

July 2006/28

**Policy development
Consultation**

Comments should be sent to HEFCE
by Tuesday 31 October 2006

This document explains how we plan to meet our statutory duties to promote race, disability and gender equality. It brings together the Council's race, disability and gender equality schemes and sets out an equality action plan to address these issues.

HEFCE Single Equality Scheme

Consultation

Alternative formats

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Foreword from Steve Egan, Acting Chief Executive of HEFCE

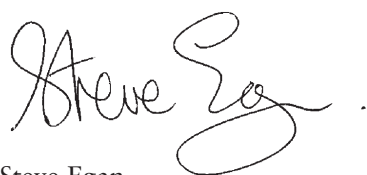
The HEFCE Single Equality Scheme is intended to respond to the spirit as well as the letter of the Race Relations (Amendment) Act 2000, The Disability Discrimination Act 2005 and the Equality Act 2006. It also aims to promote all other forms and strands of equality and human rights that might be relevant to our work. This goes beyond our statutory positive duties to promote race, gender and disability equality and extends to the legislation protecting against discrimination on the grounds of age, sexual orientation and religion or belief. The scheme aims to integrate equality and fair treatment issues into our core priorities and functions.

Leadership and commitment at all levels of the organisation are central to the success of the scheme. In everything we do, we will consider how we can ensure that we do not consciously or unconsciously discriminate against or disadvantage individuals or groups, and we will seek opportunities to promote equality and diversity wherever we can.

Higher education institutions are individually subject to the requirements of the legislation and it is not our intention to substitute the work they will need to do for themselves. Our scheme is designed to complement the work that is, and will be, taking place in the sector, and to offer support and guidance where this is useful and needed. But we recognise that the scheme is work in progress, to be consulted on and refined as necessary.

The underpinning and detail of the approach are described below. The practical steps to be taken are presented as an action plan, to alert those in the Council and in the higher education sector to the work that needs to be done if we are to address the challenges effectively and meet the requirements of the legislation. Equality must be positioned at the heart of what we are doing as a funding council, policy maker and employer.

I would like to thank all those who have helped us develop our scheme and to everyone who has committed to working with us as we begin to implement it.

A handwritten signature in black ink, reading 'Steve Egan' with a stylized flourish at the end.

Steve Egan
Acting Chief Executive

HEFCE Single Equality Scheme

Consultation

To	Heads of HEFCE-funded higher education institutions
Of interest to those responsible for	Equality and diversity management, Human resources management, Strategic planning
Reference	2006/28
Publication date	July 2006
Enquiries to	e-mail equality@hefce.ac.uk tel 0117 931 7316

Executive summary

Purpose

1. This is HEFCE's first Single Equality Scheme. It sets out our approach to equality and diversity, both for ourselves as an employer of 260 staff, and as a major funder of higher education in England. It is called a 'single' equality scheme because it explains and responds to our statutory duties to promote equality in three areas of equality – race, disability and gender. The statutory duties are under the following legislation:

- Race Relations (Amendment) Act 2000
- Disability Discrimination Act 2005
- Equality Act 2006.

The scheme also addresses other areas of equality, such as religion and belief, age, and sexual orientation.

Key points

2. The Single Equality Scheme includes our race, disability and gender equality schemes (at Annexes A, B and C respectively) and an Equality Action Plan at Annex D, which lists our actions for all three schemes. The Race Equality Scheme at Annex A was originally produced in response to the Race Relations (Amendment) Act 2000. It was consulted on in May 2002 and revised fundamentally in 2004; this is largely unchanged from when it was published as HEFCE 2005/04. The gender and disability equality schemes are newly created in response to the legislation listed in paragraph 1.

3. This is the first time we have brought together our work on race, gender and disability equality (as well as other forms of equality such as religion and belief and age). We are therefore seeking views on this document. While we welcome comment

on any aspect of the document, questions on which we would particularly like input are listed at Annex E.

4. Throughout the consultation period we are aiming to involve as many people as possible that might be directly affected by this scheme, as well as all higher education institutions in England. The final version of the scheme, which will have taken into account input from the consultation, will be published in December 2006.

