### What is Public Sector Equality Duty (PSED)?


### What is the General Equality Duty?

The [General Equality Duty (2011)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1011476/generalequality-duty.pdf) requires universities in the public sector to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services, including internal policies, and for these issues to be kept under review.

To demonstrate **due regard** to the duty, the following three areas of compliance relating to the [Single Equality Act (2010)](https://www.legislation.gov.uk/ukpga/2010/12) must be met:

- **Eliminate discrimination**, harassment and victimisation and other conduct prohibited by the [Act](https://www.legislation.gov.uk/ukpga/2010/12).

- **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 - this involves considering the need to:
  
  - remove or minimise disadvantages suffered by people due to their ‘protected characteristics’.
  
  - meet the needs of people with ‘protected characteristics’.
  
  - encourage people with ‘protected characteristics’ to participate in public life or in other activities where their participation is low.

Refer to webpage [Fairness = Funding](https://www.fairnessfund.com/fairnessopportunities) for an overview of how the duty relates to research, student provision and grants applications.

### How do we demonstrate “due regard”?

**Provided by the Equality Challenge Unit (ECU)**

Due regard comprises two linked elements, proportionality and relevance. ECU recommends that to demonstrate due regard as employers, education and service providers, institutions consider the relevance of the three aims of the duty when:

- developing, evaluating and reviewing policies

- designing, delivering and evaluating service education provision

- commissioning and procuring services from others

To consider proportionality, determine:

- the relevance of the policy to protected groups
- the relevance of the policy to the PSED
- any concern previously raised about policy or practice
- any information indicating an adverse impact on a protected group

To support this, develop mechanisms to help identify where a policy or practice:
- is likely to result in discrimination against a protected group
- needs development to ensure that it adequately caters for the requirements of different protected groups
- positively contributes to the participation of underrepresented groups in activities

ECU recommends HEIs to record and justify actions and decisions taken to demonstrate due regard (required if there is a legal challenge).

**What are the Scottish “Specific Duties”?**

Approved by the Scottish Government on 27 May 2012, the [Specific Duties for Scotland](#) are the next phase of the PSED leading on from the main General Equality Duty, refer to webpage: [Scottish Government PSED](#).

The purpose of these duties is to guide universities in their performance in meeting the General Equality Duty by carrying out specific compliant actions. To ensure the University is aligned to these requirements, the E&D Officer has carried out the following immediate planning actions for the University:

<table>
<thead>
<tr>
<th>Timescale:</th>
<th>Duty to:</th>
<th>Checklist of actions:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>From 27 May 2012</strong></td>
<td>Impact assessment of new and revised policies and practices, informed by evidence and involvement in relation to the 3 parts of General Duty.</td>
<td>EIA Toolkit has been updated and already in place, with a Summary of Completed EIAAs available, embed University-wide action through the Single Equality Scheme (SES).</td>
</tr>
<tr>
<td><strong>From 27 May 2012</strong></td>
<td>Publish all reports in a manner that is accessible and using existing means of public performance reporting, as far as is practicable.</td>
<td>University-wide Equality continuous action: Ensure the following documents below can be accessed via the appropriate webpage and available in Alternative Format upon request.</td>
</tr>
<tr>
<td><strong>By 30 April 2013</strong></td>
<td>Publish Equality Outcomes based on evidence and involvement of equality groups and every 4 years thereafter.</td>
<td>University-wide Equality action: Create a SES, review every 4 years.</td>
</tr>
<tr>
<td><strong>By 30 April 2013</strong></td>
<td>Report on mainstreaming (including employee information) and action to embed equality and diversity into the day to day systems and practices of an organisation and every 2 years thereafter.</td>
<td>University-wide Equality action: Publish report within the SES, report on progress 2 years thereafter.</td>
</tr>
<tr>
<td>Timescale:</td>
<td>Duty to:</td>
<td>Checklist of actions:</td>
</tr>
<tr>
<td>-----------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>By 30 April 2013</td>
<td>Publish Gender Pay Gap information.</td>
<td>HR Equality action as part of the <a href="#">SES</a>.</td>
</tr>
<tr>
<td></td>
<td>Publish Equal Pay Statement for Gender and every 4th year after that.</td>
<td>HR Equality action as part of the <a href="#">SES</a>.</td>
</tr>
<tr>
<td>By 30 April 2015</td>
<td>Report on mainstreaming (including <a href="#">employee information</a>) and action to embed equality and diversity into the day to day systems and practices of an organisation and every 2 years thereafter.</td>
<td>University-wide Equality action: Publish report within the <a href="#">SES</a>, report on progress 2 years thereafter.</td>
</tr>
<tr>
<td></td>
<td>Publish Gender Pay Gap information.</td>
<td>HR Equality action as part of the <a href="#">SES</a>.</td>
</tr>
<tr>
<td>By 30 April 2015</td>
<td>Report on progress made towards achieving the set of Equality Outcomes.</td>
<td>University-wide Equality action: Publish progress report as part of the <a href="#">SES</a>.</td>
</tr>
<tr>
<td>By 30 April 2017</td>
<td>Report on mainstreaming (including <a href="#">employee information</a>) and action to embed equality and diversity into the day to day systems and practices of an organisation and every 2 years thereafter.</td>
<td>University-wide Equality action: Publish report within the <a href="#">SES</a>, report on progress 2 years thereafter.</td>
</tr>
<tr>
<td></td>
<td>Report on progress made towards achieving the previous set of Equality Outcomes. Publish Equality Outcomes based on evidence and involvement of equality groups and every 4 years thereafter.</td>
<td>University-wide Equality action: Publish progress report and review the <a href="#">SES</a> to create further Equality Outcomes.</td>
</tr>
<tr>
<td></td>
<td>Publish Gender Pay Gap information.</td>
<td>HR Equality action as part of the <a href="#">SES</a>.</td>
</tr>
<tr>
<td>By 30 April 2017</td>
<td>Publish Equal Pay Statement for Gender, plus Disability and Race.</td>
<td>HR Equality action as part of the <a href="#">SES</a>.</td>
</tr>
</tbody>
</table>

**External guidance:**

Scottish Government: [www.scotland.gov.uk/Topics/People/Equality/PublicEqualityDuties](http://www.scotland.gov.uk/Topics/People/Equality/PublicEqualityDuties)

Equality Challenge Unit: [www.ecu.ac.uk/subjects/scotland](http://www.ecu.ac.uk/subjects/scotland)

Scottish Funding Council: [www.sfc.ac.uk/access/access.aspx](http://www.sfc.ac.uk/access/access.aspx)

Government Equalities Office: [http://homeoffice.gov.uk/equalities](http://homeoffice.gov.uk/equalities)


---

**Have your say:** For advice/guidance please contact Sukhi Bains, University HR E&D Officer:

Tel: ext 1649, Email: [sb104@st-andrews.ac.uk](mailto:sb104@st-andrews.ac.uk)  Web: [www.st-andrews.ac.uk/hr/edi/equalityduty](http://www.st-andrews.ac.uk/hr/edi/equalityduty)

Alternative formats are available upon request.