



Cardiff  
Metropolitan  
University

Prifysgol  
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Caerdydd

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# Equal Opportunities Policy

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<b>Impact Assessed – Date:</b>	30/11/2018
<b>Lead:</b>	Pro-Vice Chancellor Student Engagement
<b>Date of next review:</b>	Nov - 2021



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## 1. **Policy Statement**

- 1.1 Cardiff Metropolitan is a global university rooted in Wales and with a history of practice-focused and professionally oriented education that requires a values-driven approach to maximise its impact. Diversity is one of our four chosen values which emboldens and drives our commitment to education, research and innovation undertaken in partnership with our students, governments, business and industry and with tangible benefits for individuals, society and the economy.
- 1.2 Cardiff Metropolitan University recognises that unlawful discrimination is unacceptable in any form, is committed to treating individuals with dignity and respect, valued for their contribution, and to providing an environment that promotes equality of opportunity for existing and prospective employees and students in all aspects of its activities as an employer, and provider of higher education and as a community resource.
- 1.3 Cardiff Metropolitan University is committed to developing, promoting and supporting equality and diversity in all of our practices and activities. We aim to provide a working and learning environment free from any form of stereotyping, harassment, intimidation, victimisation or discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. We are committed to creating a culture that enables all individuals to participate fully and where they are treated on the basis of their merits and abilities. With reference to the protected characteristic 'gender reassignment', we acknowledge that this term is outdated and misleading and that the preferred umbrella term is Trans. Cardiff Metropolitan University is committed to advancing Trans equality, however, the current policy applies to current law and therefore uses the terms referred to in the Equality Act 2010.
- 1.4 Cardiff Metropolitan University will develop and endeavour to maintain structures, practices and procedures that have the effect of treating people on the basis of their ability and potential. We recognise that different people and groups have different needs and that people have multiple-identities and multiple needs. We will make reasonable adjustments and proportional changes to our processes and procedures to provide an accessible working and learning environment for our students, employees, governors, service users and partners.
- 1.5 Cardiff Metropolitan University will ensure that every job applicant, course applicant, student, employee, visitor or contractor is treated fairly and this protection is extended based on association and perception to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, or sexual orientation.
- 1.6 The University will work collaboratively with employee trade unions and student representatives in the best interests of all members of the university to share a more inclusive place to work and study.

- 1.7 The Equal Opportunities Policy is enacted through the University's Equality Objectives as laid out in the Strategic Equality Plan 2016-2020. Progression against actions and objectives are reported in the Equality and Diversity Annual Report, published by 31<sup>st</sup> March each year (<https://web13-staging.cardiffmet.ac.uk/about/structureandgovernance/equalityanddiversity/Pages/Annual-Reports-and-Policies.aspx>)

## **2. Statutory Obligations & Legislation**

- 2.1 Cardiff Metropolitan University will meet and fulfil its statutory responsibilities as set out within The Equality Act (2010) and associated secondary legislation, including the Public Sector Equality Duty in Wales.
- 2.2 The University, in the exercise of its functions will have due regard to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
- 2.3 Cardiff Metropolitan University accepts its statutory responsibilities and it is committed to extending the principles laid down in law to any individual or groups, who are discriminated against or treated unfairly.
- 2.4 Cardiff Metropolitan University will ensure that it is fully aware of its responsibility towards the promotion of equal opportunities and will take account of the diverse needs of particular groups when providing services.

## **3. Discrimination**

- 3.1 Cardiff Metropolitan University will not tolerate any form of unlawful discrimination towards any of the nine protected characteristics:
- Age
  - Disability
  - Gender Reassignment
  - Marriage and Civil Partnership
  - Pregnancy and Maternity
  - Race, including colour, and nationality (including citizenship), ethnic or national origins
  - Religion and belief, including a lack of religion or belief
  - Sex
  - Sexual Orientation
- 3.2 Under the Equality Act, there are four main types of discrimination:
- Direct discrimination
  - Indirect discrimination
  - Harassment
  - Victimisation.
- 3.2.1 **Direct Discrimination** means treating people less favourably than others are or would be treated in similar circumstances. Therefore, it would usually be unlawful to treat somebody differently because of

