

HEFCW Draft Strategic Equality Plan

2016 to 2020

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Contents

Foreword	3
Summary.....	4
HEFCW - Who we are	4
The Equality Act 2010	5
Strategic Equality Themes	6
Equality high-level objectives	7
HEFCW's diversity profile	9
Promoting the general equality duty	10
Assessing impact	11
Engagement and consultation	12
Monitoring progress	13
Contact us	14

Foreword

This is the Higher Education Funding Council for Wales' (HEFCW) second Strategic Equality Plan (Plan). This Plan covers the period April 2016 to March 2020 and sets out our commitment to, and support of, fairness in all that we do.

As the Welsh Government Sponsored Body which funds and regulates higher education in Wales, we recognise the many benefits of improving equality and diversity and ensuring inclusive approaches in all that we do. The benefits of this work go beyond our organisation and higher education providers as they contribute to social justice and making Wales a fairer society. Therefore, we will continue to champion equality and diversity and promote effective and inclusive practices in higher education.

Higher education providers attract a diverse range of staff, applicants and students. We work with institutions to support their actions to secure equality of opportunity for everyone that they engage with. We encourage improvement and evidence-based assessment of practice, as well as taking account of the providers' engagement with UK-wide equality initiatives and effective practice.

As an employer, we are aware of, and seek to improve our organisation's approaches to equality and diversity, including tackling issues of discrimination in all forms. This Plan, and its underpinning delivery plan, sets out how we will take this work forward.

We recognise the advantages of engaging a wide range of people in the development and implementation of our Plan. Our Plan is an evolving document and we welcome advice on it to assist us in ensuring it is, and remains, fit for purpose.

Summary

1. This Strategic Equality Plan (Plan) sets out the approach taken by HEFCW to advance equality of opportunity, including through going beyond our statutory duties. The Plan details HEFCW's role as it relates to our work as an employer and contribution to supporting higher education providers to improve and promote equality of opportunity. The Plan reflects HEFCW's position as a relatively small public sector organisation and the fact that we provide few direct services. The Plan sets out our intended direction of travel over the next four years to secure equality and diversity and encourage inclusive approaches.
2. Readers familiar with HEFCW's role and activities to date may wish to go straight to our equality themes and objectives for 2016-20, which start at section 12.

HEFCW – Who we are

3. The [Higher Education Funding Council for Wales](#) (HEFCW) is a Welsh Government Sponsored Body, established in 1992. Under the Higher Education (Wales) Act 2015, HEFCW's role includes regulating higher education providers, ensuring a framework is in place for assessing the quality of higher education and scrutinising the performance of universities and other designated providers.
4. We use resources from the Welsh Government and others to secure: higher education (HE) learning and research of the highest quality; widening access to higher education; high quality, accredited teacher training; and the most of the contribution of HE to Wales's culture, society and economy. HEFCW's consideration of equality and diversity needs is conducted from the perspectives of being an employer, as well as working with higher education providers as employers and in their relationships with their students.

The Equality Act 2010

General Equality duties (Pan-UK)

5. The Equality Act 2010 came into force in October 2010.
6. The Equality Act 2010 places an equality duty on public sector bodies such as HEFCW. In the exercise of its functions, a public body must have due regard to the need to:
 - **Eliminate discrimination, harassment, victimisation** and any other conduct that is prohibited under the Act;
 - **Advance equality of opportunity** between persons who share a relevant protected characteristic and persons who do not share it; and
 - **Foster good relations** between persons who share a relevant protected characteristic and persons who do not share it.
7. The general duty covers the following protected characteristics:
 - Age
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Marriage and civil partnership (in respect of the requirement to have due regard to the need to eliminate discrimination)
 - Race
 - Religion and belief
 - Sex and
 - Sexual orientation

Public Sector Equality Duties (Wales)

8. The public sector equality duty in Wales came into force in 2011. The specific equality duties in Wales were guided by four principles: **the use of evidence, consultation and involvement, transparency and leadership.**
9. The aim of the public sector equality duty is to ensure that public bodies and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the

delivery of services and that they are kept under review to achieve better outcomes for all.

