How to embed equality in outcome agreements

Toolkit for colleges and college regions

The Scottish Funding Council (SFC) issued revised guidance on outcome agreements for 2017 to 2020 on 5 October 2016.

This toolkit will support colleges and college regions (regions) to address the equality related requirements of 2017-2020 outcome agreements. This toolkit should be read in conjunction with the SFC’s guidance for 2017-20 outcome agreements.

There is considerable overlap between Scottish Government and SFC’s equality related priorities, broader widening access aims, legislative equality duties and outcome agreement requirements. Outcome agreements are therefore a key vehicle through which colleges and regions can address their own, Scottish Government and SFC’s strategic equality aims, while also evidencing their progress on meeting their Equality Act 2010 public sector equality duty Scottish duties (equality duties).

This toolkit therefore also outlines how to align development of outcome agreements with wider equality duties and reporting requirements.

The toolkit includes guidance on how to embed equality into outcome agreements, through:

= using equality impact assessment as an essential tool
= aligning and embedding information from existing and planned equality work, including equality outcomes and other key equality reporting, into the outcome agreement
= addressing SFC’s strategic equality aims and specific equality priorities

Resources and recommendations are included throughout to support embedding of equality.
Overview

‘With SFC support, our universities and colleges will continue to bring about the Scottish government’s vision of a smarter, fairer, wealthier and greener Scotland. They will do this by investing in their people and estates, giving learners access to high-quality teaching and well-equipped, sustainable facilities; by working with industry to drive innovation in the economy, recognising and redressing skills gaps, and improving the well-being of citizens; by promoting inclusivity, transforming lives by breaking down barriers and reducing income inequality; and by being outward looking and competitive, actively promoting Scotland on the international stage.’

‘Equality and diversity should be considered in relation to all of SFC’s priorities. In particular to respond to the general and Scottish specific duties of the Equality Act (2010); including: mainstreaming of equality and diversity within the outcome agreement process.’

All colleges, college regions and SFC have a legal duty to mainstream equality across their work under the equality duties. In relation to the current equalities reporting status, a number of new reports must be in place by April 2017. This provides an opportunity for colleges to ensure alignment between their equality duties and the development of their outcome agreements.

SFC requires colleges and college regions to demonstrate their fulfilment of the equality duties in their 2017-20 outcome agreements through:

- undertaking equality impact assessment of their outcome agreement
- mainstreaming equality and diversity within the outcome agreement
- evidencing how they are responding to the requirements of the equality duties, including the new reporting requirements for April 2017

SFC also sets a number of specific equality priorities for colleges and regions:

- **Inclusivity and widening access**: Evidence of an inclusive approach, based on fair and accessible opportunities for all and addressing barriers to access and success for those from protected characteristic groups. This includes consideration of equality requirements within key sector strategies and developments.

SFC highlights these as:

‘DYW[Developing the Young Workforce], the Gender Action Plan, SFC’s Access and inclusion strategy and implementation of the recommendations within the Commission on widening access final report.’

The requirement to develop access and inclusion strategies that link to equality based outcomes and reporting for priority access groups provides an important focus for approaches to equality, access and inclusion.

Specific priorities for inclusivity and widening access include:
identifying and addressing underrepresentation issues and differences in retention and attainment of protected characteristic groups

improving disclosure and data collection

reducing gender imbalances for learners within particular subject areas

supporting students and staff who are carers

working with partners to improve participation and employability for disabled students in particular, and those within other protected characteristic groups, such as black and minority ethnic (BME) students

developing plans to support the British Sign Language (BSL) Act (Scotland)

consideration of race equality in the context of the government’s race equality strategy

Promoting gender equality for staff, including:

highlighting how colleges and regions are proactively promoting gender equality for staff through delivery of their equality duties

addressing gender imbalances at senior academic level

working towards elimination of the gender pay gap, as a key requirement of the equality duties

In addition, identifying areas of underrepresentation for other protected characteristic groups and demonstrating measures being taken to address these is highlighted as an overarching requirement as part of the priorities for high performing institutions.

Meeting equality and diversity within governance requirements

ensuring compliance with legislative equality requirements and addressing the gender balance of the college’s or region’s boards.