their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

- 3.2.2 **Direct Discrimination based by association** when someone is treated less favourably because of their association with another person who has a protected characteristic of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation. You don't have to have a protected characteristic to be directly discriminated against for it.
  - 3.2.3 **Direct Discrimination based by perception** occurs when you treat a someone less favourably because you mistakenly think that they have a protected characteristic (age, disability, gender reassignment, marriage and civil partnership, race, religion and belief, sex and sexual orientation).
  - 3.2.4 **Indirect Discrimination** means applying an unjustifiable provision, criterion or practice which in theory applies to everyone, but which in practice (whether intentional or not) few people in certain groups (because of their age, disability, gender reassignment, marriage and civil partnership, race, religion and belief, sex and sexual orientation) are able to comply. Requirements relating to dress, physical characteristics and length of service can fall into this category. This type of discrimination is usually less obvious than direct discrimination and can often be unintended.
  - 3.2.5 **Harassment, including sexual and racial**, is defined as unwanted/uninvited/unreciprocated conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This could be relevant to the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, race, religion and belief, sex and sexual orientation. Cardiff Metropolitan University will not tolerate this and has a specific policy and procedure for dealing with harassment and bullying matters.
  - 3.2.6 **Victimisation** is defined as treating people less favourably because of action they have taken under or in connection with any of the legislation for example if someone has made, or is considering making a formal complaint of discrimination or has given or is considering giving evidence in a tribunal case.
- 3.3 Cardiff Metropolitan University is committed to creating a working and learning environment, which is totally free from all offensive, insulting or oppressive behaviour and based on the principles of dignity and respect.

#### **4. Implementation**

- 4.1 The equality policy is fully supported by the senior management team and has been agreed with trade unions and network groups.
- 4.2 The Board of Governors is responsible for ensuring compliance with all equality legislation and for those who might be affected by the activities of the university.

- 4.3 The President and Vice-Chancellor alongside members of Cardiff Metropolitan University's Management Board have responsibility for ensuring this policy and related policies are implemented and adequately supported.
- 4.4 The Equality & Diversity Delivery Group is responsible for ensuring the strategic development, implementation and review of this policy. The Equality & Diversity Delivery Group will consider all aspects of equal opportunities throughout the working and educational environment of the University, ensuring that University policies and practices go beyond statutory duties to support fairness and inclusion. The membership includes representatives from the senior management team, trade unions and Students' Union.
- 4.5 The Civic and International Equality & Diversity Officer is responsible for providing advice, guidance and support on the application of this policy and for developing an action plan in conjunction with other colleagues to address equalities related issues.
- 4.6 The Coordinating Chaplain plays an advisory role for all matters relating to Religion, Spirituality and Philosophical belief, including cultural cohesion within the university community.
- 4.7 The Director of Human Resources is responsible for:
  - (a) maintaining and providing accurate employee statistical records of the representation of women, men, age and members of racial or ethnic minorities, and any other characteristics required by equality legislation.
  - (b) Employee discipline, grievance and complaints, including alleged harassment.
- 4.8 Heads of School, Deans and Directors will be responsible for ensuring that their employees are aware of their responsibilities in promoting diversity and inclusion in the working and learning environment. They will ensure that they champion diversity and inclusion through their own actions, remarks or behaviour and that they do not conduct themselves in a manner which others may perceive as harassment. They will ensure that the University's policy is implemented within their area of responsibility, ensuring the elimination of discrimination and the promotion of equality.
- 4.9 Directors/Deans will ensure that all student-facing services operate in such a way as to eliminate discrimination.
- 4.10 Academic Registry are responsible for student discipline, grievance and complaints, including alleged harassment.
- 4.11 Deans for Learning & Teaching and Academic Registry are responsible for ensuring that reasonable adjustments, as recommended by Student Services, are made to the learning, teaching and assessment environment to ensure that students do not suffer discrimination.

## **5. Employee and Student Responsibilities**

- 5.1 Every employee is required to assist the University to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.
- 5.2 Employees can be held personally liable as well as, or instead of, the University for any act of unlawful discrimination, bullying, harassment and

victimisation, in the course of their employment, against fellow employees, students, customers, suppliers and the public. Employees who commit serious acts of harassment may be guilty of a criminal offence.

- 5.3 Acts of discrimination, harassment, bullying or victimisation against employees, students or members of the public are disciplinary offences and will be dealt with under the University's Employee or Student Disciplinary Policy and Procedure.
- 5.4 Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.
- 5.5 Students are expected to behave in a way which respects and appreciates the diversity of the University community and the culture of others within that community as set out in the Student Charter.

## **6. Welsh Language Standards**

- 6.1 The University aims to promote and facilitate the use of Welsh Language by supporting employees, students and Welsh speaking communities.
- 6.2 The University supports the principles of the Welsh Language Measure 2011 and had adopted the principle of treating the English and Welsh language on the basis of equality.
- 6.3 The University is fully committed to meeting the Welsh Language Standards and to ensure that the Welsh language has equal status in our working practices in Wales.

