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Cylchlythyr

Circular

## Evaluation of Welsh Higher Education Institutions' Disability Equality Schemes

**Date:** 16 September 2009  
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**To:** Heads of higher education institutions in Wales  
Principals of directly-funded further education colleges in Wales  
**Response by:** None required  
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This circular presents the sector overview report of our *Evaluation and Review of Welsh Higher Education Institutions' Disability Equality Schemes*.

This document is available online, in large print, Braille, electronic CD and on audio CD. Should you or someone you know require this in an alternative format, please contact us on (029) 2068 2284 or email [info@hefcw.ac.uk](mailto:info@hefcw.ac.uk).

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## **Introduction**

1. This circular presents the sector overview report of the review of Welsh higher education institutions' disability equality schemes (DESs).
2. The overview report is attached as **Annex A**.

## **Background**

3. Higher education institutions have traditionally attracted a diverse range of applicants. We work with the institutions to ensure that they are working to secure equality of opportunity for both their students and their staff. This requires action over a wide range of areas and effective coordination. We monitor institutional actions and sector performance but we also provide support to enable improvements in sector performance in equality.
4. The Disability Discrimination Act (DDA) 2005 introduced new disability equality duties applying to all public bodies. This differs from previous legislation as it requires public bodies to make cultural change incorporating disability equality holistically into strategic and operational activity. The creation and delivery of the DES underpins this approach and supports the delivery of disability equality.
5. HEFCW commissioned IMPACT Associates in April 2009 to undertake an evaluation and review of all eleven Welsh higher education institutions' (HEIs) Disability Equality Schemes (DES), action plans and 2008 annual reports.
6. This evaluation was timed to provide support to Welsh HEIs in preparing their second DES, due to be published in December 2009. This review is the direct outcome of an action within the HEFCW's own single equality scheme (SES) action plan.
7. The aims of the evaluation were for HEFCW to have confidence that the Welsh HEIs are complying with the current Disability Equality Duty (DED), moving towards inclusion for disabled people and are appropriately preparing for the forthcoming single equalities legislation. The review also aimed to identify good practice in developing disability equality, and effective ways of sharing this practice.

## **HEFCW's role and response to the review**

8. HEFCW has assisted the higher education institutions in Wales to develop, maintain, monitor, and report on the operation of their disability equality schemes. Given our wider statutory responsibilities with regard to the governance and management of funded institutions, we have also adopted an active role in monitoring compliance with the requirements of the DDA and assisting institutions to go beyond their statutory duties to

secure the benefits of diversity. HEFCW will be working with individual institutions over the coming months to support the continued development and improvement of their DESs and the implementation of the recommendations contained within their individual reports.

9. HEFCW will respond formally to the findings of this research following a dissemination and consultation event with the sector and stakeholder organisations in Cardiff (venue TBC) on 20 October 2009.

**Further information / responses to**

10. For further information, contact Vikki Burge (tel 029 2068 2218; email [vikki.burge@hefcw.ac.uk](mailto:vikki.burge@hefcw.ac.uk)).

# **An Evaluation and Review of Welsh Higher Education Institutions' Disability Equality Schemes**

**IMPACT Associates**

for

**the Higher Education Funding Council for Wales**

**August 2009**

**Tina Elliott, Carol Wilson, Dianne Keetch and Caroline  
Davies**

## Acknowledgement

In compiling this report we are grateful for the contribution of staff responsible for the preparation and monitoring of Disability Equality Schemes in all eleven Welsh higher education institutions. We would also like to acknowledge the significant contribution of the disabled staff and students from these institutions who gave their time to the review. In addition we would like to thank the participating sector organisations who provided a valuable insight of the Welsh higher education sector from an external perspective: Disability Wales, The Equality and Human Rights Commission (Wales), The Equality Challenge Unit, The Higher Education Academy, Skill UK and Skill Wales.

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## Executive summary

### Introduction

IMPACT Associates was commissioned by the Higher Education Funding Council for Wales (HEFCW) in April 2009 to undertake an evaluation and review of all eleven Welsh higher education institutions' (HEIs) Disability Equality Schemes (DES), action plans and 2008 annual reports.

The aims of the evaluation were for the HEFCW to have confidence that the Welsh HEIs are: complying with their current Disability Equality Duty (DED); moving towards inclusion for disabled people; and prepared for the forthcoming single equalities legislation. In addition the review aimed to identify good practice in developing disability equality, and effective ways to share this practice including through collective approaches. The intended outcome was to enhance the experience of disabled people engaged in, or connected to, the higher education (HE) sector in Wales.

### Context

The Disability Discrimination Act (DDA), 2005, introduced new disability equality duties applying to all public bodies. This differs from previous legislation as it requires public bodies to make cultural change incorporating disability equality holistically into strategic and operational activity. The creation and delivery of the DES underpins this approach and supports the delivery of disability equality. This evaluation was timed to provide support to Welsh HEIs in preparing their second DES, due to be published in December 2009.

This review is the direct outcome of an action within the HEFCW single equality scheme (SES) action plan<sup>1</sup> to commission consultants to review institutional DES.

### Methodology

A series of resources were developed in consultation with HEFCW and the project Steering Group including a standardised template, rooted in the requirements of the legislation, to evaluate HEIs' DES, action plans and annual reports. Evaluation using the template ensured parity as well as systematic analysis of whether DES, action plans and annual reports addressed the DDA specific and general duties. This desk based review resulted in the production of a confidential individual report for each HEI commenting on levels of compliance and highlighting good practice. HEIs were sent the individual institutional report prior to a pre-arranged institutional visit.

For the purposes of the institutional visits semi-structured interview scripts were developed to guide discussions with staff involved in developing and delivering the DES and action plan and with disabled staff and students in each HEI. Senior staff were invited to take part in the visit including members of the senior management team along with human resources, equality and diversity and disability service managers. The visit enabled staff to discuss the review report findings along with

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<sup>1</sup> The HEFCW Equality Scheme action plan 2008-2010 (action 6.5)  
[http://www.hefcw.ac.uk/FinanceAssurance\\_Docs/Equality\\_Action\\_Plan\\_07-09\\_FINAL.doc](http://www.hefcw.ac.uk/FinanceAssurance_Docs/Equality_Action_Plan_07-09_FINAL.doc)

strategies for moving forward; their concerns in light of forthcoming single equalities legislation; and to say what, if any collaborative activity they would like to undertake in future. During the visit disabled staff and students were separately consulted about the effective implementation of the DES action plan and progress to achieving disability equality.

To obtain an external perspective semi-structured telephone interviews were conducted with staff from six sector organisations<sup>2</sup> to seek their perceptions of the effectiveness of the way in which Welsh HEIs are addressing disability equality, and their suggestions for improvements. These organisations were also consulted about delivering disability equality in light of the forthcoming single equality legislation and regarding current and future opportunities for collaboration.

A range of quality assurance mechanisms were put in place including: establishing the project Steering Group; undertaking an initial project risk assessment; holding an evaluator's moderation meeting; using the standardised template based upon regulatory requirements; allocating a lead and secondary peer reviewer for each HEI report; piloting the review template and report format; and appointing a quality control consultant.

## **Findings**

The summary findings are an outcome of: reviewing the HEI schemes, consulting HEI staff involved with the development of the schemes, consulting disabled staff and disabled students at eleven HEIs and consulting the six sector organisations<sup>2</sup>.

Significant levels of good practice were identified in the production and implementation of DES demonstrating a commitment to working towards disability equality by staff in the Welsh HEIs. However, not all schemes systematically addressed the full requirements of the legislation.

The outcomes of the desk based review indicated that all eleven HEIs were fully compliant in publishing their schemes and in their plans for reviewing progress towards delivering the action plan. The majority of schemes were compliant with the regulations: to outline the information to be gathered about policies and procedures for disabled staff; and in publishing an annual progress report.

Approximately half the schemes were compliant in: stating plans for gathering information on disabled students and HEI services; involvement; impact assessment; and action planning.

The HEIs were generally non-compliant in three regulations. Schemes did not always state how subsequent schemes would be prepared. In the main annual reports failed to summarise and make use of information on policies, procedures and disabled people's experiences.

What emerged as a result of institutional visits was that HEI practice was not always comparable with what has been set out in the scheme, action plan and annual report.

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<sup>2</sup> Disability Wales, the Equality and Human Rights Commission (EHRC), the Equality Challenge Unit (ECU), the Higher Education Academy, Skill UK, and Skill Wales.

In some instances HEIs have made more progress on disability equality, in other cases it has not been possible for HEIs to deliver what they planned. The three most significant areas which require attention to ensure sector wide compliance are: to collect, analyse and use the full range of information required in developing schemes, plans and annual reports; to involve disabled people more effectively in all aspects of the scheme and demonstrate the impact of that involvement; and to conduct and publish the results of impact assessments.

We believe that all eleven HEIs published a DES by December 2006 as was required by law. The majority of the Welsh HEIs' schemes provided clear invitations to readers to request copies in alternate formats if required. Four schemes had produced or intended to publish an executive summary or a shortened version of the scheme which enhanced accessibility, particularly for longer schemes.

Comprehensive schemes clearly identified key groups for whom the scheme had relevance. The majority of schemes did not, however, include specific reference to all relevant disabled stakeholders within their scope. For instance disabled members of the community, visitors to, or particularly significant cohorts of, the university population such as disabled distance learners were not always included.

Six of the HEIs set the context of their schemes by outlining the model of disability underpinning their approach. This included using the social model of disability and an emphasis on inclusion. Supporting this approach was the use of social model language and reference to identifying barriers and solutions.

Schemes and action plans which encouraged ownership across the institution were usually aligned to institutional strategic aims. Underpinning this was the allocation of responsibility to key staff across the institution for implementing actions in scheme plans. Endorsement of the scheme and its action plan from the Vice Chancellor also supported ownership. However, the review findings illustrate that university-wide ownership of schemes is not generally wide spread. Although not legislative requirements, effective implementation of the scheme and action plan is dependent on a whole institutional approach including demonstrable leadership and commitment to disability equality<sup>3</sup>.

The involvement of disabled people is central to the specific duty; it is a fundamental requirement of the process necessary to develop a scheme and its action plan. There were a range of creative involvement activities identified in schemes such as providing the option for students to give follow-up contact details on the normally anonymous student satisfaction survey, consultation then took place with these students and themed consultation meetings were organised.

Lessons can be learnt from the identified examples of innovative practice as involvement is on the whole an area which requires further development. Approaches found to increase the likelihood of successful involvement included: devising a comprehensive involvement strategy and consultation protocols; organising themed, focused consultations; ensuring the availability of adequate resourcing and incentives;

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<sup>3</sup> Disability Equality Duty Code of Practice, sections 2.59 (Leadership) and 3.26 (Introduction to the Scheme). Disability Rights commission (2005)

providing accessible methods of involvement; and the high levels of satisfaction about provision received from disability services as a positive influence on the likelihood of disabled people agreeing to be involved.

HEIs are required to analyse and use information gathered in the development of the scheme as the basis for identifying the steps they will take in the action plan. Information collection plans in schemes were well developed for both staff and students. Information collection activity was generally further advanced for students than for staff. A number of useful and innovative approaches were identified to support information gathering and analysis. For example, having a comprehensive and robust system for dealing with complaints and for monitoring these was an important potential source of qualitative information. Also one HEI Student Union planned to collect data on the participation of disabled students in clubs, societies and other Student Union activities.

Encouraging disability disclosure was seen as key to obtaining more meaningful and comprehensive information on disabled staff and students. However, in a number of HEIs data management, collection and reporting systems, and access protocols, limited the availability and effective use of information. In general there were few systems used to collect and analyse information about improvements in services and facilities, particularly in relation to disabled visitors and external partners.

A fundamental aspect of the DED is the duty to impact assess policies, procedures and practices to help ensure that public authorities' do not disadvantage disabled people, either explicitly or implicitly. Impact assessment also makes sure that all aspects of the general duty, such as eliminating discrimination and promoting positive attitudes to disabled people, are built in to policies and procedures from the outset. To meet this duty ten of the eleven Welsh HEIs are currently using all-equality impact assessments (EIA) processes. This builds on progress made under the Race Relations (Amendment) Act.

All schemes included reference to impact assessment procedures. Several HEIs illustrated good practice in their training of staff to undertake EIA and in rolling out responsibility to schools and departments. However schemes did not always: demonstrate that there was an understanding of the impact assessment process in the context of the institution; outline priority areas for impact assessment; or include a statement of the methods to be used for impact assessment. The equality manager post was seen as critical to implementation of the impact assessment process, however there was an over reliance on this role to ensure delivery. Lack of resources for prioritising action and conducting impact assessments had generally led to insufficient progress. Few HEIs had published the results of impact assessments.

The action plan is the cornerstone of the DES. Action plans should set out the key steps that a public authority will take to fulfil all six of the general duties to promote disability equality across the whole institution and to take account of the needs of staff, students and other relevant groups. The action plan should also reflect the priorities of disabled people themselves as well as the priorities of the public body. In addition the plan should identify specific outcomes that the HEI wishes to achieve,

along with information on accountability, timescales for action and measurable indicators of progress towards these outcomes.

In general the Welsh HEI action plans were detailed and provided many examples of good practice including: creating themes to enable grouping of similar actions together; a colour coding system to map university strategic aims against actions along with senior management team responsibility for achieving these aims; explicitly linking the actions in the plan with the university widening access strategy and projects, and with international activity. Two scheme action plans addressed all six aspects of the general duty; the remainder did not fully meet this DED requirement. Two of the most overlooked aspect of the general duty were the need to 'take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons' and the duty to 'encourage participation by disabled persons in public life'.

It was clear that where action plans were outcome focussed this helped support delivery as did the inclusion of measures to assist with identifying and reporting on progress. Allocating senior management team responsibility for achieving the aims also increased the likely success of implementing the actions at an institutional level. Few schemes prioritised the actions in the plan or explained how the delivery of the action plans would be resourced.

The DED includes specific duties for HEIs to outline arrangements to review and report on progress annually, and a statement of how subsequent schemes will be produced. In the Welsh HEIs good practice was illustrated in schemes which outlined how the preparation and publication of annual reports of progress towards delivering the proposed actions would be effected, including: identifying a senior level lead with responsibility for reporting progress; descriptions of how and where the report would be published; and which committees would receive reports on progress.

