



HEFCE Equality & Diversity Scheme 2012-2014

January 2012/03

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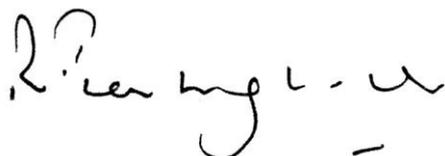
Foreword

I am delighted to present this new version of HEFCE's Equality Scheme. This updates our previous Equality Scheme.

In drafting this document we are of course responding to the latest changes in legislation in equality and diversity, notably the Equality Act 2010. However, the updated scheme is also timely in allowing us to demonstrate our continued commitment to equality and diversity at a time of considerable change, in particular the response to the fiscal deficit and changes to student funding. It is vital that higher education is open and accessible to all. Indeed commitment to this should be strengthened throughout the transition period and beyond. This not only fulfils our legal obligations but underlines our commitment to economic, social and cultural development.

In this scheme, we demonstrate that equality and diversity are central to everything we do, at all levels of our organisation. We also aim to support the sector in maintaining equality and diversity, through working with key partners such as the Equality Challenge Unit and the Higher Education Statistics Agency. These bodies work together to provide resources and information that help institutions share good practice and address equality and diversity challenges.

Thank you to everyone who responded to our consultation and I look forward to working with all our partners to help us achieve our aims in promoting equality and diversity in higher education.

A handwritten signature in black ink, appearing to read 'A. Langlands', written in a cursive style.

Sir Alan Langlands
Chief Executive

HEFCE Equality and Diversity Scheme 2012-2014

To	Heads of HEFCE-funded higher education institutions Heads of HEFCE-funded further education colleges HEFCE staff
Of interest to	Equality and diversity interest groups (national groups, internal institutional groups and so on) HEFCE related bodies Staff responsible for equality and diversity Student union officers and student representatives HE institutional representative bodies in England Professional, statutory and regulatory bodies
Reference	2012/03
Publication date	January 2012
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Executive summary

Purpose

1. This new Equality and Diversity Scheme sets out HEFCE's approach to equality and diversity, both within HEFCE itself and in its work with the higher education sector, for the next three years. This includes our approach to meeting the requirements of the Equality Act 2010.

Key points

2. HEFCE believes that a diverse and inclusive organisational culture – one in which everyone feels valued and can learn or work to their full potential – makes for a more effective and productive workforce. This applies both within HEFCE and in the higher education sector. It also contributes to a better functioning society.

3. This equality and diversity scheme sets out HEFCE's approach to equality and diversity across three of our key roles:

- Role 1: as a funder and regulator
- Role 2: protecting student interests
- Role 3: as an employer.

4. We have identified challenges within each of these roles, and set out aims and objectives, building on good practice to address them. Each objective leads to specific actions to be undertaken by HEFCE staff. These are published in our equality and diversity action plan, which will be updated each year and published on our web-site.

5. The Equality Act 2010 puts a general duty on public sector bodies (including HEFCE and higher and further education institutions) to: eliminate unlawful discrimination, advance equality of opportunity and foster good relations between eight protected groups. There are nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership¹, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Public bodies must meet this general duty both as employers and as providers of public services, and show 'due regard' to the duty across all of their functions.

6. This scheme is published at a time of transition as HEFCE considers how the recent White Paper on higher education will change its work and how it impacts on different groups. We will regularly assess the impact of our policies as they develop, and will change this scheme as appropriate; it is a living document.

Action required

7. No action is required from external parties. The scheme and accompanying action plan sets out actions for HEFCE to undertake in meeting the general equality duty, both as a provider of public funds and as an employer. It does not set out any expectations for higher education institutions, which have their own responsibilities under the Equality Act 2010. However HEFCE does have responsibility for monitoring institutions' progress with regard to equality and diversity, and the scheme sets out how we will continue to do this.

¹ Marriage and civil partnership is not covered by the general duty.

Introduction

8. This Equality and Diversity Scheme sets out how HEFCE is going to meet its general and specific duties under the 2010 Equality Act, both as a provider of public funds and as an employer. It also explains how we will promote equality between different socio-economic groups.

9. This document does not set out any expectations for higher education institutions (HEIs). HEIs have their own responsibilities under the Equality Act 2010, and must devise their own responses to equality and diversity issues according to their own particular circumstances. However, HEFCE does have responsibility for monitoring HEIs' progress with regard to equality and diversity. We set out how we will continue to do this in our aims and objectives under our role as a funder and regulator (see paragraphs 43 to 53).

10. Information on how this document was developed is at Annex A.

Our responsibilities

11. This new HEFCE Equality and Diversity Scheme is in part a response to changes in legislation for equality and diversity, including the Equality Act 2010, and it sets out how we intend to meet our duties under that legislation. The term 'equality and diversity' describes an approach that embraces difference and treats each individual fairly and with dignity and respect, free from harassment and bullying. While we have a duty to ensure that the way public funds are spent does not contravene the Act, we believe our responsibilities go beyond that.

12. As a central source of government funding we are in a unique position. For many years we have worked in close contact with all publicly funded HE providers in England, as well as many related organisations, and we hold and analyse valuable information on equality and diversity. We believe that we have a responsibility to provide that information to the public and, wherever appropriate, to provide leadership and good practice.

13. Further to this, the 2011 higher education White Paper suggests a new role for us in taking responsibility for the collective student interest. This means that we are to take an enhanced interest in supporting equal access and fair treatment for all students, as far as this is possible within our responsibilities, while recognising the responsibilities particular to HEIs themselves.

14. As an employer of around 240 staff, we seek to make equality and diversity central to everything we do, and to remove barriers to positive change. This is a challenging aspiration, but HEFCE is clear that a diverse and inclusive working culture, in which everyone feels valued and is able to work to their full potential, regardless of their background, is desirable. It also makes good business sense, resulting in better performance and an organisation which is well equipped to support the sector in the challenging times we face.

The legal framework

15. The Equality Act 2010 puts a **general duty** on public sector bodies (including HEFCE and higher and further education institutions) to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people who do and do not share a protected characteristic
- foster good relations between people who share a protected characteristic (see paragraph 16 below and Glossary in Annex C) and those who do not share a protected characteristic.

Public bodies must meet this general duty both as employers and as providers of public services, and show 'due regard' to the duty across all of their functions.

16. The nine 'protected characteristics' referred to are:

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

Some of these (age, gender reassignment, pregnancy and maternity, religion and belief and sexual orientation) were not covered by a public sector duty prior to the 2010 Equality Act.

17. The general duty is underpinned by **specific duties**, for which there are the following requirements:

- By 31 January 2012 and annually thereafter, publish information demonstrating compliance with the general duty. This should include information on employees and people affected by HEFCE's services who share a protected characteristic.
- By 6 April 2012 and at least every four years thereafter, publish objectives setting out how HEFCE will meet the requirements of the Act.
- Such published information should be accessible to the public.

18. HEFCE also promotes equality between different socio-economic groups as well as other groups under-represented in HE. This has long been part of our widening participation policy as people from lower socio-economic groups are generally less likely to go into higher education. It is also an important aspect of protecting the interests of students, and improving social mobility through fairer

access is an objective of the Government's White Paper on higher education, 'Students at the Heart of the System'².

Context: the changing landscape of HE in England

19. The White Paper on higher education was published in June 2011, while HEFCE was consulting on the draft of this equality scheme (the consultation was published as HEFCE 2011/15). The White Paper proposes fundamental changes to the funding and regulation of higher education, and hence to HEFCE's relationships with HEIs and other public bodies. Among the proposals in the White Paper is a specific remit to protect the interests of students. When the White Paper was published, the Secretary of State sent a letter to HEFCE³ which indicated that funding for non-traditional and disabled students will remain a priority.

20. The potential impacts of the proposed reforms on equality and diversity in the HE sector are uncertain, and the way HEFCE approaches the fulfilment of its general duty may change. While the Department for Business, Innovation and Skills (BIS) published its own equality impact assessment alongside the White Paper⁴, HEFCE will have to consider what the specific impacts of its own actions will be in taking forward the implications of the White Paper. We therefore intend that this equality scheme will remain a 'living document' through the period of transition from our current role to our new one in mid-2013. An example of where subsequent change may be needed is our priorities for action on the impacts of the new fee structure and regulations on the HE sector. We will update the scheme in response to change and will publish changes on our web-site.