## **7. Monitoring**

- 7.1 The implementation of the current Equal Opportunities Policy will be continuously reviewed in order to reflect any changes or amendments to Equality Legislation
- 7.2 Through the use of Equality Impact Assessments the University will assess the impact of its policies, procedures and practices to identify and mitigate any disadvantage to protected characteristic groups. Policy Owners will be responsible for conducting the Equality Impact Assessment.
- 7.3 Applicants for vacant posts, shortlisted candidates, new appointments, current employees, promotions, disciplinary cases, grievances, bullying and harassment cases, resignations and turnover and good practice will be anonymously monitored. This will enable a comprehensive picture of the patterns of applications and employment amongst various groups of employees to be developed and used for monitoring purposes.
- 7.4 In terms of employees, information for monitoring purposes will be obtained through voluntary self-assessment by potential and existing employees completing web recruitment application form or electronic self-service form. The information collected will form part of a confidential record to be used for monitoring this policy and its implementation and effect.
- 7.5 In terms of students, information for monitoring purposes will be obtained through the student record system, which includes statistics regarding recruitment, retention, success and first destination.

7.6 All aspects of the curriculum will be reviewed and monitored by providing clear guidelines for inclusive course content and teaching styles and methods.

## **8. Equality Training**

8.1 The University will provide equal opportunities training to managers and others likely to be involved in the recruitment or other decision making where equal opportunities issues are likely to arise.

8.2 The University will provide training to all existing and new employees and others engaged to work at the organisation to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment. The University will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

8.3 Supporting information will be provided to all students in order to raise awareness of equality and diversity and the contents of this policy.

## **9. Communication**

9.1 The University will ensure that employees and students are made aware of this Equal Opportunities Policy through the University's web pages, publications, induction and training provision, and through the line management structure, as appropriate. Alternative formats, can be obtained by contacting [Equality@cardiffmet.ac.uk](mailto:Equality@cardiffmet.ac.uk) or telephone 029 2020 5586.

9.2 Cardiff Metropolitan University's Equality and Diversity website will facilitate communication with employees, students and members of the public. It will provide an opportunity for Cardiff Met stakeholders to track the progress of equality and diversity initiatives and access published documents.

## **10. Confidentiality**

10.1 Any Equality and Diversity related information disclosed to Cardiff Metropolitan University will be kept strictly confidential in accordance with data protection principles and legislative requirements.

## **11. Breach of Policy**

11.1 Members of the Board of Governors, employees and students are collectively and individually responsible for ensuring that this Equal Opportunities Policy is put into practice. Any breach of the Equal Opportunities policy will be subject to action under the appropriate employee or student disciplinary policy and procedure.

11.2 Details of the University's employee and student grievance and disciplinary policies and procedures can be found at:

Employees - <http://tsr.uwic.ac.uk/Units/HR/HR/Pages/home.aspx>

Students - <http://www.cardiffmet.ac.uk/study/student-services/Pages/Student-Services-Policies-and-Procedures.aspx>

## **12. Related University Policies**

12.1 This policy should be read in accordance with other relevant University policies including the Harassment and Bullying Policy, Grievance Policy and

Procedure, Disciplinary Policy, Prevent Policy, Freedom of Belief Guidelines, and Procedure and Data Protection Policy.

**13. Review**

13.1 All aspects of this policy will be subject to on-going to review and amendment as appropriate, in response to statutory changes, changes in University procedures or structures or as a result of the monitoring of the application of the policy. In any event, the policy will be reviewed every three years.

**14. Alternative Format**

14.1 If you require this document in an alternative format, please contact [Equality@cardiffmet.ac.uk](mailto:Equality@cardiffmet.ac.uk) or telephone 029 2020 5586.

**Sources of Further Guidance:**

Equality Act 2010 and associated secondary legislation  
Criminal Justice and Immigration Act (2008)  
The Racial and Religious Hatred Act (2006)  
The Civil Partnership Act (2004)  
The Gender Recognition Act (2004)  
Criminal Justice Act (2003)  
The Human Rights Act (1998)  
The Protection from Harassment Act (1997)  
Special Education Needs and Disability Act (2001)

Equality & Human Rights Commission: <https://www.equalityhumanrights.com/en>  
Equality Challenge Unit: <https://www.ecu.ac.uk/>