Role of equality and diversity leads

Colleges and regions will benefit from involving their equality and diversity leads to help address the above requirements. College and regional equality and diversity leads can advise on;

existing published equality outcomes for their college

the development of new equality outcomes for April 2017

specialist skills to support the process of equality impact assessment

This will help to ensure there is alignment between college and regional equality and diversity work, and work to embed equality and inclusion priorities within outcome agreements.
Resources


ECU (2012) *The public sector equality duty: specific duties for Scotland*
www.ecu.ac.uk/publications/the-public-sector-equality-duty-specific-duties-for-scotland

ECU (2016) *Setting equality outcomes: guidance for Scottish institutions*
www.ecu.ac.uk/publications/setting-equality-outcomes-guidance-for-scottish-institutions
Equality impact assessment of outcome agreements

Under the equality duties, colleges must assess and review the impact that new or revised policies and strategies may have on equality for students and staff. This duty applies to outcome agreements, including any annual revisions to outcome agreements. SFC asks colleges to demonstrate their fulfilment of this duty in 2017-20 outcome agreements.

Undertaking an equality impact assessment (EIA) of the agreement can ensure the college:
- uses evidence to identify priorities for advancing equality in relation to all protected characteristics, and can embed these within the agreement and its implementation
- meets the duty to assess the potential equality impact of its outcome agreement
- makes the outcome agreement effective for as many people as possible

Current practice

Within the 2016-17 outcome agreements, one college region reported that an EIA had been undertaken. Overall, eight colleges made reference to EIA and how they would approach this within the college in general terms. Most did not directly relate this to the development of their outcome agreement equality priorities.

Lanarkshire Federation
- Made explicit its approach to equality and diversity at the start of the outcome agreement and referred to equality, diversity and fairness as being core values of the colleges.
- The colleges have developed overarching regional equality outcomes and have carried out an equalities impact assessment on the regional outcome agreement process.

Recommendations:

1. Undertake the EIA during the drafting of the outcome agreement to enable any findings to inform the final agreement.
2. Use a range of equality evidence to inform the assessment, for example student and staff monitoring data, departmental data, staff and student survey results, or course level self-evaluation reviews.
3. Involve students and staff to help determine impact on different groups.
4. Involve the college’s or region’s equality lead or specialist to assist in the process.
5. Use the results of the assessment to shape the outcome agreement, equality priorities and implementation.
6. Record and publish the results of the EIA (ie what was found and the action that will be taken as a result).

This information should preferably be published on the college’s website at the same time as the outcome agreement. Full EIA documents do not need to be included within the agreement; they can be provided either via a link to the college website, or as an annex.
## Resources

ECU overview of EIA  

ECU (2013) *Building capacity for EIA in colleges*  

EHRC Scotland (2016) *Assessing impact and the PSED: a guide for public authorities*  
Aligning outcome agreements with equality strategy and reporting

Alignment with equality strategy

SFC identifies key equality related outcomes and measures within their priority for ‘high performing institutions’. SFC is seeking evidence of how colleges and regions will promote equality and diversity in their activities and help to create a more equal society. Within the SFC’s priority outcome for high performing institutions, colleges and regions are specifically asked to summarise how they:

- promote equality and diversity in all their activities
- address statutory requirements to eliminate discrimination, advance equality of opportunity and foster good relations
- use data and consultation processes to evidence and address underrepresentation of protected characteristic groups

Alignment with equality duties and reporting

‘Equality and diversity leads can advise on the development of new equality outcomes for publication by April 2017, within which there is the opportunity for strategic equality mainstreaming within the outcome agreement process.’

SFC outcome agreement guidance 2017-2020

Equality and diversity is identified within the SFC guidance as a central theme for 2017–2020, and key to achieving its broad aspirations for promoting inclusivity, widening access and increasing fair and equal participation.

As well as ensuring equality impact assessment is undertaken to identify equality priorities relating to each outcome agreement priority, SFC expects colleges and regions to demonstrate the links and alignment to the college and region cyclical equality duties reporting. This includes equality outcomes and mainstreaming reports. This provides opportunity to embed information from these sources to evidence how equality is being mainstreamed into core business priorities and activities, as well as demonstrating how the college or region is meeting the equality duties.

Outcome agreement authors may wish to note that there are specific requirements for further equality reporting by April 2017 to cover the period 2017-21.

