

GSA SUMMARY REPORT OF EQUALITY CONSIDERATION AND ASSESSMENT OF EQUALITY IMPACT

Date of Assessment:	February 2021	
School or Executive Group Area:	Registrar and Secretary	
Department:	Corporate Governance Office	
Lead member of staff: e-mail:	Edna Docherty, Senior Policy Officer	
Area of decision making/title of policy, procedure, programme or relevant practice:	1. Expenses Policy for the Board of Governors 2. Gifts and Hospitality Policy for the Board of Governors	
Please indicate if this is:	New:	<input type="checkbox"/>
	Existing/Reviewed:	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • Summary of how equality, diversity and participation have been considered and due regard given to the Public Sector Equality Duty (PSED): <p>GSA is committed to conducting its business fairly, honestly and openly in line with the <i>Nine Principles of Public Life in Scotland</i>¹ which all governors are expected to observe and which are set out in GSA's Statement of Corporate Governance. GSA expects that its Board of Governors will conduct themselves accordingly.</p> <p>The policies noted above are interlinked and apply to all members of GSA's Board of Governors (including the Chair, Independent Governors, Ex Officio Governors, Elected Staff and Student Governors, and Trade Union Governors) (hereinafter known as Governors). The Expenses Policy provides guidance to Governors claiming reimbursement of expenses incurred in relation to their role as a member of the Board of Governors. The Gifts and Hospitality Policy is designed to protect members of the Board of Governors from accusations of bribery and corruption and thereby also protect the reputation of the School.</p> <p>Both policies should be read in conjunction with GSA's Staff Expenses Policy, Staff Gifts and Hospitality Policy, GSA's Anti-Bribery and Corruption Policy, GSA's Register of Interests Policy and Procedure and GSA's Financial Regulations (where appropriate).</p> <p>A review of GSA's existing Gifts & Hospitality Policy for the Board of Governors was undertaken to ensure:</p> <ul style="list-style-type: none"> • compliance with the Scottish Code of Good Higher Education Governance (2017), specifically, Section 3, point 31²; • that the purpose of the policy remains clearly defined and its application reflects current legislative arrangements and Governors responsibilities; 		

¹ Nine Principles of Public Life in Scotland: duty, selflessness, integrity, objectivity, accountability and stewardship, openness, honesty, leadership and respect.

² The Institution is also expected to maintain robust and comprehensive policies on registering gifts and hospitality offered to governing body members in relation to their role on the governing body, and to the Secretary and Finance Director. These policies should have regard to the overarching need for transparency in public life.

- that GSA continues to protect members of the Board of Governors from accusations of bribery and corruption in alignment with the Bribery Act 2010.

The **Expenses Policy** has been designed specifically for the Board of Governors to ensure:

- that Governors conduct their business fairly, honestly and openly, in alignment with the Nine Principles of Public Life in Scotland.
- that the purpose of the policy reflects current legislative arrangements and Governors obligations, e.g. The Code of Good Higher Education Governance (2017), specifically, Section 1, point 2³.

The nature of both policies is that they must apply equally and fairly to all members of the Board of Governors. They also serve to enhance the suite of documentation, retained by the Corporate Governance Office, that underpins the Statement of Corporate Governance and ensures GSA's alignment with relevant governance legislation, and complies with the Public Sector Equality Duties.

Both the PSED and Scottish Specific Duties 2012 have been considered as an integral aspect of the review and development of those interrelated policies.

1. Evidence used to make your assessment:

- The Bribery Act 2010, which came into force on 1 July 2011 and which introduced a corporate offence of failing to prevent bribery. Offences under the Act include:
 - Offering, promising or giving a bribe to another person
 - Agreeing to receive or accept a bribe from another person
 - For an organisation to fail to prevent bribery
- Consultation of interrelated policies, e.g. GSA's Anti-Bribery and Corruption Policy, Staff Expenses Policy and Staff Gifts and Hospitality Policy, Gift Acceptance and Donor Relations Policy and Register of Interests (where appropriate).

Outline any positive or negative impacts you have identified:

The potential for any **positive or negative impact** in respect of the three duties of the Equality Act 2010 has been identified as follows:

1. Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act:

- Guided by both the Code of Good HE Governance (2017) and The Bribery Act 2010, the **Gifts & Hospitality Policy** is designed to protect members of the Board of Governors from accusations of bribery and corruption.
- It is recognised that corporate hospitality is part of normal business activity. There is therefore no intention to seek to penalise reasonable and proportionate hospitality for legitimate business purposes. Nevertheless, it is important that the giving or receiving of gifts and hospitality can stand up to internal and public scrutiny.

³ The members of a governing body, collectively and individually, must act in accordance with the Nine Principles of Public Life in Scotland which should be the foundation for the governing body's behaviour and its decision-making processes.