Few of the HEIs addressed the issue of the development of future schemes, where they did, generally only brief detail was provided. Only one scheme included a clear statement about the arrangements for using information gathered during the lifetime of the scheme to prepare subsequent schemes.

The DED specific duties require HEIs to produce an annual report of progress outlining steps taking to fulfil the general duty, along with the results of information gathering and the use made of that information. Good practice was demonstrated in annual reports which: used font style and size that are easy to read and accessible; were straightforward to locate on the HEI web site; and demonstrated the continued engagement with disabled people; and transparently reporting progress by providing an update of each action that had been outlined in the original scheme action plan.

HEIs are delivering some exemplar practice in producing annual reports such as providing comprehensive data on all equalities strands and on a number of disability issues including: student take up of DSA; impairment specific data; student disability profile reported by academic school; student withdrawal rates and destinations; and staff disability profile. However institutions are not consistently reporting on good practice or about their achievements.

Disabled students in all HEIs reported being happy with services from specialist disability staff; disabled staff had more variable experiences. Disabled staff in some HEIs indicated there was still significant work to do in order to ensure that effective reasonable adjustments are implemented in the work place. Parity of experience and equivalence of services received by disabled staff and students was highlighted by the review as an issue.

Single equality schemes had already been published by two HEIs and eight HEIs intend to produce a SES rather than a DES in December 2009. Overall there were positive attitudes from HEIs, disabled staff and students and sector organisations, to the single equalities legislation and to the benefits of a SES. There was some concern that HEIs did not lose sight of disability equality issues in the move to single equalities approaches. In addition, the logistics of creating and delivering a SES has given rise to some concern as essential detail could be lost when equality strands are combined into one scheme and plan.

### **Summary recommendations**

The recommendations in the report are divided into two sections, those for HEIs and those for HEFCW. There are 36 recommendations for HEIs structured around ten [see p51ff] major themed improvements:

- Ensuring schemes address the full scope of their duties to all stakeholders and securing senior level endorsement for schemes.
- Achieving more and wider involvement, particularly in relation to the involvement of disabled staff, disabled people from the community and disabled people's organisations. There is a need for more transparent use of the outcomes of involvement, including how involvement has influenced the formulation of actions in the plans. Also the creation of involvement strategies and consultation protocols in advance of developing subsequent schemes.
- More effective gathering, analysis and use of qualitative and quantitative information to inform scheme action planning, delivery and review is required. Improved levels of information around disabled staff is needed along with information on services.
- Paying specific attention to how action plans address all six elements of the general duties and how the outcomes of involvement activities and the information that has been collected and analysed have influenced the content of the action plan and its priorities.
- Schemes and reports should be effectively publicised to the whole university community and there is a sector wide need to consider and publish details about how subsequent schemes will be prepared.
- Clearly explaining in schemes the impact assessment methods used, from prioritisation of policies and procedures for assessment to publication of results. Along with a need to involve more people from across the HEI, including disabled people, in impact assessing policies and procedures.

- Annual reports require evidence of progress provided through information gathered, this includes better use of the results of: data and information collection; involvement; satisfaction surveys; and impact assessments. Institutions could make more use of the annual report to celebrate the progress they are making towards achieving disability equality.
- Ensuring parity in addressing disability equality for staff and students.
- Ensuring the specific detail on disability equality issues is not diluted or lost in the transfer activity towards producing single equality schemes.
- A need to explore the benefits of working collaboratively to enhance knowledge and expertise, to share practice and to undertake effective external involvement.

Cross cutting issues have emerged from the ten themes concerning:

- Encouraging wider ownership and senior management engagement.
- Embedding delivery and mainstreaming activities.
- Ensuring the scope of activities addresses the full range of key stakeholders.
- Utilising institutional expertise to maximise success, for example in marketing and data analysis.
- Ensuring accessible methods are used and accessible publications are produced.
- Continual monitoring and evaluation of progress and achievements.
- Providing clear links between the different deliverables within the scheme.
- Considering the resource implications.
- Recognising, promoting and celebrating achievements.

The nine [see p55ff] recommendations in the report for the HEFCW are primarily concerned with:

- Helping HEIs to prioritise and implement the report recommendations, particularly for those HEIs where compliance levels are low; and considering which aspects of disability equality are best delivered through a disability specific approach and which by a single generic equality approach.
- Working with senior managers and governing bodies to assist HEIs to raise the profile of disability equality.
- Working with HEIs to deliver effective and appropriate collaborative activity.
- Providing support to HEIs to consider how they can address the resource implications of delivering disability equality.
- Considering approaches to help those HEIs who wish to move beyond compliance by supporting the development of action research projects to further advance disability equality.

## **Conclusion**

HEFCW should have confidence that although the DES produced by the Welsh HEIs in 2006 were not fully compliant with the DED institutions have learnt from their experience of producing DES and from the feedback provided by this review. Therefore, HEIs preparing schemes due to be published as part of the DED specific duty three year review cycle in December 2009 will now be in a stronger position to address those areas of identified non-compliance. It was apparent from the institutional visits that in practice all HEIs were working towards and had made progress in disability equality, when compared to their original DES. However, not all HEIs evidenced this in their annual reports.

The three areas that require the most support for development are information gathering, analysis and use; the involvement of disabled people; and impact assessment procedures.

Welsh HEIs were found to be steadily moving towards inclusion for disabled people with many examples of good practice identified in developing disability equality and inclusive approaches.

There were some concerns expressed from staff in HEIs and from sector organisations about the forthcoming single equalities legislation, mainly around the risk of diluting disability issues within a single equalities approach and the expertise and resources required to deliver a SES.

We are confident that this timely review and the subsequent resulting actions by HEIs and HEFCW will contribute towards enhancing the experience of disabled people engaged in, or connected to, the HE sector in Wales.

## 1. Introduction

In April 2009, IMPACT Associates was commissioned by the Higher Education Funding Council for Wales (HEFCW) to undertake an evaluation and review of all eleven Welsh higher education institutions' (HEIs) Disability Equality Schemes (DES), action plans and 2008 annual reports. The primary purpose was to enable the HEFCW to have confidence that the Welsh HEIs are complying with their duties under current disability legislation in the production of their DES and action plans, and that they are well placed to accommodate the impact of the forthcoming single equalities legislation. The HEFCW wished to ensure that institutions received timely, relevant, quality assured and transparent feedback on the ability of their schemes to meet the requirements of the legislation, to help identify priorities for moving forward on disability equality within their HEI. In addition the project was tasked with identifying good practice and with eliciting participants' views on the most effective ways to share and disseminate this practice to support the development of disability equality across the Welsh sector.

The intended outcome of this work was to help achieve tangible improvements in the experience of disabled people who are engaged in, or connected to, the higher education (HE) sector in Wales.

## 2. Context

### The national context

The Disability Discrimination Act (DDA, 2005) introduced a new Disability Equality Duty (DED), which applies to all public bodies. The DED is fundamentally different from the other parts of the DDA, requiring public bodies to move away from individual adjustments and treatment of disabled people towards a holistic cultural change incorporating disability equality into everything that an organisation does. The DED has general duties, which apply to all public bodies, and additional specific duties, applying to listed bodies, including HEIs, to enable them to achieve the outcomes required by the general duty (see Appendix 1).

The DED specific duties require listed public bodies to draw up DES on a three-year basis and to ensure that disabled people (for the purposes of HEIs this includes staff, students and members of the public) are actively involved (not only consulted) from the outset in producing the DES and associated action plan.

This review is timely as it is reporting to the Welsh sector on DES progress in time for HEIs to take the findings into account when reviewing their existing DES and developing and publishing their next 3-year scheme in December 2009. It will also support Welsh HEIs to align their DES with the other equalities strands as required by the proposed single equalities Bill, Framework for a Fairer Future.

### The Welsh context

According to the Annual Population Survey for 2004 to 2007 the level of impairment in the population (as defined by the DDA) in Wales in 2007 was around one fifth of the

working age population. In 2007, less than half of the disabled working-age population were economically active in Wales. These figures provide a benchmark for Welsh HEIs and help highlight the importance of disabled people accessing HE which can increase the likelihood of employment and lessen the risk of disadvantage and social exclusion.

This research comes in the wake of a Disability Rights Commission (DRC) Wales funded project to evaluate the readiness of post-16 education providers to comply with the auxiliary aids and services provisions of the DDA part 4<sup>4</sup>. In responding to the recommendations of this research Welsh HEIs have made significant progress towards disability equality.

Welsh HEIs were also invited to take part in an Equality Challenge Unit (ECU) project to advise and support British HEIs in the development and implementation of their first DES, prior to their publication in December 2006. A summative report was published for the sector offering guidance to HEIs about common gaps and strengths in sector schemes, and providing recommendations for development and improvement<sup>5</sup>.

The Welsh Assembly is monitoring public authorities to ensure they take account of their responsibilities under the DED<sup>6</sup>. The Assembly's Department for Children, Education, Lifelong Learning and Skills approved their final draft Single Equality Action Plan in September 2008. This forms part of the Welsh Assembly Government commitment to developing a single equality scheme (SES) covering six equality strands: age, disability, gender, race, religion or belief and sexual orientation. The Scheme is intended to allow the Assembly to tackle key equality, diversity and human rights issues on a multi and cross strand basis. The Assembly SES is linked to and informed by the strategic agenda set out in 'One Wales'<sup>7</sup>.

This review of the Welsh HE DES is the direct outcome of action 6.5 from the HEFCW SES action plan<sup>8</sup>. Which states that HEFCW will:

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<sup>4</sup> Taking Away the Strain? Auxiliary Aids and Services for Disabled Students in Post-16 Education in Wales. Davies C et al. DRC Wales 2004.

<sup>5</sup> Feedback to the Higher Education Sector on Disability Equality Schemes Skill and IMPACT Associates for ECU 2006  
<http://www.impact-associates.co.uk/des.html>

<sup>6</sup> The Welsh Assembly announcement of a report published in December 2008 giving a snapshot of how public authorities are taking account of disability equality in their work presented to Assembly Members by Social Justice Minister Dr Brian Gibbons.  
<http://wales.gov.uk/news/topic/equality/2008/2837409/?lang=en>

<sup>7</sup> One Wales. Welsh Assembly Government. An agreement between the Labour and Plaid Cymru Groups in the National Assembly for improving the quality of life of people in all of Wales's communities.  
<http://wales.gov.uk/about/strategy/1wales/?lang=en>

<sup>8</sup> The HEFCW Equality Scheme action plan 2008-2010 (action 6.5)  
[http://www.hefcw.ac.uk/FinanceAssurance\\_Docs/Equality\\_Action\\_Plan\\_07-09\\_FINAL.doc](http://www.hefcw.ac.uk/FinanceAssurance_Docs/Equality_Action_Plan_07-09_FINAL.doc)

“Commission consultants to review disability provision practices for both students and staff across the sector via a review of institutional Disability Equality Schemes.”

### **3. Methodology**

The project was delivered in a number of consecutive stages involving HEIs and stakeholder organisations.

#### **3.1 Development of resources**

A series of resources were developed in consultation with HEFCW and the project Steering Group: a standardised template to review HEI DES, action plans and monitoring reports; and semi structured interview scripts for institutional visits and for consulting the key stakeholder organisations.

The design of a standardised template firmly rooted in the requirements of the legislation as detailed in the Code of Practice<sup>9</sup> ensured that all schemes, action plans and annual monitoring reports were assessed against the same key aspects of the legislation, the specific duty regulations listed in the Code (see Appendix 1). This was designed to be sufficiently flexible in order to accommodate different HEI contexts and priorities impacting on their DES, e.g. small specialist, pre 92 or post 92 HEIs. The design also took into account Equality and Human Rights Commission (EHRC) advice that existing good practice can be used to help benchmark schemes rather than applying a theoretical ‘perfect’ template. Alongside a set of standard criteria this provides user friendly, helpful feedback.

#### **3.2 Evaluating HEI DES/SES, action plans and annual monitoring reports**

The evaluation comprised a desk based review to: check HEI compliance to see how comprehensively all relevant DED regulations were addressed; assess annual monitoring reports according to whether they addressed progress towards achieving actions outlined in the DES action plan; identify good practice; and highlight ways, if required, to further develop each DES, action plan and annual monitoring report in light of the new single equalities legislation.

#### **3.3 Providing written feedback in an individual report to each HEI**

A standardised report structure was used to provide written individual HEI feedback. Judgements around compliance did not constitute legal advice but stated, in the consultants’ opinion, how likely it was that the requirements of the legislation had been met and where the institution had gone above and beyond legislative requirements. Institutional draft reports were verified with the individual HEI prior to finalisation.

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<sup>9</sup> The Duty to promote Disability Equality: Statutory Code of Practice for England and Wales. DRC. Page 150, Preparation and publication of a Disability Equality Scheme [http://www.dotheduty.org/files/Code\\_of\\_practice\\_england\\_and\\_wales.pdf](http://www.dotheduty.org/files/Code_of_practice_england_and_wales.pdf)

### 3.4 Institutional visits

Individual HEI visits enabled staff to: explore the review findings; discuss good practice and the potential for implementing good practice; discuss areas of concern; seek advice; and share information about developments across the sector.

The visit allowed the reviewers to identify: what the HEI does well in terms of disability equality and how this relates to the approach to equalities and institutional planning; what the institution could improve upon; concerns regarding the impending single equalities legislation; and how and in what areas of activity the institution would like to work collaboratively across the Welsh HE sector on disability and equality issues. Forward planning helped ensure the attendance of senior staff with responsibility for disability equality in staff, student and community issues, as did a letter to Vice Chancellors from the HEFCW requesting their involvement.

Semi structured interviews were used to ensure parity of approach whilst offering the opportunity to raise individual issues. Review findings were discussed constructively, focussing on solutions for a way forward.

The HEFCW and the reviewers were keen to ensure the views of disabled staff and students were sought about disability equality issues. The reviewers specifically asked to meet with two disabled staff and two disabled students from each HEI who had been involved with creating or implementing the DES. Equal emphasis was placed on disabled staff and students' views. As a result of the changing student population many of the students involved in the development of the schemes in 2006 had graduated therefore not all students interviewed had previous knowledge of the HEI DES.

