

DHD: 0700125

14 January 2025

[REDACTED]  
[REDACTED]

Dear [REDACTED]

Thank you for your request for information under the Freedom of Information (Scotland) Act (2002).

I now respond to your request as follows:

*1. How does the College implement the legal obligations within the Equality Act and associated subordinate legislation in respect of the protected characteristic of Disability?*

- Regular reviews and updates of practices, policies and procedures are carried out by key personnel to ensure compliance with legal requirements and best practice.
- Glasgow Kelvin College is a Disability Confident Employer, and it takes a proactive and multifaceted approach to promoting disability disclosure. This journey begins during our recruitment process, where candidates are encouraged to disclose and share any reasonable adjustments they may need. They are also asked to complete an equal opportunity form that outlines our commitment to supporting individuals with disabilities.
- Students who disclose a disability at enrolment stage are contacted about support services and invited to return a 'tell us about your needs' questionnaire if they wish to access support.
- The College uses blind recruitment software to remove unconscious bias and promote inclusivity in the workplace.
- Reasonable adjustments are discussed and made for students and staff with disabilities throughout their time with the College to meet their needs. A range of [policies and procedures](#) are in place including an Equality, Diversity, and Inclusion (EDI) Policy that outlines the College's commitment to meeting its legal obligations under the Act.
- The College ensures accessibility in all its services, facilities, and communications.
- [Student Support Services](#) provide advice and guidance to staff to support students, we work with students requesting support with a disability to develop an Individualised Support Plan to meet their needs and ensure they have appropriate support in place to help them succeed. The Support Plan is reviewed throughout the academic year, a minimum of three times.

- Individualised support is provided to staff and students, the College provides personalised adjustments and support, encouraging individuals to seek assistance and make their needs known.
- Staff are available to advise and support students in relation to financial support available to them whilst studying at the College.
- We strive to cultivate an inclusive environment where everyone feels valued and respected, regardless of their physical or mental health conditions. We have engaged independent external organisations that advocate for disabled individuals to conduct audits, for example on the accessibility of our website, recruitment processes, policies, procedures, and physical buildings and facilities. We share the results of these audits with our students, staff and Trade Union colleagues, and we take proactive steps to implement any recommendations for the benefit of staff and students.
- The College's approach is proactive, ensuring that our facilities, resources, and support systems are accessible and accommodating to all.
- Compulsory and regular training and development is provided to ensure staff understand the needs of those with a disability, and they fulfil their responsibilities regarding inclusion and legal obligations.
- Equality impact assessments are conducted for new or changes to policies, procedures, and our decision-making processes.
- An information site and reporting mechanism for staff and students is available titled Report It which enables staff and students to submit a complaint, if they or someone they know has experienced or witnessed any form of bullying, harassment, discrimination, gender-based violence, hate or micro-aggressions, or have a safeguarding concern, it can be reported anonymously or named if support is required.
- Staff have access to independent Occupational Health advice.
- Staff have access to an Employee Counselling Provider for staff. Students have access to Student Counsellors or Wellbeing Officer.
- The College employs Student Counsellors, a Wellbeing Officer and an ESOL Wellbeing Support Officer to support the physical and mental health of students.
- The College has access to independent legal advice to consult on employment matters.
- The College [Public Sector Equality Duty Report](#) details its commitment to equality, diversity and inclusion.

## 2. *What are the College's policies, procedures, and practices regarding the protected characteristic of Disability?*

A range of [policies and procedures](#) are in place. College policies incorporate the necessity to consider reasonable adjustments to ensure staff/students with protected characteristics are supported. Key policies and procedures however include:

- Equality, Diversity, and Inclusion Policy
- Dignity and Respect Policy and Procedure
- Complaints Handling Procedure
- Attendance Management and Support Policy and Procedure
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure



- Health and Safety Policy
- Student Mental Health Agreement

To promote transparency, the College have integrated disclosure opportunities across various people-focused processes, policies and procedures to enable students and staff to disclose a disability or long-term condition at any point during their course of study or employment. These supportive processes allow students and staff to share information when they seek the assistance they need, which has greatly enhanced disclosure rates.

