



Cardiff  
Metropolitan  
University

Prifysgol  
Metropolitan  
Caerdydd

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# Equality, Diversity and Inclusion Policy

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<b>Impact Assessed – Date:</b>	04/09/2020
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<b>Lead:</b>	University Secretary
<b>Date of next review:</b>	September 2021



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## 1. **Purpose**

- 1.1 This Policy sets out the University's commitment towards the development of an inclusive working and learning environment for all staff and students where all people have the opportunity to flourish and reach their potential.

## 2. **Scope**

- 2.1 This Policy applies to all staff, students and visitors to Cardiff Metropolitan campuses. Contractors are expected to abide by this policy.
- 2.2 A glossary of definitions used in this Policy and sources of further guidance can be found in Appendices 1 and 2 of this document.

## 3. **Policy Statements**

- 3.1 Cardiff Metropolitan University is committed to supporting, developing and promoting equality and diversity in all of its practices; and it aims to establish an inclusive culture, free from discrimination, harassment, and victimisation.
- 3.2 We will be active in meeting our specific equality duties and the Public Sector Equality Duty. Our Equality Objectives are laid out in the Strategic Equality Plan 2020-24. Progression against actions and objectives are reported in the Equality and Diversity Annual Report, published by 31<sup>st</sup> March each year.
- 3.3 We are 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 a person's protected characteristics.
- 3.4 It is recognised 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 all.
- 3.5 We 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, and sexual orientation.
- 3.6 The University will work collaboratively with employee trade unions and student representatives in the best interests of all members of the university to create a more inclusive place to work and study.
- 3.7 We are committed to support staff to meet their equality and diversity obligations by the provision of learning and development programmes and specialist advice.

- 3.8 We will work to ensure that equalities information and data is accessible, current and shared openly whilst ensuring compliance with data protection legislation.

#### **4. Statutory Obligations and Legislation**

- 4.1 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.
- 4.2 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.
- 4.3 Cardiff Metropolitan University accepts its statutory responsibilities and is committed to extending the principles laid down in law to any individual or groups, who are discriminated against or treated unfairly.
- 4.4 Cardiff Metropolitan University will ensure that it is fully aware of its responsibilities towards the promotion of equality of opportunity and is committed to taking account of the diverse needs of groups when providing services.

#### **5. Discrimination**

- 5.1 Cardiff Metropolitan University will not tolerate any form of unlawful discrimination towards any of the nine protected characteristics (see Appendix 1):
- Age
  - Disability
  - Gender Reassignment<sup>1</sup>
  - 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
- 5.2 Under the Equality Act, there are four main types of discrimination (see Appendix 1 for definitions):
- Direct discrimination
  - Indirect discrimination

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<sup>1</sup> We acknowledge that this term is outdated and misleading and that the preferred umbrella term is Trans. Cardiff Metropolitan University is committed to advancing equality and eliminating discrimination for Trans people. This policy statement applies to current law and therefore uses the terms referred to in the Equality Act 2010.

- Harassment
- Victimisation.

5.3 Cardiff Metropolitan University is committed to creating a working and learning environment which is free from all discriminatory, offensive, insulting or oppressive behaviour, and which is based on the principles of dignity and respect. This applies on and off campus, face-to-face and online.

## **6. Responsibilities**

6.1 The President and Vice-Chancellor alongside members of Combined Academic Board have responsibility for ensuring this Policy and related policies are implemented and adequately supported. It has been agreed with trade unions and network groups.

6.2 The Board of Governors is responsible for ensuring compliance with all equality legislation.

6.3 The Equality & Diversity Delivery Group is responsible for ensuring the strategic development, implementation and review of this Policy. It will consider all aspects of equality and diversity at Cardiff Metropolitan University and will ensure that its policies and practices go beyond statutory duties to fully support fairness and inclusion. The membership and terms of reference of this Group can be found at Appendix 3.