Interviews were conducted with a total of 78 people. Forty eight of these were staff who had been involved in developing or delivering the DES. In total 32 disabled people were interviewed. Due to the time of year and the prior commitments of both staff and students (May examinations) it was pleasing to obtain such a high level of involvement from disabled people.

- 3 Pro Vice Chancellors (2 Chairs of the Equal Opportunities Committee)
- 1 Director of Operations (SMT and Chair of Equal Opportunities Committee)
- 7 Directors and Deputy Directors of Human Resources
- 3 Human Resources Officers
- 7 Directors or Heads of Student Services
- 11 Equality and Diversity Managers and Officers
- 6 Disability Services Managers
- 3 Staff with related roles (specialist tutor, administrator and researcher)
- 5 Staff with involvement in disability committees.
- 13 Disabled staff, with a range of roles and functions. In one HEI one member of staff represented the views of 7 colleagues from the disability group.
- 19 Disabled students, including undergraduate, postgraduate, full and part time.

### **3.5 Obtaining views from equality related (stakeholder) organisations**

Six equality related organisations took part in the review: Disability Wales, the EHRC, ECU, the Higher Education Academy, Skill UK, and Skill Wales. Advice was sought from the HEFCW in identifying key organisations in the Welsh sector.

Using a semi structured interview script ensured equivalent topics were discussed with all interviewees during the telephone and text-phone interviews. The purpose was to seek the views of key stakeholder organisations on the perceived effectiveness of the way in which Welsh HEIs address disability equality in practice, and to obtain suggestions for improvements. The organisations were also consulted about delivering disability equality in HE in light of the forthcoming single equality legislation, and current and future opportunities for collaboration.

### **3.6 Involving disabled people**

Disabled people's views were obtained at all stages of the review by seeking feedback on the standardised review template, through the Steering Group membership, during HEI visits and in consulting stakeholder organisations.

### **3.7 Meeting the needs of Welsh language speakers and disabled people**

Participants were provided with the opportunity to receive reports or questionnaires and conduct interviews in the Welsh language. Disabled people were offered reasonable adjustments to facilitate their involvement in the project. The HEIs ensured that meetings took place in accessible venues.

### **3.8 Quality assurance**

A range of quality assurance mechanisms were utilised in the review including:

- Establishing the Steering Group with representation from: the HEFCW, ECU and EHRC Wales. The group offered critical friend input at key stages.
- An initial risk assessment to identify, in consultation with the HEFCW, any potential risks to the successful completion of the project.
- A pilot DES review was conducted with one HEI to test the process and to ensure the report was user-friendly. Feedback obtained from the HEI and the HEFCW helped refine the methodology used to analyse and evaluate the remaining DES.
- All schemes were assessed against the same key aspects of the legislation. Each DES had a lead reviewer providing feedback and advice and a peer reviewer, particularly focusing on decisions around compliance.

## **4. Findings**

The review focused on institutional compliance with the DED general and specific regulations in relation the documentation reviewed: the scheme, action plan and annual report. However, during institutional visits it became clear that the documentation did not always reflect the breadth and level of actual practice within

the HEIs. Findings therefore reflect both the review of documentation and the outcome of HEI interviews. Where relevant each section below outlines the legal context (DED regulation), findings, good practice, areas for improvement and key points.

Schemes were judged to be fully compliant where there was evidence that all elements of the regulation had been achieved. Partial compliance judgements recognised that the HEI had met certain aspects of the regulation but not all elements had been explicitly or clearly addressed. The examples of good practice outlined were either identified as a result of the review of the schemes or as a result of interviews with staff and disabled staff and students during the HEI visits. The areas for improvement were identified by staff and disabled staff and disabled students during HEI visits and by stakeholder organisations during one to one interviews. Each section concludes with 'Key points' which are a summary of the main influencing factors on the development of good practice identified in the review.

Two of the eleven universities in the Welsh sector currently have a SES. These were created to replace the original DES. For this reason throughout, where reference is made to 'schemes' this refers to either DES or SES, unless specified.

## 4.1 Publication

### Legal context

Regulation 2(1) states that HEIs first DES had to be published by December 2006.

Although not specifically stated in the regulations there is a recommendation in the Code (3.123) that the scheme is clearly identifiable and presented in such a way as to enable all interested stakeholders to readily access it.

### Findings

Regulation	Fully compliant	Partially compliant	Non-compliant
2(1) <sup>10</sup>	11	0	0

The majority of schemes and action plans have been made available in hard copy, can be downloaded via HEI web sites and include clear invitations to request alternate formats to make them accessible to people with different access requirements, (Code Ref 3.120). Many of the schemes, although not all, included a contents list to enhance usability. Although the majority of schemes contained an accessibility statement within the document, less than half had included this in a prominent place. Few HEIs took advantage of advice from internal marketing specialists to promote their schemes internally or externally.

<sup>10</sup> For a full list of DED regulations see Appendix 1

## Good practice in scheme publication

Identified successful strategies in publishing and promoting schemes in different HEIs included the following:

A significant number of schemes illustrated good presentation in terms of layout, font and clear language, avoiding jargon. An accessibility statement was provided at the beginning of two schemes in large print. Four schemes had produced or intended to publish an executive summary of the scheme to improve the accessibility. A disabled student commented:

“I feel the DES is commonsensical and jargon free with practical aims, policies and issues built in. I got it in large print. It has immediate, middle and long term goals. People are implementing the plan and have good intentions.”

HEIs demonstrating good dissemination practice had: produced leaflets about the scheme, posting them around campus and on the back of toilet doors; and provided information at student induction. There were plans to include details about the scheme in the information pack given to job applicants and new employees. Schemes had been promoted through weekly email, mandatory training for all staff, and presentations to management and the governing body. Student union publications, staff and student intranet and newsletters were used to disseminate schemes. HEIs either had, or planned to, run briefing sessions and staff training to ensure awareness of the scheme and the legal duties. A document version control form at the end of one scheme identified document history, provided the date of the current scheme and the number of previous versions.

## Identified areas for improvement in scheme publication

Most schemes would have benefited from more explicit statements about how the scheme was to be published. Where the scheme is a lengthy document it is desirable to publish a summary version. A disabled student said:

“I found the DES intimidating and a dauntingly extensive document.”

Further work is needed to determine how schemes can be disseminated to as wide an audience as possible. Suggestions from disabled staff and students included using the Student Union newspaper, websites and students' council. There should also be consideration of how the scheme can be disseminated externally to interested organisations.

As some web sites can be difficult to navigate to ensure the scheme is clearly identifiable and accessible to a wide range of stakeholders (the Code, Ref 3.123) it is helpful to: post the scheme to a designated area of the HEI web site, such as where other policies are located; and create on-line links to the scheme from related areas, such as staff and student disability or diversity pages.

If the scheme has been updated or changed to a SES previous versions should be removed from HEI web sites; version control is important. Clearly placing a date on each scheme helps avoid confusion.

## Key points

- Including clear invitations on the front of schemes assists readers to request copies in alternate formats if required.
- Providing a summary version of the scheme increases accessibility for some readers.
- Considering and using a wide range of dissemination methods, both internally and externally, helps ensure the scheme reaches all key stakeholders.

## 4.2 Aims, scope and senior level endorsement

### Legal context

The Code<sup>11</sup> indicates it is good practice for the DES to include an introduction which outlines the approach to disability equality. Stating the aims and scope of the scheme makes clear to readers what the focus of the scheme is and who the key stakeholders are. The Code also states that effective delivery of the DES is dependent to a great extent on senior level commitment to the scheme's delivery. Endorsement of the scheme by the Vice Chancellor gives a clear message of institutional ownership.

### Findings

#### Approach to disability equality

HEIs identified specific models of disability underpinning their approach to the scheme. Five schemes outlined the DDA definition of a disabled person and / or stated they were using the social model of disability (see Appendix 2 for a definition). Schemes also made reference to HEI intentions to achieve greater social inclusion.

A variety of approaches were used to support ownership of schemes and to embed disability equality such as: explicitly stating that the scheme (and disability equality in broader terms) is the responsibility of the whole university community; expecting staff and students to contribute to delivering the general equality duties by helping eliminate unlawful discrimination, promoting equality of opportunity and good relations; and specifically stating that the aim of the scheme is to celebrate equality and diversity and to bring equality issues into one framework. Awareness was being created by external funding body requirements to outline HEI approaches to equality and diversity in applications for funding. Equality of opportunity was increasingly considered to underpin institutional academic and financial strengths.

Disabled staff and students commented about improving and helpful staff attitudes and the environment of HEIs being more welcoming to disabled people. Staff felt that equality issues were a key strength in some HEIs.

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<sup>11</sup> Disability Equality Duty Code of Practice, sections 3.26 (Introduction to the Scheme) and 2.59 (Leadership) Disability Rights commission (2005)

### **Aims and scope of the scheme**

Ten of the schemes referred to the HEIs' general and specific duties, although they did not all list the six general duties in relation to disability. Less than half of the schemes outlined the legal framework of the DDA.

In several instances HEIs tended to focus attention on disabled staff and students as key stakeholders but did not clearly state other significant groups such as the local community. Sometimes key HEI stakeholders were overlooked, for example omitting to mention how the HEI would address the requirements of disabled distance learners despite significant numbers of enrolled distance learners.

Embedding the scheme within HEI strategic approaches was apparent where the action plan reflected the institution's strategic goals. However, some strategic aims, such as those framed around improving the research profile of the HEI, were considered to be less easy to link to disability equality.

A level of joined up thinking at policy level was demonstrated by stating that the scheme supported compliance with related legislation such as building and fire precautions regulations. However by not specifically addressing disability equality within HEI merger plans opportunities have been missed to improve the general provision for disabled students and staff.

### **Senior level endorsement**

The need for senior level involvement and direction was an issue raised by a number of HEI staff and students and by stakeholder organisations, it was considered to be significant influencing factor in the effective delivery of schemes. Of the 11 Welsh HEI schemes, eight were specifically introduced with a forward by the Vice Chancellor indicating endorsement of the scheme. Several schemes made clear where responsibilities lay for implementation, most frequently stating this rested with the board of governors, but devolved to the Vice Chancellor.

### **Good practice - Aims, scope and senior level endorsement**

Identified successful strategies in Welsh HEIs included:

#### **Approach to disability equality**

Good practice was seen in schemes which: provided a definition of disability; stated that the overall approach adopts the social model of disability; and highlighted the benefits to the institution of creating a barrier free environment. Schemes which avoided using medical model terms such as 'people with disabilities' demonstrated more clearly, through use of social model language, that this model is embedded in HEI approaches.

Explaining the legislative context was helpful practice when it was outlined succinctly or included as an appendix.

Requiring schools and departments to produce annual plans and reports which include equality issues has worked to embed disability more strategically and raised awareness of issues and responsibilities. Human resources staff specifically working with heads of units has helped embed disability equality issues in planning. The

existence of active equality committees within academic departments has also supported ownership and developments in disability equality.

### **Aims and scope**

Cross-referencing and aligning the aims, scope and relevance of the scheme with institutional policies, strategies and decision making processes enabled a more holistic strategic approach to disability equality. This was particularly the case in HEIs which located the scheme within the HEI's mission, vision for equality, codes of practice and strategic aims.

### **Senior level endorsement**

Institutions demonstrating senior level commitment to the scheme explicitly identified where responsibilities lie from the most senior level, down through the HEI, aiming to ensure ownership of the issues by the whole HEI community. These HEI schemes avoided the pitfall of locating responsibility solely within human resource departments or student services. This helped create schemes, action plans and annual reports which identified existing barriers and examples of good practice from across all areas of the institution. It could also enable effective action planning within departments and functions across the HEI and support wider ownership of the scheme. Genuine endorsement and commitment at the most senior level to disability equality was demonstrated in different ways such as through the personal interest and involvement of the Vice Chancellor in decisions regarding individual disabled students and staff, and campus improvements. In other instances the Pro Vice Chancellor chaired the Equality and Diversity Committee and/ or championed equality issues. Other examples included:

“I have regular update meetings with the PVC for staff and student issues. There is also interest in equality at the highest level for example whenever the Vice Chancellor does a presentation he always mentions the scheme and equalities issues. Management is now more engaged than at any time in the past.” (Equality manager)

“I sit on the Equal Opps and Student Affairs committees; here we are able to talk to the Deputy Vice Chancellor.” (Disabled student)

Ensuring that all committees consider the equality and diversity implications of what they do helped obtain institution wide commitment to considering equality issues was achieved by producing guidance for committee chairs and training committee secretaries to ensure equality issues are addressed.

### **Identified areas for improvement - Aims, scope and senior level endorsement**

HEIs, disabled staff and students and stakeholder organisations identified that there is a need to:

#### **Aims and scope**

Map the scheme to the HEI's strategic aims and explicitly identify all key stakeholders at the outset to ensure their needs are addressed e.g. include disabled visitors, members of the public and distance learners as well as disabled staff and students. Opportunities to address disability equality strategically in current merger

planning were highlighted. HEIs can learn from external examples of transferable practice for example one equality manager stated:

“We should look outside the HE sector for examples of actions. For example companies like Proctor and Gamble have a useful approach to corporate social responsibility. Universities could learn a lot from them in taking our equalities work forward.”

### **Approach to disability equality**

Ensure there is a clear stated approach to the models of disability and diversity being used. As one stakeholder organisation said:

“Include a position statement in the scheme on the university approach to equality, diversity, widening participation or inclusion, state for example that the university seeks to promote the social model and the DDA definition of a disabled person.”

### **Senior level endorsement**

A cultural change is required in HE to achieve widespread senior level commitment to disability equality. One strategy is to identify who in the HEI has overall responsibility for disability equality or for providing leadership in the implementation of the scheme. Allocate senior staff a chairing role for equal opportunities committees or working groups to help ensure there is sufficient authority to request reports and monitor actions. Identify a disability champion at a senior level, e.g. Vice Chancellor, Deputy Vice Chancellor or Governor and ensure the Vice Chancellor is a signatory to the scheme. Views expressed included:

“I don’t get a sense of a push from the top of the uni. It would help if the uni had a disabled person at the top.” (Disabled staff member)

“It is difficult to know how well disability issues are being led in the Welsh HEIs but it is something that has cropped up time and time again at events across Wales, at consultation conferences and other events. It feels like we are always speaking to the same people at these events – those who are already committed and on board.” (Stakeholder organisation)

Run DES and SES information days directed at vice chancellors, governors and senior university staff to engage them as disability champions. HEFCW may be able to encourage senior level participation in such events.