21. The new constitutional arrangements for HEFCE are due to come into force in August 2013. Until then HEFCE will continue to perform its current funding role while giving thought to the challenges of the new role, including the challenges for equality and diversity that could potentially arise.

Responsibility for the equality and diversity scheme

22. The HEFCE Board is responsible for setting and monitoring HEFCE's strategic direction, and has ultimate responsibility for equality and diversity. It will review progress against this scheme annually. Each director and senior manager is responsible for delivering the equality aims, objectives and actions in their areas of responsibility. HEFCE also employs a full-time equality specialist who is dedicated to the promotion of equality and diversity and the implementation of this scheme, supported by a senior manager and the deputy chief executive. However, all HEFCE staff are responsible for promoting the general duty in their own work area as well as contributing to a diverse and inclusive working culture.

² Available from <http://discuss.bis.gov.uk/hereform/>

³ Available from www.hefce.ac.uk

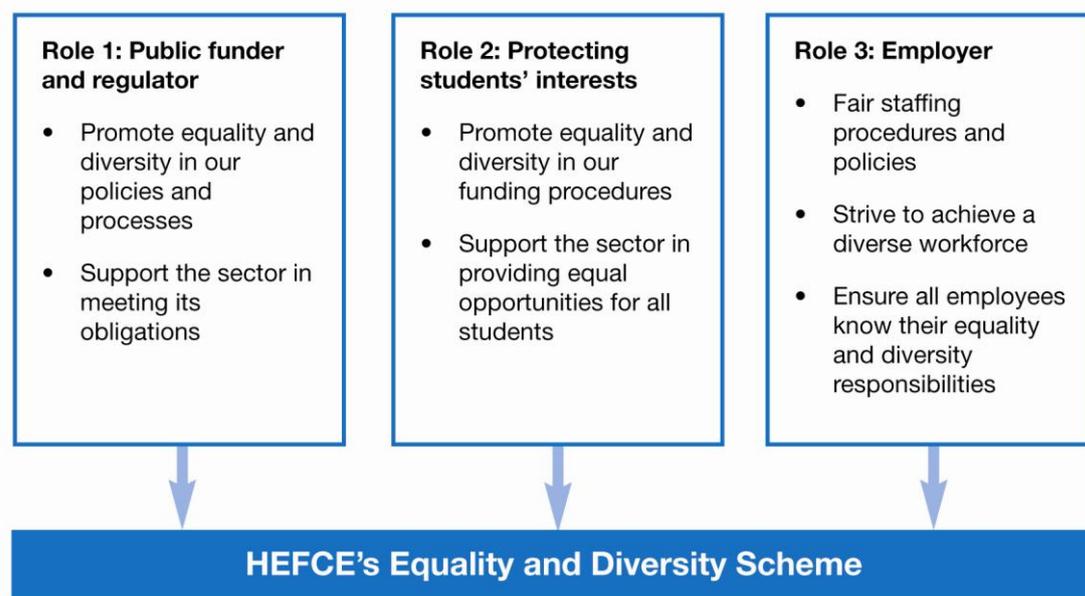
⁴ Available from <http://discuss.bis.gov.uk/hereform/> under All Documents.

Our approach to equality and diversity

23. HEFCE believes that a diverse and inclusive organisational culture – one in which everyone, regardless of their background, feels valued and can learn or work to their full potential – makes for a more effective and productive workforce. This applies both within HEFCE and in the higher education sector. In a wider sense it also contributes to a better functioning society.

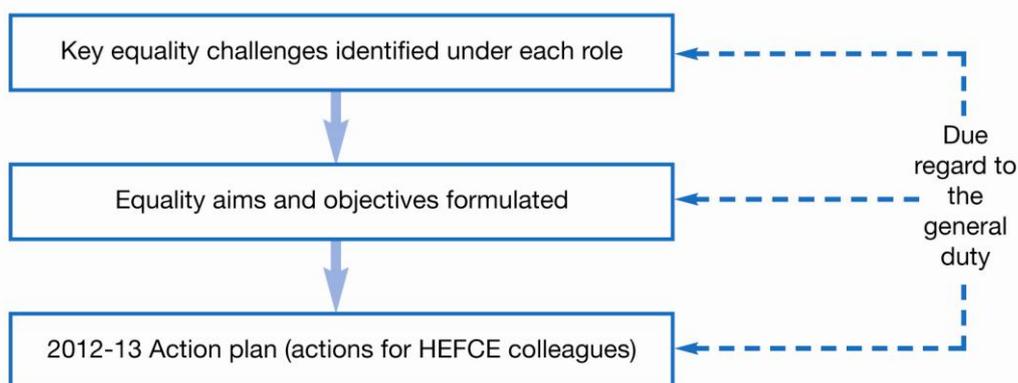
24. Our Equality and Diversity Scheme seeks to achieve this across three key roles (see Figure 1).

Figure 1: How we intend to address equality and diversity in relation to three of HEFCE's key roles



25. Under each role we identify key equality and diversity challenges and describe how we will address them, specifying aims and objectives in each case. The aims and objectives translate into actions for colleagues across the Council in both internal and external work. These actions have been written up into an action plan for 2012-13. At all levels, we seek to give due regard to the general duty. This is summarised in Figure 2.

Figure 2: How the 2012-13 action plan has been developed



26. We have prioritised those challenges that we intend to address in the first years of the Equality and Diversity Scheme, based on:

- the strategic priorities agreed by our Board
- consultation with the HE sector (HEFCE 2011/15)
- research (for example by the Equality Challenge Unit) that has identified clear inequalities or areas where we already had influence and impact that we could build on (such as the Research Excellence Framework (REF) or projects funded through the Leadership, Governance and Management (LGM) Fund)
- the need to produce specific and achievable objectives, in line with the requirements of the specific public sector duties of the Equality Act.

27. There are many challenges in equality and diversity facing HEFCE and the HE sector, and it would be unrealistic to attempt to address them all. In developing our aims and objectives, we have sought to identify activities that are within our remit, in areas where we can make a real and measurable impact. If we have not addressed a particular issue, that does not mean we consider it unimportant: other priorities may be a focus in the future.

28. Our action plan for the academic year 2012-13 is available to view on our website. Its progress will be reviewed annually, reported to our Board and published online. As well as specific actions to promote this scheme, all HEFCE colleagues are encouraged to embed thinking on equality and diversity into their daily work.

How we will deliver our duties

29. As required by the general duty, we will continue to consider how our procedures and processes, both internal and external, impact on people with protected characteristics and from different socio-economic groups.

Working with higher education institutions

30. Under the terms of our Financial Memorandum with HEIs, we require institutions to comply with the Equality Act. We are not empowered to enforce this law directly, but if breaches come to our attention we will take this into consideration in our risk assessments.

31. In June 2010 HEFCE became principal regulator of higher education institutions that have 'exempt charity' status. This is a statutory responsibility and, in partnership with the Charity Commission, we will continue to promote compliance by institutions' trustees with their obligations under charity law, including obligations under the Equality Act.

Information and engagement

32. We currently prepare and publish information on our activities, including data analysis and other evidence that we have given due regard to the impact of our policies and engaged with people with protected characteristics where appropriate. As a result of the new public duties conferred by the 2010 Equality Act, we are expanding this activity and will publish this information on our web-site. This Equality and Diversity Scheme itself forms part of such information, along with sector impact assessments (SIAs) carried out on our policies, HESA data, links to reports and other information.

33. When developing new procedures and policies we will engage, as we already do, with a wide audience. Where our work is likely to impact more upon a particular group, we will engage particularly thoroughly with that group. We will seek to involve our stakeholders to make our policy development procedures accessible to a wider range of people.

34. We regularly engage with HEIs on equality and diversity issues through our institutional visits and an annual monitoring process. We will continue to monitor institutions' equality and diversity information in our regulation processes, in line with our legal obligations.

35. Further detail on our information and engagement strategies is in Annex B.

Equality Challenge Unit

36. In carrying out its work with the HE sector, HEFCE provides funding to and works in partnership with the Equality Challenge Unit (ECU). ECU works to further and support equality and diversity for staff and students in higher education across the UK. It is owned and controlled by the sector, through Universities UK and GuildHE.