### 3. *How has the College implemented or surpassed, the advice and guidance issued by EHRC regarding the protected characteristic of Disability within Higher and Further Education?*

- We have multi-faceted and robust systems in place to identify, support, implement and review/revise reasonable adjustments for students and staff.
- Accessibility standards are incorporated into building projects and refurbishments. Staff and key stakeholders are consulted on existing facilities and proposed changes with the aim of improving the experience and lives of those with a disability.
- We provide mandatory staff training on disability awareness and inclusion online and face-to-face College-wide disability awareness training to create a more understanding, open, and supportive environment. Management training is provided to ensure managers are comfortable engaging in discussions with their teams and are well-informed about the support available. The People and Culture Team collaborates closely with managers and staff to identify the best approaches, emphasising the individuals needs rather than their condition.
- Partnering with external disability organisations we aim to ensure up-to-date practices and resources.
- We undertake external Accessibility Audits working with independent disability organisations in relation to practices, policies, procedures and our estates/buildings.
- We initiated an external independent digital recruitment audit– online accessibility check conducted by individuals with lived experience, feedback assisted us to improve access to our website and recruitment site.
- Equality Impact Assessments are conducted.
- Individual Support Plans are in place for students who have engaged with support services. Full time students are also supported by an allocated course tutor support in addition to lecturers.
- We have supporting roles in the College services including Guidance Advisers, Learner Support Advisers, Student Counsellors, Wellbeing Officer and ESOL Wellbeing Support Officer available. The Student Association have also appointed Disability Advisors to represent the needs of students.
- Regular monitoring of data to evaluate student progress, retention and attainment.
- Review of each recruitment campaign to monitor and assess the success rate of disabled applicants.
- Stop and check process in place which seeks feedback from students throughout their time at the College.

### 4. *How has the College implemented or surpassed, the codes of practice issued by the EHRC regarding the protected characteristic of Disability within Higher and Further Education?*



- External accessibility audits of estates, facilities and services.
- Embedding inclusive practices into curriculum design and teaching methodologies.
- Monitoring the implementation of reasonable adjustments to ensure effectiveness.
- Active engagement with stakeholders, including students and staff with disabilities, to inform policy and practice.
- Policies and procedures which aim to exceed legislative requirements with a focus on the individual and their needs.
- Discussion with staff prior to them commencing their course or employment to assess needs to put adjustments in place in advance when appropriate.
- Students who disclose a disability at enrolment stage are contacted about support services and invited to return a 'tell us about your needs' questionnaire if they wish to access support.
- Individual Support Plan for students engaging with services – this is accessed by the lecturer for the course being undertaken and reviewed with the student which ensures the support provided and reasonable adjustments are relevant to the student throughout their time at the College. This is accessible by the lecturers working with the student and ensures consistency throughout the student's time with us.
- Robust health and safety arrangements for staff and students to support any medical or treatment requirements related to their condition are in place.
- We have engaged external organisations that advocate for disabled individuals to conduct audits, for example on the accessibility of our website, recruitment processes, policies, procedures, and physical facilities. We share the results of these audits with our staff and Trade Union colleagues, and we take proactive steps to implement any recommendations for the benefit of staff and students
- A guide on reasonable adjustments is available for managers within the College's Attendance Management and Support Policy and Procedure. This is accompanied by relevant training and development and support from the People and Culture Team.
- Extensive resources are available for staff supporting students on the Student Support Services intranet which covers accessibility, assistive technologies, referral process, etc.

5. *What monitoring arrangements are in place for audit, quality control and the student experience regarding the protected characteristic of Disability? What are the outcomes of any audit, quality control and student experience monitoring?*

Monitoring arrangements include:

- Equality monitoring throughout the College includes recruitment and selection, policies and procedures, discipline and grievance, complaints, access to training and development, exit interviews, retention and achievement rates, etc.
- The College has a system in place which monitors students by protected characteristics in real time the information covers - Successful Outcome, Partial Success and Withdrawal rates.
- The Vice Principal and the Directors of Curriculum routinely monitor this information to identify any concerns or trends.
- In Academic Year (AY) 2023/24, 27% of students disclosed a disability. The data for this AY demonstrated and improvement in the success rate of disabled students, both in terms of full completion and partial completion. It also demonstrated an improvement in the percentage for students with a disability withdrawing. The College has the facility to assess the data in more detail per faculty and programme.