Within regions with more than one college, reporting is legally required at the individual college level, except for the case of the Glasgow region where the regional board is also required to report. College and regional boards and outcome agreement authors will need to ensure there is engagement with the equality duties process taking place in each partner college in order that equality information that is relevant to each college can be appropriately embedded in the regional outcome agreement.
The 2017 equality duty reporting requirements are:

- A report on mainstreaming the public sector equality duty (PSED), which includes employee information
- A new set of equality outcomes, prepared using involvement and evidence, and reasons if the equality outcomes do not cover every protected characteristic
- A report on progress made towards achieving the previous set of college equality outcomes
- Gender pay gap information
- A statement on equal pay and occupational segregation for gender, disability and race

While these reports will not be complete before outcome agreement negotiations conclude, work will already be underway in institutions to prepare for this new legislative equality reporting cycle and there may be draft equality outcomes or equality priorities that could be utilised.

It therefore may be helpful to involve those who are, or will be, leading this work to assist with developing the outcome agreement.

Current practice

- Approximately two thirds of colleges referenced the college’s or region’s equality outcomes in outcome agreements for 2016-17.
- On the whole, content related to equality outcomes continued to be positioned under the SFC aim ‘access for people from the widest range of backgrounds’. Few outcome agreements reflected an integrated approach to considering the impact of protected characteristics alongside other factors such as those for deprived or lower socio-economic groups or care leavers.
- Relatively few colleges (five in total but not including any regions), explicitly referred to the links between their outcome agreement, and their PSED work, including equality reporting.

Forth Valley College

- The college referred to a separate equality outcome plan which outlines how it intends to meet the PSED. The college confirmed its equality outcome plan is aligned to the themes of the college outcome agreement and included priority equalities targets for 2016-17 in the outcome agreement section detailing ‘deliverables’ on performance and priorities.

North East College

- Referred to the establishment of a Quality Improvement and Assurance Committee linked to the college’s academic board and chaired by the Vice Principal Learning and Quality. The committee is aiming to assist with mainstreaming equality, build equality and diversity capacity of college managers and align its quality and equality approaches to enhance consistency and inclusiveness for students.
Recommendations

Colleges and regions can align strategic priorities and equality activities within 2017-20 outcome agreements and evidence mainstreaming by:

1. **Including information on the college’s or region’s mission and values as they relate to equality and diversity, and their overall approach to the equality duties.** This information may be most helpful in an introductory section or a specific equality section.

2. **Undertaking equality impact assessment of the outcome agreement** to support the identification of priorities for advancing equality and widening access for all protected characteristics and demonstration of how equality is being fully mainstreamed.

3. **Identifying and demonstrating the interrelationships** between college equality and diversity reporting and the development of outcome agreement priorities. This could include:
   - **Coordinating involvement of key college partners** to contribute to and develop the outcome agreement, including expertise from college equality and diversity leads.
   - **Providing information on the development of the college or region’s new equality outcomes, mainstreaming report and employee information, including gender pay gap and occupational segregation,** for 2017-2021, including any draft priorities or deliverables that are available at this stage.
   - **Signposting to previous equality reports,** including equality outcomes and accompanying plans, mainstreaming reports, equal pay and occupational segregation statements, gender pay gap and staff monitoring information, preferably providing website links.

Resources


EHRC Scotland (2016) *Public authorities in Scotland: Who is covered by the specific duties?*
www.equalityhumanrights.com/sites/default/files/who_is_covered_sept_2016_0.pdf

ECU (2012) *The public sector equality duty: specific duties for Scotland*
www.ecu.ac.uk/publications/the-public-sector-equality-duty-specific-duties-for-scotland

ECU (2016) *Setting equality outcomes: guidance for Scottish institutions*
www.ecu.ac.uk/publications/setting-equality-outcomes-guidance-for-scottish-institutions

ECU guidance on mainstreaming
www.ecu.ac.uk/guidance-resources/governance-and-policies/mainstreaming
Addressing SFC’s specific equality priorities

SFC’s expectations of the equality priorities to be addressed by colleges and regions within 2017-2020 outcome agreements are as follows:

- **Inclusivity and widening access**
  a) Identifying and addressing underrepresentation and other barriers for protected characteristic groups
  b) Improving data collection for all protected characteristics
  c) Reducing gender imbalances for learners within particular subject areas
  d) Supporting students and staff who are carers
  e) Working with partners to improve participation and employability for disabled students in particular, and those within other protected characteristic groups, such as black and minority ethnic (BME) students
  f) Developing plans to support the British Sign Language (BSL) Act (Scotland)
  g) Consideration of race equality in the context of the government’s race equality strategy

- **Promoting gender equality for staff**

- **Meeting equality and diversity within governance requirements**
Inclusivity and widening access

SFC requires evidence of an inclusive approach, based on fair and accessible opportunities for all, addressing barriers for those from protected characteristic groups and improving attainment, progression and retention.

