

EQUALITY IMPACT ASSESSMENT - RESULTS

Title of Policy	The Colleges of Further Education and Regional Strategic Bodies (Membership of Boards) (Scotland) Order 2023
Summary of aims and desired outcomes of Policy	To add two trade union nominees to the boards of colleges. The introduction of trade union nominees will build on the fundamental principles of Fair Work, which recognises the positive impact of trade unions at individual, workplace, sector and national level and the unions' role in promoting progressive workplace practices that contribute to the health of the economy and civil society in Scotland.
Directorate: Division: team	Directorate for Lifelong Learning & Skills; Young Workforce & SFC Sponsorship Division; College Governance Team

Executive summary

The public sector equality duty requires the Scottish Government to assess the impact of applying a proposed new or revised policy or practice.

Equality legislation covers the protected characteristics of: age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, sex, sexual orientation and religion and belief.

The Equality Act 2010 harmonised existing equality legislation and includes a public sector duty ('the Duty') which requires public authorities to pay due regard to the need to:

- Eliminate discrimination, harassment, victimisation or any other prohibited conduct;
- Advance equality of opportunity;
- Foster good relations between different groups - by tackling prejudice and promoting understanding.

This Equality Impact Assessment (EQIA) has considered the potential impacts of the closure of Lews Castle College and the transfer of its assets and liabilities to North Highland College on each of the protected characteristics.

The provisions and how they impact on people across the protected characteristics are set out under Key Findings. The EQIA has not identified any Bill provisions that would adversely impact on such groups.

Background

In 2016, the then Education Secretary's Good Governance Task Group reported back on the lessons learned at Glasgow Clyde, North Glasgow and Coatbridge Colleges. The Task Group also made a series of recommendations to improve governance in Scotland's colleges around four strategic themes of prevention; self-assessment; external assurance; and sanctions. These recommendations have been taken forward in conjunction with the Good Governance Steering Group, which is a cross-sector body with a remit to support-ongoing good governance across the college sector.

On 18 February 2019, the former Minister for Further Education, Higher Education and Science, Richard Lochhead MSP, outlined in a letter to the Education and Skills Committee of the Scottish Parliament the actions that the Scottish Government intended to take following the Task Group's recommendations. As part of this, the Scottish Government committed to introducing trade union nominees to the boards of the incorporated colleges, the Glasgow Colleges' Regional Board and New College Lanarkshire (NCL) (also known as "the Lanarkshire Board").

The Scottish Ministers consider it is appropriate to make this instrument to enable the addition of trade union nominees onto college boards to improve college governance and further the Scottish Government's Fair Work Agenda.

The Scope of the EQIA

A consultation was carried out by the Scottish Government which ran from 1 December 2022 to 27 January 2023 and the Equalities Fact Finder has been completed.

Key Findings

The Key Findings were that this change would be an administrative change, which is not expected to result in any direct impact on learners or staff across colleges in Scotland.

Recommendations and Conclusion

The addition of trade union nominees to college boards is considered to have no impact on any protected characteristic.

Policy Lead Signature & Date of Sign Off:	Adam Mackie	14 September 2023
Deputy Director Signature & Date of Sign Off:	Stuart Greig	22 September 2023

Date SGLD contacted 26/9/23