Ensure ownership of the scheme is shared by all university functions and is not solely the responsibility of human resources and student services departments.

### **Key points**

- Locating the scheme in the HEI strategic framework, aligning the action plan framework with the institution’s strategic aims, and devolving annual reporting arrangements to schools and departments all support ownership and embedding of disability equality.
- Stating the model and definition of disability at the outset helps frame the ethos and approach of the scheme and the HEI in terms of disability equality.

- Stating clearly the locus of responsibility for developing, delivering, monitoring and reviewing the scheme supports accountability.
- Allocating responsibilities for actions within the plan to key staff across the institution underpins ownership of the scheme.
- Endorsement from the Vice Chancellor supports scheme ownership.
- The senior management team chairing key diversity committees or taking the lead in championing disability issues provides practical support for scheme delivery.

## 4.3 Involvement

### Legal context

The specific DED duties require that institutions shall involve in the development of the scheme disabled people who appear to have an interest in the way it carries out its functions, regulation 2(2). Regulation 2(3) (a) requires the scheme to state how disabled people have been involved in the development of the scheme.

The involvement of disabled people is central to the specific duty: it is a fundamental requirement of the process to a DES. Each scheme should address the priorities and plans for promoting equality for disabled people, based on the direct involvement of the institution's disabled stakeholders. Without this direct involvement, institutions will not be able to identify the barriers that exist for disabled people, or take action to minimise these barriers.

### Findings

Regulation	Fully compliant	Partially compliant	Non-compliant
2(2) and 2(3)(a)	7	0	4

Institutional evaluations and visits identified a broad range of involvement activities, some of which were inventive and innovative. Most institutions engaged or consulted disabled people to different extents. However, the active involvement of disabled people in all aspects of the scheme was demonstrated by a much smaller number of HEIs who ensured that the involvement of disabled people was central to the development of their scheme. The most developed schemes demonstrated an inclusive approach through the involvement of all staff and students. This approach recognised and included those individuals who may not have identified themselves to the HEI as being disabled and provided an opportunity for non-disabled people to express their views.

HEIs were generally aware that undertaking more involvement activities is likely to have financial implications. The majority of schemes did not include a statement explaining how resources would be allocated to support involvement activities. This is recommended practice in the Code, Ref 3.15.

A small number of action plans demonstrated a significant commitment to broadening the involvement of disabled people. A number of schemes stated that engagement would be ongoing and updates and information would be provided on the website. However many HEIs struggled to either initiate and / or continue to involve disabled people, particularly from the community, and consultation activities had involved a limited range of people, focussing to a greater extent on disabled undergraduate students.

### **Good practice - Involvement**

Identified successful strategies to involve disabled people in Welsh HEIs included:

#### **Strategies to engage disabled people**

Actively employing marketing methods to attract disabled people to become involved was a key contributory factor to encouraging and achieving involvement. Examples of activities used include poster campaigns, newsletters, leaflets, case studies, displays, intranet, website, and community and campus radio. Involvement invitations worked where a range of publicity was used and invitations were welcoming. Organising a combined staff and student disability involvement group meant that cross cutting issues could be dealt with together. However some HEIs found it more effective to operate separate groups for staff and students. One HEI used an innovative strategy to overcome issues around freedom to express views:

“Initially some staff attended [the disabled staff group] because of an official equality role and this inhibited discussion. Now we have a two part meeting. The first hour is for people with personal experience of disability then others who represent the University come in. The second part of the meeting is less effective.”

Having a comprehensive involvement strategy increased the likelihood of involvement from the wider community. For instance, at one HEI a disabled student, entering HE from an adult education course, felt pleased that they were able to represent the views of adult education students as all the other students consulted were undergraduates or post graduates. Another HEI held a community ‘day of discussion’ undertaken in collaboration with local councils and national health service trusts and boards around access to health care from which applicable findings were extracted.

Themed, more focussed consultations encouraged people to attend who had an interest in the theme; estates consultation groups were particularly effective.

Providing the option for students to give contact details on the normally anonymous student satisfaction survey allowed follow-up consultation to take place. Including diversity questions within the main HEI student satisfaction survey had also been effective. Utilising existing expertise or existing structures proved to be a sensible and cost effective approach to involvement in a number of HEIs including working with student unions.

#### **Motivating factors**

Allocating resources and forward planning worked well and increased the success of disabled peoples’ networks. For example, meetings scheduled in the annual HEI

calendar, a text reminder system to prompt those with memory difficulties to attend and having secretarial support to book rooms and email people in advance of forums. Also effective was constantly trying new ways and methods to engage disabled people in discussions and seeking their individual and group opinions as was having meetings and task groups led by disabled staff and students. Offering incentives to disabled staff and students and recognising their contributions to involvement, and payment to external representatives of disability organisations were useful approaches.

It was clear that many disabled students were pleased with the level and quality of provision they had received from disability services or student services. This had a positive influence on the likelihood of involvement. For instance, one student stated:

“The main reason I came along today to meet with you [reviewer] is because I’ve received such a good service from support workers so I wanted to repay a favour when they asked me if I would participate.”

### **Involvement from a wider range of groups including the community**

As a result of working to achieve greater community involvement, one HEI had taken on a disabled person for work experience via MENCAP<sup>12</sup>. Another HEI had actively involved disabled students in a key annual event:

“We have an annual social inclusion lecture. It is absolutely brilliant to hear disabled peoples’ perspectives at these lectures.”

Other strategies included:

Running a joint conference with the Welsh Dyslexia Society was a potentially good opportunity to identify external people to attend HEI disability group meetings.

Attendance at regular meetings with GuildHE<sup>13</sup> and Disability Wales, and / or the equality manager being on the executive of the local area equalities council provided external involvement opportunities.

Requiring the directors of services to attend termly disability focus groups raised senior management awareness and gave higher status to the process.

Reviewing procedures with students who study disability equality as part of their course. Students on these courses had written assignments about their experience of disability equality at the HEI which the HEI could learn from.

Analysis and use of involvement findings in reviewing progress and plans.

Influential involvement activities were provided by including an action to deliver staff training on inclusive curriculum and writing good practice guidelines for staff. This was put in place as a result of a need identified in disabled student feedback.

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<sup>12</sup> MENCAP , a charitable organisation working with people with learning disability.  
<http://www.mencap.org.uk/>

<sup>13</sup> GuildHE one of two membership organisation of heads of higher educational institutions in the UK.  
<http://www.guildhe.ac.uk/>

ECU highlighted a relevant current project they are funding regarding disabled students' involvement and mentioned that a Welsh HEI is participating in this project. The results of this project will be of interest to the sector.

### Identified areas for improvement - Involvement

Staff, students and stakeholder organisations suggested ways in which involvement activities could be enhanced and made more meaningful including:

#### **Strategies to engage disabled people**

HEIs were aware they needed to try a wider range of involvement methods and not rely solely on meetings or focus groups. Requests could be placed on Blackboard for people to participate in disability consultation groups; there are however confidentiality and moderation issues for online forums. Ensure people facilitating involvement activities are knowledgeable about disability issues and that involvement working groups feed directly into the scheme and are connected to other committees.

Devise protocols to help avoid over consulting (particularly as other equality strands come on board), ensure only essential or important consultations are undertaken and that students are not asked for feedback at inappropriate times. The need for consultation protocols would prevent certain issues arising such as lack of time. This was expressed by one disabled student:

“I’m too busy to get involved, particularly at this time of year [examinations imminent]. They should ask students who have either had a particularly bad experience or particularly good experience for their views. Even ask those who have left the University; they should get good feedback from those students.”

Several HEIs wanted help to improve involvement and wanted to collaborate with wider sector or regional organisations. They specifically requested ideas about how to engage their own internal and external communities locally. One stakeholder organisation suggested:

“In terms of involvement there must be commonalities between all Welsh HEIs. There could be some whole Wales events to help avoid involvement fatigue. The HEIs could also combine their resources to pay for the involvement of disabled people which is always an issue. HEFCW could encourage more collaboration across Wales to support this activity.”

More in depth consultation with a small number of disabled people could be effective, for example there is a breadth of experience which can be gained from consulting disabled staff members, who have previously been students at the HEI.

#### **Motivating factors**

Consider confidentiality issues, for instance a conflict of interest was shown to exist with a consultation method at one HEI when officers of the HEI were on the disabled staff consultation group and the associated email list. This meant disabled staff could not have confidential discussions from the perspective of people with a personal interest in disability.

Consider involvement as an on-going, not a one off activity to inform planning and monitoring of action plan progress. Use incentives such as free food and drink, offer gift vouchers, advise students that they can make reference to their involvement contribution on their curriculum vitae, and award honorariums for more in depth prolonged consultation and involvement.

Address practical difficulties faced by disabled people preventing their engagement with involvement activities such as releasing staff from work to attend staff disability group meetings, particularly administrative staff. There is a need to use anonymous methods of consultation for students or staff who do not want to disclose a disability.

A recurring theme was the need to shift to more focussed consultations. Comments from disabled students and stakeholder organisations included:

“I wouldn’t want to be involved in a university-wide consultation, I would find this irrelevant. They need to target specific disabled students and staff for particular issues. Hold thematic led consultation i.e. direct targeting for particular themes such as IT or teaching practice. Ask disabled students to help set priorities in the action plan.” (Disabled student)

“The geographical and transport issues and under funded voluntary sector in Wales can hinder involvement of disabled people. This is a problem if all the HEIs are trying to engage the same groups. HEIs could afford to support this better if they collaborated and it would enhance involvement. Events could be organised and repeated across Wales or outcomes disseminated to all HEIs where there are themes in common. This would not be instead of local involvement but would help HEIs who have had difficulties engaging disabled people.” (Stakeholder organisation)

Publicise the direct benefits of consultation to increase the likelihood of future involvement and evaluate methods to identify what works well.

### **Involvement from a wider range of groups including the community**

Ensure there is a balance of members in staff involvement groups, including participation from staff with a strategic perspective, to avoid the risk that the group perspective become insular or involved with personal issues.

It could be useful to ask support workers such as note takers and interpreters for their views as they have a unique insight from the perspective of someone supporting disabled students. Disabled students may not be able to see the issues because, as one disabled student said “it’s just normal to them”.

Seek the views of disabled people participating in widening access activities and flexible and distance learners.

Encourage disabled staff and students to bring information to involvement groups as a result of their membership of disability forums outside the HEI.

Make use of suggestion boxes and one-off responses from individuals which could be collected by departments or services.

Staff and students with sensory and physical impairments in particular expressed the need for the use of more accessible methods of involvement, with accessible rooms for meetings and the use of audio and visual methods.

### **Analysis and use of involvement findings**

A recurring theme was the need to provide a clear analysis of the implications of information gathered from involvement and to illustrate how it has been influential in the creation of priorities for the scheme action plan. For instance at one HEI, as a direct result of attending focus groups, the Estates department installed a chair lift in a university building and introduced personal emergency evacuation plans (PEEPs) for all disabled students on adult education courses. Neither of these direct benefits from consultations on the university environment had been included in the scheme.

### **Key points**

- Actively employing marketing methods can encourage greater numbers of disabled people to be involved.
- Drafting a comprehensive involvement strategy leads to more systematic and effective involvement.
- High satisfaction levels with provision received from disability support services positively influences the likelihood of involvement.
- Providing adequate resourcing and incentives helps secure involvement.
- Organising themed consultations creates more interest and engagement.
- Anonymous methods of consultation can help reach more people.
- A breadth of approaches encourages the involvement of a full range of stakeholders such as disabled people from the community.
- Involvement is more meaningful as an ongoing process rather than a one off activity.
- Utilising existing expertise or structures is a cost effective approach to involvement activities.
- Devising protocols minimises the risks associated with consultation e.g. can help avoid consultation fatigue and ensure appropriate involvement.
- Ensuring facilitators are experienced can promote effective involvement activities.
- Publishing the results of involvement, including explaining why suggestions are acted upon or not, can be motivational.
- Providing accessible methods of involvement is essential to ensure people with access requirements are not excluded.
- Monitoring and evaluating involvement helps make sure it is improved upon.

## 4.4 Information gathering and analysis

### Legal context

Institutions are required to state their arrangements for gathering information on the effect of the HEI's policies and practices on the:

- Recruitment, development and retention of its disabled staff, regulation 2(3)(d)(i).
- Educational opportunities available to and on the achievements of disabled students, regulation 2(3)(d)(ii).
- Extent to which the services the HEI provides, and those other functions it performs, take account of the needs of disabled persons, regulation 2(3)(d)(iii).

The University is required to analyse and use information gathered in the development of the scheme as the basis for identifying the steps it will take in the action plan, regulation 2(3)(e).

### Findings

Regulation	Fully compliant	Partially compliant	Non-compliant
2(3)(d)(i)	10	1	0
2(3)(d)(ii)	7	1	3
2(3)(d)(iii)	5	1	5
2(3)(e)	3	2	6

### Data and information collection

There were no HEIs demonstrating that they had already collected and used the full range of information (and data) required by the DDA regulations at the time of writing the first DES. Seven of the 11 HEIs were compliant in setting out the information required by regulation which they had collected or proposed to gather about disabled students. This was presented either in the body of the scheme, the action plan or an appendix. A few HEIs demonstrated they had collected an extensive range of institutional information about disabled staff and students to inform the development of the DES. This included both quantitative and qualitative data such as results from consultations, surveys and informal feedback, and student complaints.

HEIs identified that they had now begun to collect more accurate data, for example on the types of impairment disclosed in student enrolment data. In addition, HEIs had been able to collect data on disabled student recruitment (from application to admissions), course selection, retention, progression, and achievement, as well as data on application for the Disabled Students' Allowances (DSA).