This approach requires consideration of equality requirements within key sector strategies and developments, including the SFC Access and Inclusion Strategy and implementation of the recommendations within the Commission on Widening Access.

Following a review of extended learning support (ELS) colleges are expected to devise an ‘access and inclusion strategy’, which should cover priority groups, including protected characteristic groups. SFC outlines that the strategy should include:

- The access and inclusion approach adopted at the college to meet the needs of its students including evidence and key learning points about what works well
- How the access and inclusion fund is used to support this approach
- The expected impact that this approach will have on the performance indicators at the college, particularly the successful completion rates at the college
- The impact that this approach has on the intake and outcomes of SFC’s priority access groups

a) Identifying and addressing underrepresentation and other barriers for protected characteristic groups

Certain protected characteristic groups are underrepresented in college education as a whole, at regional level, or within particular subject areas. Other groups can face barriers in college that impact on their attraction, retention and attainment.

SFC expect colleges to consider any protected characteristic groups that are underrepresented in their student population or on particular types of courses, to outline and set aspirations for improvements in representation and retention and to providing evidence of positive action taken to address these issues.

ECU defines positive action as:

‘… steps that colleges can take to encourage people from different groups in order to overcome historic disadvantage, or low participation education, training and welfare. The Equality Act 2010 harmonised positive action across the different protected characteristics.’

www.ecu.ac.uk/guidance-resources/equality-legislation/positive-action

SFC also ask colleges to:

‘…recognise the compounded disadvantage that can result where socioeconomic disadvantage and protected characteristics inter-relate.’
Analysis of data and the results of EIA should help colleges to identify and target priority areas to be addressed, to integrate within with regional strategies for course delivery and overall attainment levels of students.

**Current practice**

<table>
<thead>
<tr>
<th>Student equality data included in outcome agreements</th>
<th>Number 2015/16</th>
<th>Number 2016/17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data on entrants by one or more protected characteristic</td>
<td>10</td>
<td>12</td>
</tr>
<tr>
<td>Data on entrants by gender</td>
<td>10</td>
<td>12</td>
</tr>
<tr>
<td>Data on entrants by disability</td>
<td>10</td>
<td>12</td>
</tr>
<tr>
<td>Data on entrants by race: white versus BME</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>Data on entrants by race: by ethnic group</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>Data on entrants by all age groups</td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>Data on entrants by sexual orientation and religion and belief</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>Targets to maintain entrant levels of one or more protected characteristic</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Targets to increase entrant levels of one or more protected characteristic</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Data on retention of one or more protected characteristic</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Benchmarking data used</td>
<td>1</td>
<td>4</td>
</tr>
</tbody>
</table>

**Lanarkshire Regional College**

= Sets equality based priorities within its DYW plan, recognising the needs of specific groups; for example, work to address stereotyping of course choice in relation to gender and disability.

**Fife College**

= Sets attainment targets for age, disability, gender, ethnic minority and specific ethnic groups.

**Dundee and Angus College**

= As part of its monitoring activities, to assess equalities mainstreaming, Dundee and Angus College identifies positive performance levels for BME students but highlights a gap to be addressed in respect of learners from the gypsy traveller community.
Recommendations:

1. Analyse college student entrant data to identify differences in participation, (applicants and entrants), attainment, successful completion and progression (course grades and destinations), and differences in retention (students withdrawing from courses and reasons), to include analysis by: gender, disability (including learners with profound and complex needs), age, by each ethnic group and, where possible, religion and belief and sexual orientation.

2. Compare college or regional data to external data to identify underrepresentation, such as Scottish census, local authority data and national college data (published by SFC and ECU).

3. Set appropriate targets on student entrants, retention and success by protected characteristic for subsequent years, to build on and improve current participation.

4. Consult with college equality and diversity leads to set appropriate targets on student entrants, retention and success by protected characteristic for subsequent years linked to the development of new equality outcomes for April 2017.

