by 01 August 2022 all smoking on College premises will be prohibited.

The College believe that a smoke free policy should aim to protect all staff and students from the harmful effects of second-hand tobacco smoke, comply with the law and support its staff who wish to give up, but also make provision for those unable or unwilling to give up. To this effect during academic year 201/22 the College will consult with staff and students as to how it will transition towards achieving smoke free premises

2. Scope

This Policy seeks to guarantee the right to work and learn in an environment free from tobacco smoke, whilst taking account of the needs of those who continue to wish to smoke.

The Policy applies to all staff, students, Members of the Board of Management, Contractors, consultants, agency workers, partnership organisations and visitors to the College. The Policy applies to all College facilities, owned or leased, regardless of location including vehicles used for business purposes. This includes private vehicles that are being used for business purposes when carrying passengers

3. Principles

- Smoking is **not** permitted in any of the buildings of Glasgow Kelvin College;
- Smoking is **not** permitted **at or near** the entrance to any of the College's buildings;
- Smoking is **not** permitted in any Glasgow Kelvin College vehicles;
- Smoking is **only** permitted in the designated areas which are clearly indicated;
- Smoking is permitted during official breaks. Staff who wish to smoke or vape during the working day may be permitted reasonable breaks, in agreement with their line manager, provided these do not prevent them from satisfactorily carrying out their responsibilities and work duties. Work time lost to smoking or vaping breaks should be made up as necessary;
- The promotion and sale of tobacco products is prohibited on College premises;
- The College will provide information and education for all staff and students by taking part in the annual No Smoking Day campaign, displaying posters and providing leaflets and other available appropriate information; and
- The College will provide encouragement and assistance to employees and students who wish to voluntarily stop smoking. Advice can be sought from the

Health and Safety Manager or Human Resources Department.

Staff, students, visitors and contractors are reminded that it is a criminal offence to smoke in smoke-free areas and doing so may result in a fine.

4. Electronic Cigarettes

The College acknowledges that some individuals may wish to make use of electronic cigarettes ("e-cigarettes") in the workplace, particularly as an aid to giving up smoking. E-cigarettes are battery-powered products containing liquid nicotine that release a visible vapour.

Although they fall outside the scope of smoke-free legislation, the use of e-cigarettes are subject to the **same prohibitions and restrictions as other tobacco products** under this policy. The College's rationale for treating e-cigarettes in a similar manner to tobacco products is that:

- the existing regulatory framework is inadequate in ensuring that e- cigarettes are safe and effective as a nicotine replacement therapy. In light of these concerns the British Medical Association believes the existing smoke free legislation in place in the UK should be extended to include vapour from e-cigarettes and recommends employers implement organisation wide policies prohibiting the use of e-cigarettes in their workplaces.

- whilst e-cigarettes do not produce smoke, they produce a vapour that could provide an annoyance or health risk to other individuals; and

- some e-cigarette models can, particularly from a distance, look like a real cigarette, making a smoking ban difficult to police and creating an impression for others that it is acceptable to smoke.

Those wishing to use e-cigarettes should NOT use these within College buildings. The principles in section 3 apply.

5. Support for those who wish to stop smoking

The College recognises that smoking is a primary health concern. People who smoke may, therefore, desire help or treatment to stop or reduce smoking.
Periodic publicity campaigns will be undertaken by the College to encourage smokers to stop and to publicise the support available. Staff and students who wish to give up smoking are advised to seek assistance from their General Practitioner.

It should be noted that this Policy is not concerned with whether or not anyone smokes but that they are not permitted to smoke in premises used by the College. It is recognised that this policy may act as an incentive to smokers to give up or reduce smoking.

Draft

Staff who experience difficulty in coping with giving up smoking may receive assistance from the Employee Assistance Programme (EAP). Staff can arrange an appointment through the Human Resources Department or direct by calling 0800 882 4102. Alternatively, information about the EAP can be obtained from their website. The website address is **www.pamassist.co.uk** The EAP does not provide financial assistance to give up smoking.

Students who experience difficulty in coping with giving up smoking may receive assistance from external organisations and a selection of these is outlined in appendix 1. Assistance from local groups near the Campus may also be available and students should contact the Advice and Guidance Team for further information.

In an effort to help individuals stop or reduce smoking, assistance and information materials can be sought from:

- your doctor or health professional who can provide self-help guides for giving up smoking; free or subsidised nicotine replacement therapy such as gum or patches; access to programmes for giving up smoking (the College will provide reasonable time off to attend such programmes);
- College's Health and Safety Manager;
- College's Human Resources Department; or
- Employee Assistance Programme (employees only).

This Policy now forms an integral part of the College's Health and Safety Policy.

6. Compliance

Smokers are required to comply with the terms of this Policy for their own and for their colleagues' well-being. However, the requirement of Health and Safety legislation place a much stricter emphasis on Smoking in the Workplace. Those who do not comply with the legislation on smoking are liable to a fixed penalty fine and possible criminal prosecution.

Where an employee fails or refuses to comply with the requirements of this Policy then disciplinary action may be considered under the College's Disciplinary Policy. A breach of the College's No Smoking (Smoke-Free) Policy could be considered to be misconduct under the Disciplinary Procedure and may, therefore, lead to appropriate disciplinary action.

Students who fail or refuse to comply with the requirements of this Policy may be subject to appropriate disciplinary action. A breach of the College's No Smoking (Smoke-Free) Policy will be dealt with under its Code of Student Code of Discipline.

Visitors and Contractors who fail or refuse to comply with the requirements of

this Policy may be asked to leave College premises.

An employee or student who breaches this Policy may be given the opportunity of accepting advice and assistance from the appropriate agencies as an alternative to action being taken under the College's Disciplinary Procedure/Code of Discipline. Providing the individual undertakes to co-operate and successfully undertakes treatment, disciplinary action may be suspended in respect of the offence which led to the referral under the Disciplinary Procedure/Code of Discipline. The suspension of any action is, however, dependent on the seriousness of the conduct in question and each instance will need to be assessed on an individual basis.

Employees may be granted, if necessary, subject to the exigencies of the service, time off with pay to attend any specialist or help group for advice and assistance.

Appropriate no smoking signs will be clearly posted at all entrances and throughout the workplace and in the vehicles hired for College activities. Copies of this Policy shall be made available for the information of students and on the College intranet.

There should be no discrimination against anyone exercising the rights afforded by this Policy. The success of this Policy will depend on the thoughtfulness, consideration and cooperation of smokers and non-smokers. All employees and students share in the responsibility for adhering to and enforcing this Policy.

7. Visitors

All visitors to the College are expected to abide by the terms of this Policy. Visitors will be made aware of the Policy by means of adequate sign posting and formal advice from appropriate staff in service areas.

8. Responsibilities

Overall responsibility for Policy implementation and review rests with the Principal/Chief Executive. All members of staff and students are obliged to adhere to and facilitate the implementation of this Policy.

All staff and students have a responsibility to comply with the terms of the policy and refrain from smoking anywhere on Glasgow Kelvin College premises or vehicles other than designated areas.

Staff are encouraged to assist the College by drawing attention to the 'No Smoking' signs should they see anyone smoking on College grounds or buildings. The No Smoking (Smoke-Free) Policy ensures a safe environment for all staff, students, other service users, contractors and visitors.

Managers have a responsibility to enforce the Policy and to support staff or students

Draft

who wish to stop or reduce smoking. Managers will receive information and training on how to carry out their responsibilities as part of the College's induction process, management training and annual welcome back pack.

Campus/Facilities staff will ensure that:

1. No smoking/Smoke Free Zone notices are clearly displayed at all entrances to the College premises and other strategic areas throughout the college buildings and vehicles.

2. All contractors and service providers will be informed of the policy requirements during the contracting process.

Copies of this Policy shall be made available to students and staff on the College intranet and information provided during the induction process.

Employee and student concerns with respect to this Policy should be directed to the Health and Safety Manager in the first instance.

Draft

Appendix 1

Support Agencies

1. Smokeline

Tel: 0800 84 84 84 Website: **www.canstopsmoking.com**

Scotland's national stop smoking helpline available from 8am to 10pm, 7 days per week.

2. ASH Scotland

8 Frederick Street
Edinburgh EH2 2HB

Email:
ashscotland@ashscotland.org.uk

Tel: 0131 225 4725

Website:
www.ashscotland.org.uk

Offers a free information and support service regarding the dangers of tobacco.

3. NHS Greater Glasgow and Clyde Smokefree Services

NHS Greater Glasgow and Clyde Smokefree Services are responsible for a wide range of tobacco projects aimed at reducing the damage from tobacco to people in and around Greater Glasgow and Clyde.

The Services offered in Greater Glasgow & Clyde to help you stop smoking come in many formats and using such a service can increase your chances of quitting successfully by up to four times. There is a service to suit everyone: group support in your local area, one to one support at a local pharmacy, one to one support for pregnant women, for patients in hospital and support for young people.

To find out about the stop smoking services and support in your area, what they offer and how to get in touch with them, visit:

www.nhsggc.org.uk/smokefreeservices

Staff Only

4. On-line Service

Pam Assist Online is accessed through www.pamassist.co.uk Further details can be found on the HR Section of the staff website. Calling the Helpline (0800 882 4102)

Draft

Glasgow Kelvin College

Equality Impact Assessment- 2021

No Smoking (Smoke Free) Policy

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Step 4 – Taking Action 5
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Practitioners conducting assessment		
Name	Designation	Date
Geoff Lawson	Health & Safety Manager	26.04.21
Doreen Shiels	Director of HR	27.04.21

Step 1 – Identification and Scope

Brief description of the decision, policy *or* practice being assessed

This policy aims to protect staff, learners, Members of the Board of Management, Contractors, consultants, agency workers, partnership organisations and visitors to the College from exposure to second hand smoke.

Aims of the decision, policy or practice?

The Smoking, Health and Social Care (Scotland) Act 2005 and Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006 require workplaces and vehicles for business purposes to be smoke free. Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses.

This Policy seeks to guarantee the right to work and learn in an environment free from tobacco smoke, whilst taking account of the needs of those who continue to wish to smoke. The College will consult further to establish if a smoke free estate should be introduced onto the two campuses where smoking has designated areas.