37. ECU's strategic priorities for 2011-2013 are:

- **Evolve** – To position the work of ECU in light of the dramatically changing economic and funding environment to assist institutions in meeting these challenges

- **Assist** – To assist institutions in embedding the requirements and ambitions of equality legislation within the higher education sector, in particular the Equality Act 2010 and the abolition of the default retirement age
- **Transform** – To work with institutions to develop strategies and methodologies to transform systemic or cultural practices and approaches which unfairly exclude, marginalise or disadvantage individuals or groups
- **Understand** – To progress the development of methods to gather and use evidence of, and data on, equality and diversity within the higher education sector at a national and local level.

38. ECU provides briefings and seminars for the sector on meeting legislative requirements, and carries out research projects in equality and diversity issues in the sector. It also provides a source of support and advice for institutions on all aspects of equality legislation. HEFCE and the other UK HE funding bodies (as well as Universities UK and GuildHE) provide funding for much of this work, though ECU is also actively seeking to diversify funding sources. ECU offers bespoke services to the sector.

39. HEFCE works formally with ECU in the following ways:

- regular update meetings between officers at all levels
- HEFCE attends ECU Board meetings as observers
- ECU attends the ‘Funders’ Forum’ at which the six funders of ECU (HEFCE, SFC, HEFCW, DELNI, Universities UK and GuildHE) discuss the ECU’s work and relevant events affecting their organisations. The funders have input into ECU’s strategy and plans, and commission additional work where needed.

40. ECU has undertaken specifically funded work for HEFCE; one example is the project on black and minority ethnic staff funded through the Council’s Leadership, Governance and Management Fund⁵. ECU officers also provide ad hoc advice to HEFCE officers on equality and diversity.

41. This equality and diversity scheme sets out HEFCE’s approach to equality and diversity across three of our key roles:

- Role 1 – as a funder and regulator:** we will promote equality and diversity in our policies and processes, and support the sector in meeting its obligations.
- Role 2 – as a protector of students’ interests:** we will promote equality and diversity in our funding procedures, and support the higher education sector in providing equal opportunities for all students.
- Role 3 – as an employer:** we will ensure that all our staffing procedures and policies are fair, strive to achieve a diverse workforce, and ensure all employees know their responsibilities with regard to equality and diversity.

⁵ ‘Experience of black and minority ethnic staff in HE in England’ (October 2011) can be read at www.ecu.ac.uk under Publications/Race.

42. We have identified challenges within each of these roles, and set out aims and objectives, building on good practice to address them. Each objective leads to specific actions to be undertaken by HEFCE staff. These are published in our equality and diversity action plan, which will be updated each year and published on our web-site.

Addressing equality and diversity

Role 1: as a public funder and regulator

43. As a public funder and regulator we are in a unique position to take an overview of the higher education sector, analyse data on a national basis and provide centralised guidance and support. We can target funding towards policies that have the potential to benefit the sector and society as a whole.

44. Our role will change as the new fees and funding structures proposed by Government are implemented, and our Equality and Diversity Scheme will be revised to take account of this. In particular the White Paper identified HEFCE as the lead independent regulator for the sector, and this could potentially impact on equality and diversity through our work with other organisations.

Achievements so far

Equality Challenge Unit

45. Much of our work in the sector is carried out through our funding of, and partnership with, the Equality Challenge Unit. This specialist equality body delivers research reports, guidance, events and an advice service for HEIs. Among other material, it has provided briefings and events on meeting the requirements of the Equality Act, in England, Wales and Scotland. We value the expertise and support the ECU offers both HEFCE and the sector in meeting equality and diversity challenges. Independent evaluations have demonstrated that their work is highly regarded by the sector⁶. See paragraphs 36-40 for details.

Institutional engagement

46. There are two main ways that we engage with HEIs in the course of our work.
- a. In our periodic visits to HEIs, equality and diversity is always discussed.
 - b. The annual monitoring statement we currently request from each HEI includes a question on progress against equality objectives. The responses are monitored and reported on within HEFCE.

These processes help us identify where an HEI may need to modify its activity and are the way we fulfil our legal obligations while minimising burden on institutions.

⁶ 'Review of the Equality Challenge Unit' can be found at www.hefce.ac.uk

REF and research careers

47. There is a strong focus on equality and diversity in the development of the new process for assessing research quality in HEIs, the Research Excellence Framework (REF). An expert advisory group on equality and diversity within the REF has been constituted which has already begun work with the REF team to strengthen equality measures, develop clear guidance and promote best practice. An equality briefing for panels was published earlier this year⁷, and the Equality Challenge Unit was asked to deliver training and guidance to panels and Chairs.

48. HEFCE's strategy statement, 'Opportunity, choice and excellence in higher education' (HEFCE 2011/22)', sets out our objective to support institutions in training and developing the next generation of excellent researchers. We have funded the 'Every Researcher Counts' project, delivered by [Vitae](#) that is designed to promote equality and diversity in research careers by raising the profile of this issue in institutions and developing targeted resources and networks. The project makes use of an existing national network of people involved in researcher development.

Impact assessments

49. When we develop new policies we take into consideration their impact on the higher education sector, including the impact on equality and diversity. All HEFCE staff involved in creating or updating policy are required to carefully consider the potential equality, sustainability, regulatory and privacy impacts of their policy or project, to gather relevant evidence and data, and/or to consult affected groups. This process is recorded using a Sector Impact Assessment (SIA) form, which is subsequently published on our web-site. We provide training, expert support and detailed guidance to staff on the completion of SIAs, and this guidance has been updated to reflect the 2010 Act. All papers presented to our Board are required to include consideration of impact on the sector of any proposed actions. As well as ensuring that our policies actively promote equality and diversity, these measures are valuable in giving staff an opportunity to 'stop and think' about the policy's potential impact, and to obtain an evidence base for this. It is an important part of how we give due regard to the general duty.

Good practice

50. Our LGM Fund has supported a number of projects to enhance equality and diversity⁸ in the HE sector, each of which is a source of information and good practice.

Challenges

51. Alongside our achievements as a public funder and regulator (Role 1), the following challenges remain:

- a. **HE staff:** Relatively low proportions of black and minority ethnic (BME), disabled and female staff reach professor level and above. Numbers of disabled staff at

⁷ www.ref.ac.uk under Equality and diversity.

⁸ www.hefce.ac.uk under Leadership, governance and management/LGM Fund.

senior levels in HE remain low compared to non-disabled staff and have shown little change in the last four years. Respondents to the HEFCE 2011/15 consultation identified a lack of diversity among staff at all levels as being an issue common to most HEIs⁹.

- b. **Researchers:** Despite continued work in this area, inequalities in research careers remain. Female and black staff are significantly under-represented. Representation of women at senior levels in science, technology, engineering and mathematics (STEM) departments is particularly low¹⁰.
- c. **Governing bodies:** There was a perception among the consultation respondents that, as well as being insufficiently diverse, HEIs' governing bodies might require further support to understand and embed equality issues in their decision making.
- d. **Religion and belief:** Religion and belief – including philosophical belief and non-belief – is a newly covered area in the public sector equality duty. Under the Equality Act HEIs will be expected to foster good relations between people from different religion or belief groups. The LGM-funded programme, Religious Literacy Leadership in Higher Education¹¹, suggests that religious literacy 'lies in having the knowledge and skills to recognise religious faith as a legitimate and important area for public attention, a degree of general knowledge about at least some religious traditions and an awareness of and ability to find out about others'. The programme has found that this complex area is not well understood and that it presents some of the more sophisticated challenges for the equality and diversity agenda, not least because of the association with national security. It was highlighted as a significant issue by the HEFCE Board and during our 2011 consultation. HEIs will be expected to engage confidently and to promote mutual respect and understanding between staff and students of all religions and beliefs, including those with no religion.
- e. **Strategic committees:** HEFCE has five strategic committees¹² which advise on its work. Members are drawn mainly from the HE sector, and are selected on the basis of their knowledge and experience in the strategic area covered by that committee. Membership of the committees is not very diverse. Responses to the HEFCE 2011/15 consultation suggested that rather than risk tokenistic membership targets, it was more important to ensure that committee members had a solid grasp of equality and diversity issues and ensure that these were considered in all strategic discussions.
- f. **The White Paper and its implications:** The new fees and funding structures proposed in the White Paper present considerable challenges. While we are still considering all the potential impacts for our regulatory role, we will need to take

⁹ See also the ECU publication 'Experience of black and minority ethnic staff in HE in England', available from www.ecu.ac.uk under Publications.