- Managers also have access to the data to ensure the College is meeting the needs of its students and making adaptations as required.
- Student satisfaction surveys – spot checks and annual– specific focus on equality and inclusion incorporated.
- Student Association – routine meetings with the Vice Principal and Directors to assess feedback from students.
- Equality, Diversity and Inclusion Committee – four meetings per year to review monitoring results/feedback and update action plans.
- Regular internal and periodic external audits of compliance with accessibility standards.
- Report It – complaints monitored and reviewed. Anonymous complaints enable monitoring of trends to inform campaigns and training.
- Student Association Presidents attend the Board of Management and its Learning and Teaching Committee – a report is presented updating Board members on activities and feedback from students.

#### Outcomes:

- Consistently high satisfaction rates among students with disabilities for the support provided – student satisfaction survey.
- Identification and implementation of improvements on a wide range of areas based on feedback from students and staff – internal and external audits, stop and check for students and Team meetings with HR representative, exit interviews.
- Improved disclosure rates for staff (13.6%). The College is aware of staff who have a disability or long-term condition who have not formally disclosed their disability or condition through the formal disclosure process, this is their choice, however reasonable adjustments are made, our focus is on the staff member and ensuring that they are supported.
- Improved success rates of disabled students, both in terms of full completion and partial completion and a reduction in withdrawals.
- High percentage rate of staff returning to work after a period of long-term absence.
- High retention rate for staff remaining in employment. The average length of 13.5 years' service for staff who have disclosed a disability (ranging from a few months to 43 years at the time of this FOI response).
- We ensure that all disclosures are treated with strict confidentiality and are used solely to provide the necessary support. This approach has fostered a culture of trust and inclusivity, resulting in staff feeling more confident about sharing their needs, which has contributed to increased job satisfaction and retention.

#### 6. *What arrangements are in place to resolve disputes quickly, between staff, students, and the College regarding the protected characteristic of Disability?*

- Staff are trained in conflict management and de-escalation approaches to resolve matters at a local level, where possible.
- Formal complaints policies/procedures in place for students and staff.



- Allocated HR representative for each department/faculty to mediate and resolve conflicts promptly.
- Teaching management structure in place to support Lecturers and students.
- Equality, Diversity and Inclusion Lead and HR practitioners available to provide support and advice
- External mediation services are available as required.

7. *Following the Court's decision in the case of University of Bristol v Abrahart what steps, if any, has the College taken to apply and implement this case law?*

- The College routinely reviews its practices, policies and procedures when there are developments in relevant case law.
- The College has trained key personnel in mental health first aid and offers this training to all staff, over 25% of its staff are trained.
- Support and reasonable adjustments are made for students and staff where there is knowledge that they need assistance to help them in their course or role of study based on discussions with the individual, there is no need for a formal diagnosis, our main focus is on the individual and their needs to ensure their success.
- Enhanced training has been provided for staff to help them recognise and support those who have mental health disabilities, or signs of poor mental health, effectively, training is routinely delivered during our all-staff conference day and during the AY.
- An Individual Support Plan for a student identifies the needs and reasonable adjustments. This is accessed by the relevant key personnel working with the student.
- We have in place an accessible and trained safeguarding team.
- Training for staff is provided routinely to ensure that staff recognise safeguarding signs and students are appropriately signposted and supported.
- Designated Course Tutor for full-time students, weekly meetings with their students to monitor their progress, provide guidance and support. This is in addition to the support from the lecturer delivering the course.
- Multiple contact points for students to seek support or assistance, including, their lecturer, course tutor, Student Support Services. Escalation processes are in place where matters are referred to the Director responsible for the area and ultimately the Vice Principal when appropriate.
- Assessment methodologies are adjusted to meet the needs of the student. Where there are strict criteria set by the awarding body the College will liaise with the awarding body to discuss reasonable adjustments in order to support the student. If there are set criteria which cannot be adjusted this is fully discussed with the student and an alternative programme of study is discussed with them with the aim of helping them to achieve their ambition.

