



# Equality, Diversity and Inclusion Policy

This policy is subject to Academic Board approval.

## Key Details

<b>POLICY TITLE</b>	<i>Equality, Diversity and Inclusion Policy</i>
<b>DATE APPROVED</b>	<i>10.05.23</i>
<b>APPROVING BODY</b>	<i>Resources Committee</i>
<b>VERSION</b>	<i>1.2</i>
<b>PREVIOUS REVIEW DATES</b>	<i>September 2020 May 2023</i>
<b>NEXT REVIEW DATE</b>	<i>May 2026</i>
<b>OUTCOME OF EQUALITY IMPACT ASSESSMENT</b>	<i>No major change</i>
<b>RELATED POLICIES / PROCEDURES / GUIDANCE</b>	<ul style="list-style-type: none"><li>• Strategic Equality Plan</li><li>• Harassment and Bullying Policy</li><li>• Grievance Policy</li><li>• Disciplinary Policy</li><li>• Prevent Policy</li><li>• Freedom of Belief Guidelines</li><li>• Data Protection Policy</li><li>• Student Charter</li><li>• Code of Professional Conduct</li><li>• Policy on Reasonable Adjustments for Students</li></ul>
<b>IMPLEMENTATION DATE</b>	<i>Immediate</i>
<b>POLICY OWNER (JOB TITLE)</b>	<i>Equality and Diversity Officer</i>
<b>UNIT / SERVICE</b>	<i>Secretariat</i>
<b>CONTACT EMAIL</b>	<i>equality@cardiffmet.ac.uk</i>

## Version Control

<b>VERSION</b>	<b>DATE</b>	<b>REASON FOR CHANGE</b>
<i>1.0</i>	<i>12 Dec 2020</i>	<i>Thorough Review and Update</i>
<i>1.1</i>	<i>12 July 2022</i>	<i>To update references to governance arrangements (Appendix 3) – approved via EDI Committee Chair’s Action</i>
<i>1.2</i>	<i>26 April 2023</i>	<i>Revision of 6.3, 6.10, 7.1 and 8.3 to provide more clarity:</i>



		<ul style="list-style-type: none"><li>• <i>6.3 with reference to practices going beyond statutory duties to fully support fairness and inclusion.</i></li><li>• <i>6.10 with reference to Deputy Dean responsibilities.</i></li><li>• <i>7.1 moved into section 3 to embed Welsh Language into main body of policy.</i></li><li>• <i>8.3 with reference to monitoring.</i></li><li>• <i>ToR have also been updated as per 16.02.23 EDI Committee meeting.</i></li></ul>
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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, victimisation, intimidation and stereotyping.
- 3.2 Through our commitment to equality, diversity and inclusion we will continue to promote and facilitate the use of Welsh Language by supporting employees, students and Welsh speaking communities.
- 3.3 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 which is renewed on a regular basis. Progression against actions and objectives are reported in the Equality and Diversity Annual Report, published by 31<sup>st</sup> March each year.
- 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



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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
- 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 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 and Inclusion Committee 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 the University's policies and practices meet our statutory duties to support equality, diversity and inclusion, while also utilising sector best practice. 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.

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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.



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- 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.
- 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 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 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.
- 7.2 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 It is a legal requirement, as part of the Public Sector Equality Duty in Wales, for the University to monitor against all protected characteristics outlined within the Equality Act 2010. This is reflected in our Strategic Equality Plan. All information provided through equality monitoring is treated with the strictest confidence and is only ever published, in reports for example, in an anonymous format. Through annual reporting, it allows us to note trends and changes in our staff and student body over time and helps inform policies and procedures.
- 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 Equality, Diversity and Inclusion 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).
- 9.2 Cardiff Metropolitan University's Equality and Diversity website will facilitate communication with employees, students and members of the public. It will provide an opportunity for Cardiff Met stakeholders to track the progress of equality and diversity initiatives and access published documents.

## **10. Confidentiality**

- 10.1 Any Equality and Diversity related information disclosed to Cardiff Metropolitan University will be kept strictly confidential 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, Diversity and Inclusion 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 on the University's [Policy Hub](#).



## **12. Related University Policies and Plans**

12.1 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
- Policy on Reasonable Adjustments for Students

## **13. Review**

13.1 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**

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



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## **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/>



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## **Appendix 3 – EDI Committee Terms of Reference**

Equality, Diversity and Inclusion Committee Terms of Reference

Serviced by: University Secretariat

Reports to: Academic Board

### **Purpose**

The Equality, Diversity and Inclusion Committee's aim is to drive equality, diversity and inclusion across the University. The committee brings together key stakeholders from across the University to monitor progress in meeting the Equality Act 2010 general duty and the accompanying specific duties, ensuring the delivery of strategic targets and objectives. The committee oversees the delivery of the University's Strategic Equality Plan 2020-24.

### **Terms of reference**

The Equality, Diversity and Inclusion Committee 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 meet our statutory duties to support equality, diversity and inclusion, while also utilising sector best practice;
- 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 and Race Equality Charters.

The Core Activities of the Committee 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 EDI data (staff and students) and associated processes;
- 1.8 Oversee and Review Estates master planning and EDI considerations;
- 1.9 Identify and implement additional data collection to allow us to deliver both to statutory requirements and strategic ambitions;
- 1.10 Monitor the use of Equality Impact Assessments (EIAs) across the University and associated processes;
- 1.11 Monitor the University's procurement duty with regard to Modern Slavery and Ethical Procurement;
- 1.12 Operate its business mindful of the beneficial contribution of colleagues not directly represented on the committee in the selection of participants in working groups and consultation mechanisms.



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## Membership

Membership of the Equality, Diversity and Inclusion Committee will align to the purpose and terms of reference.

Members:

- University Secretary and Clerk to the Board of Governors (Acting Chair)
- Deans of School (or delegate\*)
- Director of People Services (or delegate\*)
- Deputy Director (Student Recruitment and Marketing) (or delegate\*)
- Director of Registry Services (or delegate\*)
- 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 (SU Policy and Procedure Advisor and SU part-time Equality Officer)
- Director of Learning Enhancement (or delegate\*)
- Director of Global Engagement (or delegate\*)
- Head of Welsh
- Head of Sport Cardiff
- University Coordinating Chaplain
- Equality and Diversity Officer
- Staff Network Representatives
- Chair of the Institutional Athena Swan Working Group
- Chair of the Institutional Race Equality Working Group
- Chair of Technician Commitment Steering Group
- Chair of Staff and Student Interfaith Group

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

The membership can be reviewed at any time and the Equality, Diversity and Inclusion Committee may invite others to attend meetings on an ad hoc basis, and/or establish workstreams to advance its objectives.

## Quorum

Meetings of the Equality, Diversity and Inclusion Committee will be quorate if at least 50% of members are present.

## Frequency of Meetings and Conduct of Business

The Equality, Diversity and Inclusion Committee will meet at least four times per academic year.

A summary report of each Equality, Diversity and Inclusion Committee meeting will be forward to Academic Board.

**Terms of Reference reviewed and approved on: 10.05.23**