Action required

5. Comments should be sent to us by **Tuesday 31 October 2006**.

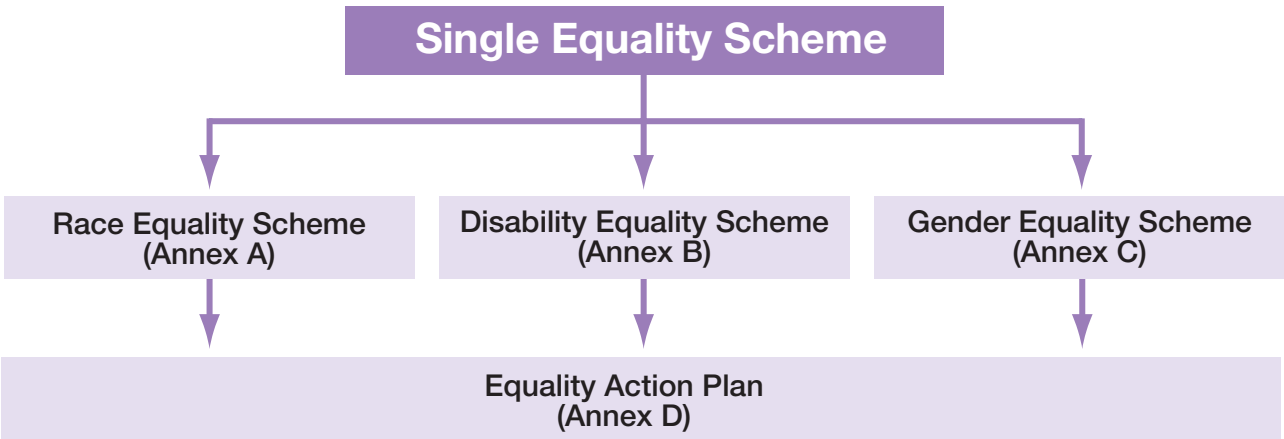
Our vision for equality in the higher education sector

6. We are committed to achieving equality for all who learn and work in higher education (HE) and for our own staff. For students, we aim to ensure that all those with the potential to benefit from higher education have the opportunity to do so, whatever their background and whenever they need it. We also want to help higher education institutions (HEIs) develop a more demonstrably fair and supportive environment for their staff.
7. We promote diversity and equality in employment at HEFCE. We aim to have a diverse and well motivated workforce where all colleagues are treated equally and with respect. We also support diversity and equality in the HE sector. We have set out our visions for gender, race and disability equality in HE within our individual equality schemes (see Annexes A, B and C).
8. Our Single Equality Scheme (SES) will help us to achieve this vision and give us a framework for action across all equality strands, particularly for the three that have positive duties associated with them: race, disability and gender. We believe that a combined scheme will make us better able to communicate and manage our equality commitments and action. We also believe that publishing one combined scheme, and one consultation, is a low-burden approach to equality which should maximise people’s opportunities to be involved in our policy making. This SES demonstrates our commitment to go beyond mere compliance with the legislation, and to move towards mainstreaming equality and diversity by bringing together our work into one place, consulting widely on it and putting in place a comprehensive equality action plan to ensure our commitments are carried out.

Navigation of this SES

9. This SES provides an overarching view of our equality schemes and action plan for race, disability and gender (see Figure 1).

Figure 1 **HEFCE’s Single Equality Scheme**



10. We have statutory duties to produce race, disability and gender equality schemes. The schemes are at Annexes A, B and C. Annex D, the Equality Action Plan, sets out the action we are going to take to implement our race, disability and gender equality schemes. The three schemes are discrete and each meets our statutory duties in the respective equality areas, but are linked by virtue of being part of the overall SES.

About HEFCE, our role and strategic aims

11. Our mission is:

Working in partnership, the Higher Education Funding Council for England (HEFCE) promotes and funds high quality, cost-effective teaching and research meeting the needs of students, the economy and society.