¹⁰ See the HEFCE Board paper on equality and diversity in research careers (136th Meeting, 14 October 2010), available from www.hefce.ac.uk.

¹¹ See web-site for Religious Literacy Leadership in Higher Education, <http://religiousliteracyhe.org/>.

¹² See www.hefce.ac.uk

into account how our role as a lead independent regulator, including our work with other organisations, affects our approach to fulfilling our general public duty. We will need to consider how our relationships with HEIs might change, including our approach to equality and diversity, and what information it is reasonable to seek from institutions with regard to equality and diversity. We will also be working with a greater variety of institutions, including ones which do not currently receive grant funding from HEFCE (so-called alternative providers). Funding for equality and diversity work could be reduced and the balance of HEFCE’s existing equality and diversity activities and work with ECU might change, such as how to balance a possible increase in work on student equality with ensuring we do not lose sight of staff issues. As the impacts of the government proposals become clearer, we will review and update our Equality and Diversity Scheme and action plan.

The HEFCE Board

52. Appointments to the HEFCE Board are made by the Secretary of State for Business, Innovation and Skills and so are not directly within HEFCE’s control. However, when providing advice to BIS on HEFCE’s needs in the recruitment of new Board members, we will continue to draw attention to the lack of diversity of the Board’s membership to encourage BIS to actively consider this issue as part of its recruitment process.

Our responsibilities as a public funder and regulator – aims and objectives

53. The preceding section identifies many challenges for us as a funder and regulator. However they are also challenges for HEIs, which, as autonomous publicly funded bodies, are individually subject to the duties of the Equality Act. We do not have powers to direct what institutions should do with regard to equality and diversity; it is for them to establish their own equality schemes within their own strategic and local contexts. We have therefore selected areas for action which we feel are most appropriate to HEFCE’s role and where we can make a real and positive difference.

Role 1 Aims	Role 1 Objectives
1.1 In all our external operations, to promote equality and diversity and to advance equality of opportunity	<ul style="list-style-type: none"> a. Continue to consider the impact of all our policies and procedures on equality and diversity, providing regular training sessions to staff in this regard. b. Ensure that all HEFCE teams consider equality and diversity in their team plans. c. Ensure that all external communications are accessible to a wide audience. d. As far as possible to ensure that

	equality and diversity is considered in procurement.
1.2 To support and promote a positive approach to equality and diversity in the sector	<p>a. Continue to fund and work in partnership with ECU to proactively engage with the HE sector, by providing briefings and guidance and supporting specific projects to enhance equality and diversity across the whole sector over the period of the scheme, such as with regard to BME staff.</p> <p>b. Continue to fund and work in partnership with the Leadership Foundation for Higher Education, supporting its diversity strategy¹³, in particular its objective to mainstream equality and diversity throughout its leadership, governor and senior management development programmes.</p> <p>c. Support a programme to improve and promote religious literacy in the HE sector.</p> <p>d. We will continue to fund the Higher Education Academy to promote a positive approach to equality and diversity in learning and teaching.</p>
1.3 To support the sector in achieving a diverse and representative HE workforce	<p>a. Continue to provide high quality, sector-level information about the HE workforce to enable HEIs to understand the national profile of HE staff and to use this data in their own benchmarking and target-setting as appropriate.</p> <p>b. Support projects around the HE career, such as around research careers (see 1.4 below) or through our support for the Leadership Foundation for Higher Education and its programmes on diversity in leadership, governance and management.</p>
1.4 To support the HE sector in addressing inequalities in research	<p>a. Build equality and diversity into the REF submission process.</p> <p>b. Continue to support the Vitae project</p>

¹³ 'Diversity Strategy 2007-2012' can be read at www.lfhe.ac.uk under Diversity/Strategy

	on equality in research careers.
<p>1.5 Ensure all members of HEFCE strategic committees are familiar with equality and diversity legislation and with the needs and perspectives of people with protected characteristics, and apply this knowledge to their work</p>	<p>a. Build equality and diversity considerations into the induction processes of strategic committees.</p> <p>b. Require committees to consider equality and diversity issues arising in their area of work at least annually.</p> <p>c. Provide training for committee secretaries on a and b above.</p> <p>d. Continue to embed our sector impact assessment process to ensure that the equality and diversity impacts of our policies are understood by our strategic advisory committees.</p>
<p>1.6 Maintain our focus on equality and diversity in addressing the requirements of the White Paper during the period of transition from our current role to our new one in mid-2013</p>	<p>a. Positively engage with new providers.</p> <p>b. Where appropriate, demonstrate leadership on equality and diversity issues in developing our 'lead independent regulator' role.</p> <p>c. Cross-Council work to determine the cumulative equality and diversity impact of these changes.</p>

Addressing equality and diversity

Role 2: protecting students' interests

54. The government White Paper proposes a role for HEFCE in protecting the interests of students. HEFCE's strategy statement, 'Opportunity, choice and excellence', states that, in considering our new regulatory responsibilities, HEFCE's primary aim should be to safeguard the collective interests of current and prospective students and the wider public.

55. Having students' interests at heart is not a new role for HEFCE. Much of our work is concerned with the student interest, for example:

- a. Our work in widening participation has focused for a number of years on increasing social mobility through promotion of a whole student life-cycle approach, which includes progress to further study or employment. HEIs have used our widening participation funding to meet the higher costs of delivering widening participation activity, while a number of programmes such as Aimhigher, Lifelong Learning Networks and HE summer schools have encouraged applicants from lower socio-economic groups to consider studying higher education.

- b. We have a long-standing concern with excellent teaching quality. We have a statutory duty to ensure that provision is made for assessing the quality of the education provided in institutions that we fund. This is discharged through our contract with the QAA. We have provided funding for institutions for the enhancement of teaching, such as our targeted funding allocation for teaching enhancement and student success.
- c. Our assurance processes consider the financial sustainability of institutions.
- d. We provide capital funding for investment in the physical infrastructure of institutions.

56. While our proposed new role may require us to reconceptualise some approaches and practices, equality and diversity considerations will remain important to us.

57. HEFCE and the Higher Education Statistics Agency (HESA) hold a large amount of student data and, in partnership with ECU, are thus in a unique position to comment on the composition of the student body, and can analyse it according to institution type, subject studied, and in other ways. We provide student data by programme (where possible) about aspects such as attainment and employability¹⁴, and can analyse this by student groupings of various kinds. We also hold data from the National Student Survey which allows us to understand where groups of students are most or least satisfied.

58. In considering students' needs under equality and diversity, we have two main areas of interest:

- a. **Equality of opportunity** – ensuring that all people from any background have an equal chance of participating in higher education. Our widening participation work helps us in addressing this concern.
- b. **Equality of outcome** – Supporting students, from low participation backgrounds, once they have entered higher education, and under-represented groups achieve similar outcomes to the rest of the student body in areas such as attainment, retention, student experience and graduate destination. We do not have direct influence on this as this is the responsibility of HEIs, but we can help to promote and disseminate good practice in this regard, working with ECU where appropriate, while encouraging a broad approach to widening participation in HE (with appropriate use of public funds) to support inclusive approaches.

Achievements so far

59. HEFCE is committed to the principle that people with the potential to benefit from successful participation in higher education should have the opportunity to do so. A diverse student population is essential to vibrant intellectual enquiry and a resilient knowledge economy. It encourages a higher education offer that is socially and culturally diverse, and more representative of local communities. Through our work in widening

¹⁴ See www.hefce.ac.uk under Learning and teaching/Information about higher education.

participation and projects such as Aimhigher, we have provided targeted funding and support for institutions in increasing the proportion of students they take from under-represented backgrounds and encouraging those students' successful participation in HE. For example:

- a. We know that the proportion of young people recruited from the most disadvantaged parts of the country has increased by around 30 per cent over the past five years¹⁵ (see 'Trends in young participation in HE – core results for England', HEFCE 2010/03).
- b. Widening Participation Strategic Assessments submitted by universities and colleges in June 2009 show us that their commitment to widening participation in HE goes far beyond the funding we allocate. Institutions undertake a wide range of activities to support students from disadvantaged backgrounds throughout a student's time in higher education.
- c. In the 2009-10 academic year, 1.2 million learners benefited from Aimhigher activity such as HE summer schools, campus visits, mentoring, master classes and information, advice and guidance.
- d. In their monitoring returns to HEFCE, Lifelong Learning Networks reported 8,500 signed and implemented Progression Agreements (enabling learners with vocational qualifications to enter courses in HE) and estimated that over 19,500 learners were expected to progress via these routes by 2011-12, with potential for nearly 55,000 learners to benefit over time.
- e. We provide funding to widen access and improve provision for disabled students to all of the HEIs that we fund, and fund research into how institutions are meeting the requirements of disabled students. We also co-ordinate a sector strategy group, which brings together disability practitioners to share information and good practice.