10. To meet the specific duties, Welsh public sector organisations, including HEFCW, universities and colleges need to:
 - create an evidence base relevant to their functions
 - engage staff, students and other people
 - assess the impact of policies and practices
 - develop pay difference objectives
 - develop equality objectives
 - report on compliance with the duty and
 - embed equality into all functions.
11. To evidence how they are meeting the general and specific duties, public bodies in Wales are required to develop and publish a Strategic Equality Plan.

Strategic Equality themes

Lessons learned from our first Strategic Equality Plan 2012-16

12. Our first Strategic Equality Plan recognised that, due to historical legislation, our progress in supporting the different protected characteristics had been unequal. Therefore, in some instances we needed to take initial steps to improve our evidence base and build up our information in order to take forward specific work in an informed way.
13. To ensure that we addressed each protected characteristic we framed an objective against each separate protected characteristic. However, we acknowledge that people may identify as having more than one protected characteristic and, therefore, it would be reasonable to take a more inclusive approach to our work.
14. Our previous plan identified objectives to be completed each year for a particular protected characteristic, suggestive of a more 'task and finish' approach. This, perhaps, did not recognise fully the complexity of the issues involved and that long-term and sustained actions were needed to make progress towards delivering the objectives. Therefore, in this planning period, we have developed an intentionally strategic and high-level Plan, underpinned by an annual delivery plan. This approach will enable us to be agile in our response to emerging priorities and build on our actions over time.

Strategic equality themes

15. We have identified four equality and diversity strategic themes to promote a clear understanding of our commitment and approach to equality and diversity policy and implementation. These themes provide us with a framework which is intended to be: challenging in our aspirations; clear on our agenda for action; and realistic in managing expectations.

We will:

1. **Ensure HEFCW's policies and practices support fairness and inclusion; particularly as this relates to people with protected characteristics.**
2. **Support higher education providers to advance equality of opportunity for staff and students, including going beyond statutory duties.**
3. **Promote higher education's contribution to, and effective practice in, supporting under-represented groups, including people with protected characteristics.**
4. **Review performance and progress towards securing equality of opportunity in higher education in Wales.**

Equality high-level objectives

16. We have identified the following high-level objectives to enable us to make progress towards achieving each of our strategic themes.

1. **Ensure HEFCW's policies and practices support fairness and inclusion; particularly as this relates to people with protected characteristics.**

Our strategic equality objectives are to:

- i. work with other UK funding bodies and external organisations to inform our policy development and implementation;
- ii. use UK and Wales-specific equalities data and information to inform policy development;
- iii. work with higher education providers and other partners to inform our understanding of equality and diversity issues;
- iv. manage and administer the fee and access plan process to ensure higher education providers support equality of opportunity;

- v. contribute to meeting the challenges as set out by the [Equality and Human Rights Commission Wales](#) in *Is Wales Fairer?* as they relate to higher education and HE work in relation to the [community cohesion agenda](#);
- vi. ensure effective progress towards delivering equality expectations in HEFCW's Corporate Strategy;
- vii. ensure that HEFCW has a culture and environment that evidences its commitment to equality and diversity;
- viii. continue to develop the equality approaches of HEFCW as an employer, including as they relate to equal pay and equality audit processes;
- ix. increase the awareness of HEFCW staff's equality responsibilities.

2. Support higher education to advance equality of opportunity for staff and students, including going beyond statutory duties.

Our strategic equality objectives are to:

- i. encourage universities to monitor and take action to embed and enhance equality and diversity and provide a supportive environment for staff and students;
- ii. encourage universities to monitor and take action to ameliorate differences in selection, attainment or retention patterns, and develop appropriate student support mechanisms;
- iii. encourage universities to continue to increase the diversity of their governing bodies;
- iv. align our widening access policy developments, as set out in our [Widening Access Strategic Approach and Programme of Action](#), with our [Strategic Equality Plan](#);

3. Promote higher education's contribution to, and effective practice in, supporting under-represented groups, including people with protected characteristics.