5. Work with key staff involved in access and inclusion as well as curriculum leaders and equality and diversity staff, to provide evidence of positive action measures taken (or planned), and define outputs to address participation issues for protected characteristic groups, drawing on existing and/or future equality action plans. This should include:
   - Outputs to support access, retention, progression and success of protected characteristic groups, to include provision and support for learners with profound and complex needs.
   - Outputs to recognise the compounded disadvantage that can result where socioeconomic disadvantage and protected characteristics inter-relate.

Resources: external data sources

ECU (2016) *Equality in colleges in Scotland: statistical report 2016*. Annual student statistical report and online regional data tables. These provide benchmarking data on age, disability, gender and race by access, retention and success, SCQF level, FE and HE level, SIMD data zones, and multiple characteristics

The Scottish government online Scotland census data explorer allows national or local analysis of demographics by sex, age and ethnicity. Reports can be produced for a range of geographic areas, including local authority, postcode, and health board areas
www.scotlandscensus.gov.uk/ods-web/home.html

Recent EHRC reports include data for disability, by age and sex, providing percentages of people reporting limiting long-term illness or disability, drawn from the Scottish health survey
www.equalityhumanrights.com/your-rights/human-rights/health-illness-and-life-expectancy
b) Improving data collection for all protected characteristics

‘Use data and consultation processes to evidence and address underrepresentation of protected characteristic groups.’

SFC outcome agreement guidance 2017-20

SFC expects colleges and regions to:

- improve data collection to include all protected characteristics
- include promoting a positive declaration environment that supports disclosure and includes an opportunity for data to be gathered throughout the academic year

Since the introduction of the Equality Act 2010, most colleges still do not yet hold complete data on the full range of protected characteristics for their staff and students. Data is essential for colleges and regions to be able to assess the composition of their staff and students and identify any areas of underrepresentation or barriers to retention and success that require further attention.

Promoting disclosure by staff and students

National data for Scotland covering the period 2014/15 reveal that colleges still face challenges in promoting disclosure of disability. The disclosure rate for students studying at Scotland’s colleges during 2014/15 was 13.1% (a 0.5% decrease in percentage point since 2013/14). A change in reporting means there is no longer a reporting category of ‘disability unknown’, with students either classified as ‘disabled’ or ‘non-disabled’. Last year’s reported statistical figure for ‘disability unknown’ was 8.4% of students; it is likely that there will continue to be a proportion of students who do not disclose and will now be included in the ‘non-disabled’ figure.

Disability disclosure among college staff is also low according to colleges’ 2015 mainstreaming reports. It is likely that challenges are also being experienced in promoting disclosure of sexual orientation and religion and belief, which most colleges have now started monitoring to meet their equality duties.

Current practice

- A few colleges provided information about how they were developing their staff and student data collection to encompass all protected characteristics in 2016/17 outcome agreements.
- Some colleges mentioned the requirement to consider updating systems in order to do this.
- A number of colleges and regions referred to challenges in addressing and encouraging disclosure of protected characteristics by students and staff.
- Only five colleges provided information on newer protected characteristics for students and only six colleges indicated an intention to set targets in this respect.
Borders College
= Indicated it had extended its student monitoring to include faith or religion, sexual orientation and care leavers.

Fife College
= Referred to setting targets on attainment for age, disability, gender, ethnic minority and ethnic groups.

Recommendations

1. Explain the college’s or region’s current approach and progress with diversity monitoring for staff and students, for example progress made in extending data collection to the full range of protected characteristics.

2. Outline how the college or region will improve collection of student data and information for all protected characteristics, including the development of a culture that encourages disclosure, for example communicating the purpose of equality monitoring, making diversity commitments visible on campus, senior management involvement or marketing campaigns.

3. Draw on existing equality outcome action plans and the development of new equality outcomes to include key outputs and milestones relating to college culture and/or enhancing disclosure.

4. Ensure that future development of data systems takes into account any extended equality data gathering and monitoring requirements.

Resources

ECU guidance on encouraging disclosure
www.ecu.ac.uk/guidance-resources/using-data-and-evidence/encouraging-disclosure-equality-info

c) Reducing gender imbalances for learners within particular subject areas

There is a strong focus in outcome agreement requirements on addressing gender imbalances in subject areas for which there is considerable underrepresentation of either male or female students, for example within science, technology, engineering and maths (STEM) subjects. This links to the priorities identified within the strategy for DYW and builds on previous established work and initiatives within the sector in conjunction with the development of gender action plans, setting a clear future direction for colleges and regions.