Who is affected by the decision, policy or practice?

- [x] Learners
- [x] Staff
- [x] Members of the public/Stakeholders

Outline evidence / research

The Health and Safety at Work Act 1974 etc.
The Management of Health and Safety at Work Regulations 1999
The Smoking, Health and Social Care (Scotland) Act 2005
Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006
Workplace (Health, Safety and Welfare) Regulations 1992
Safety and Health of Pregnant Workers Directive (92/85/EEC)

What consultation has been undertaken on this policy or practices, including consultation with those affected?

Senior Management
Human Resources
Trades Unions
Safety Representatives
HSE
Healthy Working Lives
Focus Groups – staff and learners
Staff survey on a smoke free premises

Research Key Findings

The Policy meets the criteria for Healthy Working Lives and the guidelines laid down by legislation and HSE.

Feedback has resulted demonstrated that staff and students would prefer a smoke free estate the College will seek to consult further and transition to a smoke free environment by 01 August 2022 if possible.

The Policy considers the needs of both smokers and non-smokers. However a commitment to transition to a smoke free environment has been incorporated. Two of the College premises are smoke free and two have a designated smoking shelter on site. This reflects the consultation feedback from staff and students. It is recommended by the College's Health and Safety Manager that it becomes a smoke free environment. During the focus groups held with staff the concern with regards to social distancing was also raised should the use of smoking shelters continue. The College is aware that this is a sensitive issue and that the introduction of smoke free premises will not be without its challenges. The College will consult with stakeholders during session 2021/22 how it might transition to become a smoke free premises by 01August 2022. The document was update to remind staff that smoking and vaping should be undertaken within reasonable breaks to be agreed with the line manager and that smoking in smoke-free areas is a criminal offence; and the provision of further advice for those who wish to cease smoking was added.

Is there any evidence that different groups have, or may have, different needs, experiences and priorities in relation to this policy or practice?

Protected Characteristic	Yes (+ or -)	Potentially (+ or -)	Neutral (no impact)	Not known
Age			X	
Disability			X	
Gender			X	
Gender reassignment			X	
Marriage and Civil partnership			X	
Pregnancy and Maternity			X	
Racial group			X	
Religion or belief			X	
Sexual orientation			X	

Step 3 – Assessing the Impact

What impact could the proposal have on people who share protected characteristics (positive, negative and/or neutral?) Please provide details below.

Protected Characteristic	Likely Impact – state why impact is positive, negative and/or neutral
Age	No impact
Disability	No impact
Gender	No impact
Gender reassignment	No impact
Marriage and Civil partnership	No impact
Pregnancy and Maternity	No impact
Racial group	No impact
Religion or belief	No impact
Sexual orientation	No impact

Step 4 – Taking Action

Detail the actions you would take to remove or minimise any actual or potential negative impacts identified, and to build positive impacts.

Policy issued to all existing staff to raise awareness;
Policy issued to all new staff as part of induction process;
Policy available on the intranet and internet;
Consultation on smoke free premises
Health and Wellbeing Workgroup;
Appropriate signage; and
Designated smoking areas in place.

Step 5 – Monitoring and Evaluation
Identify how this policy will be monitored and any areas of concern reported.

Routine staff surveys in line with Healthy Working Lives which informs number of staff who smoke and who would like to give up smoking. Estates staff monitor to ensure use of designated smoking areas Feedback from Trades Unions through JNCC Further consultation on smoke free premises to be undertaken

Please present your EIA with recommendations for endorsement. All EIAs will be published on the Portal and added to the current record of EIAs.

Step 6 – Approval

Identify outcome

A. Proceed – • no potential identified for discrimination or adverse impact, and: • all opportunities to advance equality have been taken.	
B. Proceed with adjustments to: • remove barriers identified or • better advance equality.	
C. Stop and rethink as actual *or* potential unlawful discrimination has been identified.	

Approved	**Yes/No**
*Not Approved and Requires Further Information	

**Please add Comments*

Person(s) responsible

Name	**Designation**	**Date**
Patricia Currie	EDI Manager	29.04.21
Monica McKerlie	Head of Learner Support Services	29.04.21

Signed …… Date ……

Signed …… Date ……

Central Monitoring

Once your EIA is complete:

1. add it to the EIA monitor on the Equalities Section of the Intranet
2. In Col A. Insert Title **and** Hyperlink Doc

NB: Finalisation of central monitoring & identification of compound impact will be undertaken within Equalities Management.

Appendix

Equality Act General Duty requires colleges to have **due regard** to the need to:

1. **Eliminate**
a) discrimination,
b) harassment,
c) victimization; or
d) any other prohibited conduct

2. **Advance** equality of opportunity by
a) removing or minimising disadvantage
b) meeting the needs of particular groups that are different from the needs of others
c) encouraging participation in public life

3. **Foster** good relations – tackle prejudice, promote understanding

Protected Characteristics:

1. Age
2. Disability
3. Gender Reassignment
4. Marriage And Civil Partnership (applies only in relation to (1a) discrimination in employment, not to students)
5. Pregnancy And Maternity
6. Race
7. Religion Or Belief
8. Sex/ Gender
9. Sexual Orientation.

Appendix 3

Glasgow Kelvin College

ICT Acceptable Use Policy

Document Control Information	
Reviewed by the Strategic Management Team	
Date of Next Review:	
Approved by the Board of Management:	

The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives. This Policy has been subject to an Equality Impact Assessment, which is published on our website: https://www.glasgowkelvin.ac.uk/equality-diversity/

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4. Supporting Policies and Legislation.....
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1. Introduction and Scope

The aim of the Glasgow Kelvin College Acceptable Use Policy (AUP) is to reflect the established culture of openness, trust and integrity. The purpose of this policy is to outline the acceptable (and prohibited) use of College computer equipment and network access. Inappropriate use exposes the College to a range of risks including virus attacks, compromise of network systems and services, and legal issues. This policy also prohibits accessing College ICT facilities to cause harm or offense to others.

The policy covers all users including staff, learners, partners and guests of the College ICT resources.

The policy is intended to protect users and their data, and the College as a whole from illegal or damaging actions by individuals, either knowingly or unknowingly. Inappropriate use by individuals will be managed in accordance with College policies and procedures, including the Disciplinary Policy and the Code of Student Behaviour. It will also be reported to law enforcement agencies if appropriate.

All internet access originating from the College network is subject to the JANET Acceptable Use Policy:

https://community.jisc.ac.uk/library/acceptable-use-policy

Any breach of the JANET AUP will be deemed a breach of the College AUP.

The policy will be reviewed at least every three years or when required by modifications to the regulatory frameworks or when, in the option of the College management or the Board's Auditors, there is any signification change in the structural, legislative, or operational aspects affecting the College.

2. Authorisation and Conditions of Use

2.1. Authorisation

Users are provided access to the College ICT Systems when they meet the following categories:

- members of staff;
- students; or
- partners of the College (i.e. learning network staff, individuals on work experience, contractors, auditors etc.)

Access will not be restricted on the grounds of disability, impairment or any other protected characteristic.

By logging on to a College system, whether on its premise or remotely, users are confirming acceptance of this policy by either clicking accept or ticking an acceptance button prior to logon.

When staff employment or a course of study finishes, access to ICT resources will be revoked automatically and the user accounts will be closed as per internal procedures.

2.2. Conditions of Use

ICT resources and Information Systems are provided primarily to support College business such as teaching, training, study and administrative support of these activities. However, reasonable personal use is also permitted provided there is compliance with this policy. Individuals should exercise due care and attention whilst using College ICT resources to ensure that the corporate reputation remainsa priority and no inflammatory posts could be attributed to the College on either internal or external information systems or social media.

Users must not masquerade as someone else and should always keep their logon identity and password private (exceptions will be made for users who haveadditional support needs). Users should choose a hard to guess password, of which guidance can be found within the College password change procedure whichis available from the intranet.

Each user has a personal duty to follow the AUP as diligently as possible, in most cases the College will prefer to inform users of a contravention to the AUP informallywhile advising corrective action. However, repeated or a serious breach to the AUPwill trigger disciplinary procedures.

The following acts can be construed as a misuse and a breach of the AUP:

- Installing software that is not explicitly permitted by the ICT Department;
- The printing, displaying, storing, internet browsing or transmitting of unacceptable or offensive material. This will include material which is:
    - racially, religiously, sexually or politically offensive;
    - obscene, indecent or pornographic; and
    - likely to promote terrorism or violence.
- The creation or transmission of material which is intentionally designed or likely to cause annoyance, inconvenience, intimidation or anxiety. This includes cyber-bullying or harassment in any form. Users should ensure that appropriate language and tone should be used in communications at all times in line with College policies and procedures;
- Intentionally affecting security systems or the disruption of network communications, including:
    - Intentionally clicking on known malicious links or running malicious software;
    - implementing a Denial of Service attack;
    - excessive or inappropriate use of College network bandwidth;
    - port scanning or information gathering (reconnaissance activity) of network systems exercises;

    - network monitoring/sniffing;
    - providing information about users outwith the College;
    - an attack that intentionally disrupts, prevents and/or removes access to computing services within the College or any external organisation; and
    - circumventing user authentication or security of any host, network or account.