Ten of the HEIs identified that they would be gathering data on the recruitment and selection, training, progression, job grade and role of disabled staff which ensured this aspect of their schemes was compliant. However, few HEIs were able to confirm that a range of data had been collected on disabled staff.

Some HEIs made use of UK wide, and Welsh national data, such as that published via research reports from the DRC, EHRC, ECU, the Higher Education Academy and NAO or from HESA, UCAS, HEFCW<sup>14</sup> or census data on the incidence of impairment.

HEIs reported having experienced difficulties with accessing data so that only already published data tended to be used in the schemes. Data reports did not seem to have been requested specifically for inclusion in the scheme. Staff drafting schemes may not have been aware of the full range of data and information available to them.

Although there was a clear intention outlined in the schemes to collect data, in the annual reports and during the follow up review visits several HEIs indicated that information gathering still requires significant development.

HEIs suggested that data management and reporting systems were responsible for poor access to data. Practitioners did not always know what data reports to request in advance or how to specify their requirements. Many HEIs are in the process of transition, improving their data collection and reporting systems incrementally. In future HEIs are introducing disability service information management packages, data reports are being set up and sector comparisons will be made using available data sets.

HEIs were gaining a wider understanding of improvements they could make to data and information collection such as: monitoring user satisfaction of communication channels and information accessibility; information extracted from the results of impact assessment; and information gathered on services when compiling guidance for staff and students.

A small proportion of HEIs demonstrated more comprehensive compliance with the regulations under 2(2)(d) by reporting on qualitative aspects of provision for disabled staff and students, such as making anticipatory and reasonable adjustments, as opposed to presenting quantitative data only. In a minority of cases there was also an analysis which recognised the gaps in provision. The majority of schemes did not report sufficiently on provision. Several HEIs recognised that they had not paid enough attention to gathering and using information about disabled visitors and members of the public.

### **Analysis and use of information**

A minority of HEIs reported on their interpretation of the analysed data and information and how they had used this to create the scheme action plan. In the main institutions have not yet provided an analysis on the full range of data they are able to collect. In several HEIs disability related data analysis was made available during the visit that had not been included in the scheme. For instance, at one HEI the visit revealed that disabled student retention data illustrated retention is better for disabled students than non disabled students, with many staying on into post graduate study as support is already in place; this information was not included in the DES.

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<sup>14</sup> Disability Rights Commission (DRC), Equality and Human Rights Commission (EHRC), Equality Challenge Unit (ECU), Higher Education Academy, National Audit Office (NAO), Higher Education Statistics Agency (HESA), University's and Colleges Admissions Service (UCAS), Higher Education Funding Council for Wales (HEFCW)

There was evidence that data was beginning to be analysed by institutions. For example, data analysis by two HEIs showed that there had been a substantial increase in disclosure by students with mental health difficulties. In another there was a significant shift in recorded data (using HESA disability categories) from dyslexia to those declaring multiple disabilities. The HEI's analysis showed that the increasingly sophisticated diagnosis for dyslexia was resulting in other conditions being diagnosed, alongside dyslexia, creating a consequent shift in numbers of students with multiple disabilities. However, there is no clear indication that results of analysis are being systematically used to influence plans.

Smaller institutions in particular were conscious that relatively small changes in the number of disabled people in their data sets could cause significant fluctuations in percentage terms. They realised the difficult job ahead interpreting and using this type of data. In addition, with such low numbers of disabled people, disaggregating data could lead to breaches of confidentiality because individuals are less likely to be able to remain anonymous.

Little was reported about how the effectiveness of provision was being analysed. For example, one stakeholder organisation pointed out that where development projects such as the inclusive curriculum initiatives are being delivered it will be important to evaluate these and identify learning for the sector as a whole.

There was no evidence of the rationale used to determine what information (e.g. from information gathering, involvement and any disability-related complaints) was included within the scheme and what was rejected and why.

It was not always clear how issues raised during analysis of staff and student data correlated with the actions in the plan; in particular where there were differences between the findings for disabled as opposed to non-disabled staff and students, e.g. progression data for students and promotion data for staff.

An explanation was generally missing about how information gathered during the course of the scheme would be used to inform subsequent schemes, action plans and annual reports.

### **Good practice - Information gathering and analysis**

Identified successful strategies for information gathering and analysis in Welsh HEIs included:

A comprehensive and robust system for monitoring complaints was of particular note as it could be a potentially important source of qualitative information as was monitoring academic staff promotions for trends. An example of innovative practice was identified where a Student Union plans to collect data on disabled student participation in clubs, societies and other Student Union activities. Accessing qualitative information about disabled staff who had not disclosed a disability was achieved through monitoring the informal approaches staff made to the disability service, this was recognised as a potentially a rich source of information.

Gathering useful quantitative and qualitative information when staff request reasonable adjustments or raise issues of concern was undertaken. Reflecting on the

effectiveness of current practice when dealing with cases, including with complaints and requests for support has helped in reviewing systems.

Using external sources of data for comparison provided a context for university statistical data, regionally, nationally and in relation to other HEIs in the sector. If analysed effectively this can help prioritise plans.

Providing information on innovative projects and activities, particularly those designed to improve disabled student access to learning was a good practice element of some schemes. For example, inclusive curriculum projects were being delivered in three HEIs and an assistive and enabling technology project in another.

### **Analysis and use of information**

Clearly analysing and succinctly setting out information and data was a feature of the most accessible and readable schemes; over use of extensive tables or graphs and long explanations were avoided or this level of detail was placed in appendices. Some examples of good practice found included:

Providing a clear analysis of information collected via the disabled student satisfaction survey which contributed significantly to the actions in the plan.

Demonstrating innovative thinking in utilising institutional expertise where an academic member of staff assists with analysing equality statistical information to help with understanding a range of complex data. This helps staff avoid jumping to conclusions.

Devolving data analysis to academic schools to support the identification of issues at a more local level.

### **Identified areas for improvement - information gathering and analysis**

Staff, students and stakeholder organisations suggested ways in which information gathering, analysis and use could be enhanced including:

#### **Data and information collection**

Improve staff and student disclosure rates and collection of information by impairment group to help target resources and anticipate necessary reasonable adjustments. It can also help determine the effectiveness of reasonable adjustments for disabled staff and students.

Information and data collection on provision for disabled staff needs developing when compared to the type of data being collected for students. More information collection is needed about services provided to disabled visitors and members of the public.

Collect and use more qualitative information to inform planning in relation to: provision and services; the experiences of disabled staff, students and applicants; and how contractors, partnerships and external service providers give due regard to disability equality issues in procurement. Examples of information on practice or procedures which are around: staff obtaining Access to Work funded support; and reasonable adjustments for students on placement.

Have internal discussions about how data can be most effectively collected, stored and shared with staff responsibility for DES and SES. Improve information management systems including how essential data is recorded and usable reports

produced along with supporting staff to be able to request the type of data reports they need. Staff were also unaware how to obtain sector data through the HEI's institutional membership of HEIDI<sup>15</sup>; this is usually via a single named contact within the HEI.

### **Analysis and use of information**

Analyse information and be more explicit about how it informs disability equality actions. Develop practice around the use of information to identify gaps or improvements in disability equality. For example, a stakeholder organisation raised one issue which could be considered after analysis of the relevant information:

“There is not the same level of support available for Welsh speaking disabled students as it can be more difficult to obtain Welsh language speakers with the specific skills needed e.g. study skills support delivered in Welsh. Disabled people have to be bilingual to use specialist software too. There is no understanding of the impact of these issues on the experience of disabled people in HE.”

Give consideration to how potentially important sources of hard to collect information can be captured and used. For example, one HEI said:

“There is only one recorded complaint about disability mentioned in the DES data analysis. Other complaints did not make it further than the first stage. Students find the process intimidating. We need some system to pick up the range of complaints that arise that are not formally processed.”

A need was identified to work on improving disability data and, until it is more robust, to be cautious about interpreting the findings of data analysis.

Make more reference to sector research findings on the experiences of disabled staff and students in HE as well as the improved use of national, regional and local data as comparators to inform developments.

### **Key points**

- Collecting analysing and using Information for staff is less well developed for staff when compared to student information.
- Data management collection and reporting systems and access protocols may limit the availability and effective use of information.
- Strategies for the collection and analysis of qualitative information are required to fulfil the legislative requirement in the same way as quantitative data collection and analysis.
- Encouraging disclosure and ensuring efficient data capture mechanisms are key to obtaining meaningful and comprehensive information.

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<sup>15</sup> HEIDI. The Higher Education Information Database for Institutions.  
<http://www.heidi.ac.uk/>

- Developing systems for the collection and analysis of pertinent information about improvements in services and facilities for disabled visitors and external partners help HEIs meet their legal duties.
- Inclusion of an analysis of the full range of qualitative and quantitative information within the scheme supports more comprehensive action plans.
- Information gap analysis assists institutions to identify ways in which they can refine their plans and update their schemes.
- A clearer understanding of the breadth of sector and institutional data available, along with support for how that data can be analysed and used helps prioritise planning.

## 4.5 Impact assessments

### Legal Context

The scheme must include a statement of the institution’s methods for impact assessment of existing and future policies and practices, regulation 2(3)(b).

If HEIs decide to impact assess across all strands of equalities they must still focus on any issues specific to disability to ensure they fulfil their legal duties (the Code, Ref 3.34).

A fundamental aspect of the DED is the duty to impact assess policies, procedures and practices to ensure that public authorities’ policies do not disadvantage disabled people, either explicitly or implicitly, and to ensure that all aspects of the general duty, such as eliminating discrimination and promoting positive attitudes, are built in from the outset.

### Findings

Regulation	Fully compliant	Partially compliant	Non-compliant
2(3)(b).	4	6	1

Ten HEIs are currently using an all-equality impact assessment (EIA) approach. This builds on progress made under the Race Relations (Amendment) Act.

Detail of the processes being used was primarily obtained during institutional visits; it was not always recorded in the schemes. Setting out the process supports parity during implementation. Few HEIs: set the impact assessment process within their own institutional context; included a statement specifically describing the university procedure; provided detail describing the HEI’s method for mapping, screening, collecting data and prioritising for delivery of full impact assessments (Code, Ref 3.29); outlined how disabled people had been involved in the impact assessment process; provided a timetable (Code, Ref 3.40); or outlined priority areas for impact assessment.

The importance of publishing the results and capturing any improvements made as a result of impact assessments was not significantly evidenced in the sector. A number of HEIs expressed concern that they currently do not have the staffing resources to take EIA process forward.

### **Good practice - Impact assessments**

Identified successful strategies for the impact assessment process in Welsh HEIs included:

Making a clear commitment to compulsory equality impact assessment training for all managers and training adequate numbers of staff to conduct equality impact assessments supports delivery. One HEI had trained 40 staff.

Organising 'bring your policy to work' days allowing in-depth discussion with a consultant and producing a briefing for the Vice Chancellor on the equality impact assessment process helps embed EIA. As does developing bespoke EIA toolkits, conducting and evaluating a pilot impact assessment and planning to embed EIA into the University's Project Management Framework.

Providing support for academic staff to review course design and delivery in order to identify and remove barriers to disabled students increases involvement. Ad does highlighting any additional benefits of the EIA process. For example, one HEI stated:

"Interestingly people are starting to ask, do I need this policy? We think this is likely to get rid of duplicate policies, and may mean people are less likely to develop new school-level policies and procedures."

Impact assessing the scheme itself and making this clear by including an 'impact assessed' statement at the front of the document demonstrates good practice.

Utilising existing expertise, such as an academic unit of the HEI, to help prioritise policies and procedures and work through the EIA process.

Mainstreaming EIA by linking all processes including exit feedback from staff to enhance knowledge of the approaches to equalities and setting up school and departmental equality committees.

Embedding EIA in current review mechanisms. For example, all schools and support units are audited every five years at one HEI and EIA is being included as one of the assessment criteria and a required preparatory action prior to audit. This has been approved by the equality committee and Academic Board and will result in a rolling programme of EIA.

### **Identified areas for improvement - Impact assessments**

Staff, students and stakeholder organisations suggested ways in which impact assessment processes could be improved including:

The need to involve more staff as too much responsibility for the EIA process was located with equality officer posts. As one HEI said:

“Our equality post is critical to the impact assessment process so if a vacancy arises a mammoth hiatus appears which can completely halt all progress on impact assessment and other equalities work. As the work is so specialised it is almost impossible for other staff to cover the work load.”

Disabled staff at one HEI provided some useful feedback on how they could be involved:

“We would like to be genuinely involved in policy development and to see early drafts, together with the equality impact assessment, rather than commenting on a final draft. We would like a written record of how our contributions were addressed.”

A number of HEIs recognised that more data is required to inform the impact assessment process.

### **Key points**

- Impact assessing the scheme itself and including a statement on the scheme to state it has been impact assessed is good practice.
- Using a range of measures to promote, develop and embed the impact assessment process helps effective implementation.
- Outlining priority areas for impact assessment allows phased implementation but takes into account the need to address urgent issues.
- Training adequate numbers of staff in the impact assessment process supports effective delivery and avoids over reliance on the role of the equality manager to deliver impact assessments.
- Creating a meaningful process, embedding in institutional practices and explaining the full benefits of impact assessments to staff supports ownership and delivery and helps effect change. Impact assessments should not be just a paper based exercise.
- Considering and addressing the resource implications of impact assessments increases the likelihood of the delivery and of the outcomes.
- Reviewing impact assessment procedures and publishing the results will help capture improvements.

## **4.6 Action plans**

### **Legal context**

The scheme must outline the steps it proposes to take to fulfil each element of the general duty and take account of the needs of staff, students and other relevant groups, regulation 2(3)(c).

The action plan is the cornerstone of the DES. Action plans should set out the key steps that a public authority will take to fulfil all six of the general duties to promote disability equality across the whole institution. The action plan should reflect the priorities of disabled people themselves and the priorities of the authority. It should identify specific outcomes that the HEI wishes to achieve, with information on accountability and measurable indicators of progress towards these outcomes.

