



Glasgow Kelvin College

## Equality Impact Assessment

Disciplinary Policy and Procedure – review 31.07.27

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**Title of Policy, Procedure or Practice:**

Disciplinary Policy and Procedure

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**Type of Policy, Procedure or Practice:**

New

Existing, Reviewed or Revised

**Team Leading Impact Assessment:**

People and Culture

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Doreen Shiels

**Date of Assessment:** February 2024 – May 2024

**Lead Person:**

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**Aims and Outcomes**

**What are the intended aims / outcomes of the policy, procedure or practice? Who is the target audience and who is it intended to benefit?**

The Disciplinary policy and its associated procedure aims to encourage employees to achieve and maintain acceptable standards of conduct by providing a clear framework within which any instances of alleged failure to meet such standards will be addressed.

This policy and procedure sets out expectations of employee conduct and ensures any disciplinary matters are managed fairly and consistently, in line with legislation.

Note:

Local consultation on this document has been postponed by the College pending the National process, which has yet to commence in relation to attendance management. This Policy currently complies with legislative requirements and meets operational requirements. Ownership for this Policy lies with the Finance and Resources Committee, it is therefore recommended to members that the review date of 31 July 2024 is extended until 31 July 2027.

Members approved an extension to the review date for this Policy. The College will implement a National Policy for managing attendance should this be published before 31 July 2027. Members of the Finance and Resources Committee would be advised accordingly.

The document would be reviewed at an earlier date in light of any relevant legislative changes

**Evidence and Information**

**What information has been used as the basis for this EIA?**

ACAS – Discipline and Grievance – Code of Practice  
 Equality Act 2010 - legislation  
 EHRC Code of Practice on Employment  
 Equality Act 2010: Duty on employer to make reasonable adjustments for their staff  
 Managing discipline - Investigation to possible dismissal: A guide  
 CIPD -Managing Discipline  
 Case law and case studies  
 Operational practice and feedback

**Which individuals, groups or organisations representing protected characteristics have been involved in the undertaking of this assessment?**

Trade Union – Unison college representatives  
 Trade Union – EIS/FELA branch officials  
 Trade Union – EIS – full-time representative  
 College Managers  
 Staff  
 College Legal Advisor  
 Finance and Resources – 4 June 2024

**What does the information indicate about potential positive, neutral or negative impacts for each protected characteristic?**

| Protected Characteristic       | Likely Impact   |
|--------------------------------|---|
| Age                            | The policy applies to all regardless of age.  |
| Disability                     | <p>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.</p> <p>This policy will have a positive impact on those with a disability who are supported.</p> <p>The Policy and Procedure takes into account the Equality Act 2010, and makes reasonable adjustments.</p> |
| Gender                         | The policy applies to all regardless of gender.   |
| Gender reassignment            | The policy applies to all regardless of gender reassignment.  |
| Marriage and Civil partnership | The policy applies to all regardless of marital status.   |

| Protected Characteristic | Likely Impact   |
|--------------------------|---|
| 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. Cultural issues will be fully considered when meeting with and discussing misconduct with staff. Staff members for whom English is a second language have the right to be accompanied by a work colleague or Trade Union representative. In addition employees may be accompanied by an interpreter when appropriate. |
| Religion or belief       | The policy applies to all regardless of religion or belief. Cultural issues will be fully considered when meeting with and discussing misconduct with staff.  |
| Sexual orientation       | The policy applies to all regardless of sexual orientation.   |

**Are you able to reduce any potential negative impacts identified? If so, how?**

N/A

Any negative impacts will be addressed should they be identified through the various mechanisms used to monitor the impact of this policy and associated procedure.

**Compliance with General Equality Duty**

**Does the policy, procedure or practice comply with the three parts of the general duty?**

- **Eliminate discrimination, harassment and victimisation and other conduct prohibited by the [Equality Act \(2010\)](#)**
- **Foster good relations between people from different groups - this involves tackling prejudice and promoting understanding between people from different groups**
- **Advance equality of opportunity between people from different groups**

Yes  No

**If no, what arrangements could be implemented to better comply with the duty?**

N/A

**What is the EIA outcome?**

A positive impact is likely  A negative impact is not foreseen

A negative impact is likely  A negative impact is probable or certain

Are you able to introduce the policy, procedure or practice without changes? Yes  No

If no, what changes will you make before implementation?

N/A

**Action and Monitoring**

What action will be taken, by whom and when?

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  
 Training for managers in managing discipline and grievance provided  
 Monitoring and reporting of disciplinary incidents to the Board of Management and Finance and Resrouces Committee  
 Employee Assistance Programme – external provider in place  
 External Occupational Health Advice and Support

Once implemented how the policy will, procedure or practice be monitored?

HR involvement to monitor application and consistency  
 Annual reports to the Board of Management and Finance and Resources Committee and shared with the JNCC  
 Informal discussions with staff and managers  
 Formal consultation with staff, managers and Trade Union representatives

NB: Finalisation of central monitoring & identification of compound impact will be undertaken within Equalities Management. Please return to the EDI manager for approval by the EDI Committee

**Approval –**

Signed – M Kinnear, Head of HR and OD Date – 23.04.24

Signed - Amrit Bedi, EI Lead Date – 25.04.24

## 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.