- unauthorised copying, including downloading from the internet, of copyrighted material including, but not limited to, digitisation of photographs from magazines, books, music, applications or other copyrighted sources;

- utilising 'proxies' or VPN services to circumvent the College security systems;

- using computer resources to commit fraud, deception or other criminal act;

- vandalism of deliberate physical damage to College equipment;

- accessing another user's account;

- impersonating another user whether real (via the user account) or artificial (via 'doctored' data). For example, sending messages that appear to originate from another person;

- sending chain or bulk ('spam') messages;

- use of College systems for commercial gain, running a business, non-College related advertising, crypto mining or political lobbying;

- using unauthorised or unlicensed applications including games, screensavers, drivers, browsers and plug-ins;

- adding hardware devices to the College network without explicit authorisation from the ICT Department;

- introducing viruses or malware (e.g. viruses, worms, Trojan horses, email bombs) designed to impact systems performance, integrity, security, availability of harvest data;

- breaching or attempting to breach security controls including:

    - interfering with or disabling anti-virus software;
    - attempting to change 'safe search' settings;
    - disabling Windows/Mac update services;
    - encrypting key College data/systems without authorisation and;
    - changing system policies which reduces security (firewalls, modifying logs, disabling encryption on managed devices, etc)

- any action, or lack of action, which may interfere with the security of College systems or a data breach of Personally Identifiable Information (PII) or sensitive data as per the Data Protection Act 2018 and the General Data Protection Regulations (GDPR);

- exporting, processing or transfer of other users' PII or sensitive data outside of secure College systems; and

- contravening the JANET AUP (as referenced on page 3)

It is important that any personal data breaches, or indeed suspected breaches, across the College are reported as soon as possible to the Vice Principal, Curriculum and the Director of Corporate Services as per the College Data Breach procedure.

Under the terms of the Data Protection legislation, data controllers have no longer than 72 hours to report a breach to the Information Commissioner's Office after having become aware of it. The College will abide by this statutory requirement.

2.3. Accessing Services or Data Remotely (or on-campus mobile devices)

The College provides a number of services (email, files, VLE, intranet, etc.) which can be accessed remotely or via guest WiFi services such as Eduroam. It should benoted that the Internet Protocol (IP), MAC address and browser version data may berecorded when using these systems. This means that location and device browser information can be harvested (see section 3.3 for monitoring activity).
The following requirements shall also apply to user remotely accessing services and data:

Applies to all users

- users shall only access any remote services using a device that continues to receive security updates from the vendor and ensure that security patches are applied within 14 days of release; and

- devices should have adequate and up-to-date anti-virus/malware software installed.

Applies to Staff and Partners only (not learners)

- in line with the College Data Breach procedure it is important that individuals inform the ICT Services Desk immediately if a mobile device (whether College owned or personal) that has been used to access College data is lost or stolen. The ICT Service Desk will take steps to attempt to remotely wipe College data and apply measures to minimise the potential for data loss. The ICT Service Desk will notify the Vice Principal, Operations, the Director of Corporate Services or a member of the Privacy Network if a personal device containing data has been lost or stolen;

  GDPR - Policies and Procedures

- it is strongly recommended that mobile devices are encrypted and are protected with a pin of at least 8 digits;

- accessing College systems/data is not permitted on personal devices outside of the European Economic Area;

- any application used on a mobile device must be downloaded from either the Apple App or Google Play (no 'jailbroken' devices should be used);

- any devices accessing core or critical data/applications (HR data, Student Records, payroll) must be connected using a College encrypted laptop and Virtual Private network (VPN);

- if using a College owned mobile phone/tablet, the device must be enrolled in the Mobile Device Management system;

- individuals should use College assigned storage to store, transfer, process and access required data: USB storage is not permitted either remotely or on campus unless explicitly approved by the ICT Department; and

- PII data should never be sent outside of the College via email. If you need to send PII data external to the College then you must ensure:

    - There is a data sharing agreement in place,
    - The data file is suitably encrypted (i.e. using 7-zip with key [protection)
    - The data is shared and transferred using your OneDrive as per the following process – then unshared once the transfer has been completed.

3. Security and Data Protection

3.1. Filtering

The College utilises automated recording, filtering and monitoring software (Spam filter, URL filters, application filters, file auditing, administrative auditing software, etc.)to protect College systems, user data and other sensitive information. These cannotbe guaranteed failsafe and users have a responsibility to be vigilant when using College systems and processing data.

Opening emails and browsing websites should always be carried out with diligence and care.

The College will filter and attempt to scan and block content or Internet activity whichis deemed as being unsuitable or malicious, containing viruses or exploits. This includes pornographic, gambling and sites that provide a security threat.

The College appreciates the cooperation from users and promotes a reporting culturewith regards to Cyber incidents. Users are asked to inform ICT if they receive a suspicious email or notice irregular activity on their devices. Email should be sent to **ictservicedesk@glasgowkelvin.ac.uk**

3.2. Cyber Security

Cyber-attacks are an increasing threat to organisations. The attacks are mostly initiated through the theft of user credentials (i.e. the hacking of a member of staff user account). Essentially attackers view people as being vulnerable and open to exploitation.

The College has taken steps to increase the understanding of staff around cyber security, which will ensure the College is better protected and that staff can better protect their personal digital identity outside of the College.

To mitigate these risks staff **are required to complete the Workrite cyber awareness training module**. This module is mandatory and staff will complete it on an annual basis. New entrants will be required to complete the module as part of their induction process. This will help staff to understand threats better which assists them when working at the College and will also increase staff awareness in their personal online world.

The College has introduced Multi Factor Authentication (MFA) for remote access on all College staff accounts. Which will provides a strong base for using MFA on personal accounts (i.e. Gmail, Facebook, Twitter and other social accounts).

Information relating to MFA will be routinely provided by the ICT Team. A short information clip to support staff move onto MFA is accessible at this College video. You can control and manage your MFA settings here.

3.3. Monitoring

While the College ICT department aims to provide a high level of privacy all users should be aware that the data they create on the College systems remains the property of the College. Glasgow Kelvin College reserves the right to audit networksand systems on a periodic basis to ensure compliance with this policy. Systems are monitored to ensure that the Confidentiality, Integrity and Availability of systems and data is maintained.

Users should be aware that data held within the College is not routinely inspected and user data will normally be treated as confidential. An examination of user data will only be carried out in response to an alleged violation to the AUP or forgovernance/legal reasons such as GDPR compliance or Police Investigation. The College recognises that it has a duty of care in such investigatory work.

It should also be noted that when accessing College systems remotely you're IP address is recorded and can be used responsibly by College security systems to prevent malicious activity – this can be with automated alerting systems or pro-actively by the ICT department. You can review your sign-in data here – it is recommended you review this periodically.

The data the College collects, is subject to its processes and retention periods, these can be found in theCollege Privacy Notice.

GKC - Student Privacy Notice

GKC - Staff Privacy Notice

The retention periods for data and logs can be found in the College Document Retention Schedule.

GDPR - Policies and Procedures

Line managers of staff who leave the College will receive access to emails and files to ensure no important data is purged as a consequence of an individual leavings its employment. To ensure business operations it may also be necessary to grant line managers access to staff files/emails if they are on prolonged sick or annual leave. Formal approval will be sought from SMT before access is granted.

4. Supporting Policies and Legislation

4.1. College Policies

https://www.glasgowkelvin.ac.uk/policies-procedures/

- Disciplinary Policy and Procedure
- Grievance Policy and Procedure
- Dignity and Respect Policy
- Equality, Diversity and Inclusion Policy
- Password Change Procedure
- ICT Security Policy
- Data Protection Policy
- Data Breach Procedure
- Social Media Procedure
- Privacy Notice
- Document Retention Schedule

- Commendations and Complaints Handling Procedure
- Code of Learner Behaviour
- Staff Guide to Challenging Behaviour
- Student Online Etiquette
- Student Association Partnership Agreement
- Student Charter
- Ethos and Values Framework

- Encryption Procedure

4.2. External/Legislation

- JANET terms and conditions
  - https://community.jisc.ac.uk/library/acceptable-use-policy

- Data protection Act/GDPR Legislation
  - https://ico.org.uk/for-organisations/guide-to-the-general-data- protection-regulation-gdpr/

- National Cyber Security Centre, Cyber Essentials Plus accreditation
  - http://www.ncsc.gov.uk/scheme/cyber-essential

- Scottish Government Cyber resilience Strategy
  - http://www.gov.scot/Publications/2017/11/6231

Glasgow Kelvin College

Equality Impact Assessment

ICT Acceptable Use Policy - 2021

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Practitioners conducting assessment		
Name	Designation	Date
Andrew Laszlo	ICT Technical Manager	27.04.21
Doreen Shiels	Director of Human Resources	27.04.21

Step 1 – Identification and Scope

Brief description of the decision, policy or practice being assessed

The purpose of the ICT Acceptable Use Policy is to outline the acceptable (and prohibited) use of College computer equipment and network access. Inappropriate use exposes the College to risks including virus attacks, compromise of network systems and services, and legal issues. The Policy was introduced in 2013 after merger and has been reviewed in accordance with the Policy review schedule. This is the revised EIA for the review conducted in 2018.

Aims of the decision, policy or practice?

The Policy addresses the need to protect the College and its Users' data, balanced with the need to protect the rights of learners, staff and partners. The Policy is intended to Users and the College as a whole from illegal or damaging actions by individuals, either knowingly or unknowingly. The inappropriate use of the Policy will be managed in accordance with the College's policies and procedures and reported to external bodies when appropriate.

The policy ensures compliance with the GDPR, Cyber Essential Plus accreditation and supporting procedures, policies and practices.

Who is affected by the decision, policy or practice?

- [x] Students
- [x] Staff
- [x] Members of the public/Stakeholders

Step 2 – Research and Consultation

Outline evidence / research

College ICT and Network systems
File Storage: Guidance for Staff
Charter for System and Network Administrators Janet. It is endorsed by the Universities and Colleges Information Systems Association (UCISA).
Password Change Procedure
Computer Misuse Act 1990
Consumer Protection Act 1987
Data Protection Act 1998
The Equality Act 2010
EC Directives on Waste Electrical and Electronic Equipment (WEEE)
Freedom of Information Act 2002
Health and Safety at Work Act 1974
Copyright, Designs and Patent Act 1988
Protection of the Environment (Environmental Information Regulations 2005)
Regulation of Investigatory Powers Act 2000
The Telecommunications Regulations 2000 (Lawful Business Practice) (Interception of Communications)
GDPR Legislation
Cyber Essentials Plus
Scottish Government's Cyber Resilience Strategy

What consultation has been undertaken on this policy or practices, including consultation with those affected?