Our strategic equality objectives are to:

- i. engage with the [Equality and Human Rights Commission](#) as the Welsh Government regulator for equalities to inform its work with higher education;
- ii. champion and support the contribution of equality and diversity in higher education to delivering social justice, social mobility and economic prosperity;
- iii. develop, encourage and share best practice in equality and diversity across higher education at all study levels and study modes.

iv. Review performance and progress in equality of opportunity in higher education in Wales.

Our strategic equality objectives are to:

- i. monitor UK and Wales specific data on people with protected characteristics in higher education;
- ii. continue to monitor universities' strategic engagement with equalities-related issues through our assessment of their strategic engagement and planning documents and our institutional risk review processes;
- iii. report annually to our Council, Student Opportunity and Achievement Committee, and Human Resources Committee on equalities-related policy development and progress;
- iv. improve HEFCW's evidence base to ensure that our information is up-to-date, relevant and accurate.

HEFCW's diversity profile

17. There is a statutory responsibility on HEFCW to monitor our staff and applicant data, and to publish the outcomes of our monitoring.
18. HEFCW currently collects data from staff and applicants on the following:
 - Gender
 - Age
 - Religion & Belief
 - Sexual Orientation
 - Ethnicity
 - Disability
19. The relevant information currently used to benchmark HEFCW's diversity profile is the 2011 census data.
20. Given the small size of the organisation (46 staff members as of January 2016) most of the data we collect falls under Data Protection Act requirements and, therefore, we are not able to publish it without identifying individuals. Where numbers are sufficiently large we will publish the data.
21. We monitor a range of data. We give consideration to trends across the years to identify any emerging patterns, taking into account the small number of staff.

22. Any actions identified from our data monitoring will be considered by either our Human Resources Committee, our Student Opportunity and Achievement Committee or our Council (depending on the context), and it will inform our equality delivery planning.

Promoting the general equality duty

23. This section details the ways in which HEFCW works as an organisation to promote the general duties of the legislation, including eliminating discrimination, harassment, and victimisation; advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.

Training

24. We provide equality and diversity training for new staff beginning employment with us as part of an induction process. There is also refresher training for staff and staff are able to access effective equality impact training and information on their roles and responsibilities under equality legislation. Equality and diversity training is also provided for our Council members.

Performance management

25. HEFCW attaches importance to both the outcomes of our work and the skills and processes used to produce the outcomes. To help us monitor these aspects of our work, we have identified a set of organisational values. These values underpin the competencies that enable us to achieve excellent results and include acting with integrity, professionalism, forward thinking, partnership-working and valuing and supporting each other. These values contribute to a culture of mutual respect and a supporting working environment for all our staff.
26. Fairness is essential to performance management. Reviewers and countersigning officers are expected to guard against any form of discrimination when assessing a jobholder's performance and ensure that jobholders have equal opportunity to develop their performance fully. Reviewers and countersigning officers are expected to ensure that the jobholder is not unfairly treated because of their age, disability, ethnicity, full or part-time status, marital status, pregnancy, religion, sex, sexual orientation, language or any protected characteristic.
27. We recognise that making assumptions or stereotyping can also be discriminatory. HEFCW takes into account individual's specific

requirements within the performance management scheme, and individuals are treated on a case by case basis. Each year HEFCW monitors the outcome of performance reviews to safeguard against discrimination.

28. HEFCW runs a biennial staff attitude survey to gather staff views on HEFCW as an organisation so that we can identify, improve and/or further develop our policies and practices, including as they relate to equality and diversity. The survey is anonymous and confidential and it is administered online and in-house. The survey outcomes are analysed and reported to HEFCW's Management Board and our Works Council and published on the intranet for all staff. An action plan is developed to record progress against key actions.