Challenges

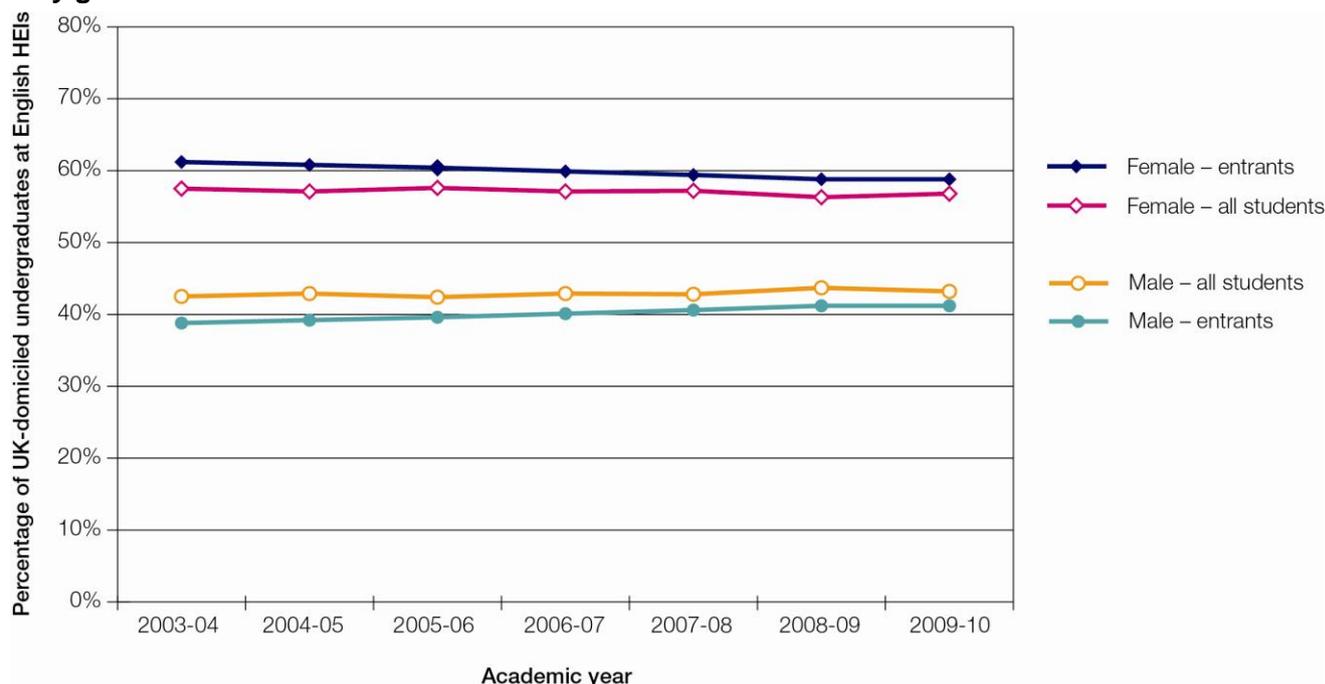
60. Alongside our achievements in protecting students' interests the following challenges remain.

Inequalities in opportunities

61. Our single biggest challenge under Role 2 is to ensure that participation rates in higher education across all groups, including those from disadvantaged backgrounds, are equalised as far as possible. An example of inequality is that the proportions of males being admitted to HE as undergraduates is significantly lower than females at almost all levels, and this situation has remained stable for several years. There was a small improvement in applications for 2009-10, but even then 40 per cent of entrants were male and 60 per cent female (see Figure 3).

¹⁵ 'Trends in young participation in HE – core results for England', HEFCE 2010/03, available from www.hefce.ac.uk

Figure 3: Participation in English HEIs by UK-domiciled undergraduate students, by gender



62. Females are also more likely to gain ‘good’ degrees (first or upper second class honours degree), although males get a slightly higher proportion of firsts. There are also gender imbalances in particular subjects, with women under-represented in physical sciences, technology, engineering and mathematics, and men under-represented in nursing, languages and education (especially primary). There is therefore a strong argument for trying to achieve more equal participation in certain subjects, while recognising that there are many factors beyond our control.

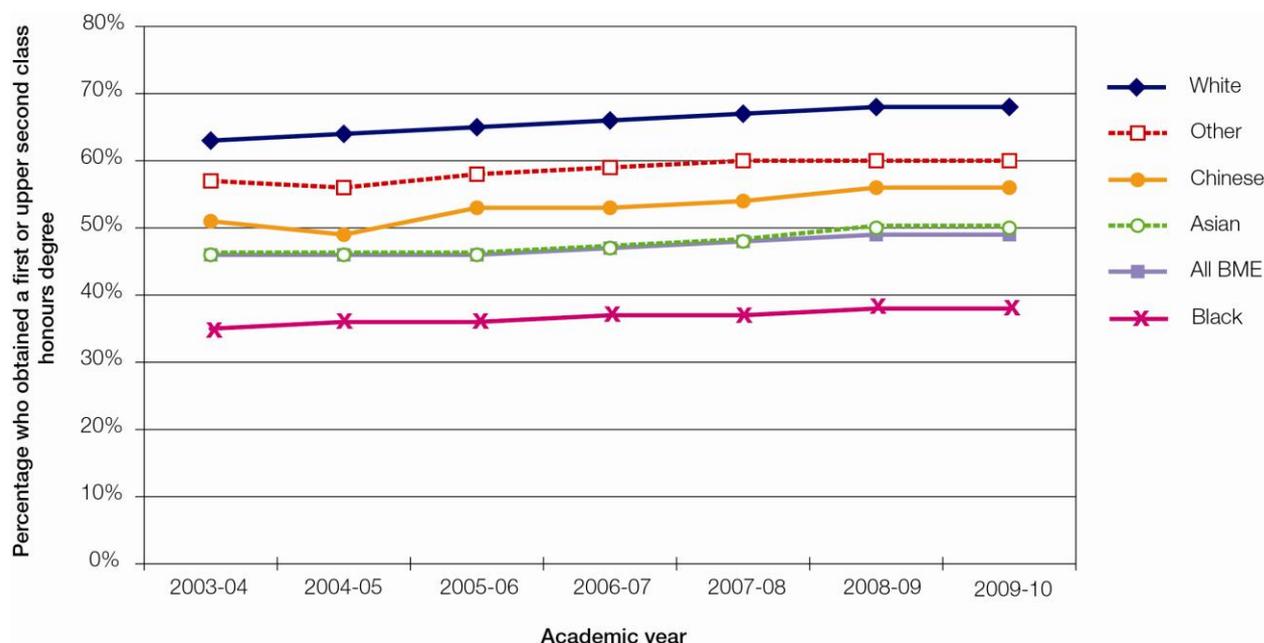
Inequalities in outcomes

63. English white students are more likely to do better than English BME students in terms of attainment, progression and graduate destinations (see Figure 4).

64. In 2009-10, 68 per cent of white UK-domiciled first degree students achieved a first or upper second class honours degree. This is 19 percentage points higher than the 49 per cent achieved by all UK-domiciled BME students and 30 percentage points higher than the 38 per cent achieved by black UK-domiciled students, the ethnic group with the lowest proportion.

65. We are also aware that there are challenges for institutions in ensuring equality for lesbian, gay, bisexual and transsexual (LGBT) students. In response to an online survey in 2009 disseminated by ECU to LGBT staff and students in HEIs in England, Wales and Northern Ireland, LGB students reported significant levels of negative treatment on the grounds of their sexual orientation. The ECU is leading a project to investigate the situation in the HE sector and provide guidance on effective strategies.