**Findings**

Regulation	Fully compliant	Partially compliant	Non-compliant
2(3)(c).	2	9	0

	Complaint	Non-compliant
Addressed all six aspects of the general duty	2	9
To promote equality of opportunity between disabled persons and other persons	7	4
To eliminate unlawful discrimination	7	4
To eliminate harassment of disabled persons related to their disabilities.	6	5
To promote positive attitudes towards disabled persons.	8	3
To encourage participation by disabled persons in public life.	5	6
To take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.	3	8

A small number of action plans clearly illustrated their aim to achieve five of the six general duties as the overall aims of the action plan. Interestingly only two of the plans made reference to all six general duties and this was not always explicit. The sixth general duty 'Take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others' (directly related to the duty to make reasonable adjustment) is only mentioned in three plans.

Almost all of the schemes had detailed action plans. The format of some scheme plans was difficult to follow: some did not have a clear number referencing system; while in others the plan did not obviously relate to the main body of the scheme itself and there was no information in the main text of the scheme summarising the overarching aims and key priorities of the plan. Some plans lacked clear timescales; and the lines of responsibility and accountability for each of the actions was not sufficiently clear in others. There tended to be an over-emphasis on locating responsibility for a significant number of the actions with either the disability office or the equality officer, which was not always appropriate or desirable. The majority of

the HEIs had not prioritised actions in the plan and only recording expected completion dates.

There appeared to be substantially more actions allocated to student issues than staff issues generally across all 11 plans. This reflects the expressed view that staff issues were not accorded the same priority as student issues within schemes. Few action plans included actions around disabled visitors or other relevant groups.

In many of the schemes the targets or actions in the plan did not describe how data or information would be collected to assess whether outcomes had been achieved. This is essential in order to effectively monitor delivery. The majority of schemes did not explicitly demonstrate how disabled people had been involved in developing action plan content and priorities.

Where a SES plan had been produced there was a tendency to lose a level of detail about actions designed to promote disability equality. This is an important issue that will need to be borne in mind when the new single equalities legislation comes into force.

Very few of the schemes addressed the issue of resourcing for delivery of the actions. This may indicate the expectation that actions will be delivered through good will. Some recognition of time and financial and other resources required to deliver the actions is beneficial so there is an understanding of the implications for job roles and budgets.

A number of HEIs made it clear during the visits that certain actions will be on-going and will be transferred from the existing to the new scheme action plan.

### **Good practice - Action planning**

Identified successful strategies to action planning in Welsh HEIs included:

Combining a summary of the general duties and the action plan within one document made a clear link between the plan and its purpose to deliver the duties.

Embedding and strategic ownership of the plan were supported by: mapping the HEI strategic aims against actions along with senior management team responsibility for achieving these aims; explicitly linking the actions in the plan with the HEI widening access strategy and projects and with the HEI's international activity; asking each faculty and department to devise a single equality action plan. Issues are fed into the strategic planning process and their progress on equality issues reported annually; and including a statement in the scheme that the plan is implemented, monitored, evaluated and continuously reviewed by the University's Board of Governors, through the Vice Chancellor.

Creating themes to enable grouping of similar actions together and devising a colour coding system led to more user friendly plans. Producing an outcome focussed plan with mechanisms for measuring success supported monitoring. Using an appendix to include a summary of the analysis of findings from involvement directly linked the outcomes of involvement with the actions.

Specific actions worth highlighting from plans include:

- Continuing to seek the views of disabled people and to involve them in the implementation of the scheme.
- Identifying that disabled people are involved within the formal decision-making structures of the University by conducting a disability-audit of committees.
- Identifying external opportunities related to leadership development for disabled people and actively promoting these.
- Working with the Students Union to promote disability equality within Union activities.
- Ensuring that disability-related harassment is addressed within the guidance and training supporting the dignity at work and study policy.

### Identified areas for improvement - Action planning

Staff, students and stakeholder organisations suggested ways in which action plans could be improved including:

Promote the positive duties to governors to raise awareness. One stakeholder organisation said:

“The power of enforcement and the negative publicity which can arise out of a case can be very influential in bringing about change. For example, the case where a disabled graduate in a wheelchair was not allowed on the podium to receive his degree. These cases send a very strong message to universities about what can happen if you disregard the positive duties. These sorts of cases can be promoted to governors to stir up their thinking.”

Improve the information available to assist in monitoring progress towards achieving disability equality and assist in identifying if actions in the plan are having the desired outcome.

Recognise where initial plans were overambitious, use this learning to help prioritise and set more realistic and achievable goals in new plans. Allocate appropriate resources to enable implementation of DES action plans. A stakeholder organisation said However:

"The Welsh Assembly Government has shown a reluctance to ring fence funding for improving physical access at Welsh HEIs. Instead access work is expected to be funded from more general building capital expenditure budgets and the disability premium attached to each disabled student who receives the Disabled Students Allowance. We suspect that the level of funding available is inadequate to address the real cost of equitable access for disabled students. We are waiting to see what the Leeds University report that is looking at the existing support arrangements will say [Base level provision review<sup>16</sup>]."

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<sup>16</sup> HEFCE and HEFCW commissioned review of base level provision due to report in 2009. [http://www.hefce.ac.uk/pubs/circlets/2007/cl31\\_07/](http://www.hefce.ac.uk/pubs/circlets/2007/cl31_07/)

## Key points

- Addressing all six of the general duties in the action plan helps promote disability equality and is a legal requirement.
- Ensuring the action plan is outcome focussed helps delivery and the measurement and reporting of progress.
- Mapping scheme actions against HEI strategic aims embeds the scheme within the HEI agenda.
- Allocating senior management team responsibility helps achieve the scheme aims.
- Involving disabled people in implementing aspects of the plan ensures more meaningful outcomes for disabled people.
- Prioritising actions supports effective delivery as resources can be allocated in a phased manner.
- Considering the resource implications of schemes increases the likelihood of the delivery of the actions in the plans.

## 4.7 Annual reporting arrangements

### Legal context

Regulation 2(3)(e)(i) requires the scheme to outline arrangements for reviewing the effectiveness of the actions in the plan on a regular basis and how it intends to ensure an annual report of progress is produced.

### Findings

Regulation	Fully compliant	Partially compliant	Non-compliant
2(3)(e)(i)	11	0	0

All the schemes fulfilled the basic requirement to explain how progress would be monitored and reviewed annually summarising this in an annual report. In many cases production of the annual report was the function of the Equality and Diversity Manager, in other HEIs responsibility was shared between Human Resources and Student Services or was located with the Registrar.

The minority of schemes explained that they would review and use the information gathered during the lifetime of the scheme as part of monitoring progress and annual reporting. This is suggested as good practice in Code Ref 3.106 and 3.107. It also helps HEIs meet regulation 3(1)(b)(ii)<sup>17</sup>.

<sup>17</sup> A public authority ... shall within the period of three years beginning with the date when a Scheme ... is published put into effect its arrangements for making use of such information [gathered]. DED regulation 3(1).

## **Good practice - Annual reporting arrangements**

Identified successful strategies in annual reporting arrangements in Welsh HEIs included:

Outlining proposed arrangements for reviewing the effectiveness of the steps they would take to achieve disability equality (the action plan), and stating who was responsible for collating information on progress and creating the annual report supported monitoring and review. Explaining the roles and responsibilities of the Board of Governors, the Vice-Chancellor, Pro-Vice Chancellors, Deans, and Directors and Heads of Departments, in relation to the arrangements for delivering and monitoring progress on the scheme and action plan helps create ownership by senior staff across the institution.

Schemes showing clear strategic embedding in institutional practice described their arrangements for reporting progress within the institutional committee structure, from disability working groups or equal opportunities committees and upward to the senior management team or directorate. This was also achieved by explaining that there would be an annual report made to university Council or Board of Governors. An example of practice which thoroughly embeds the disability, or equality, action plan in institutional operational procedures and planning processes was provided by a few HEIs by explicitly stating that the details of the action plan would be devolved to schools and departments so they could create their own plan. Reviewing progress for these plans was undertaken via the annual reporting cycle; outcomes then being collated into the overarching university DES or SES annual report.

Exemplar schemes stated that disabled staff and student groups would inform the monitoring and review of progress towards achieving disability equality. Others indicated that the results of staff and student satisfaction surveys would be used to monitor progress.

## **Identified areas for improvement – Annual reporting arrangements**

Staff, students and stakeholder organisations suggested ways in which annual reporting could be improved including:

Identify a lead officer in the HEI with responsibility for annual reporting and also one for gathering and collating information to inform the annual report. The people undertaking these roles need to have seniority and authority to request information from all departments on time.

Plan ahead and request summary reports from lead officers and departments named in the action plan in order to include information in the annual report on progress across all functions of the HEI. This will also engender a greater commitment from schools and departments as they have responsibility for reporting on the delivery of (disability) equality in their own sphere of activity.

Identify incremental steps which can be taken to reach targets. A disabled staff member said:

“The action plan is a summary, if you pick any one of the actions there is a huge amount that needs doing. Part of the implementation has to be to spell out what these tasks really mean and to check that someone is doing them effectively.”

Information collected from impact assessments and ongoing involvement of disabled staff and students is needed to inform the annual report.

Determine how the annual report will be publicised and promoted in a range of accessible formats. For example publish annual reports on the university website and if necessary create a summary so that it is more accessible for all. Overlong schemes are unlikely to be widely read by any member of the university community.

Consider how to avoid duplication of reporting, particularly if DES and annual equality and diversity reporting arrangements have not yet been aligned. Institutions might now choose to move to annual reporting on all equality strands rather than separate disability reports providing they continue to meet or act in advance of the legislative timescales for race, disability and gender.

### Key points

- Good practice addresses: responsibilities for preparing the annual report (including identifying a senior level lead); descriptions of how and where the report will be published; and which committees will receive reports on progress.
- Embedding annual reporting on (disability) equality in requirements for school and departments' annual reporting can be effective and support the scheme review.
- Utilising information collected and analysis and the results of involvement, satisfaction surveys and impact assessments to underpin annual reporting helps monitor progress.
- Aligning equalities annual reporting arrangements supports the transition from reporting on progress in disability equality to single equality reports.

## 4.8 Subsequent versions of the scheme

### Legal context

The scheme should include a statement about the arrangements for using information gathered to prepare subsequent schemes, regulation 2(3)(e)(ii).

The revision of schemes at least every three years is a requirement of the legislation and is an important element of monitoring and review. It is important that HEIs begin to consider the process of how they will embed the development of their future scheme into institutional systems, building on the experience of producing their first scheme. It is also important to allocate sufficient lead in time so that there can be wide consultation and involvement of disabled people in inform the content and approach of the next scheme and plan.

## Findings

Regulation	Fully compliant	Partially compliant	Non-compliant
2(3)(e)(ii)	1	4	6

Few HEIs addressed the issue of the development of future schemes, and where they did generally only brief detail was provided.

### Good practice – Subsequent versions of the scheme

Identified successful strategies for the production of subsequent versions of the scheme in Welsh HEIs included:

Reviewing the existing scheme now in order that a revised scheme can be presented to the equalities committee by November 2009. This is being undertaken by a group of operational staff involved in implementing the actions in the plan, together with disabled staff and student representatives.

### Identified areas for improvement – Subsequent versions of the scheme

Staff, students and stakeholder organisations suggested ways in which subsequent versions of the schemes could be improved including:

Include a statement in the scheme to show how information gathered during the current scheme will be used to create the next DES and how subsequent schemes will be prepared and approved. It will be particularly important to ensure compliance with the disability legislation as universities move to a SES. One HEI said:

“We are currently compiling the next annual report so we are reviewing what has not yet been achieved and what actions need to be carried over into the new scheme.”

Make a commitment that disabled people’s views will inform subsequent versions of the scheme.

### Key points

- Including a statement in the scheme around how subsequent schemes will be developed is not only a legislative requirement but it supports embedding and makes sure people know who will be involved and what is required.

## 4.9 The annual report 2008

### Legal context

Regulation 4(1)(a) and (b) require the University to publish a DES annual report of progress by December each year at the latest. Also that an annual report will summarise:

- Steps taken to fulfil the general disability equality duty (the action plan) over the past year and whether it is meeting its targets, regulation 4(2)(a).

- Results of the information-gathering (about staff and students, and services), it has carried out, regulation 4(2)(b)
- The use it has made of the information gathered, regulation 4(2)(c).

## Findings

Regulation	Fully compliant	Partially compliant	Non-compliant
4(1)(a) & (b)	9	0	2
4(2)(a)	4	4	3
4(2)(b)	2	4	5
4(2)(c)	2	4	5

The majority of HEIs had published their annual report on time to meet the December 2008 legal deadline. The two annual reports that were not published by December 2008 were completed in time for this review. Therefore all HEIs are currently complying with the regulation to produce an annual report of progress.

In most cases the reports used accessible font types and sizes as well as accessible document layout and format. A number of reports stated the document could be made available in accessible formats on request but this was not always prominently located.

The majority of reports were published on the university web site. Some were located on disability services web pages, others on the equality and diversity pages, usually within the human resources department web area. Helpful publication practice ensured there was a link on both web areas so the report could be found regardless of the route taken by the searcher.

There were few examples of systematic and comprehensive reporting of progress against the actions outlined in the scheme action plan. Several HEIs gave a good account of progress for some but not all of the actions which were being monitored in that period. A few HEIs also stated that academic schools and corporate services annual reports on their equality and diversity plans would be collated to contribute to the institutional equality and diversity annual report.

Although there were examples of effective data reporting there was little evidence of analysis of information and how this had informed future plans. Annual reports tended to be a vehicle for documenting activities not for reflecting on progress or the effectiveness of changes. HEIs did not tend to report on the results of involvement which had taken place during the previous year nor on its impact on the institution's disability equality planning.

In a few HEIs disability-related data was provided during the visit that was not included in the scheme or the annual report. For instance during one HEI visit it was revealed that disabled student retention data illustrates retention is better for disabled students than non disabled students, with many staying on into postgraduate study as support is already in place. This demonstrates that some HEIs

are collecting and analysing information but they are not reporting on it and potentially not using it to inform future actions.

Attention was not focused on identifying, evaluating and reporting on actions that were unsuccessful, inappropriate or not taken, and why. Clear reasons are needed why it has not been possible to progress actions in instances where it has been unreasonable or impracticable to do so (the Code, Ref 3.109). A disabled staff member of staff said:

“In the current progress review it says disability equality awareness is incorporated into training. The problem is that people don’t attend. It is not a priority in what they have identified for their personal development each year. So not enough people apply and sessions get cancelled. This issue has not been analysed and included in the annual report though. It just says the training has been put in place.”