Equality and procurement

29. HEFCW uses the Welsh Government's [Sustainable Risk Assessment Templates](#) (SRA's) for each individual tender in excess of 25K including VAT. This enables us to include equalities considerations into our own procurement exercises, where it is appropriate to do so and dependent on the nature of the goods and services being procured. HEFCW purchases a large percentage of our goods and services via collaborative agreements which have already considered equality in the development of the tender documentation.
30. Equalities considerations are built into the sectors procurement processes by the use of the Welsh Government's SRA's. The SRA templates are used to enable higher education providers to consider and build in equality requirements as part of the tender exercise, where it is appropriate to do so and dependent on the nature of the goods and services being procured. The sector buys many of its goods and services collaboratively via Higher Education consortia and Welsh Government framework agreements, these agreements will have considered Equality as part of the procurement process.

Assessing Impact

31. Public bodies have a legal responsibility to assess the impact of their policies on equality groups and to set out how they will monitor or address any possible negative impact. In 2015/16, to take account of HEFCW's widening responsibility for assessing policies and practices, equality impact assessment policies and processes have been revised and renamed impact assessments. The change of name reflects HEFCW's intention to consider more broadly impact issues including how it relates to the Welsh Language Regulations and the [Well-Being of Future Generations Act 2015](#). Undertaking Impact Assessments

contributes to HEFCW's statutory responsibilities under the [Equalities Act 2010](#), the [Welsh Language Act 1993](#), the [Welsh Language \(Wales\) Measure 2011](#) and the [Well-being of Future Generations \(Wales\) Act 2015](#).

32. The purpose of our impact assessment process is to improve the work of HEFCW by making sure we do not discriminate in our services, functions, policies and employment and, where possible, we do all we can to promote equality and good relations between different groups. It also assists policy authors to carefully consider the likely impact of our work and take action to improve it and ensure that, as far as possible, we eliminate any unintended or negative consequences. The well-being and sustainability requirements, which arise as a result of the [Well-being of Future Generations Act 2015](#), ensure that impact assessments consider the impact that HEFCW's work could have on people in Wales in the future.

Engagement and consultation

33. We recognise that the involvement and engagement of interested parties is critical to the success of all our work, including in the development of our Plan.
34. In addition to an internal Equality and Diversity Group, comprised of HEFCW officers with expertise in equality and diversity issues, we have discussed appropriate approaches to new strategic equality plans with organisations for people with protected characteristics.
35. We have consulted with equalities officers at the Equality and Human Rights Commission's Exchange and Network events. We have discussed the development of our Plan and its strategic objectives with other UK funding bodies. We have sought advice from HEFCW's Student Achievement and Opportunity Committee prior to publishing the draft Plan for consultation.
36. In order to ensure that our work continues to take account of the impact(s) on individuals with protected characteristics, we will continue to engage with our staff, external groups and organisations, including higher education institutions, equality organisations, and other interested parties. We also place all open engagement and consultation exercises on HEFCW's websites to provide interested parties with the chance to engage and respond.
37. Development of our Plan has been informed by recent research and publications including, but not limited to: [HEFCW's Corporate Strategy 2013/14 – 2016/17](#); the Welsh Government's [Strategic Equality Plan](#)

[consultation](#); and the Equality and Human Rights Commission's [Is Britain Fairer?](#), and [Is Wales Fairer?](#); Equality and Human Rights Commission advice and guidance; and [Equality Challenge Unit](#) publications.

38. As we anticipate that this Plan and the delivery plan will evolve and change over time, we welcome feedback and contributions on an on-going basis from anyone with an interest in aspects of equality.

Monitoring progress

39. We are required to report on the progress towards meeting our equality objectives annually. We publish our [Equality Annual Report](#) by the end of March each year.
40. The impact of, and our performance against, our objectives, as set out in the Plan will be monitored by HEFCW's Council, Student Opportunity and Achievement Committee, and Management Board, at different stages.
41. We invite comments on the Plan and our strategic themes and objectives and accompanying actions at any time, including outside of formal consultation/ engagement periods.

Complaints

42. Complaints regarding the operation of the HEFCW Plan will be considered under HEFCW's Complaints' Procedures and should be addressed, in the first instance, to the Council Secretary at the address below.

Contact Us

43. To discuss any aspect of this document in confidence, please contact us at:

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HEFCW's Strategic Equality Plan can be found at our [website](#).