Trade Union – Unison.
Trade Union – EIS/FELA.
College Managers.
HR
Equality, Diversity and Inclusion Manager
Learners - focus groups
Staff – focus groups
Members of SMT

Research Key Findings

Several changes were made to this document after consultation in two key areas, misuse and breach of the Policy and cyber-security, the amendments include:

- Section 2: clarification on:
  - acts which can be construed as misuse and a breach of the Policy; and
  - accessing service or data remotely
- Section 3: additional information on security including a new section on Cyber Security to increase staff's understanding around cyber security and to better protect the College and their personal digital identify outside of the work.

Links to advice and training were included. The College n ow provide an online Cyber Security module which is compulsory for all staff.

Is there any evidence that different groups have, or may have, different needs, experiences and priorities in relation to this policy or practice?

Protected Characteristic	**Yes (+ or -)**	**Potentiall y(+ or -)**	**Neutral (no impact)**	**Not known**
Age			+	
Disability			+	
Gender			+	
Gender reassignment			+	
Marriage and Civil partnership			+	
Pregnancy and Maternity			+	
Racial group			+	
Religion or belief			+	
Sexual orientation			+	

<u>Step 3 – Assessing the Impact</u>

What impact could the proposal have on people who share protected characteristics (positive, negative and/or neutral?) Please provide details below.

Protected Characteristic	**Likely Impact**
Age	The policy applies to all regardless of age and protects the interests of all staff.

Protected Characteristic	Likely Impact
Disability	The policy applies to all regardless of disability and protects the interests of all staff. It is available on intranet and therefore available in different fonts, text size and through assistive technology.
Gender	The policy applies to all regardless of gender and protects the interests of all staff.
Gender reassignment	The policy applies to all regardless of gender reassignment and protects the interests of all staff.
Marriage and Civil partnership	The policy applies to all regardless of marital status and protects the interests of all staff.
Pregnancy and Maternity	The policy applies to all regardless if the woman is pregnant or is/has been absent previously on maternity leave.
Racial group	The policy applies to all regardless of race and protects the interests of all staff.
Religion or belief	The policy applies to all regardless of religion or belief and protects the interests of all staff.
Sexual orientation	The policy applies to all regardless of sexual orientation and protects the interests of all staff.

Step 4 – Taking Action

Detail the actions you would take to remove or minimise any actual or potential negative impacts identified, and to build positive impacts.

Policy issued to all existing staff to raise awareness through self-service staff portal;
Policy issued to all new staff and learners as part of induction process;
Policy available on the intranet and internet;
Users are required to confirm their acceptance of the policy before logging on to a networked College system or the 'Bring Your Own Device' WiFi system;
Training for managers in managing disciplinary matters which arise associated with the implementation of the policy;
Monitoring and reporting of policy application to the Board of Management, Teaching and Learning Committee and HR Committee;
Compulsory online Cyber Security Module for staff
ICT Advisory Committee in place; and
External guidance through Janet.

Step 5 – Monitoring and Evaluation

Identify how this policy will be monitored and any areas of concern reported.

Monitoring and evaluation: • Informal discussions with staff and managers; • Formal consultation with staff, managers and Trade Union representatives; • Staff surveys; and • Any recorded incidents, complaints or disciplinary matters.

Please present your EIA with recommendations for endorsement. All EIAs will be published on the Portal and added to the current record of EIAs.

Step 6 – Approval – Equalities Committee

Identify outcome

A. Proceed – • no potential identified for discrimination or adverse impact, and: • all opportunities to advance equality have been taken.	Yes
B. Proceed with adjustments to: • remove barriers identified or • better advance equality.	
C. Stop and rethink as actual *or* potential unlawful discrimination has been identified.	

Approved	**Yes**
*Not Approved and Requires Further Information	

**Please add Comments*

Person(s) responsible

Name	**Designation**	**Date**
Patricia Currie	EDI Manager	29.04.21
Monica McKerlie	Head of Learner Services	29.04.21

Signed …… Date ……

Signed …… Date ……

Central Monitoring

Once your EIA is complete:

1. add it to the EIA monitor on the Equalities Section of the Intranet
2. In Col A. Insert Title **and** Hyperlink Doc

NB: Finalisation of central monitoring & identification of compound impact will be undertaken within Equalities Management.

Appendix

Equality Act General Duty requires colleges to have **due regard** to the need to:

1. **Eliminate**

a) discrimination,
b) harassment,
c) victimization; or
d) any other prohibited conduct

2. **Advance** equality of opportunity by

a) removing or minimising disadvantage
b) meeting the needs of particular groups that are different from the needs of others
c) encouraging participation in public life

3. **Foster** good relations – tackle prejudice, promote understanding

Protected Characteristics:

1. Age
2. Disability
3. Gender Reassignment
4. Marriage And Civil Partnership (applies only in relation to (1a) discrimination in *employment*, not to learners)
5. Pregnancy And Maternity
6. Race
7. Religion Or Belief
8. Sex/ Gender
9. Sexual Orientation.

Appendix 4

Glasgow Kelvin College

Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure

Document Control Information	
Reviewed by the Strategic Management Team:	
Date of Next Review:	
Approved by the Board of Management:	

The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives. This Policy has been subject to an Equality Impact Assessment this can be accessed on: https://www.glasgowkelvin.ac.uk/equality-diversity/

Glasgow Kelvin College

Safeguarding, Children, Young People and Vulnerable Adults

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1. Introduction

The College is committed to providing all College users and visitors with a safe, supportive environment within which they can achieve, further develop and flourish and that protects them from harm, abuse and exploitation.

The College is equally committed to providing staff with an environment in which they can work together to encourage and develop an ethos which embraces difference and diversity and respects the rights of all.

2. Scope

The College takes cognisance of its statutory duties which arise as a consequence of the Protection of Vulnerable Groups (Scotland) Act 2007 and other related legislation, regulation and guidance and its Prevent duty in the Counter-Terrorism and Security Act 2015. This policy is designed to apply and enhance its statutory duties in that respect and protect College staff when dealing with vulnerable groups, children and young people. The College's policy is underpinned by the following:

- a child for the purposes of the Protection of Vulnerable Groups (Scotland) 2007 Act is an individual under the age of 18 (Section 97 of 2007 Act);
- a vulnerable adult for the purposes of the 2007 Act is any person aged 16 or over whom, for the time being is unable to safeguard their own welfare or properly manage their financial affairs (Section 94 of 2007 Act);
- the welfare of children, young people and vulnerable adults is a primary concern of the College;
- all children, young people and vulnerable adults have the right to be protected from abuse;
- all children, young people and vulnerable adults should feel safe and secure while using the College or in the care of its staff;
- all suspicions of or allegations of abuse will be taken seriously and reacted to appropriately and without delay;
- taking action to stop any inappropriate verbal or physical behaviour and emotional abuse, including bullying;
- having due regard to the need to prevent people from being drawn into terrorism, violent extremism and non-violent extremism; and

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- staff working with children, young people and vulnerable adults will have an understanding of the issues surrounding child protection, their duty under Prevent and be aware of good practice in relation to working with children, young people and vulnerable adults.

Definitions

Children and Young People: Anyone under 18 years of age. (The Protection of Children (Scotland) Act 2003 defines children as anyone under 18 years of age. This is also the age recommended by Education Scotland and the Scottish Government for use in College Safeguarding Policies.)

Adults at Risk: This term refers to anyone aged 16 or over whom for the time being:

- is unable to safeguard their own welfare or properly manage their financial affairs; and
- is in one or more of the following categories:

  a) a person in need of care and attention by reason of their infirmity or the effects of ageing

  b) a person suffering from an illness or mental disorder

  c) a person substantially affected by a disability

  Adults at risk may be in need of health or social support services and may be unable to take care or protect themselves from harm or exploitation.

The College has adopted the Prevent Duty in accordance with legislative requirements.

However, the College will endeavour to incorporate the relevant duties so as not to:

(a) Stifle legitimate discussions, debate or learner engagement activities in the local community; or

(b) Stereotype, label or single out individuals based on their origins, ethnicity, faith and beliefs or any other characteristics protected under the Equality Act 2010.

The national Prevent Duty confers mandatory duties and responsibilities on a range of public organisations, including Further Education Colleges, and seeks to:

- Respond to the ideological challenge of terrorism and aspects of extremism, and the threat we face from those who promote these views.
- Provide practical help to prevent people from being drawn into terrorism and violent extremism and ensure they are given appropriate advice and support.
- Work with a wide range of sectors where there are risks of radicalisation which needs to be addressed, including education, criminal justice, faith, the internet and health.

Prevent happens before any criminal activity takes place by recognising, supporting and protecting people who might be susceptible to radicalisation.

The Policy applies in all circumstances to:

1. all staff who, during the course of their employment have direct and indirect contact with children and vulnerable adults, or who have access to information about them, have a responsibility to safeguard and promote the welfare of children and vulnerable adults. No act or omission on the part of the College, or that of its staff, or partner organisations, should put a child young person or vulnerable adult inadvertently at risk, safeguarding is everyone's responsibility; and
2. the conduct of staff, students, volunteers, partner representatives, and designated persons in direct contact with children, young people and vulnerable adults.

3. Principles

The College will promote and safeguard the wellbeing of children, young people and vulnerable adults to ensure that they feel safe and secure and that they are free from exploitation and abuse. This will be achieved by:

- the College providing a safe, secure, welcoming and person-centred environment;
- the College promoting the rights, including privacy and dignity, of children, young people and vulnerable adults;
- staff having a clear understanding of their roles and responsibilities in protecting children, young people and vulnerable adults from harm and abuse including bullying and neglect;
- staff receiving training in recognition of harm and abuse including neglect, bullying and discrimination and will follow the College's procedures in addressing these issues, training will be provided at the commencement of each academic session;
- staff having a clear understanding of their roles and responsibilities in

recognising vulnerability to being drawn into terrorism and be aware of what action to take;

- staff and student office bearers receiving training in the Prevent awareness to ensure a general understanding of what radicalisation means, the potential risks affecting children, young people and vulnerable adults, a specific understanding of how to identify individuals who may be at risk of radicalisation and to challenge extremist ideas;

- the College's Safeguarding Children, Young People and Vulnerable Adults Procedures and meeting Local Authority guidance on child protection;

- staff, Board Members and individuals regularly using the College being a member of the Protection of Vulnerable Groups Scheme (PVG Scheme) or carefully and appropriately vetted by Disclosure Scotland in line with Part V of the Police Act 1997 prior to appointment and by applying these procedures routinely throughout an individual's career at the College;

- regular risk assessments by staff in respect of possible abuse being carried out or the risk of radicalisation. Monitoring will be undertaken through matters raised through the Colleges Safeguarding and Corporate Parenting Team and Code of Learner Behaviour and appropriate interventions will be identified and applied.

