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Cylchlythyr

Circular

Equality and diversity support for the HE sector in Wales: consultation

Date: 2 September 2009
Reference: W09/28HE
To: Heads of higher education institutions in Wales
Principals of directly-funded FE colleges in Wales
Student support departments in HEIs in Wales
Human resource departments in HEIs in Wales
Equality & diversity officers in HEIs in Wales
Response by: 9 October 2009
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This circular seeks stakeholder views on the future direction of the advice and support HEFCW provides, and the monitoring it carries out, in relation to equality and diversity issues in the HE sector in Wales.

This document is available online, in large print and on electronic and audio CD. Should you or someone you know require this in an alternative format, please contact us on (029) 2068 2218 or email equality@hefcw.ac.uk.

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Background

1. As the body which funds higher education in universities and colleges in Wales, HEFCW recognise the huge benefits which can be gained from improving diversity in the education system and, in particular, in higher education. These are benefits both for the educational institutions themselves and also for the wider economy and society of Wales and beyond.
2. 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.
3. In 2005 HEFCW noted that there had been concern expressed by student support management in the HE sector that less support was available for HEIs in Wales to take forward the disability agenda than for those in England, Northern Ireland and Scotland, where separate teams financed by the respective funding councils had been established. There was a perceived risk that policy and practical developments within HEIs in Wales in the area of disability might fall behind the other UK constituent counties. We consulted the HE sector, and other interested bodies, on the establishment of a disability co-ordination service, funded by HEFCW on a fixed-term basis (circular W05/24HE). Respondents were overwhelmingly in favour of the establishment of the service, and most took the view that the service should be based within HEFCW (circular W06/13HE). In 2006 we established a service led by a Disability and Diversity Co-ordinator for three years initially, to commence in the academic year 2005/06, to work alongside HEIs to ensure they are equipped to meet the requirements of disability legislation. In 2009, this position was made permanent, broadened to fully encompass all equality strands / characteristics, and renamed Senior Equality and Diversity Manager.

Legislative framework

4. We are clear that HEFCW and the HEIs it funds are governed by their own statutory obligations on equality and diversity matters and are expected to take responsibility for delivery. As a public authority, HEFCW has legal duties in relation to race, disability and gender. It has a general responsibility to eliminate unlawful discrimination on grounds of race, disability and gender. It also has a responsibility to promote equality of opportunity, good relations, and positive attitudes in these three areas. In addition to these general duties, there are a number of specific duties under the different

strands of legislation¹. Higher education institutions are also subject to these general and specific equality duties, and it is the legal responsibility of an HEI's governing body to ensure that the institution complies. In addition to its responsibilities as a public authority, HEFCW also has a statutory responsibility to monitor, and take reasonable steps to publish annually, data on the number of teaching staff at their funded institutions by racial group (*Statutory Code of Practice on the Race Equality Duty*). On the matter of disability equality and data collection, the *Duty to Promote Disability Equality Statutory Code of Practice* states that funding councils usefully could publish the results of nationally collected disability data. HEFCW meets its equality data monitoring responsibilities through the analysis and publication of relevant HESA data. Because of the coverage of HESA data, in addition to publishing ethnicity and disability data on staff at HEIs we also publish data on students and statistics relating to age and gender of students and staff.

Developments and activities to date

5. Although the service originally was established with a particular emphasis on disability matters, in practice it has developed to cover all aspects of equality and diversity affecting the HE sector. In establishing the service on a permanent basis from 2009 we therefore took the view to broaden it to cover all equality strands. This is reflected in a slightly revised set of aims and objectives for the service, which are as follows:
 - To provide support, advice and guidance to higher education institutions (HEIs) on their responsibilities under current equality legislation towards students and staff;
 - ♦ To support the strategic development of equality and diversity policy and practice in the higher education sector in Wales, including through contributions to HEFCW's institutional risk review process; and
 - ♦ To foster the development and dissemination of good practice and innovation in equality and diversity practice in the HE sector, including through close liaison and collaboration with local and national organisations.

6. Some of the main activities to date are detailed below (more information is available in our Equality and Diversity Annual Reports).
 - Advice and guidance – The Senior Equality and Diversity Manager (SEDM) acts as a 'critical friend' to individual HEIs, providing advice and information on an ad hoc basis and through cyclical visits to each institution. This has enabled us to build a better understanding of the

¹ Further details on legislative requirements are set out in our Equality Scheme (available on our website or on request) and also in our latest Equality and Diversity annual report.

particular needs and issues, and the approaches taken on E&D matters, by each HEI in Wales.