6.4 The Equality & Diversity Officer is responsible for providing advice, guidance and support to colleagues across the University on the application of this Policy and for developing and monitoring an action plan in conjunction with other colleagues to address equalities related issues.

6.5 The Coordinating Chaplain plays an advisory role for all matters relating to Religion, Spirituality and Philosophical belief.

6.6 The Director of People Services 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.

6.7 Heads of School, Deans and Directors are 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 and behaviour.

6.8 Directors/Deans will ensure that all student-facing services operate in such a way as to eliminate discrimination and promote inclusion.

6.9 Registry Services are responsible for student discipline, grievance and complaints, including alleged harassment.

6.10 School Deputy Deans 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 are enabled to flourish.

- 6.11 All staff are expected to support, implement and abide by the aims of this policy statement and use their role to promote equality of opportunity for students and staff.
- 6.12 The Students' Union is responsible for recruiting a diverse and representative rep structure and for providing one-on-one support and representation to any individual or group of students who are facing any form of discrimination and looking to report this to the University.
- 6.13 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.

## **7. Welsh Language**

- 7.1 The University aims to promote and facilitate the use of Welsh Language by supporting employees, students and Welsh speaking communities.
- 7.2 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.
- 7.3 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.

## **8. Monitoring**

- 8.1 The content and implementation of this Policy will be continuously reviewed in order to reflect any changes or amendments to equality legislation and associated guidance and good practice.
- 8.2 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.
- 8.3 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 purpose and to inform equality action planning.
- 8.4 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.
- 8.5 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.

## **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**

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

## **11. Breach of Policy**

- 11.1 The University will take seriously any instances of non-adherence to the Equality and Diversity Policy by students, staff or visitors. Any instances of non-adherence will be investigated with the intent of resolving such matters. Where appropriate, such instances will be considered under the relevant disciplinary policy for staff or students.
- 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 and Plans**

This policy should be read in accordance with other relevant University policies including:

- Strategic Equality Plan
- Harassment and Bullying Policy
- Grievance Policy and Procedure
- Disciplinary Policy
- Prevent Policy
- Freedom of Belief Guidelines
- Data Protection Policy
- Student Charter

## **13. Review**

All aspects of this Policy will be subject to review and amendment 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, it will be reviewed every three years.

## **14. Alternative Format**

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

## **Appendix 1 - Definitions**

### **Glossary: Definitions used in this Policy**

<b>Equality</b>	Equality is about ensuring that every individual has an equal opportunity to make the most of their lives and talents, and believing that no one should have poorer life chances because of where, what or whom they were born, or because of other characteristics. Equality recognises that historically, certain groups of people with particular characteristics e.g. those of certain races, disabled people, women and gays and lesbians, have experienced discrimination.
<b>Diversity</b>	Recognising, valuing and taking account of individuals' different backgrounds, knowledge, skills and experiences to create a more productive and effective educational community.
<b>Protected characteristics</b>	These are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation
<b>Direct Discrimination</b>	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
<b>Direct Discrimination based by association</b>	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.
<b>Direct Discrimination based by perception</b>	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).
<b>Indirect Discrimination</b>	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.

**Harassment, including sexual and racial**

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.

**Victimisation**

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.

## **Appendix 2 – Further Guidance**

### **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>  
Advance HE: <https://www.advance-he.ac.uk/>

## **Appendix 3 – EDDG Terms of Reference**

### **Equality and Diversity Delivery Group Terms of Reference and Membership**

#### **EQUALITY AND DIVERSITY DELIVERY GROUP**

Serviced By: The Secretariat

Reports To: Combined Academic Board

#### **1. Terms of Reference**

##### **The Equality and Diversity Delivery Group will:**

- 1.1. Monitor the University's progress in meeting the Equality Act 2010 general duty and the accompanying specific duties;
- 1.2. Ensure the delivery of strategic targets with regard to Equality and Diversity as set out in the Strategic Plan 2020-2024;
- 1.3. Ensure the University's policies and practices go beyond statutory duties to support fairness and inclusion, particularly as this relates to people with protected characteristics;
- 1.4. Oversee the production and delivery of the University's Equality and Diversity Action Plan;
- 1.5. Oversee the achievement of equality accreditations/awards such as Athena Swan, Race Equality Charter and Stonewall Workplace Equality Index