SFC state their specific aims in respect of gender imbalanced classes as follows:

‘Increase by 5 percentage points the minority gender share in each of the 10 largest and most imbalanced “super classes” by 2021. As a milestone we will look to increase the minority gender share by 4.2 percentage points by AY 2019-20.’

Key issues for colleges and regions to address in outcome agreements for 2017-20 include:

- identifying and developing plans aimed at reducing gender imbalances in specified super classes (16-24 years) by 2021, via DYW requirements
- identifying any imbalance within particular subject areas between male and female students in relation to completion rates
- outlining key ambitions to tackle gender imbalances at a subject level, focused on the subjects with the greatest gender imbalances
- working with partners to introduce new approaches that will allow school pupils to begin a vocational pathway as part of the senior phase of their curriculum to include a focus on gender imbalanced subjects

Current practice

Within their outcome agreements for 2016-17, the majority of regions or colleges (12) referred to some aspect of gender equality and their plans and activities to address gender balance. In some cases, this included information about partnership working with other agencies to ensure an integrated regional approach to addressing equality issues in conjunction with other issues such as regional skills development requirements.

West Lothian College

- Referred to the promotion of gender equality across vocational pathway provision, involving partnership with Skills Development Scotland, Close the Gap and Engender.

Edinburgh College

- Referred to setting up a new STEM Academy, following on from curriculum review, to work across traditional boundaries in order to develop a new model of provision that provides a better balance between the core curriculum and STEM subjects with a focus on female students as part of the initiative.
Fife College

Referred to the establishment of a Girls into Energy initiative, in partnership with Shell UK. The programme was described as a partnership with four regional secondary schools to promote engineering to potential female entrants. The programme offers an integrated curriculum and incorporates industrial visits and expected industry competences and behaviours.

Recommendations

1. **Extend use of data and evidence where necessary.** Analyse data and information to proactively inform actions and priorities in relation to male and female student representation, success, completion and retention across course and subject areas to help understand reasons for differences and how they might be addressed.

2. **Share data and information with curriculum and subject staff** and involve them in discussions about patterns or trends and setting appropriate targets and activity.

3. **Consult with college equality and diversity leads** to consider appropriate targets linked to the development of new equality outcomes for April 2017.

4. **Work with key staff involved in access and inclusion activities** to ensure access for underrepresented genders is considered and enhanced.

Resources


Higher Education Academy (2016) *Whose job is it anyway: An analysis of approaches to tackling gender issues at subject level in colleges and universities*
www.heacademy.ac.uk/resource/whose-job-it-anyway
d) Supporting students and staff who are carers

SFC has introduced a requirement to include the needs of this group in relation to both staff and students; this is a distinct group who have different needs to those who may be described as ‘care experienced’ (and are generally included under a broad widening access category). SFC provides the Carers Trust definition of a carer as:

‘anyone who cares, unpaid, for a friend or family member who due to illness, disability, a mental health problem or an addiction cannot cope without their support’.

Outcome agreements should now outline how colleges and regions:

= identify students and staff who are carers (or become carers) during the year
= promote a positive declaration environment and support carers
= work in partnership with local authorities to help them meet their duties under the Carers (Scotland) Act 2016.

The SFC also states:

‘The SFC and the Scottish government are supportive of the Carers Trust ‘Going Higher’ campaign and although this campaign is targeted at universities we encourage both colleges and universities to evidence their support for this through their outcome agreement.’

Current practice

As this is a new requirement within outcome agreements, there is little evidence within previous agreements which refers to practice within the sector. However, colleges may currently provide support and flexibility through their support policies for students and their flexible working policies for staff.

Recommendations

1. Provide an outline of how students and staff who are carers will be identified and supported and how the college(s) will work in partnership with their local authority in respect of the Carers (Scotland) Act 2016.

2. Identify any existing or planned actions within the outcome agreement where work has already started to support this group.

3. Develop policies to encourage declaration, mechanisms for gathering information and for the communication and implementation of flexible support policies, where these measures do not already exist.
e) Working with partners to improve participation and employability for disabled students in particular, and those within other protected characteristic groups, such as black and minority ethnic (BME) students

‘DYW identifies young disabled people, care-experienced learners and young people from black and ethnic minorities as groups who experience particular inequalities in vocational education and, subsequently, employment. As a consequence, they are significantly more likely to experience unemployment than their peers. As acknowledged elsewhere, colleges have a key role to play in delivering improvements but they cannot do it alone.’