- Identifying joint needs and opportunities for collaboration – through the Equality Challenge Unit we have established a Wales Liaison Group, attended by equality and diversity practitioners at each HEI in Wales, which shares best practice and identifies common training, information and advice needs in the sector.
- Strategic planning analysis – this is to enable us to understand the strategic direction and performance of institutions, and to check that institutions are making appropriate contributions, individually and collectively, towards the targets outlined in the Welsh Assembly Government's *Reaching Higher* strategy to 2010/11. The information provided is also an important source of strategic dialogue between HEFCW and the institutions we fund.
- Liaison with a range of equality and diversity bodies:
 - Equality Challenge Unit (ECU) -. As co-funders HEFCW attends meetings of the ECU Funders Forum and has observer status on the ECU Board. We work closely with the ECU to identify and take action on particular issues affecting Welsh HE, in particular via regular Wales Liaison Group meetings.
 - Equality and Human Rights Commission - We have established regular liaison meetings with the staff of EHRC Wales to ensure effective, consistent communication between HEFCW and the Commission and to monitor and contribute to the EHRC's developing strategic priorities.
 - HEFCE and SFC – We work closely with individuals and teams responsible for sector-related equality and diversity matters on such matters as joint projects and initiatives.
 - SKILL (Students with disabilities) – The SEDM attends meetings of the Skill HE Working Party and Skill Wales Branch Committee, Skill's Information and Policy Networks for Providers of Higher Education, which are forums for sharing good practice, networking and discussing issues arising from local and national work with disabled students.
 - DYSG: Equality and Diversity Network - Aims to support practitioners who work with students/learners with learning difficulties and/or disabilities, and seeks to address issues of social inclusion across the range of provision of post-14 learning.

- Annual monitoring and publishing of sector equality data – Detailed statistical summaries and report are published annually on HEFCW’s website. The latest monitoring outcomes are also reported in some detail in our Equality and Diversity Annual Report.

7. Specific initiatives and projects:

- Independent evaluation of institutions’ Race Equality Schemes in 2006/07 – Included individual confidential advice to each HEI on its progress, plus sector advice and a dissemination seminar.
- HEFCW/ECU Equal Pay Conference for Wales, July 2008 – An event to look at how equal pay matters are being taken forward by HEIs in Wales.
- Women in Universities Mentoring Scheme – A one year pilot project supported via HEFCW’s Strategic Development Fund, to establish a cross-institutional mentoring scheme for women working in both academic and administrative roles.
- Disability Provision Baseline Study – A project jointly funded with HEFCE in 2008 to assess the changes the higher education sector in England and Wales has seen over the past ten years in the support of disabled students, and to establish what progress has been made within the sector over this period. The project outcomes will be reported later in 2009.
- Ethnicity and Degree Attainment Project – A joint Higher Education Academy/Equality Challenge Unit project in 2007, to which HEFCW contributed funding, to investigate issues of lower degree attainment by BME students.
- Widening access and E&D – The SEDM works closely with HEFCW’s widening access managers on, for example, analysis of institutions’ Disability Provision Development Plans and on work commissioned from the Higher Education Academy to review institutional Widening Access Strategies.

Consultation on the way forward

8. In light of the developments to date, and the range of on-going developments with which HEFCW will need to engage, we believe there is a clear need for a resource in HEFCW to focus on E&D matters in relation to the sector.
9. We believe that in going forward the aims and objectives of the service should remain broadly the same, as set out above in section 5. However

we now invite stakeholder views to inform the development and priorities of the service's action plan on the following specific issues:

- In light of experience of the service to date, how might we ensure that it continues to meet the original objectives regarding the provision of advice, guidance and assistance to HEIs?
- Is there appropriate complementarity between the services we are providing to institutions and those available directly from the Equality Challenge Unit (or from other sources) in terms of advice and guidance on equality and diversity matters?
- Have the specific projects and initiatives initiated by HEFCW to date been helpful in addressing the particular needs of the Welsh sector?
- In view of our stated intention to develop the way we engage strategically with institutions (see our Strategic Engagement circular, W09/14HE), and in keeping with our broader institutional assurance and accountability responsibilities, how might we best engage with institutions to assess and monitor their performance in addressing their equality and diversity obligations?
- How can we improve our existing equality and diversity support service to HEIs? Are there gaps in our current provision?
- Is there more that we should do to develop senior and governor engagement in institutional equality and diversity matters? Is there more we could do to support the sustainable development of leadership capacity in equality and diversity matters on a sectoral and/or an institutional basis?
- What more can we do to help HEIs champion E&D issues more effectively in their institutions?

Returns and response date

10. Please address all responses to Vikki Burge (tel: 029 2068 2218; email: vikki.burge@hefcw.ac.uk) and by no later than **noon on Friday 9 October 2009**. Please note that, in accordance with our Access to Information policy, feedback from our stakeholders on this consultation may be disclosed upon request.