Figure 4: Participation in English HEIs by UK-domiciled undergraduate students, by ethnicity



Impacts of new fees and funding regulations

66. Future student behaviour in terms of choice is difficult to predict. The new fee regime could potentially deter prospective students from particular groups from entering higher education, for example low income families and certain religious groups, with a consequent reduction in overall diversity and social mobility. The potential effects of White Paper proposals such as removing the recruitment cap for students scoring AAB or higher at A-level or equivalent may also have an adverse effect, HEFCE will assess the impact, opportunities and risks of the HE reforms at a system level as part of the new observatory function. We will also continue to fund widening access activity to ensure that all providers of HE, regardless of the tuition fee they charge, have a sound basis on which to build and embed inclusive cultures to the benefit of all who work in and with HE, We will do this working in partnership with the Office for Fair Access (OFFA) and ECU as appropriate.

Our role as a protector of students' interests – aims and objectives

67. Our work to identify the key challenges in protecting students' interests has led us to formulate the following aims and objectives:

Role 2 Aims	Role 2 Objectives
2.1 To support the sector in achieving and maintaining an appropriately diverse student body and reducing inequalities of student opportunities and outcomes	a. Working with the Higher Education Academy and ECU on specific projects as appropriate. This will include undertaking research into differences in participation and attainment for those with protected

	<p>characteristics.</p> <p>b. Providing funding for widening participation which enables all providers, regardless of the tuition fee they charge, to build upon national progress and commitment to widening participation and inclusive HE communities.</p>
<p>2.2 To enable fair access to higher education so that all students, regardless of their background, are able to access the institution or programme that best meets their needs and aspirations</p>	<p>a. We will work with OFFA to support the HE sector's commitment to improving social mobility, and further align our approach to access agreements and widening participation strategic assessments.</p>
<p>2.3 White Paper challenges – throughout the period of transition, impact-assess new policies and monitor the cumulative effect on protected groups of new fees and funding mechanisms. Seek to minimise disadvantages where they do occur</p>	<p>a. Establish an observatory function to monitor the effect of new fees and funding mechanisms and associated policies on protected groups, working with the ECU where appropriate.</p>

Addressing equality and diversity

Role 3: as an employer

68. We maintain that we will be in a better position to achieve our aims as an organisation if we have a more diverse staff. We would benefit from a greater range of perspectives and styles, not least because this would enrich our decision-making and help us better understand the potential impacts of what we do. We believe in being inclusive, welcoming and supportive of all our staff.

69. As of 31 March 2011¹⁶, HEFCE employed 241 full-time equivalent (FTE) staff (266 headcount), of which around 227 FTE (250 headcount) were actively engaged in HEFCE business, the remainder being on maternity or adoption leave, or on secondment.

70. In financial year 2010-11 our staff turnover¹⁷ was 8.1 per cent, which is much lower than previous years. Normally we consider low turnover levels to be an indicator of employee satisfaction, but we recognise the potential impact of the current economic climate.

¹⁶ Data in this section are taken from the annual HEFCE People Report, available from www.hefce.ac.uk

¹⁷ Turnover figures represent the number of people who were present on 1 April and left in the following year.

Achievements so far

71. We have strategies to promote a respectful and fair workplace. We want to be an inclusive organisation which looks beyond legal compliance: one that values diversity and is free from bullying, harassment and discrimination. This is underpinned by our 'dignity at work' policy which engaged all staff in its development and launch. We also strive to make our recruitment processes as open and accessible as possible.

72. We have made progress in achieving a balance of men and women at higher pay grades. A target established in 2009 for 'at least 48 per cent of employees at pay bands 9 and above¹⁸ to be women by March 2013' was met by March 2010, and by March 2011 51.1 per cent of pay band 9 employees were women. However, there remain a preponderance of men at the highest pay bands, and we have revised our gender targets to make them more challenging; these are reflected in our aims and objectives. Our most recent equal pay audit (May 2010), found that we had no significant issues within pay bands relating to equal pay between men and women.

73. In addition to data on sex, disability, ethnicity and age collected since 2007, we have been collecting data from our staff on religion and sexual orientation since 2008 and will shortly be collecting data on gender reassignment. Pregnancy and maternity information is collected via procedures for maternity leave.

74. The results from our 2011¹⁹ employee survey have enabled us to maintain our one-star accreditation for 'first class' employee engagement²⁰ and have led us to be ranked in 'The Sunday Times 100 Best Companies to Work For list'. This is one of our measures of employee satisfaction which we believe contributes to our relatively low staff turnover.

75. We also inform staff about their duties under equality legislation, both via general briefings and through training in completing impact assessments (see Annex B). We also have a dedicated Equality and Diversity Steering Group which works with three specialist internal groups: the Diversity Action Group, the Corporate Social Responsibility Group and the Sector Impact Assessment Network.

Challenges

76. Alongside our achievements as an employer the following challenges remain:

- a. **Organisational change:** We continue to strive for diversity of staff during a period of significant change for HEFCE. We recognise and welcome the

¹⁸ Annual salary of £41,461 and above.

¹⁹ The 'Sunday Times Best Companies to work for' surveyed 76 per cent of HEFCE employees in late 2010 and the results were presented in 2011.

²⁰ 70 per cent of the 1,165 organisations that applied received accreditation. Of the accredited organisations: 320 achieved 'one to watch' status, 256 achieved 1 star status ('first class'), 158 achieved 2 star status ('outstanding'), and 84 achieved 3 star status ('extraordinary').

opportunities that our changing role may bring in requiring a greater diversity of experience and knowledge in our workforce.

- b. **Diversity in recruitment:** Our workforce is operating in a climate of government recruitment and pay restrictions and rapidly evolving HE policy. Restrictions on staff numbers, recruitment and advertising constrain our ability to enrich the diversity profile of our staff. To this end, all adverts that are placed on our careers site or on the Civil Service job site include a diversity statement. We continue to be committed to the 'Positive about Disabled People Scheme', and both the online candidate application process and the careers web-site have been designed to meet high accessibility specifications. Nevertheless, our equality data shows that so far this approach has not had the impact we would like on creating stronger pools of suitably qualified applicants from diverse backgrounds.
- c. **Gender distribution by pay band:** Despite improvement over the past two years there is still a skewed distribution of men and women at different levels of seniority within the organisation. There is a higher proportion of women at pay band 9, but there are proportionately fewer women in the higher pay bands: at March 2010, 35 per cent of employees in pay bands 10²¹ and above were women. Conversely, in pay bands 1-9 men are under-represented, with men constituting 25 per cent of this group in March 2010. These data have prompted us to revise our gender target to be more challenging.
- d. **Ethnicity and disability:** The proportion of both disabled and BME groups is low: 3.9 per cent and 5.8 per cent of HEFCE staff respectively in March 2010. This compares to 7.6 per cent and 9.2 per cent respectively in the Civil Service nationally. However this may not be a fair comparison, since HEFCE's main office is located in the South West, an area with a lower proportion of BME individuals. In the Civil Service South West the BME proportion is only 2.8 per cent²².
- e. **Information and engagement:** The HEFCE 2011/15 consultation revealed that some HEFCE staff would like more clarity on HEFCE's strategy for equality and diversity, who they should contact and how they should apply equality and diversity considerations to their work. More work needs to be done to inform and engage staff.
- f. **Disclosure of personal data:** In staff responses to equality and diversity questionnaires, HEFCE's non-disclosure has been as high as 18 per cent on religion and sexual orientation in the 2010 and 2011 surveys. While we respect an individual's right to choose what personal information they disclose, non-disclosure prevents us from getting a full picture of what inequalities may exist across the organisation. We aim to understand and address barriers to disclosure by assuring staff of confidentiality and the benefits of disclosure.

²¹ Annual salary of £50,936 and above.

²² Office of National Statistics (see <http://webarchive.nationalarchives.gov.uk/+http://stats.bis.gov.uk/ppse/index.asp>).

HEFCE's duties as an employer – aims and objectives

77. Considering the challenges in the paragraphs above, we wish to improve the diversity of our staff, ensure that all staff are knowledgeable about equality and diversity, and encourage a culture of disclosure, while recognising that in an environment of low staff turnover we do not have the opportunities to recruit. We aim to achieve this by engaging all staff in the activities set out in our specific aims and objectives in the table below.

78. To ensure our equality and diversity targets are meaningful and realistic, they take into account our current profile of staff, our staff turnover and historical trends, as well as HEFCE's commitment to this area. We have set challenging but realistic targets for ourselves, while recognising we are relatively small, and have a low staff turnover.