Colleges and regions are required to outline how they will work with partners to increase participation of these and other protected characteristic groups, to include consideration of progression and destination data.

SFC further confirms that college’s and region’s performance will be judged substantially on the basis of student employment outcomes, reflecting the significantly increased focus on employability. In particular, work should be undertaken to support improved employment outcomes for disabled learners and those from BME groups.

Current practice

In 2016-17 outcome agreements, the majority of colleges or regions included information about course provision and learning support for students with disabilities (including learners with profound and complex needs). Fewer colleges referred to employability support.

West Lothian College

= Referred to the establishment of Project SEARCH, an employment partnership with West Lothian Council and Jabil (an electronics manufacturer) to work collaboratively on a full time basis (five days per week) with disabled young people (aged 16-24) who would like to move into employment.

Dundee College

= Referred to work with a range of partners to ensure that learners with profound and complex needs continue to participate in programmes which enhance their knowledge, skills and employment prospects. The college also made reference to a focus on considering and supporting outcomes for those within their gypsy / traveller communities.

Lanarkshire Federation

= Referred to a strong ethos and commitment to improving learner’s lives and lifelong prospects and mentioned partnership working with a number of agencies to support students through their learner journey. This includes work with schools and carer / support organisations and is aimed at enhancing overall opportunities and prospects.
Recommendations

1. **Extend data monitoring and gathering of information where necessary.** Analyse data and evidence to proactively inform actions and priorities in relation to destinations and employability outcomes for disabled learners and other protected characteristics (including BME groups) to help understand reasons for differences and how they might be addressed.

2. **Share data and information with curriculum and subject staff** and involve them in discussions about patterns or trends and appropriate targets and activity.

3. **Work with key staff leading careers and employability support and activities, as well as key equality and diversity staff** to ensure employability is considered and enhanced for protected characteristic groups.

4. **Work with local agencies and community planning partners** including skills agencies and employers to identify strategies to support these learner groups.

Resources

Education Scotland (2016) *The development of learner employability in Scotland’s colleges:*

www.educationscotland.gov.uk/resources/d/genericresource_tcm4876919.asp?strReferringChannel=inspectionandreview&strReferringPageID=tcm:4-682712-64&class=l1+d147708

ECU (2015) *Supporting disabled learners to realise their potential: improving disabled learners’ progression through learning in colleges*


ECU (2014) *Supporting disabled students’ transitions from higher education into employment*

www.ecu.ac.uk/guidance-resources/student-recruitment-retention-attainment/student-attainment/graduate-employability
f) Developing plans to support the British Sign Language (BSL) Act (Scotland)

In light of the introduction of the British Sign Language (Scotland) Act 2015, SFC includes development of BSL plans within the outcome agreement guidance.

Current practice

There was little indication in 2016-17 outcome agreements of work to develop plans linked to the introduction of the BSL Act. However this does not mean that activity is not underway.

Edinburgh College

Referred to an increase in the number of deaf students receiving support across the college and plans to build their reputation in this area. The college also confirmed the provision of one-to-one communication support for students on full time courses.

Recommendations

1. Consider implications of the BSL Act and how regional and college plans might be developed to support these requirements and remove barriers for BSL users.

2. Include information on the college’s or region’s progress in considering the BSL Act, within the outcome agreement.

Resources


Deaf Sector Partnership. Implementing the BSL Scotland Act

g) Consideration of race equality in the context of the government’s race equality strategy

‘Over the course of this guidance, SFC will work with institutions to consider the Race Equality Framework for Scotland 2016-2030, and to ensure that people do not face barriers to full participation and successful outcomes across further and higher education.’

While there are currently no further race equality requirements identified in relation to the new government race equality framework, colleges and regions may wish to consider how they continue to address race equality issues and tackle cultural and systemic changes where necessary.

Resources

Promoting gender equality for staff

‘We also invite colleges to highlight how through responding to the public sector equality duty they are proactively promoting gender equality in relation to their staff and to their governing body. This should include reporting on progress with addressing gender imbalances at senior academic level and how they are working towards eliminating the gender pay gap.’

SFC outcome agreement guidance 2017-2020

Requirements for college and regions include asking them to outline how they are:

= proactively promoting gender equality in relation to staff through the equality duties
= addressing gender imbalances at senior academic level
= working towards elimination of the gender pay gap

In addition, under the priorities for ‘high performing institutions’ in relation to the requirement to promote equality and diversity in all activities, colleges and regions are specifically required to:

‘Use data and consultation processes to evidence and address underrepresentation of protected characteristic groups.’