- as appropriate, and/or required by law, seek to respond to information provided by partner organisations; or self-disclosure by the learner; disclosed (on behalf of learner) by parent/ carer/ advocate and/or by partner/ external agency;

- ensuring that all matters related to safeguarding children, young people and vulnerable adults comply with the College's Safeguarding Policy;

- referring, not investigating; and

- issuing a copy of this Policy to external partner agencies and contractors who regularly work on College premises.

In the event that a member of the College's staff is the subject of allegations of abusive behaviour involving children, young people and/or vulnerable adults these will be dealt with within the College's existing Disciplinary Policy and Procedures.

The College will regard substantiation of such behaviour as example of 'gross misconduct' which is likely to lead to dismissal.

The College will, in the event that it dismisses a member of staff for such proven misconduct, exercise its statutory duty to report such a situation within the terms of the Protection of Vulnerable Groups (Scotland) Act 2007.

4. Code of Conduct

It is important for all staff and others in contact with children, young people and vulnerable adults to:

- wear photographic identification at all times to ensure they can be identified as a member of College staff;
- be aware of situations which may present risks and manage these in an appropriate manner;
- plan and organise the work and the workplace so as to minimise these risks;
- be visible, as far as is possible, when working with individuals within these categories;
- ensure that a culture of openness exists to enable them to raise or to discuss any issues or concerns;
- ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour does not go unchallenged;
- engage with children, young people and vulnerable adults and encourage them to raise any concerns; and
- empower children, young people and vulnerable adults – this will seek to enable them to discuss with staff their rights, what is acceptable and unacceptable, and what they can do if there is a potential problem.

In general it is considered to be inappropriate for a member of staff to:

- spend excessive or unnecessary time alone with children, young people and vulnerable adults away from others;
- take or invite children, young people and vulnerable adults to their own home;
- involve other external speakers/participants in classes without their presence. In all cases if external individuals are to participate in classes or other activities it is expected that the College's staff will, at all time, also be present; and/or
- place any child, young person or vulnerable adult, that they are working with/ responsible for, in the position of being alone with external parties

In addition staff and other adults in the College's employment must never:

- hit or otherwise physically assault or physically abuse children, young people and vulnerable adults;

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- develop physical / sexual relationships with children, young people and vulnerable adults;

- behave physically in a manner which is inappropriate or sexually provocative;

- have a child, young person or vulnerable adult with whom they are working to stay overnight at their home;

- sleep in the same room or bed as a child, young person or vulnerable adult with whom they are working;
- make sexually suggestive comments to a child, young person or vulnerable adult, even in fun;

- act in ways tended to shame, humiliate, belittle or degrade children, young people and vulnerable adults, or otherwise perpetrate any form of emotional abuse;

- discriminate against, show differential treatment towards, or favour particular children, young people and vulnerable adults to the exclusion of others;

- develop relationships with children, young people and vulnerable adults which could in any way be deemed exploitative or abusive; and

- act in ways that may be abusive or may place a child, young person or vulnerable adult at risk of abuse.

Staff and others must also avoid actions or behaviour that could be construed as poor practice or as being potentially abusive. For example, staff should never:

- use language, make suggestions, or offer advice which is inappropriate, offensive or abusive;

- do things for children, young people and vulnerable adults of a personal nature that they might reasonably be expected to do forthemselves;

- allow inappropriate language or actions to go unchallenged;

- draw conclusions about others without reasonable cause;

- condone, or participate in, behaviour of children, young people and vulnerable adults which is illegal, unsafe or abusive; or

- think it could never happen to them.

The College recognises the potential impact which the involvement of staff in circumstances where a child, young person or vulnerable adult may have been

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abused. It will offer any such member of staff support by reference to the Employee Counselling Service or other external support mechanisms (as appropriate). It should also be clear that the strict application of the Safeguarding Procedures will also protect staff from allegations of abuse.

5. Promoting Positive Behaviour

The College aims to promote positive behaviour by treating everyone connected with the organisation with dignity, respect, equality and fairness at all times by creating a safe and secure environment free from bullying, harassment and discrimination by ensuring that users are free from exploitation and abuse.

Its staff will achieve this by:

- being aware of and complying with the College's Safeguarding Children, Young People and Vulnerable Adults Policy and associated procedures;
- valuing each person they come into contact with, including children, young people and vulnerable adults, as an individual;
- ensuring their conduct is always an example of good practice;
- ensuring their interactions build confidence, encourage and support the learning of new skills and values the contributions of all, including children, young people and vulnerable adults;
- working, where appropriate, with parents, guardians, peers and/or key workers to promote positive behaviour and deal with difficult or challenging behaviour;
- encouraging the participation of children, young people and vulnerable adults in the life and work of the College;
- encouraging children, young people and vulnerable adults to take responsibility for their own behaviour;
- ensuring they do not demean, belittle or humiliate anyone or label any individual;
- helping to build resilience to radicalisation by providing a safe environment for debating controversial and sensitive issues;
- establishing an appropriate code of behaviour and ensuring that this is consistently applied to all children, young people and vulnerable adults in all circumstances;
- maintaining a safe environment/ working in a safe manner that is consistent with all relevant legislation and by carrying out regular risk assessments;

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and

- Code of Learner Behaviour which is available on the College Intranet.

6. Record Keeping

The College will maintain records that are required for the efficient and safe management of the organisation and to promote the welfare, care and learning of children, young people and vulnerable adults.

It will ensure that:

- records will be kept in accordance with the requirements of the College's Funding Body and other statutory agencies;
- individuals and/or, as appropriate, their parents, guardians and/or carers can access relevant records;
- any such records will be confidential and will be securely stored;
- in the knowledge of any additional vulnerability information may be shared between College staff and possibly relevant partners where appropriate in line with its obligations under Corporate Parenting; and
- the Data Protection Act 2018 is complied with.

7. Confidentiality

The effective operation of The College involves the sharing of information between users and the organisation. In order to respect the dignity and privacy of all users, the College will actively promote confidentiality in the following ways. The College will:

- provide guidelines for staff on required records and reports;
- provide guidance to staff on the handling of confidential and sensitive information;
- provide secure storage for such files and information;
- as appropriate, provide parental / guardian / carer access to their own child, young person or vulnerable adult's records; and
- undertake not to disclose confidential information, unless required to do so in matters of safeguarding children, young persons and vulnerable adults or life or death situations.

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Staff should not, in any circumstances, offer confidentiality to children, young persons and vulnerable adults who might be in abusive situations. They should, however, offer support to any individual who they believe may be at risk.

Staff should make it clear that they have a legal duty to pass on, and not hold as confidential, disclosures relating to real/ suspected harm/ abuse involving children, young people and/or vulnerable adults.

It should be noted that legislation, including the Data Protection Act 2018, does not prevent the appropriate sharing of information to protect vulnerable individuals as defined in this policy, section 2.

8. Recognition, Prevention and Reporting of Child Abuse

The College aims to ensure that all students and users of College services, including children, young persons and vulnerable adults participate in activities within a safe and caring environment. It is the responsibility of staff to protect children, young persons and vulnerable adults from all forms of abuse and discrimination, as far as is possible.

The College aims to ensure that all staff are informed about abuse, the forms it can take, recognition and steps to take in terms of recognition and prevention.

All staff working with children, young persons and vulnerable adults at the College will require to be a member of the appropriate Protection of Vulnerable Groups Scheme.

It shall be the responsibility of all staff to report instances of abuse or reasonable suspicions of abuse to the attention of the College's Safeguarding and Corporate Parenting Team. It shall further be the duty of members of the College's Safeguarding and Corporate Parenting Team to advise appropriate external agencies about any concerns reported.

In the event of an issue out with normal working hours contact should be made with a member of the College Safeguarding and Corporate Parenting Team, details of this can be found on the College website and intranet, the Safeguarding Guidance Card, on posters displayed in each campus or obtained from any reception area at each campus.

In the case of young people of school age attending the College the Principal (or other member of the College's senior management team) shall advise the Principal Officer for Inclusion of Glasgow City Council. This Policy alongside Education Management Standard Circular 57 are adhered to in these circumstances. A copy of standard Circular 57 can be found on the College

Intranet under the Safeguarding site.

In the case of a child in the care of the local authority (who does not attend school) the College will advise the Executive Director (Education and Social Work Services) (or appropriate Director for Social Work Services) of its concerns.

In the case of children who are no longer at school, young people not at school or vulnerable adults, the College will advise the Executive Director (Education and Social Work Services) about concerns about abuse.

The College anticipates that these agencies will then investigate any such concerns within their procedures.

The College will not investigate any allegations of abuse. It will pass on information to the authority indicated.

9. Types of Abuse

The College recognises that there are main types of abuse of children, young persons and vulnerable adults. These include:

- **physical abuse** – may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, or otherwise causing physical harm to a child, young person or vulnerable adult;

- **sexual abuse** – forcing or enticing a child, young person or vulnerable adult to participate in sexual activities (including that related to pornography), whether or not the child, young person or vulnerable adult is aware of what is happening;

- **emotional abuse** – the persistent emotional ill treatment of a child, young person or vulnerable adult such as to cause severe and persistent adverse effects on the child, young person or vulnerable adult's emotional development;

- **neglect** – the persistent failure to meet a child, young person or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of the child, young person or vulnerable adult's health and/or development. Ignoring medical or physical needs, not providing access to appropriate care, the withholding of the necessities of life, such as medication, adequate food, water and heating. Ignoring educational needs of a child or young person. Every child has the right to an education which develops their personality, talents and abilities to the full.

- **financial abuse** – involves theft, borrowing money without repayment and any pressure in connection with wills or property, possessions or benefits.