##### **The Core Activities of the Group will be to:**

- 1.6. Develop and oversee the delivery of the Strategic Equality Plan (SEP) and its objectives;
- 1.7. Oversee and Review the annual collection and publication of data (staff and students) and associated processes;
- 1.8. Identify and implement additional data collection to allow us to deliver both to statutory requirements and strategic ambitions;
- 1.9. Monitor the use of Equality Impact Assessments (EIAs) across the University and associated processes;
- 1.10. Monitor the University's duty with regard to public procurement;
- 1.11. Operate its business mindful of the beneficial contribution of colleagues not directly represented on the Group in the selection of participants in working groups and consultation mechanisms.

#### **2. Membership**

- Secretary and Clerk to the Governors (Chair)
- Deans of School (2 x Representatives)
- Director of People Services (or delegate\*)
- Deputy Director (Student Recruitment and Marketing)
- Director of Student Services (or delegate\*)
- Director of Environment and Estates (or delegate\*)
- Head of Compliance
- Trade Union Representatives (Academic Staff and Professional Services Staff)
- Student Union Representatives x 2 (Vice-President and the Equality Officer)
- Head of Welsh Language Unit
- University Coordinating Chaplain
- Equality and Diversity Officer

- Staff Network Representatives (up to 5)
- Chair of the Athena Swan Self-Assessment Panel

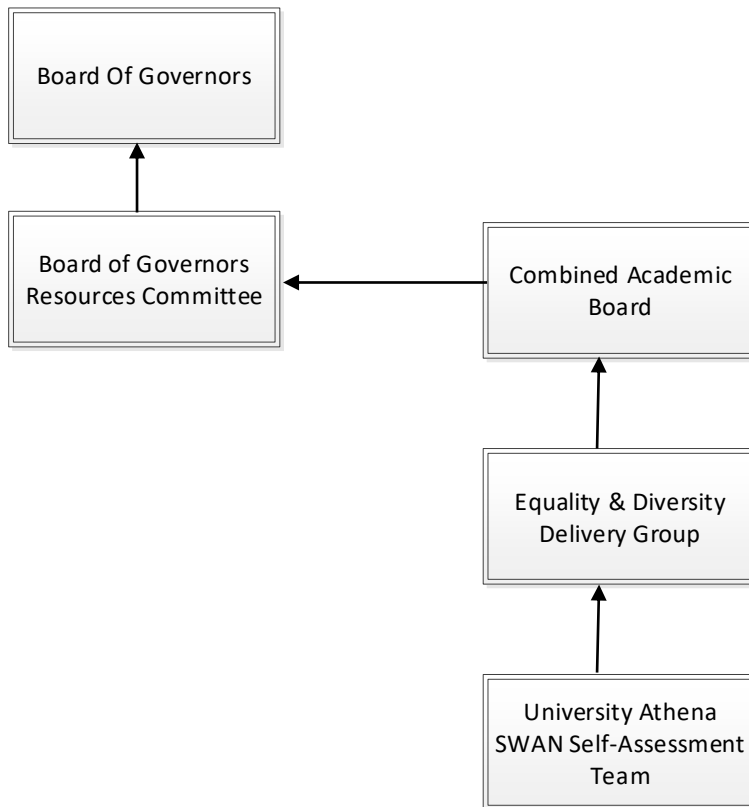
\*Delegates, if proposed, should be supported with a rationale for their selection.

### 3. Frequency of Meetings and Conduct of Business

3.1. The Equality and Diversity Delivery Group will meet at least three times per year.

3.2. Minutes of the Equality and Diversity Delivery Group will be forward to Combined Academic Board and to the Resources Committee of the Governing Body.

### Reporting Structure



Approved: Confirmed by Chairs Action 29/09/20