79. We recognise that the current climate of public spending controls may make it harder for us to achieve our ambition to have a more diverse staff profile. Our targets have become even more challenging to achieve in the timeframe, with progress being more dependant on whether staff not in the target groups leave at a higher rate than those who are in these groups.

80. The targets act as a measure rather than a driver of our activities. They are kept under regular review, and our progress is monitored and published through our annual 'People report'. The targets remain just one of many measures which help to inform and promote our activity, alongside our broader commitment to equality and diversity.

Role 3 Aim	Role 3 Objective
<p>3.1 In all our internal operations, to seek to promote equality and diversity and to advance equality of opportunity.</p>	<p>a. Ensure impact assessments are carried out on all internal projects.</p> <p>b. Ensure internal policies and procedures regarding equality and diversity are publicised to all staff.</p> <p>c. Through ergonomic assessments and a staff survey, seek information from staff in 2012 on how our working environment affects equality and diversity.</p>
<p>3.2 Improve the diversity of the HEFCE workforce: specifically, our gender balance and proportions of BME and disabled staff.</p>	<p>a. Seek to meet the following targets by March 2013:</p> <ul style="list-style-type: none"> • At least 40 per cent of employees at pay bands 10 and above to be women. • At least 29 per cent of employees at pay bands 1-9 to be men. • The average annual proportion of disabled employees to be at least 4 per cent. • The average annual proportion of

	employees from an ethnic minority to be at least 6 per cent.
3.3 Increase awareness of equality and diversity issues for all HEFCE staff, increasing their confidence in embedding equality into their daily work and promoting understanding of the intrinsic value of a more diverse staff.	<p>a. Provide an annual programme of training and briefings for staff on equality and diversity.</p> <p>b. Offer work placements targeted at organisations (such as schools and colleges) likely to have people with characteristics underrepresented in the HEFCE workforce.</p>
3.4 Enhance the information we hold on staff and improve disclosure rates of protected characteristics, by promoting a culture in which people feel confident to disclose.	<p>a. Our 2012-13 'People report' to the Board will aim to have no 'unknown'²³ returns for diversity data. Accurate information about our workforce will help us understand our staff profile, measure progress and identify any areas for improvement and targeted action. We respect an individual's right not to disclose and we will extend existing practices to include the groups newly protected in the 2010 Equality Act.</p> <p>b. Run a disclosure campaign promoting the purpose and benefits of disclosure.</p> <p>c. Develop a staff survey system that will return improved rates of disclosure and ensure greater levels of confidentiality and reduced burden compared to the current system.</p>

²³ Staff for whom we hold no equality data.

Annex A – Development of the document and evidence used

1. A draft of this scheme was published for consultation in May 2011 as HEFCE 2011/15. The information it contained was drawn from HESA data on HE students and staff, informal consultation with sector experts including ECU, internal surveys and HEFCE's own staff data. The consultation was publicised to both the HE sector and HEFCE staff. While the consultation was open, two one-day discussion events were held with equality and diversity experts from the sector, who made detailed comments on the document. The results of the consultation are discussed in detail in the consultation outcomes document available on the HEFCE web-site.
2. During the consultation period, the Government published its higher education White Paper, 'Students at the heart of the system'. HEFCE published a revised strategy statement in response to it, 'Opportunity, choice and excellence in higher education', which set out how it would aim to work with Government to implement reforms.
3. As a result of HEFCE's equality consultation the scheme was extensively revised. Comments were sought from ECU on the new draft as well as from HEFCE colleagues at all levels.
4. All HEFCE teams were asked to develop at least one high-level action to address equality and diversity in their areas of work, in support of HEFCE's three key roles (as funder and regulator; protector of students' interests; and employer; see Figure 1). These actions have been combined into our Equality and Diversity Action Plan, available on our web-site, which will be reviewed and updated annually.
5. This Equality and Diversity Scheme takes into account, as far as possible, the responses to the HEFCE consultation and the continuing developments in the higher education sector. It will be revised as appropriate in response to new challenges.

Annex B – Information and engagement strategy

Why we publish information on equality performance

1. We publish information about our performance in equality and diversity to demonstrate how we have met the general duty, as specified in the 2010 Equality Act, and to be open and accountable in our work.
2. In order to meet the general duty we are required to collect robust and objective information on our equality and diversity performance. We analyse this information to identify:
 - risks of discrimination
 - further steps we can take to advance equality and foster good relations
 - key equality issues for our organisation so that we can set objectives and measure progress against existing ones.

Such information therefore helps us determine the impacts of our policies on different groups among our staff and service users, and this in turn helps us to develop and adapt our policies in order to avoid discrimination and advance equality and diversity. We then publish this information and our analysis to enable others to see our thinking and make comment.

3. In addition we publish analyses of equality and diversity information about the higher education sector. We do this to inform the sector and to support HEIs in their own work to promote and foster equality and diversity among students and staff.

Information we publish

4. We publish the following equality and diversity information about HEFCE on our web-site:
 - a. Our Equality and Diversity Scheme and action plan.
 - b. An annual report to the HEFCE Board in January that measures progress against the scheme and action plan.
 - c. An annual 'People report' that includes our equality performance as an employer. (We are not able to publish all of our staff data: we omit those where the numbers are so small that it would be possible to identify individuals.) We benchmark our workforce data against public and private sector organisations and our own performance over time in order to monitor progress.
 - d. Sector impact assessments, which include an analysis of the equality impacts of our policies and practices.
 - e. Policies reflecting our work to embed equality and diversity across our organisation and the HE sector, such as establishing an equality and diversity

expert group to advise on ways to strengthen the equality and diversity measures in the REF²⁴.

- f. More generally, we publish information from all of our consultations on our website, including a summary and/or analysis of responses and how they have been taken into account.
5. We make available the information we publish, on request, in alternative formats such as large print and Braille.
 6. In analysing the effects of our policies we also draw on information from outside HEFCE, including:
 - HESA data
 - reports from ECU regarding equality in higher education
 - views from external stakeholders and service users on HEFCE's work, such as those obtained in Ipsos MORI surveys²⁵.
 7. We provide this information, or links to it, on a dedicated web-page.

Information on HEFCE staff

8. Collecting information about our workforce for the purposes of equality and diversity monitoring is already embedded in HEFCE's work. In many cases we now need to extend existing practices to include the newly protected groups. Where staff numbers allow (see paragraph 4c of this annex), we will begin annual publication from March 2012 of:
 - the rates of return to work of women on maternity leave
 - data on public office holders: we are beginning to collect equal opportunities data on our Board, our five strategic advisory committees and our audit committee
 - disaggregated information on staff members' length of service/time on pay grade
 - disaggregated information on pay gaps between different protected groups.
9. We are aware that some people will choose not to disclose information about themselves that pertains to some protected groups. For this reason it may take a number of years for disclosure rates to return statistically significant results. However, the process of collecting such information may in itself hold lessons for us regarding our approach to equality and diversity. We intend to foster a culture where staff feel comfortable disclosing sensitive information confidentially, by such means as awareness-raising, clear messages on why we are collecting the information and assurances as to

²⁴ For more information on our work in equality in the REF please see www.ref.ac.uk under Development and implementation.

²⁵ Available from www.hefce.ac.uk

the confidentiality of the data. However we must also respect an individual's right not to disclose as a basic civil liberty.

Information on the higher education sector

10. HESA collects information from HEIs on their staff and students through an annual monitoring statement. This includes information on age, sex, disability and ethnicity. A recent HESA consultation²⁶ resulted in sector agreement to extend data collection to include sexual orientation and religion and belief. HESA will collect new information on HE staff in 2012-13 for publication in early 2014, and collect new information on students in 2013-14 for publication in early 2015. The submission of such information to HESA will be voluntary for HEIs, but will be advantageous for them to do so because it would provide a cost-effective and consistent way for HEIs to collect such data. It would also allow a national picture to be built up over time. We will also liaise with the Data Service on the information collected for students studying HE in further education colleges.

11. HESA's work will enable us to support and promote equality and diversity in the sector. From February 2012, we will provide links to HESA statistics from our equality and diversity web-page alongside our own data and commentary on what the data show.