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- **bullying** – this is abuse and is a deliberate act or acts designed to intimidate and aggravate a child, young person or vulnerable adult or to undermine self-confidence and self-esteem.

It shall be the duty of staff to respond to reasonable concerns about all such abuse.

i) Physical Abuse

Physical abuse occurs when someone inflicts injuries on a child, young person or vulnerable adult, or does not prevent such injuries when in a position to do so.

Examples of physical abuse include:

- allowing or creating a substantial risk of significant harm to a child, young person or vulnerable adult;
- physical punishment;
- use of excessive force;
- poisoning;
- suffocation;
- Munchausen's Syndrome by Proxy, or situations where parents/guardians make up stories of illness about their child, young person or vulnerable adult or cause physical signs ofillness;
- shaking; and
- confinement to a room or cot, or inappropriately given drugs to control behaviour (especially in the care of children, young people and vulnerable adults who require assistance to learn or to make progress in a College environment).

This list is not exhaustive.

ii) Sexual Abuse

Sexual abuse occurs when someone, irrespective of age or gender, use children, young persons or vulnerable adults for their own sexual gratification.

Examples of sexual abuse include:

- exposure of the sexual organs or any sex act performed in the

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presence of a child, young person or vulnerable adult;

- touching or molesting a child, young person or vulnerable adult for the purpose of sexual arousal or gratification;
- sexual intercourse with a child, young person or vulnerable adult;
- sexual exploitation of a child, young person or vulnerable adult; and
- noncontact activities, such as involving children, young persons and vulnerable adults in looking at pornographic material or watching sexual activities, or encouraging children, young persons or vulnerable adults to behave in sexually inappropriate ways.

This list is not exhaustive.

iii) Emotional Abuse

Emotional abuse occurs when a child, young person or vulnerable adult's need for affection, approval, consistency or security are not met. It is centred on the relationship between an adult and a child, young person or vulnerable adult rather than in a specific event or pattern of events. It is rarely manifested in terms of physical symptoms. For children with disabilities it may also include over-protection or failure to acknowledge or understand a child's disability.

Examples of emotional abuse include:

- regular name calling, repeated criticism, condemnation and/or hostility;
- care being conditional on a child, young person or vulnerable adult's behaviour;
- inconsistent or unrealistic expectations of a child, young person or vulnerable adult or failure to respond to their difficulties;
- placing unrealistic responsibility on a child, young person or vulnerable adult;
- over or under protection of the child, young person or vulnerable adult;
- failure to foster the child, young person or vulnerable adult's education and development;
- unrealistic or overly harsh discipline; and
- exposure to domestic violence.

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This list is not exhaustive.

iv) Neglect

Neglect is normally defined in terms of omission, where a child, young person or vulnerable adult suffers significant harm or impairment of development by being deprived. It may also include neglect of a child, young person or vulnerable adult's basic emotional needs including intellectual stimulation and affection. Neglect generally becomes apparent over a period of time rather than in one specific incident. For example, a child, young person or vulnerable adult who suffers a series of minor injuries may not be having their needs for safety and supervision met. The threshold of significant harm is reached when the child, young person or vulnerable adult's needs are neglected to the extent that his or her wellbeing and/or development is severely affected.

Examples of neglect include:

- inadequate clothing;
- frequent hunger;
- poor or no medical treatment;
- lack of education;
- children, young person or vulnerable adult left without supervision; and
- lack of care or supervision during activities.

This list is not exhaustive.

v) Financial abuse

Financial or material abuse includes theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits. Safeguarding covers a range of activities aimed at upholding an adult's fundamental right to be safe. Included in this is the right for a person to be safe from financial exploitation. A perpetrator may be a family member, friend, care worker/professional or a stranger who has chosen to target a vulnerable adult.

Examples of financial abuse may include:

- theft
- fraud by abuse of position

- fraud by failing to disclose information
- fraud by false representation
- blackmail
- forgery
- ill treatment or neglect.

This list is not exhaustive.

vi) Bullying

Bullying is abuse and can come under any of the behaviours outlined above. It is behaviour such as repeated teasing, taunting, threatening, hitting or extortion by one or more individuals against a victim or victims. It is a deliberate act or acts designed to aggravate and intimidate. It is the responsibility of staff to deal immediately with bullying whenever it takes place.

Many children, young people and vulnerable adults are reluctant to tell adults that they are being bullied. The risk of bullying and harassment by adults and children should be anticipated by taking active steps to prevent it occurring. Bullying should not be tolerated under any circumstances.

Examples of bullying include:

- physical aggression;
- intimidation;
- verbal bullying;
- damage to property;
- isolation;
- repeated gestures or expressions of a threatening or intimidatory nature;
- comments intended to degrade the child, young person or vulnerable adult; and
- initiation rituals

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Definitions

The following are commonly agreed definitions within the Prevent[1] agenda as issued by the UK Government:

- An **ideology** is a set of beliefs.
- **Radicalisation** is the process by which a person comes to support terrorism and forms of extremism that may lead to terrorism.
- **Safeguarding** is the process of protecting vulnerable people, whether from crime, other forms of abuse or from being drawn into terrorism- related activity.
- **Terrorism** is an action that endangers or causes serious violence, damage or disruption and is intended to influence the government or to intimidate the public and is made with the intention of advancing a political, religious or ideological.
- **Vulnerability** describes factors and characteristics associated with being susceptible to radicalisation.
- **Extremism** is vocal or active opposition to fundamental British Values, including democracy, the rule of law, individual and mutual respect and tolerance of different faiths and beliefs.

This list is not exhaustive.

1 Revised *Prevent* Duty Guidance for Scotland. Guidance for specified Scottish authorities on the duty in the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism. HM Government.

10. Recognition of Abuse

The responsibilities of staff do not lie in identifying the abuse but rather in reporting reasonable concerns to the College to be forwarded to appropriate bodies for further consideration and possible investigation.

The College's policy and procedures for dealing with issues of bullying and harassment, in any form, include:

i) Indicators of Abuse

The following list highlights indicators of abuse which might be used by staff to recognise abuse of children, young people or adults. It is important to note that, even though a child, young person or vulnerable adult may be displaying some of these signs or behaving in a way that is causing concern, does not necessarily mean that they are being abused. Staff will be required to exercise

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their professional judgement in these respects:

- injuries to the child, young person or vulnerable adult that are not consistent with the normal recreational habits of children, young persons or vulnerable adults either in body position or type;

- inconsistent or unreasonable explanation of an injury by a child, young person or vulnerable adult, parent or carer;

- inconsistent or inappropriate behaviour such as sexually suggestive remarks or actions, mood swings, uncharacteristically quiet / aggressive, severe tantrums;

- failing to achieve normal development milestones where there is no good cause for this to be the case;

- becoming socially isolated;

- overeating / loss of appetite, weight loss / gain;

- children, young people or vulnerable adults being inappropriately dressed or ill kept and / or dirty;

- excuses relating to injuries;

- self-inflicting injury;

- open distrust of, or discomfort with, parent or carer;

- delayed social development, poor language and speech;

- excessively nervous behaviour such as rocking or hair twisting;

- exceptionally low self-esteem;

- flinching when approached or touched;

- recurring headaches or abdominal pain;

- reluctance to remove clothing where activities legitimately require it; and

- reluctance to go home

This list is not exhaustive.

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Radicalisation is a form of grooming and therefore abuse.

Indicators which could include:

- Changing their style of dress or personal appearance maybe to accord with the group.
- Self- segregation.
- Day-to-day behaviour becoming increasingly centred on an extremist ideology, group or cause.
- Loss of interest in other friends and activities not associated with the extremist ideology, group or cause.
- Possession of materials or symbols associated with an extremist cause.
- Attempts to recruit others to the group/cause.
- Communications with others that suggests identification with a group, cause or ideology of concern
- Using insulting and/or derogatory names for another group.

Increase in prejudice-related incidents committed by that person – these may include:

- physical or verbal assault
- provocative behaviour
- damage to property
- derogatory name calling
- possession of prejudice-related materials
- prejudice related ridicule or name calling
- inappropriate forms of address
- refusal to co-operate
- attempts to recruit to prejudice-related organisations
- condoning or supporting violence towards others.

ii) Procedure for Disclosure

The guidance issued to College staff is attached as Appendix 1.

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In exercising their professional judgement about the possible abuse of individuals who are attending the College the undernoted general guidance will be of assistance to staff.

Staff **should:**

- be accessible and receptive;
- take concerns raised by children, young people and vulnerable adults or someone on their behalf seriously;
- exercise their judgement to recognise potential indicators of abuse;
- reassure the child, young person or vulnerable adult;
- negotiate getting help;
- believe the child, young person or vulnerable adult;
- find help quickly by contacting a member of the Safeguarding Team; and
- make careful records; and complete the College Confidential Reporting Form when appropriate (see Appendix 2).

Staff **should not**:

- jump to conclusions;
- try to force the child, young person or vulnerable adult to disclose;
- speculate or accuse anyone;
- promise confidentiality; and
- investigate matters themselves.

iii) Combating Bullying and Abuse

Bullying and abuse can be reduced by the following measures:

- raising awareness of bullying and abuse as unacceptable forms of behaviour;
- creating an ethos which encourages children, young people, vulnerable adults, staff, parents/guardians to report bullying and abuse and to use these procedures to address these issues;
- ensuring the supervision of children, young people and vulnerable adults

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during all activities;

- ensuring a supportive environment for victims of bullying and abuse;
- securing the support of peers/colleagues/parents/guardians to counter bullying and abuse; and
- removing persistent bullies from activities.

The Safeguarding intranet site has a wide range of supporting materials for staff to access:

https://intranet.glasgowkelvin.ac.uk/sites/GKC/Pages/safeguarding.aspx

Appendix 3 contains information to assist staff to assess a situation and where/how to seek support for students whether this is related to their health and wellbeing or a safeguarding matter.