- It is the policy of GSA that Governors are reimbursed the actual cost of expenses incurred wholly, exclusively and necessarily in the performance of their duties as a member of the Board of Governors. There is therefore no intention to seek to penalise reasonable and proportionate expenses for legitimate business purposes.
- The Policy states clearly that personal gifts or money (or monetary instruments should never be accepted, regardless of the amount. Gifts of money to the School should be received only if they are clearly charitable donations, coordinated through the Director of Development and the Registrar and Secretary.
- Both policies are based on the nine principles of public life, as noted above and is, therefore, likely to have a positive impact on the general duty to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act

2. Advance Equality of Opportunity between people who share a protected characteristic and people who do not share it:

- The purpose of the **Gifts and Hospitality Policy** is to support and promote a culture of openness and accountability in which all Board members are able to raise genuine concerns about any attempts at bribery, as early as possible.
- It offers an opportunity for concerns around any perceived attempt at bribery and corruption to be reported to either the Registrar and Secretary or through the School's Public Interest Disclosure (Whistle Blowing) Policy.
- The **Expenses Policy** should not have any impact (positive or negative) on the need to advance equality of opportunity between people who share a protected characteristic and people who do not share it. All persons who are required to adhere to the policy do so from a business perspective irrespective of their background.

3. Foster Good Relations between people who share a protected characteristic and people who do not share it.

- The **Gifts and Hospitality** policy recognises the difficulty staff may face in deciding what is and what is not acceptable in terms of gifts or hospitality and, therefore, assures all Board Members that they will be provided with appropriate advice and support in such circumstances.
- The **Expenses Policy** should not have any impact (positive or negative) on the need to foster good relations between people who share a protected characteristic and people who do not share it. All persons who are required to adhere to this policy do so from a business perspective irrespective of their background.

No actual or potential **negative impact** on people from any protected characteristic group has been identified in relation to the application of both policies or their implementation.

4. Actions you have taken or planned as a result of your findings:

(Please complete the action plan in this section)

Action	Equality Impact	Person responsible	Time frame
<p>1. Monitoring and reporting</p> <p>Gifts & Hospitality Policy:</p> <ul style="list-style-type: none"> • Maintain robust monitoring mechanisms of the application of this policy. This will include: <ul style="list-style-type: none"> ➤ to maintain an up to date Register of Gifts and Hospitality for the Board of Governors, i.e. acceptance (or rejection) of all offers of gifts and hospitality made to Governors, in addition to acceptance (or rejection) of all offers of gifts and hospitality made by Governors to third guests of GSA. ➤ to comprise data on the number and nature of concerns raised informally and formally, how they were addressed and the outcomes. <p>Expenses Policy:</p> <ul style="list-style-type: none"> • To carry out an internal audit on an annual basis of: <ul style="list-style-type: none"> ➤ all expenses submitted by Governors, and ➤ all Board of Governor related expenses incurred by the Corporate Governance Office, e.g. expenses associated with Board Away Days, facilitation fees, etc. • To report on a quarterly basis to the Audit and Risk Committee and the Board of Governors: <ul style="list-style-type: none"> ➤ a summary of all expenses submitted by Governors (overall total), 	<p>Gifts & Hospitality Policy:</p> <p>This policy, does not appear to have any impact (positive or negative) on people who share a protected characteristics and people who do not. Therefore, no further actions, other than those associated with monitoring and reporting are recommended at this stage.</p> <p>Expenses Policy:</p> <p>This policy does not appear to have any impact (positive or negative) on people who share a protected characteristic and people who do not. Therefore, no further actions, other than those associated with monitoring and reporting, are recommended at this stage.</p>	<p>Registrar and Assistant Secretary to the Board.</p>	<p>Applied on an ongoing basis.</p>

<ul style="list-style-type: none"> ➤ all Board of Governors related expenses incurred by the Corporate Governance Office. • To provide the Chair of the Board of Governors with a quarterly breakdown of the expenses submitted by each individual Governor. 			
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5. Where/when will progress and the outcomes of your actions be reported and reviewed:

The Registrar and Secretary will report annually to the Audit and Risk Committee in order to monitor the effectiveness of both policies and procedures.

6. How will your actions and intended outcomes contribute to the delivery of GSA's equality outcomes:

Both policies will ensure that GSA and its Board of Governors maintain the highest standards and conducts all of its operations and business in accordance with relevant legislative arrangements and best practice in higher education governance.

The maintenance of appropriate robust monitoring mechanisms will provide data on the organisational culture of GSA and where relevant will be available to inform the delivery of the PSED and the Scottish Specific Duties and GSA's Equality Outcomes.

The outcome of your assessment:

No action (no potential for negative or positive impact)

Action to remove barriers/mitigate negative impact

Action to promote positive impact

Sign-off, authorisation and publishing

Review Lead

Name	Ms Edna Docherty
Position	Senior Policy Officer
Signature and Date	Edna Docherty, February 2021

Executive Lead

Name	Dr Craig Williamson
Position	Registrar and Secretary
Signature and Date	15 February 2021

Equality Lead (Head of Student Support and Development)

Name	Ms Julie Grant
Position	Head of Student Support and Development
Signature and Date	<i>Julie Grant 15th Feb 2021</i>