HEIs tended not to celebrate or publicise developments in disability equality sufficiently. Progress made during the year was not always recorded and on several occasions during visits it became clear that developments had not been included in the annual report.

### **Good practice in production of the annual report**

Identified successful strategies in annual reporting in Welsh HEIs included:

Including a contents list to help the reader navigate the document in longer annual reports; and linking publication of the report on both disability services and the equality and diversity web areas so the report could be found regardless of the route taken by the searcher were examples of good publication practice.

Reporting systematically on each action enabled progress on delivering the action plan to be more clearly seen. Ensuring that detailed information and data was included on disabled staff and student experiences in the university led to more robust, evidence based reports. Institutions had collected quantitative and qualitative data such as:

- Reporting the results of staff and student satisfaction surveys.
- Including information about innovative projects which are being led by Human Resources and Student Services in partnership with external bodies and other HEIs to help achieve disability equality. For example the funding of designated disability equality staff posts to run mentoring, disability equality training and DES awareness-raising projects.

One annual report was extremely comprehensive containing an impressive amount of data on all equalities strands and on a number of disability issues including: student take up of DSA; impairment specific data; student profile for disability by academic school; student withdrawal rates and destinations; and staff disability profile.

Stating the intention to continue to engage regularly with disabled students and staff consultative groups to develop future actions to help achieve disability equality was good practice demonstrated in a small number of annual reports. A specific example

from one HEI was the on-going use of an estates consultative group involving staff, students and the wider community. Continuing a commitment to involvement of disabled people was also demonstrated in a range of schemes through: university support for a disabled staff forum and the establishment of a working carers forum; working with the Disabled Students' Officer from the Students Union; and setting up a disabled students committee.

Summarising the targets to be taken forward or to be transferred to the next reporting period including identifying and stating priorities for future action within each section of the annual report provided clear future targets.

### **Identified areas for improvement in production of the annual report**

Staff, students and stakeholder organisations suggested ways in which the annual report could be improved including:

Consider the purpose and the intended target audiences of the annual report; the readability and accessibility of documents needs some thought. For lengthy reports include a list of contents or an executive summary. Offer alternative format versions of the report, locate this statement in a prominent place, and make alternative formats available on request. Where relevant include quotes from disabled students, staff and sector organisations to illustrate points. This helps ensure the annual report is rooted in involvement and actual practice.

Publish the report on the web, in an easy to find location, in an accessible format to the intended target audience can easily locate the report. Provide links to the DES annual report where there are other related, relevant reports such as the institutional equality and diversity report.

Consider how to best use the findings from the annual report to make the HEI community aware of the work being undertaken by the HEI to help promote disability equality activity. For example post developments as news items on the home page of the web site. This shows commitment to the issues and the progress being made in disability equality.

Report on actions taken in all the target areas identified in the action plan as this is key to monitoring progress. It can be helpful to follow a similar structure to the plan from the original scheme and include an additional column for reporting progress. This will help all sections of the university community understand where progress has been made. A disabled staff member at one HEI commented:

“When the progress report was published it did not include an action-by-action update on progress, but merely provided a vague overview suggesting that all was going ahead nicely. If you have an action plan with separate individual actions then the progress report needs to be measured at this level of detail, going through the actions one by one, otherwise it is more or less meaningless.”

Where action planning and/ or delivery of elements of the plan are devolved to academic and corporate departments report on progress from all areas so that the annual report reflects the level and breadth of developments. It is helpful if this can summarised in a single document.

Report on the analysis, implications and use of information gathered as a result of delivering the scheme; make clear what actions will be taken as a result of the findings of information gathering.

Focus planning by setting out targets for the year ahead or those which will be included in subsequent action plans. Make be clear how future priorities fit with actions in the existing plan.

Give more thought to how the annual report is publicised and information about progress is disseminated. Raising awareness can increase disclosure rates, enable greater access to services and help support attitudinal change.

### **Key points**

- Accessible annual reports use font style and size that are easy to read, and are straightforward to locate on the HEI web site.
- Producing and disseminating an executive summary or list of contents is advisable for lengthy annual reports.
- Annual reports most transparently reporting progress provide an update of each action outlined in the original scheme action plan.
- Good practice requires continued engagement with disabled people in delivering the plan and monitoring progress.
- Systematically collecting and analysing the full range of information required by the legislation helps report progress and identify priorities for future action.
- Making use of the annual report to celebrate progress will help achieve disability equality and increase awareness of the issues across the HEI.

## **Additional findings**

The following sections, 4.10 and 4.11, are reported findings emerging from visits to all 11 HEIs and as a result of feedback from the stakeholder organisations. These findings do not relate to compliance with the DED general or specific duty regulations but to emerging issues and responses to specific questions HEIs were asked.

### **4.10 Parity between disabled staff and student issues**

#### **Findings**

It became evident during the course of this review that, in most of the institutions, approaches to equality were better developed and more consistently addressed for disabled students than for disabled staff. For example, less data and information was collected and analysed (see Section 4.3). There was also a level of disparity in involvement with proportionately more disabled students being consulted than disabled staff (see Section 4.2).

Disabled staff did not always appear to receive an equivalent level and quality of service to disabled students. In discussions disabled students demonstrated they were overwhelmingly pleased with the services they had received and many had high praise for disability service staff and support workers. However, at a number of HEIs, disabled staff were less content with the organisation and delivery of reasonable adjustments.

An important element of equality for disabled staff relates to the way in which they are managed and supported. The locus of support for disabled staff varied between institutions. In some HEIs the student facing disability service had an informal advisory or support role with disabled staff. In other institutions this was the province of the human resources department, in some cases combined with support from an occupational health service.

Staff pointed out that developments for students were sometimes prioritised and that this hindered the promotion of disability equality for staff. A major barrier was considered to be the lack of information about and support for applying for Access to Work to funded reasonable adjustments.

### **Good practice in parity between staff and student issues**

Identified successful strategies to help promote parity in staff and student issues in Welsh HEIs including:

Providing information (particularly during induction) to staff about the services and support that are available to them; support, training and guidance for line managers to effectively manage disabled staff; and provision of disability equality training for all staff.

Where disabled staff spoke of their positive experiences of working in HE it was evident that a framework of services existed to promote equality and that line managers were supported to manage disabled staff. One HEI with well developed staff support systems used their expertise to train external organisations:

“Our local Jobcentre Plus considers us an example of best practice. Our equality and diversity manager made a presentation to their staff about how we have implemented the Two Ticks scheme.”

### **Identified areas for improvement in parity between staff and student issues**

Staff, students and stakeholder organisations suggested ways parity in staff and student issues could be improved including:

Strategies to encourage disclosure were considered an important element of working towards disability equality and enabling access to reasonable adjustments. More formalised opportunities are needed to encourage disclosure and review support for disabled staff throughout their employment. Lessons can be learnt by reflecting on the more frequent and systematic opportunities available for student disclosure.

Disabled staff members felt that provision made by the occupational health service in their HEI should be reviewed to ensure that disability equality and the social model of

disability were promoted, specifically through improved processes and procedures for recording and implementing reasonable adjustments.

### Key points

- Consideration of parity of experience and equivalence of services between disabled staff and students helps to promote disability equality for staff.
- Improving data collection and analysis and providing more opportunities for involvement for disabled staff enhances disability equality for staff.
- Staff development and support around disability equality and reasonable adjustments for those working with disabled staff helps to deliver effective management and a more equal working environment for disabled staff.

## 4.11 Single equality schemes and the forthcoming single equalities legislation

### Findings

With the move toward single equality legislation and for the purposes of rationalising activities to avoid duplication of effort HEIs are working towards developing single equality approaches for both equality schemes and annual reporting. In two instances HEIs have incorporated race, gender and disability legislation into a SES. Several HEIs are working to bring together all six strands including the new strands of religion and belief, sexual orientation and transgender, and age.

When bringing together a number of equality strands HEIs have recognised that achieving complete compliance in all regulatory areas is more difficult than in separate schemes. One of the risks relating to disability issues has been the loss of detail which would otherwise be contained within a DES. As a result disability related compliance levels were found to be generally lower in the institutions' SES when compared to the DES they had first published.

When asked eight HEIs stated they intended to produce a SES rather than a DES in December 2009 incorporating all six equality strands. Three HEIs specifically commented that they had single equality and diversity plans and annual reporting arrangements in place at school and departmental level which would support the creation of a SES.

Most HEIs moving towards SES, plans and annual reports are just beginning to develop work across the new strands. In attempting to bring the activity together for some this currently means beginning to produce an annual report reflecting current developments across all strands, for others it is about aligning scheme and action plan formats in preparation for developing a new SES. Staff said care is required to avoid developing a scheme that just reflects compliance rather than the institutional priorities.

Smaller institutions were concerned about the resource implications of having to deliver on six equality strands as the new issues would need significant attention.

Concerns were expressed about SES resource implications. Contributors thought it was important to bear in mind that actions to enhance disability equality are likely to have more funding implications compared to the other equalities strands.

Although equalities staff were concerned about how to go about creating a SES and action plan there was a positive response to the SES as a potential future requirement as it would potentially avoid repetition and could give a higher profile to some disability issues.

### **Good practice in producing SES**

Identified successful strategies in producing SES in Welsh HEIs included:

Retaining separate SES action plans for each equality strand has helped compliance by avoiding loss of detail and impetus on disability issues.

Three HEIs were working in collaboration to support the development of their SES through their HEFCW-funded Reaching Wider partnership.

### **Identified areas for improvement in the production of SES**

Staff, students and stakeholder organisations suggested ways the production of SES could be improved including:

The development of the SES needs expertise covering all equality strands. This will be difficult to achieve as it was felt there was a lack of available staff with this expertise in the sector. Staff development needed to allow staff to develop capacity in both staff and student facing issues. Universities commented that they would welcome guidance about how to ensure disability issues are not overlooked in a single equalities approach. Six institutions specifically identified the need for advice and support, co-ordinated by HEFCW, on how to create a SES that is of manageable length and compliant. It was suggested that HEFCW could also support HEIs to obtain commitment from Governors to the process.

It may be necessary to take a dual approach when creating the SES; producing both a scheme and a summary document. The shorter summary would be more accessible and readable for a range of audiences including governors and disabled people in the community.

One HEI was willing to share their experience of developing an SES with others so institutions can be made aware of pitfalls to avoid and find out what worked well.

### **Views about forthcoming single equalities legislation**

HEI staff, disabled staff and students and stakeholder organisations were specifically asked about their perceptions of the barriers and enablers to disability equality in light of the forthcoming single equalities legislation. Their responses are summarised below.

Although five HEIs expressed some concerns about delivering disability equality when new single equalities legislation comes into force the majority of university staff with responsibility for equality and diversity were positive about, and welcomed it. Comments included: it will avoid duplication of effort; and having one piece of

legislation will be simpler. However staff were aware that they needed to take time to prepare and to ensure disability issues were not overlooked.

Staff and students at several institutions commented that it was better to deal with all equality strands together particularly because it addresses the issue of multiple discrimination or multiple identities. There was also a view that looking at equalities issues as a whole could support the delivery of strategic approaches:

“We have a strategic objective to increase participation and social inclusion so the single equality legislation will be a key opportunity to address all areas of equality and allow us to review all our practice.” (HEI)

It was considered to be the case that as staff get used to dealing with more ‘non-visible’ equality issues (e.g. sexuality) the organisational culture will become more accustomed to considering –hidden barriers faced by people. This change in culture will support the delivery of strategies to enhance the experience of disabled people with hidden impairments as there will be a better understanding.

## 5. Recommendations

### Considerations for HEIs

#### 1. Publishing and promoting the scheme, action plan and annual report

1.1 Publish the scheme and its action plan in format that is user-friendly, avoiding jargon and unnecessary complexity. Take into account the readership and target audiences when creating these documents. Schemes, plans and annual reports should be available in a range of alternative and electronic formats and should be easy to locate in the university web site. A summary of the scheme and the annual report can help make them ‘live’ documents that are easily disseminated (e.g. to job applicants) within the university and more widely. The scheme and reports should be effectively publicised to the whole university community through a range of strategies such as web news items, launch events, briefing and staff development sessions, involvement activities, posters and fliers, and collaboration with the Students Union.

#### 2. Aims, scope and senior level involvement

2. To encourage ownership of the scheme and enhance delivery:

- a write future schemes within the framework of the strategic aims of the institution;
- b obtain a senior management champion to support delivery including, for example, to chair the equalities committee; and
- c embed delivery and monitoring in the institution’s planning and reporting framework including for academic schools and corporate departments.

#### 3. Involvement

3.1 Consider devising a comprehensive involvement strategy to plan, in advance, all the essential elements to create successful involvement, including outlining at the outset any associated risks and suggested solutions to mitigate against these

risks. This should include issues such as ensuring there are adequate resources and incentives to secure involvement as in any other professional contract between two parties.

- 3.2 Actively employ marketing methods to attract disabled people to become involved in any involvement programmes. Consider utilising institutional marketing expertise to maximise success. Consider adopting a breadth of approaches to involve the full range of stakeholders such as disabled distance learners and disabled people from the community.
- 3.3 Utilise a wide range of involvement methods to help reach those people who are reluctant or hesitant to identify themselves as being disabled. Themed approaches will attract disabled people with an interest in a specific topic.
- 3.4 Evidence indicates that high satisfaction levels with provision received from disability support services by students has a positive influence on the likelihood of involvement. Utilise this good will by actively asking students known to be satisfied with support for their involvement (as in a 'favours bank' scenario).
- 3.5 Ensure accessible methods of involvement are utilised so people with access requirements are not prevented from fully participating. Employ experienced facilitators to ensure focus groups are managed in a professional manner and that outcomes are objectively collected.
- 3.6 Ensure there are consultation protocols devised in order to implement best practice, avoid consultation fatigue and ensure confidentiality.
- 3.7 Ensure there is continuing involvement and not just 'one off' activities.
- 3.8 Monitor and evaluate involvement activities so that they can be improved upon and ensure there is an analysis of the outcomes of involvement. Consider publishing the results of involvement, including explaining why suggestions are acted upon or not.