11. Withdrawing a Student Offer or Place on a Programme

In circumstances where a student has been offered, or has a place on a College programme, it is established that they are a risk to other students taking cognisance of its statutory duties which arise as a consequence of the Protection of Vulnerable Groups (Scotland) Act 2007 and other related legislation, the College will:

- establish a panel to hear the concerns consisting of the Director of Curriculum for the area, a member of the Safeguarding Team and representatives(s) of the agencies with whom the prospective or existing student is engaged with;
- the panel will fully assess if there are risks to others associated with the individual, can these risks be mitigated and balance the rights of the individual and the safety of others to make an informed decision; and
- inform the individual of the College's decision in writing (the decision to proceed with an offer or continue with the student's programme may be accompanied by a written agreement with regards to mitigations required).

12. Safeguarding Team

The members of the Safeguarding Team can be found at: https://intranet.glasgowkelvin.ac.uk/sites/GKC/Pages/safeguarding.aspx

The role of these members of staff is to:

- support any student who is at risk of harm or being harmed. It is not their role to investigate the how and why. The focus for the Safeguarder is to deal with students in crisis. Once the immediate risk has been assessed, it is the role of the Safeguarder to support the student to access the relevant agencies. These may include NHS 24, Women's Aid, Housing/Homelessness, Police etc.
- undertake appropriate training as mandated by the College;
- offer an initial point of contact, should any student or member of staff have any concerns relating to safeguarding;
- enable staff and student to meet their responsibilities towards safeguarding;
- maintain an up-to-date knowledge of safe guarding and oversee the provision of training to others as necessary; and
- support and advise the College in respect of its policies, procedures and practices associated with safeguarding students, young people and vulnerable adults

13. Staff Training and Development

All staff are expected to participate and undertake the following training:

- **Safeguarding Course** - Compulsory Workrite Intranet - https://intranet.glasgowkelvin.ac.uk/sites/GKC/Pages/welcome.aspx

- **Action Counters Terrorism (ACT) Awareness E Learning Course** **https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fct.highfieldelearning.com&data=02%7C01%7Cmorventhomson%40glasgowkelvin.ac.uk%7C8ed75ddc23d54e8a815408d76c40ca48%7C6f0c84bd6c8848519207e65e39645f16%7C0%7C0%7C637096897846495638&sdata=GNDlmPKu4bbgjiSyvUOTXWqwB1RkGvFYBEFlq52flZ8%3D&reserved=0** (Glasgow Kelvin College PIN Code: 092267)

- **Safeguarding Unit** – College Development Network - **Safeguarding Learners in College (collegedevelopmentnetwork.ac.uk)** This course will provide staff with a better understanding of the legislative and policy background to safeguarding; how to take a person-centred approach to safeguarding and how to identify and respond to any issues and concerns that arise in the college environment. It is about safeguarding students in the broadest sense, not just about protecting and detecting abuse and neglect.

- **Corporate Parenting Unit** – Colle Development Network – **Corporate Parenting (collegedevelopmentnetwork.ac.uk)** These resources are designed to support colleges in enabling care-experienced students to come to college, build a positive relationship with education and move them onto higher education and work.

- **Staff Briefings** – At the start of each academic year line managers will provide a briefing to their staff on their responsibilities under this Policy and Procedure.

14. Supporting Policies, Procedures and Practices

https://www.glasgowkelvin.ac.uk/policies-procedures/

- Disciplinary Policy and Procedure
- Code of Student Behaviour
- Grievance Policy and Procedure
- Dignity and Respect Policy
- Equality, Diversity and Inclusion Policy
- ICT Acceptable Use Policy
- Commendations and Complaints Handling Procedure
- Complaints Handling Procedure
- Social Media Procedures for Staff
- Data Protection Policy
- Policy and Procedure for Protection of Vulnerable Groups and Criminal Record Checks
- Public Interest Disclosure Policy
- Recruitment and Selection Policy and Procedure

- Commendations and Complaints Procedure
- Code of Learner Behaviour
- Staff Guide to Challenging Behaviour
- Student Online Etiquette
- Student Association Partnership Agreement
- Student Charter
- Ethos and Values Framework

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Appendix 1

Glasgow Kelvin College

Safeguarding and Corporate Parenting

Children, Young People and Vulnerable Adults

Advice to All Staff

This advice is drawn from the College's Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure. The purpose of the Policy is to protect those at risk and the adults who work with them.

Every person must take account of their responsibilities in ensuring that children, young people and vulnerable adults are safe and get the help they need. It is everyone's job to ensure the safety of children, young people and vulnerable adults.

Things You Must Do:

- Treat all individuals, including children, young people and vulnerable adults with respect.
- Ensure photographic identification issued by the College is be worn at all times in the College and when on College business.
- Ensure that your own conduct is at all times an example of good practice.
- If you are alone with a child, young person or vulnerable adult (referred hereafter as the child for the purpose of this section) during your College activities, you should ensure:
    - that someone else is in close proximity, for example, in the next room or in sight even if not within hearing distance;
    - someone else (always) knows the time and place when you are alone;
    - the child, parent/carer and person in charge know the reasons for the one to one contact and agree for it to take place;
    - you and the child know what to do in an emergency, how to contact the parent/carer and/or another worker;
    - you have access to a phone or can summon help by calling out;

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- the child is given permission to stop the one to one contact and knows how to complain or to get help;
- you, stop the session if you become aware that the child is uncomfortable with being alone with you, and
- you make a record of the fact that you were alone with a child or children, the reason for this, and what happened.

If for any reason you are not able to inform the parent/carer and person in charge in advance that you have been alone with a child, you do so as soon as possible afterwards.

- Respect the right of individuals to have their privacy and dignity assured.
- Do not discourage children, young people or vulnerable adults who want to talk about attitudes or behaviour they do not like.
- Remember that someone else might misinterpret your actions, no matter how well-intentioned.
- Recognise that special caution is required if you are discussing sensitive issues with children, young people vulnerable adults and/or their parents or carers.
- Be aware of other staff, be vigilant and act to help them keep themselves and children, young people and vulnerable adults safe. Be prepared to challenge their actions.
- Operate within College policies, including the Safeguarding Children, Young People and Vulnerable Adults Policy and the Protecting Vulnerable Groups (Scotland) Act 2007.
- Record on A Safeguarding – Confidential Reporting Form a concern or a disclosure of abuse, detailing where possible exactly what was said and recording times and the individual(s) involved. The Confidential Reporting Form is available on the intranet under:
  - Safeguarding; or
  - A copy can be obtained from the Human Resources Department.

Things You Must Not Do:

- Have inappropriate physical contact with children, young people or vulnerable adults, including 'caring' physical contact (e.g. a hug).
- Encourage inappropriate attention-seeking behaviour.

- Speak in an inappropriate way to or make suggestive/derogatory remarks or gestures in front of children, young people or vulnerable adults.

- Discourage children, young people or vulnerable adults who want to talk about attitudes or behaviour of others they do not like.

- Draw conclusions about others without reasonable cause.

- Exaggerate or trivialise child abuse issues.

- Rely on your good name or that of the College to protect you from scrutiny of your conduct.

- Think it could never happen to you.

- Take a chance when informed common sense, policy and practice suggest another more prudent approach.

- Ignore the Protecting Vulnerable Groups (Scotland) Act 2007 or College policies or guidelines and procedures operating within any establishment in which you may be on duty.

What To Do:

If a child, young person or vulnerable adult talks to you about abuse by someone else:

- Advise the child, young person or vulnerable adult that you **must** pass the information on.

- Allow him or her to speak without interruption, listen to what is said, but **do not investigate**.

- Be sensitive to feelings of guilt and isolation, but do not make anyjudgement.

- Let them know that they were right to share this information with you.

- Tell the individual what is likely to happen next.

If you suspect a child, young person or vulnerable adult is being abused, emotionally, physically or sexually:

- Report the matter immediately to one of the College's Safeguarding and Corporate Parenting Team, who will notify the Principal or Vice Principal. In the event of an issue outwith normal working hours the please contact on the mobile number provided.

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Safeguarding and Corporate Parenting Team contact details can be found on the Intranet.

or

email a concern to: safeguarding@glasgowkelvin.ac.uk

- Where local authority or private agencies are involved the Principal or Vice Principal will notify the Executive Director (Education and Social Work Services), Director of Education or Social Services or the Head of Establishment. Where the head of establishment is the subject of the allegations, then the Director should be informed. The establishment's own Child Protection policy should then operate.

If you receive an allegation about any adult or about yourself:

- Immediately tell a member of the College's Safeguarding and Corporate Parenting Team who will inform the Principal or Vice Principal.

- Try to ensure that no-one is placed in a position which could cause compromise.

In all cases:

- Record the **facts** as soon as possible on the Colleges Confidential Reporting Form and pass to a member of the College Safeguarding and Corporate Parenting Team as a matter of urgency.

- You **must** refer;

- you **must not** investigate and you **cannot** ignore

The Safeguarding intranet site has a wide range of supporting materials for staff to access:

https://intranet.glasgowkelvin.ac.uk/sites/GKC/Pages/safeguarding.aspx

Appendix 3 contains information to assist staff to assess a situation and where/how to seek support for students whether this is related to their health and wellbeing or a safeguarding matter.

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Appendix 2

Protection Of Children, Young People And Adults At Risk And Safeguarding Staff

Confidential Reporting Form

The College's Safeguarding Policy and Procedures provide a means by which we can address concerns about children, young people or adults at risk (see Policy section 9: Types of Abuse). If you wish to report concerns about possible harm of a person under the terms of our Policy, or if you feel that you are a victim of harm and wish the College to seek to help deal with the situation, please provide the information below and return the form, in a sealed envelope, to a member of the Safeguarding and Corporate Parenting Team.

1. Contact

Your name:	
Department (if staff)	
Course and class (if student)	

How can we contact you to follow-up?	College Telephone Ext	
	Mobile Phone	
	Telephone Number	
	Other (please specify)	

2. Reporting

If you are reporting concerns about another person, please tick (√) in this box	
If you are reporting fears or concerns about yourself, please tick (√) in this box	

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3. Details of your concern (***in confidence***)

(if necessary, continue on the reverse of this form)

Signed: _____

Date:_____

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Flowchart 1 - Evalulate the Situation

Indicators

Is the person's behaviour causing concern?

How does the person seem?

Is there any other information?

Is the person telling you there is a problem?