Assessing the impacts of HEFCE policy on equality and diversity

12. At HEFCE we assess the impact on equality of the higher education policies we develop and put into practice as a normal part of the policy development process, and thus we already meet the specific duty for analysis in the most part (our specific duties under the 2010 Equality Act are outlined in paragraph 17 of the main text). We currently use our sector impact assessment process to achieve this. In it we apply principles of proportionality and relevance to our analysis of equality: the more potential impact the policy has on equality and diversity issues, the more attention is given to these issues in the analysis. We use SIA as a tool to:

- ensure that we fulfil HEFCE's legal requirements and commitments
- ensure that staff have considered equality and diversity impact in developing new policies
- remove or mitigate negative impacts and maximise positive benefits as much as possible.

13. SIAs are used to analyse and take account of impact, and are kept under review across the lifecycle of all policies and initiatives. SIAs are incorporated into reports to the HEFCE Executive and Board, and are considered as part of the policy approval process. While they are for internal use, we publish them on our web-site²⁷ and they are updated at key points in the lifecycle of the policy or process.

²⁶ Available at www.hesa.ac.uk/content/view/2298/128/

²⁷ At www.hefce.ac.uk/

14. We have refined our SIA process to take account of all the protected characteristics and, more generally, ensure that SIAs meet the aims of the general duty. We will continue to keep the use of SIAs under review.

HEFCE's engagement strategy

Engaging with experts

15. Three years ago we set up a group external to HEFCE to help inform our work on issues relating to disability, called Involving Disabled People. Members consist of disabled people and others with knowledge and expertise about disability in the HE sector. We consult members of this group when developing our policies. The involvement of individuals in the group varies: it ranges from giving feedback to consultations, to contributing to the impact assessment of policies, to sitting on a project steering group. Membership is revised annually.

16. In future we plan to similarly engage with people with other protected characteristics. We recognise that this is a challenge, and will require our engagement process to be as accessible as possible. One option is to extend membership of the Involving Disabled People group to include people in (or with substantial knowledge of) one or more of the protected characteristics; another is to engage existing networks that have equality expertise as and when appropriate, for example if a particular policy is likely to impact disproportionately on a particular characteristic.

Engaging with stakeholders

17. HEIs as our key stakeholders are of vital importance in helping us review our approach to equality and diversity. This scheme was subject to consultation with the HE sector. We will continue to seek opportunities to engage with them and other key stakeholders as appropriate.

18. We proactively engage with HEIs, ensuring that equality and diversity is discussed at institutional visits and included in their annual monitoring statements to us.

19. Alongside the other UK funding bodies, we work in partnership with the ECU which undertakes research and provides advice and briefing to the HE sector.

Engaging with our own staff

20. We will continue to increase awareness of equality and diversity issues for all HEFCE staff, through briefings, training and support from specialist colleagues. We aim to increase staff confidence in embedding equality into their daily work and to promote understanding of the intrinsic value of a more diverse workforce.

Procurement and commissioning undertaken by HEFCE

21. The general duty of the 2010 Equality Act applies to any procurement and commissioning undertaken by HEFCE, when these form part of the carrying out of our public functions. To comply with the duty, we currently do the following:

- a. Our procurement guide for staff offers advice on how to meet our duties under the Equality Act 2010 in respect of contractors and suppliers.
- b. Our model invitation to tender and model contract, which our staff are required to use, includes a section on equality and diversity stating that the contractor is bound by the general duty in relation to carrying out services.
- c. Where the contractor is required to carry out work on the Council's premises or alongside our employees on any other premises, they must comply with HEFCE's own employment policy and codes of practice relating to discrimination and equal opportunities.

These documents also make reference to government information on the Equality Act and to HEFCE's Equality and Diversity Scheme.

22. Procurement selection criteria are another area where we consider equality and diversity. Our contract with suppliers of a service demands contractors sign up to certain basic equality and diversity standards. Wherever we can, we consider and award extra weighting for best practice in equality and diversity in assessment when choosing suppliers of a service. When purchasing goods and services we are required to adopt the Government Procurement Service's (GPS's) procurement agreements and comply with its weighting for equality and diversity. Once a supplier has been selected who is operating on HEFCE's premises or on HEFCE's behalf, we make it clear that they are subject to the same duties with respect to equality and diversity as a member of the Council's staff.

Annex C – Abbreviations and glossary

List of abbreviations

BIS	Department for Business, Innovation and Skills
BME	Black and minority ethnic
ECU	Equality Challenge Unit
HE	Higher education
HEFCE	Higher Education Funding Council for England
HEI	Higher education institution
HESA	Higher Education Statistics Agency
LGM	Leadership, Governance and Management
REF	Research Excellence Framework
SIA	Sector impact assessment

Glossary of terms

Data Service

The Data Service is an independently managed organisation, established and funded by BIS and supported by the Skills Funding Agency to act as a single, central point of information for further education.

Equality and diversity

In discussing ‘equality’ and ‘diversity’ in this document we adhere to the definitions of these terms set out in the AUA/HEEON/ECU 2009 publication ‘A-Z Equality & Diversity’²⁸ as follows:

- ‘Equality’ is based on the legal obligation to comply with anti-discrimination legislation. Equality protects people from minority groups from being discriminated against and gives people the same opportunities regardless of their group membership.
- ‘Diversity’ recognises that everyone is different in a variety of visible and non-visible ways, and that those differences are to be recognised, respected and valued. They may include, but are not limited to, differences protected by anti-discrimination legislation, marital status and gender reassignment, race, disability, sexual orientation, religion or belief, and age.
- ‘Equality and diversity’ describes an approach that embraces difference and treats each individual fairly and with dignity and respect, free from harassment and bullying.

²⁸ Available from www.aua.ac.uk/pigroups-3-Equality-and-Diversity.html

General duty

The Equality Act 2010 puts a general duty on public sector bodies (including HEFCE and higher and further education institutions) to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people who do and do not share a protected characteristic
- foster good relations between people who share a protected characteristic (see below) and those who do not share a protected characteristic.

Public bodies must meet this general duty both as employers and as providers of public services, and show 'due regard' to the duty across all of their functions.

The nine 'protected characteristics' referred to are:

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

Some of these (age, gender reassignment, pregnancy and maternity, religion and belief and sexual orientation) were not covered by a public sector duty prior to the 2010 Equality Act.

HEFCE Executive

Senior management group within HEFCE, consisting of the chief executive, directors, associate directors, the head of organisational development, and heads of teams as appropriate.

HESA

The Higher Education Statistics Agency collects, analyses and reports on HE statistics for universities and colleges in the UK.

Higher education institution

A university or college of higher education.

Institution

In this publication we use the terms institution, higher education institution and HEI interchangeably.

Protected groups

Groups identified in the Equality Act as sharing a particular characteristic against which it is illegal to discriminate. These groups are as follows (definitions taken from the Equality and Human Rights Commission guidance²⁹):

Age: A person belonging to a particular age (for example, 32 year-olds) or range of ages (for example, 18-30 year-olds).

Disability: A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment: The process of transitioning from one gender to another.

Marriage and civil partnership: Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity: Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race: Race refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief: Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (for example, atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex: A man or a woman.

Sexual orientation: Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Related body

A non-HEI/FEC body through which significant levels of HEFCE funding are distributed or activities promoted.

Research Excellence Framework

The new system for assessing the quality of research in UK HEIs, to be completed in 2014.

Sector impact assessment

All HEFCE staff involved in creating or updating policy are required to carefully consider the potential equality, sustainability, regulatory and privacy impacts of

²⁹ Available from www.equalityhumanrights.com/ under Advice and guidance/New Equality Act guidance/Protected characteristics: definitions

their policy or project, to gather relevant evidence and data, and/or to consult affected groups. This process is recorded using a Sector Impact Assessment (SIA) form, which is subsequently published on our web-site. We provide training, expert support and detailed guidance to staff on the completion of SIAs, and this guidance has been updated to reflect the 2010 Act.

Specific duty or duties

The general duty is underpinned by specific duties, for which there are the following requirements:

- By 31 January 2012 and annually thereafter, publish information demonstrating compliance with the general duty. This should include information on employees and people affected by HEFCE's services who share a protected characteristic.
- By 6 April 2012 and at least every four years thereafter, publish objectives setting out how HEFCE will meet the requirements of the Act.
- Such published information should be accessible to the public.

Widening participation

The aim of widening access and improving participation is to promote and provide opportunity of successful participation in HE to everyone who can benefit from it.