#### **4. Information**

- 4.1 Review systems, and undertake a gap analysis, to enable the university to meet its DDA duties with regard to collection and analysis of a full range of information and data on its policies and procedures in relation to:
  - a the recruitment, development and retention of its disabled employees,
  - b the educational opportunities available to, and on the achievements of, disabled pupils and students, and
  - c the extent to which services and other functions take account of the needs of disabled persons.

(Comparable levels of information are required in relation to disabled staff and students.)

- 4.2 A wide range of methods for collection of quantitative and qualitative information should be used. Attention should be paid to improving mechanisms for collecting

qualitative information as well as quantitative, including the use of: forms, surveys, complaints and verbal feedback. Informal methods should be recognised as a useful source of information.

4.3 Disclosure is an important pre-requisite of certain types of data collection: encourage, facilitate and record disclosure from disabled staff and students.

4.4 Information collection, analysis and use should be addressed at the most senior levels in the HEI and embedded into planning processes. Day to day responsibility for information collection and analysis will lie with staff throughout the institution but should be effectively supported by institutional procedures and student data management and reporting systems.

4.5 Where possible staff with expertise in data analysis within the institution should be allocated to support staff across the institution to analyse and interpret information in order that it can be used to monitor progress towards disability equality and inform action planning. Support is also required for staff to be able to effectively use a range of external data as a comparator when prioritising and planning.

4.6 Consider undertaking research to provide firm evidence for key areas where only anecdotal evidence currently exists. For example, retention of disabled students is higher than non-disabled students or good practice for disabled people is good practice for all. This type of research led activity could result in action based initiatives and the production of good practice guidance for the whole sector.

## **5. Action planning**

5.1 Ensure that the action plan addresses the steps that are required to fulfil all six elements of the general duty.

5.2 Provide clear links to show how the outcomes of involvement activities and the information that has been collected and analysed have influenced the content of the action plan and its priorities.

5.3 Action plans should include: an indication of priority with clear time scales for the completion of targets (avoiding the term 'ongoing'); a clear indication of responsibility and accountability; the financial resources required and whether they would come from central or departmental budgets. Responsibility for the achievement of action plan objectives should not rest unduly heavily with the disability office or with equalities practitioners.

5.4 Describe how the achievement of action plan outcomes will be monitored and reviewed and by whom, and how data and information will be collected and used to inform this process.

## **6. Impact assessment**

6.1 Impact assess the scheme itself. Including a statement on the published scheme will illustrate it has been impact assessed.

- 6.2 Ensure the scheme demonstrates an understanding of the impact assessment process within the institutional context and fully describes all elements of the methods being used from prioritisation at screening to publication of results.
- 6.3 Consider a variety of ways to involve more people in the impact assessment process including disabled people and sources of existing expertise within the HEI. Ensure all staff involved in the process receive sufficient training and support.
- 6.4 Maximise the success of the impact assessment process by considering ways to ensure it is meaningful. This can be achieved by explaining the full benefits to staff, and mainstreaming and embedding impact assessments in institutional practices to create ownership and ensure delivery.
- 6.5 The resource implications of delivering a programme of impact assessments should be considered and addressed at a senior level in the HEI.
- 6.6 Ensure impact assessment procedures are reviewed and that the results are published to help capture improvements.
- 6.7 Ensure systematic recording of progress in disability equalities by all departments and functions.

## **7. Annual reporting**

- 7.1 Ensure that the sections of the scheme that describe arrangements for annual reporting and production of the next scheme provide meaningful detail on how these activities will be approached, including: who will be involved; the timescale for production; how disabled people will be involved; and how information that has been collected during the course of the scheme will be reported on and used.
- 7.2 In preparation for producing the annual report, ensure on-going collection of evidence of developments throughout the year and determine how the various constituencies within the university will contribute to the report.
- 7.3 In describing progress towards achieving disability equality the annual report should: outline the achievements under each of the action plan objectives; include the data and information that has been collected to support monitoring; provide the results of impact assessments and the outcomes of further involvement activities. In this way the report will be an important review tool that can be used to celebrate progress towards disability equality and to support future action planning.

## **8. Parity between disabled staff and students**

- 8.1 Ensure the scheme; action plan and annual report give equivalent attention to disabled staff issues so there is parity of experience and services when compared to those available for disabled students.

## **9. Single equality schemes and the forthcoming single equalities legislation**

- 9.1 In the move to single equalities approaches ensure the specific detail on disability equality issues is not diluted or lost in the transfer activity. In particular ensure the

involvement of disabled people is not diminished. Carefully consider the logistics of creating and delivering an effective and manageable SES.

- 9.2 In preparation for the single equalities legislative requirements, institutions could usefully review current and past activities across the different equalities strands to identify effective transferable practice that could promote disability equality for staff and students.

## **10. Collaboration**

- 10.1 Use existing internal institutional expertise to support activities such as information analysis and involvement. This could include jointly working with experts from academic staff, the Student's Union, the student population (students on specific relevant courses such as those focusing on inclusion).
- 10.2 Ensure effective use is made of existing HE sector collaborative activities in order to share, disseminate and debate practice which works, and about new initiatives in disability equality. Extending the agenda of existing meetings will not only help achieve disability equality through a collaborative approach but will also add value to the original collaborative activities.
- 10.3 Work with other Welsh HEIs, public bodies and voluntary organisations to collaborate in developing: more effective involvement activities; to support the creation of SES; and joint initiatives as a response to analysis of gaps in provision.

## **Considerations for HEFCW**

1. Consider how best to help HEIs prioritise and implement the recommendations suggested in this report.
2. Continue to offer direct intervention with the provision of advice and guidance to those HEIs where compliance levels are low and monitor their progress towards achieving compliance.
3. Consider how to best provide indirect interventions such as sector wide briefings and seminars to address specific issues concerning all or most of the HEIs raised in this report as requiring attention. Seminars could be organised in thematic cross cutting topics as suggested in this report, e.g. utilising existing expertise to help develop and deliver all aspects of SES; producing more user friendly and widely publicised schemes and plans; SMT engagement and institutional ownership of the SES.
4. Determine, in consultation with the HEIs, which recommendations are best delivered through a disability specific approach and which by a single generic equality approach.
5. Continue to support opportunities for networking, staff development and knowledge transfer through existing channels such as the Welsh Liaison Group and Skill Wales. This will help deliver the advice, guidance and support HEIs have

requested in relation to disability equality, for example around analysis of information and involvement of disabled people.

6. Work with senior managers and governing bodies in HEIs to continue to raise the profile of disability equality issues and to consider strategies to help embed the delivery and implementation of the scheme (and action plan).
7. Work with HEIs to support and deliver effective and appropriate collaborative activity. For example consider:
  - Sharing practical solutions for developing SES, procedures which work and effective scheme design.
  - The most effective ways for HEIs to disseminate and share good practice, policies, procedures, and the results of innovation projects.
  - Sector wide or north/south activities to encourage collaboration and to deliver more effective community engagement for example: activities to involve more disabled people, events with the further education sector, and work with other public bodies, charities and voluntary organisations.
8. Provide support to HEIs to consider the resource implications of delivering disability equality in future and cost effective ways to deliver the interventions to move forward with these concerns. This might include how to meet the costs of: reasonable adjustments for staff and students; involving more disabled people; delivering impact assessments; and implementing disability action plans.
9. Consider approaches to help those HEIs who wish to move beyond compliance by supporting the development of action research projects to further advance disability equality.

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Staying the course: the retention of students in higher education. NAO 2007

[http://www.nao.org.uk/publications/0607/student\\_retention\\_in\\_higher\\_ed.aspx](http://www.nao.org.uk/publications/0607/student_retention_in_higher_ed.aspx)

Current ECU projects relating to disabled staff and students

<http://www.ecu.ac.uk/our-projects/?browse=subject&filter=disability>

## Appendix 1

### Summary of HEI compliance in relation to documentation: DES, Action Plan and Annual report 2008

	Total compliance
Number of action plans addressing the general DED duty* to:	
• promote equality of opportunity between disabled persons and other persons	7
• eliminate unlawful discrimination	7
• eliminate harassment of disabled persons related to their disabilities	6
• promote positive attitudes towards disabled persons	8
• encourage participation by disabled persons in public life	5
• take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.	3

	Total compliance	Partial compliance	Non compliance
• Number of action plans addressing DED specific duty*:			
• regulation 2(1)	11	-	-
• regulation 2(2)	7	-	4
• regulation 2(3)(a)	7	-	4
• regulation 2(3)(b)	4	2	5
• regulation 2(3)(c)	2	9	-
• regulation 2(3)(d)(i)	10	1	-
• regulation 2(3)(d)(ii)	7	1	3
• regulation 2(3)(d)(iii)	5	1	5
• regulation 2(3)(e)	3	2	6
• regulation 2(3)(e)(i)	11	-	-
• regulation 2(3)(e)(ii)	1	4	6
• regulation 4(1)(a)	9	-	2
• regulation 4(1)(b)	9	-	2
• regulation 4(2)(a)	4	4	3
• regulation 4(2)(b)	2	4	5
• regulation 4(2)(c)	2	4	5

\* General and specific duties are listed below

## The general duties

- promote equality of opportunity between disabled persons and other persons
- eliminate discrimination that is unlawful under the Act
- eliminate harassment of disabled persons that is related to their disabilities
- promote positive attitudes towards disabled persons
- encourage participation by disabled persons in public life; and
- take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

## The specific duties

### Preparation and publication of a Disability Equality Scheme

**2.** — (1) A public authority listed in Schedule 1 shall, on or before the relevant publication date, publish a Disability Equality Scheme ("Scheme"), that is, a scheme showing how it intends to fulfil its section 49A(1) duty and its duties under these Regulations.

(2) Such an authority shall involve in the development of the Scheme disabled people who appear to that authority to have an interest in the way it carries out its functions.

(3) A Scheme shall include a statement of —

- (a) the ways in which such disabled people have been involved in its development;
- (b) that authority's methods for assessing the impact of its policies and practices, or the likely impact of its proposed policies and practices, on equality for disabled persons;
- (c) the steps which that authority proposes to take towards the fulfilment of its section 49A(1) duty;
- (d) that authority's arrangements for gathering information on the effect of its policies and practices on disabled persons and in particular its arrangements for gathering information on —
  - (i) their effect on the recruitment, development and retention of its disabled employees,
  - (ii) their effect, in the case of an authority specified in Part II, III or IV of Schedule 1, on the educational opportunities available to, and on the achievements of, disabled pupils and students, and
  - (iii) the extent to which, in the case of an authority specified in Part I of Schedule 1, the services it provides and those other functions it performs take account of the needs of disabled persons; and
- (e) that authority's arrangements for making use of such information to assist it in the performance of its section 49A(1) duty and, in particular, its arrangements for —
  - (i) reviewing on a regular basis the effectiveness of the steps referred to in sub-paragraph (c), and

- (ii) preparing subsequent Schemes.
- (4) Such an authority shall review its Scheme and publish a revised Scheme —
  - (a) not later than the end of the period of three years beginning with the date of publication of its first Scheme; and
  - (b) subsequently at intervals of not more than three years beginning with the date of publication of the last revision of the Scheme.
- (5) Such an authority may comply with the duty to publish under paragraph (1) or (4) by setting out its Scheme as part of another published document or within a number of other published documents.
- (6) In this regulation, "the relevant publication date" means —
  - (a) in the case of a public authority listed in Part I or II of Schedule 1, 4th December 2006;
  - (b) in the case of a public authority listed in Part III of Schedule 1, 3rd December 2007;
  - (c) in the case of a public authority listed in Part IV of Schedule 1, 1st April 2007.

### **Implementation of the Disability Equality Scheme**

- 3.** — (1) A public authority listed in Schedule 1 shall within the period of three years beginning with the date when a Scheme prepared for the purposes of regulation 2 is published —
- (a) take the steps which it has been required to set out in the Scheme by virtue of regulation 2(3)(c); and
  - (b) put into effect its arrangements, which it has been required to set out in the Scheme by virtue of regulations 2(3)(d) and (e), for —
    - (i) gathering information, and
    - (ii) making use of such information.
- (2) Nothing in this regulation imposes any duty on an authority where, in all the circumstances, it would be unreasonable or impracticable for it to perform the duty.

### **Annual reporting**

- 4.** — (1) A public authority listed in Schedule 1 shall publish a report —
- (a) not later than the end of the period of one year beginning with the date of publication of its first Scheme; and
  - (b) subsequently at intervals of not more than one year beginning with the date of publication of the last report.
- (2) The report shall contain a summary of —
- (a) the steps the authority has taken for the purposes of regulation 3(1)(a);
  - (b) the results of the information-gathering it has carried out for the purposes of regulation 3(1)(b)(i); and
  - (c) the use it has made of such information it has gathered for the purposes of regulation 3(1)(b)(ii).
- (3) Such an authority may comply with the duty to publish under paragraph (1) by setting out its report within another published document.

## Appendix 2

### Glossary of terms and acronyms

#### Social model of disability

The poverty, disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal and environmental barriers. This is known as ‘the social model of disability’, and provides a basis for the successful implementation of the duty to promote disability equality. (DRC, DED Code of Practice, 2006)

BME	Black and Minority Ethnic
DDA	Disability Discrimination Act
DED	Disability Equality Duty
DES	Disability Equality Scheme
DRC	Disability Rights Commission
DSA	Disabled Students’ Allowances
ECU	Equality Challenge Unit
EHRC	Equality and Human Rights Commission
EIA	Equality Impact Assessment
HE	Higher education
HEFCW	Higher Education Funding Council for Wales
HEIs	Higher Education Institutions
HEIDI	Higher Education Information Database for Institutions
HESA	Higher Education Statistics Agency
NAO	National Audit Office
LGBT	Lesbian, Gay, Bisexual and Transgender
SES	Single Equality Scheme
SENDA	Special Educational Needs and Disability Act
PEEPs	Personal Emergency Evacuation Plans
UCAS	Universities’ and Colleges’ Admissions Service
VLE	Virtual Learning Environment
WAG	Welsh Assembly Government