Is there anything unusual or different about the person's behaviour that makes you feel concerned?

Tense / Irritable / Agitated

Sad / Miserable / Cheerful

Changing mood or behaviour

Disorientated

Withdrawn or unusually quiet

Panicky / Behaving erratically

Unable to concnetrate

Incoherent / Dulled

Has the person disclosed a mental health problem?

Is there an increase in absences?

Has anyone else noticed a problem?

Is this different to your previous experience of the person?

Assess the Situation

Does the individual give you cause for concern, or would you answer "yes" to any of these questions?

Does the person appear suicidal?

Do you believe that the individual is at risk of immediate harm to self or others?

Do you have any other reason for immediate concern?

YES

Use the **urgent** flow chart to contact the safeguarding and corporate parenting team.

NO

Use the **non-urgent** flow chart to refer to Advice, Guidance & Learner Support.

Flowchart 2 - What to do if the Situation is Non-Urgent

If the student will accept help at college

The student has external support in place

The student will not accept help

Inquire whether the student is satisfied with the external support or if they feel they require additional support.

Requests additional support

Satisfied – inform AGLS are available when needed and that a short note of the meeting will be sent to AGLS

Refer to Advice, Guidance & Learner Support (AGLS) via the student support services referral process on the College intranet

https://intranet.glasgowkelvin.ac.uk/sites/GKC/Pages/sssReferrals.aspx

Make clear that help is available if they change their mind
Seek advice from AGLS if necessary
Monitor and log situation without interfering

AGLS will provide:

1 >1 continued support

Access to college counsellor

Referrals to external organisations

Advocacy on behalf of student

If situation becomes urgent refer to safeguarding team

Mobile numbers are available via the safeguarding section of the College intranet (https://intranet.glasgowkelvin.ac.uk/sit es/GKC/Pages/safeguarding.aspx)

The safeguarding team can also be contacted via email safeguarding@glasgowkelvin.ac.uk

Flowchart 3 – What to do if the Situation is Urgent?

The situation id urgent then:

Advise the individual that you must pass the information on.

In all situations:

- **Stay calm**
- **Stay safe**
- **Stay with the person**

After the situation:

- **Have a debrief**
- **Keep a record**

Contact a member of the College Safeguarding and Corporate Parenting Team in all insatances

Email: safeguarding@glasgowkelvin.ac.uk

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Glasgow Kelvin College

Equality Impact Assessment

Safeguarding Children, Young People and Vulnerable Adults Policy - 2021

Contents

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Practitioners conducting assessment		
Name	Designation	Date
Doreen Shiels	Director of Human Resources	26.04.21
Patricia Currie	EDI Manager	27.04.21

Step 1 – Identification and Scope

Brief description of the decision, policy or practice being assessed

Review of Safeguarding Children, Young People and Vulnerable Young Adults Policy in light of the College policy review schedule.

Aims of the decision, policy or practice?

The College will promote and safeguard the wellbeing of children, young people and vulnerable adults to ensure that they feel safe and secure and that they are free from exploitation and abuse. The objectives of the policy are to:

- improve senior management commitment and accountability
- create a clear understanding amongst staff and stakeholders safeguarding
- responsibilities
- ensure services for children, young people and vulnerable adults are safe and
- accessible
- ensure children and young people's views are taken into account
- put in place a programme of staff training and continuing professional development
- put in place safer recruitment vetting procedures and procedures for responding to
- allegations against staff
- put in place effective inter Agency working

Who is affected by the decision, policy or practice?

- [x] Students
- [x] Staff
- [x] Members of the public/Stakeholders

Step 2 – Research and Consultation

Outline evidence / research

Original development of the policy involved the following research, there have been no changes:
Equality Act 2010 - legislation;
The Children and Young People (Scotland) Act 2014
The Adult Support and Protection Act 2007
EHRC;
ACAS;
CIPD;
Local Authority Guidelines on child protection; and
Revised *Prevent* Duty Guidance for Scotland. Guidance for specified Scottish authorities on the duty in the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism. HM Government.

The Policy is associated with several other College policies and procedures. These include Complaints Handling, Whistle Blowing Policy, PVG and the Code of Learner Behaviour

What consultation has been undertaken on this policy or practices, including consultation with those affected?

Trade Union Unison
Trade Union EIS (FELA);
College Managers;
Staff;
Learners;
Safeguarding and Corporate Parenting Team; and
Students
Staff
Health and Social Care Partnership – CRAFFT - audit/training based on policy content
WhoCares Scotland

Research Key Findings

The consultation exercise and review led to several changes of the document. Staff requested that a definition of children and young people and adults at risk be incorporated to ensure clarity.

A section which provides the site details for staff to access supporting materials to assist them when managing a safeguarding issue was added to ensure staff are supported. Recent experience in the curriculum area led to the incorporation of an additional section which sets a process out for the withdrawal of an offer or a place on a programme where the College establishes that an individual poses a risk to other students taking cognisance of its statutory duties which arise as a consequence of the Protection of Vulnerable Groups (Scotland) Act 2007 and other related legislation. To assist staff understand the role of a safeguarder an additional section was added which clarifies for staff the role of a safeguarder and how to access contact details.

To ensure that staff understand and undertake appropriate training an additional section which

details training and development for staff on safeguarding, prevent and corporate parenting was added with links. The provision of a flowchart to assist staff determine if an issue is a safeguarding or welfare matter and how to refer or who to contact was also added. These changes were made as a direct result of the consultation process.

Is there any evidence that different groups have, or may have, different needs, experiences and priorities in relation to this policy or practice?

Protected Characteristic	**Yes (+ or -)**	**Potentially (+ or -)**	**Neutral (no impact)**	**Not known**
Age		+		
Disability		+		
Gender		+		
Gender reassignment		+		
Marriage and Civil partnership		+		
Pregnancy and Maternity		+		
Racial group		+		
Religion or belief		+		
Sexual orientation		+		

<u>Step 3 – Assessing the Impact</u>
What impact could the proposal have on people who share protected characteristics (positive, negative and/or neutral?) Please provide details below.

Protected Characteristic	**Likely Impact**
Age	The Policy seeks to safeguard all children, young people and vulnerable adults from harm, irrespective of age.
Disability	The Policy seeks to safeguard all children, young people and vulnerable adults from harm, irrespective of disability.
Gender	The Policy seeks to safeguard all children, young people and vulnerable adults from harm, irrespective of gender.
Gender reassignment	The Policy seeks to safeguard all children, young people and vulnerable adults from harm, irrespective of gender reassignment.

Protected Characteristic	Likely Impact
Marriage and Civil partnership	The Policy seeks to safeguard all children, young people and vulnerable adults from harm, irrespective of marital status.
Pregnancy and Maternity	The policy applies to all regardless if the woman is pregnant or is/has been absent previously on maternity leave.
Racial group	The Policy seeks to safeguard all children, young people and vulnerable adults from harm, irrespective of race.
Religion or belief	The Policy seeks to safeguard all children, young people and vulnerable adults from harm, irrespective of religion or belief.
Sexual orientation	The Policy seeks to safeguard all children, young people and vulnerable adults from harm, irrespective of sexual orientation.

Step 4 – Taking Action

Detail the actions you would take to remove or minimise any actual or potential negative impacts identified, and to build positive impacts.

Policy uploaded to self-service portal for all existing staff and a campaign undertaken to raise awareness;
At the start of each session a briefing is provided by the line manager.
Policy issued to all new staff as part of induction process;
Policy available on the intranet and internet;
Training for staff on safeguarding, corporate parenting and PREVENT annually or as appropriate;
Equality, Diversity and Inclusion role holder works with managers, teams and learners to raise awareness of safeguarding issues;
Monitoring and reporting of safeguarding instances;
EDI role holder a member of the Safeguarding Workgroup for FE Sector;
Safeguarding and Corporate Parenting Team in place;
Online training module for staff on safeguarding must be completed every two years;
Dedicated email address for staff and learners to raise concerns relating to safeguarding; and
Activities which promote safeguarding, Corporate Parenting and the PREVENT duty.

Step 5 – Monitoring and Evaluation

Identify how this policy will be monitored and any areas of concern reported.

Monitoring and evaluation lies with the senior management team. Processes include:

- recorded incidents;
- Annual Reports and Action Plans;
- feedback from the general staff through the Joint Negotiating and Consultative Committee;
- feedback from the Student Association; and
- review of the annual Student Satisfaction Survey data.

Please present your EIA with recommendations for endorsement. All EIAs will be published on the Portal and added to the current record of EIAs.

Step 6 – Approval – Equalities Committee

Identify outcome

A. Proceed – • no potential identified for discrimination or adverse impact, and: • all opportunities to advance equality have been taken.	Yes
B. Proceed with adjustments to: • remove barriers identified or • better advance equality.	
C. Stop and rethink as actual *or* potential unlawful discrimination has been identified.	

Approved	**Yes**
*Not Approved and Requires Further Information	

**Please add Comments*

Person(s) responsible

Name	**Designation**	**Date**
Monica McKerlie	Head of Learner Services	29.04.21
Jenny McKay	Curriculum Manager	29.04.21

Signed …… Date ……

Signed …… Date ……

Central Monitoring

Once your EIA is complete:

1. add it to the EIA monitor on the Equalities Section of the Intranet
2. In Col A. Insert Title **and** Hyperlink Doc

NB: Finalisation of central monitoring & identification of compound impact will be undertaken within Equalities Management.

Appendix

Equality Act General Duty requires colleges to have **due regard** to the need to:

1. **Eliminate**
a) discrimination,
b) harassment,
c) victimization; or
d) any other prohibited conduct

2. **Advance** equality of opportunity by
a) removing or minimising disadvantage
b) meeting the needs of particular groups that are different from the needs of others
c) encouraging participation in public life

3. **Foster** good relations – tackle prejudice, promote understanding

Protected Characteristics:

1. Age
2. Disability
3. Gender Reassignment
4. Marriage And Civil Partnership (applies only in relation to (1a) discrimination in *employment*, not to learners)
5. Pregnancy And Maternity
6. Race
7. Religion Or Belief
8. Sex/ Gender
9. Sexual Orientation.