8. *How has the College implemented the Advice Note for Higher Education dated 10 July 2024 by the EHRC regarding the case of University of Bristol v Abrahart?*

- The College assessed the content of the advice note against its existing practices, policies and procedures and is satisfied that it meets the requirements set out in the note.



- The College's Attendance Management Policy and Procedure does not specifically state when considering reasonable adjustments for a staff member that there must be a diagnosed disability however it does specify 'or long-term condition'. In practice where a staff member shows signs that a condition may be impacting on work-related matters, we will make reasonable adjustments in discussion with them. Additional wording will be added to this Policy to ensure that managers are clear on the needs to consider the signs and the impact and not solely focus on a diagnosis which reflects our current practice. Consultation with our recognised Trade Unions and key stakeholders is already underway on this document.

9. *How many complaints have been made by students to the University since the inception of the Equality Act 2010 regarding the protected characteristic of Disability?*

Please note, the College retention for complaints data is the current academic year plus five years. The number of complaints in relation to above is as follows:

<b>Academic Year</b>	<b>No. of Complaints Received (EDI)</b>
2024/2025	0
2023/2024	3
2022/2023	1
2021/2022	1
2020/2021	0
2019/2020	1

10. *Without revealing personal data, what was the nature of those complaints (by way of summary), the outcomes, and any learning taken from them?*

Please refer to the attached enclosure.

I trust the above response meets your request for information in full.

Should you be unhappy with the College's response you may seek a review, by writing to Derek Smeall, Principal. Your grounds for seeking a review should be included in your request.

I also wish to advise you that the Scottish Information Commissioner has launched an online appeals service via their website – the link is as follows:

[www.foi.scot/appeal](http://www.foi.scot/appeal)

Other contact information for the Scottish Information Commissioner is listed below:

Tel: 01334 464610

Email: [enquiries@foi.scot](mailto:enquiries@foi.scot)

Thank you for your interest in the College.

Yours sincerely





Donald Higgins – Durnan  
**Corporate Support and Administration Manager**

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Academic Year	No of Complaints Received EDI	Summary	Outcome	Learning
2024/2025	0			
		Assessment of funding application. <i>Learners' application was rejected based on previous funding/study. Application was reassessed by Manager and funding award made.</i>	Not Upheld	Original outcome of the application was based on the staff members interpretation of policy. Discussed at team meeting/knowledge sharing.
		Course withdrawal. <i>Learner was withdrawn based on the academic judgement of Course Team due to intensity of Higher National qualification and the learner's personal circumstances. Support meetings held prior to withdrawal to discuss alternative pathways available.</i>	Not Upheld	
2023/2024	3	Reasonable adjustments/support for learners' disability. <i>Disability not disclosed at application/enrolment. When disclosure made, support put in place.</i>	Partially Upheld	Faculty did not respond timeously to request for information from external agency (data protection implications etc.) Curriculum Director reviewed process /staff training took place.
2022/2023	1	Reasonable adjustments not made for learners disclosed disability, specifically in relation to the Student Absence Procedure. <i>Learner did not respond to contact from Student Support Services Team following disclosure of disability at application/enrolment. Needs Assessment was undertaken and implemented within three days. Extended Learning Support Plan put in place.</i>	Not Upheld	Communication around pre-entry course guidance detailing support available and how to access was reviewed with changes implemented.
2021/2022	1	Support measures/absence management. <i>Learner had not engaged with Student Support Services Team to agree an Extended Learning Support Plan for the academic year, when referred by faculty staff or when contacted by the team. Following receipt of complaint, this was actioned and support put in place alongside work plans to complete outstanding work. Additional support meetings held to monitor progress and ongoing support.</i>	Not Upheld	
2020/2021	0			
2019/2020	1	Unsuccessful course application. <i>Feedback provided, placed on waiting list. Option to liaise with Student Support Services re alternative courses etc.</i>	Not Upheld	Interview feedback process reviewed to ensure clear explanations provided to unsuccessful applicants and those placed on course waiting lists.