Alongside the work on gender equality, identifying areas of underrepresentation for other specific protected characteristic groups within the college’s workforce, and demonstrating measures being taken to address these, will help to meet the requirements of the equality duties and evidence commitment to addressing a range of broader equality issues.

Current practice

A greater number of colleges and regions made reference to some aspect of staff equality within their outcome agreements this year. Ten colleges included information on staff equality, compared with only four colleges or regions last year.

Where information was provided, there was some variation in the scope of the issues covered, particularly on gender based equality for staff. In some cases, the information referred to generic approaches such as general development or leadership opportunities for all staff, or made reference to support for pay equality in very general terms.

North East College
= Referred to advancing equality for staff in relation to a number of factors, including recruitment and selection, development, performance review, equal pay and work life balance.

Forth Valley College
= Referred to a target to increase the equalities data return for staff.
Recommendations

1. **Review and analyse the college’s human resources (HR) staff data** to identify underrepresentation or any other gender based equality issues within the workforce, including at senior academic level and in relation to the gender pay gap.

2. **Detail progress made with any related actions or future plans arising from previous equality outcomes and reporting**, including employee equality data, occupational segregation and equal pay information (published in April 2015).

3. **Where available, review information linked to work on the new equality duty reporting requirements for April 2017** and if appropriate, detail any related priorities or planned actions.

4. **Include key data or links to the college’s relevant reports in the outcome agreement**, including the college’s or region’s gender action plan and other staff equality plans or targets.

5. **Address any data gathering gaps** where information is required to provide further detail to enable more in-depth analysis of gender equality and other equality issues in the workforce, for example gender balance in roles and grades across the college, progression and promotion rates and access and take up of development opportunities by protected characteristic groups.

6. **Work with HR and equality and diversity leads** to ensure alignment between ongoing equality and diversity work and 2017 reporting requirements and outcome agreement priorities.

**Resources**

ECU (2016) *Research and data briefing 1: Working with data*
www.ecu.ac.uk/guidance-resources/using-data-and-evidence/working-with-data

ECU (2010) *Promoting equality in pay*
www.ecu.ac.uk/publications/promoting-equality-in-pay

Close the Gap (2016) *PSED guidance on gender and employment*

ECU. *Embedding equality and diversity into HR policies and supporting equality for staff*
www.ecu.ac.uk/guidance-resources/employment-and-careers
Meeting equality and diversity within governance requirements

SFC asks colleges and regions to summarise how they ensure continuous improvements in the quality of their governance, including ensuring compliance with statutory equality requirements and work being undertaken to address the gender balance of boards.

SFC specifically highlights the following issues:

‘Colleges are asked to summarise how they ensure continuous improvements in the quality of their governance.’

'We also invite colleges to highlight how through responding to the public sector equality duty they are proactively promoting gender equality in relation to their staff and to their governing body.'

‘... institutions will be aware of the gender balance on public boards legislation announced in the Programme for government and we ask that colleges describe how they are working towards improving gender balance on their board.’

Addressing these requirements within outcome agreements will also help colleges and regions to meet the best practice approach requirements of the updated Code of good governance for Scotland’s colleges.

Current practice

There were few indications within 2016-17 outcome agreements of the role of governance in ensuring equality and diversity is addressed across all activities. There were also few indications of work to address gender balance on college or regional boards.

Dundee and Angus College

Dundee and Angus College refers to a ‘risk management’ approach to key equality and diversity requirements, as part of its operational and strategic planning.

Recommendations

1. Summarise how equality and diversity are being addressed to support continuous improvement of governance, for example work to improve governing body oversight of delivery of equality outcomes or equality impact assessment and to meet the requirements within the Code of good governance for Scotland’s colleges.

2. Include information on the college or region’s planned approach to improve the gender balance and diversity of its governing body membership.

3. Ensure that the board maintains responsibility for overall leadership of equality and diversity within the college or region and ensure key actions and milestones for achievement of equality and diversity plans and activities are monitored and achieved.
Resources

ECU (2015) *The rationale for equality and diversity*  
www.ecu.ac.uk/publications/rationale-equality-diversity-vice-chancellors-principals-leading-change

*Code of good governance for Scotland’s colleges*  