12. HEFCE was set up by the Government in 1992 as a non-departmental public body. This means that we work within a policy framework set by the Secretary of State for Education and Skills but we are not part of the Department for Education and Skills (DfES). We have distinct statutory duties of our own.

13. We distribute public money to universities and colleges in England that provide higher education. In 2006-07 we will allocate £6.7 billion in public funds to higher education institutions and those further education colleges (FECs) that deliver higher education. Our funds support four main areas of activity in institutions, which are:

- widening participation and fair access
- enhancing excellence in learning and teaching
- enhancing excellence in research
- enhancing the contribution of HE to the economy and society.

14. Our strategic aims are described in our 2006-11 strategic plan (HEFCE 2006/13). The key issues associated with each are outlined below.

Widening participation and fair access

15. Through our work in widening participation, we aim to ensure that all those with the potential to benefit from higher education have the opportunity to do so, whatever their background and whenever they need it. Widening participation concerns groups with below average participation rates in higher education. Under-representation is closely connected with issues of equity and social inclusion, so we are concerned with opportunities for disabled students and for mature students; and with equality of opportunity for women and those from minority ethnic communities.

Enhancing excellence in learning and teaching.

16. Learning and teaching are at the heart of HE. They are core activities for all universities and colleges, and feature strongly in public perceptions of the HE sector's role and achievements. As learners become more diverse and stakeholders demand more and varied outcomes, the challenges faced by HEIs and FECs in regard to learning and teaching are becoming increasingly complex.

Enhancing excellence in research

17. Maintaining a dynamic, world-class research sector within HE is crucial to economic prosperity and national wellbeing. The starting point is our role within the dual-support system for the public funding of research, in supporting the core research infrastructure, underpinning work funded by other research funding bodies, and enabling the HE sector to undertake curiosity-driven research. Our approach to research policy also reflects the shared aim of the countries of the European Union

to develop a knowledge-driven economy powered by a strong and innovative research base, and our belief that the UK is well-placed to play a leading role in achieving this. Against this background our approach to funding research, and to supporting the continuing development of the research base within HE, is informed by three key principles: excellence, financial sustainability and dynamism.

Enhancing the contribution of HE to the economy and society

18. As a nation we need to explore and redefine our sources of comparative advantage in the face of more challenging competition (from countries such as China and India), and to move beyond competing on price towards competing increasingly in innovative and high value-added markets. We also need to improve productivity and management of innovation, particularly in the existing workforce. The Government's framework for science and innovation highlights the considerable role that the HE knowledge base can and will play as a source of the country's global competitiveness, creating ideas, entrepreneurs and social entrepreneurs, as well as enhancing skills, management capability and productivity.

19. Underpinning the strategic aims above are two cross-cutting aims, which follow.

Sustaining a high quality sector

20. Sustaining the HE sector's high standing globally and its major contribution nationally, regionally and locally is vitally important. This is a significant challenge at a time when other countries are investing more in their HE systems – and when the needs of students, employers and others are changing and becoming more demanding. We believe that a diverse HE sector of autonomous institutions working with the full confidence of their stakeholders is the key to success. However, increasing competition will require greater focus by individual HEIs, building on their strengths and communicating their distinctiveness through powerful brands.

Enabling excellence (HEFCE as an organisation)

21. How we perform as an organisation has a major impact on how over £6 billion of public money is spent each year, how well it is accounted for, what outcomes it delivers, and how far value for money is secured. Our performance affects how universities and colleges understand and respond to the national policies and priorities that drive our allocation of these funds. It also affects stakeholders' perceptions of the English HE system – including students here and overseas. Within this context, our cross-cutting aim of enabling excellence seeks to ensure that we have the capacity and capability to deliver our strategic aims.

Other HEFCE roles

22. In addition to the distribution of funding for higher education, we are accountable for the proper use of these public funds and for ensuring that the sector is financially healthy and well managed. We provide independent advice to Government on the funding needs and development of higher education in England. We ensure that the quality of learning and teaching is assessed. We identify and disseminate good practice, and contribute to evidence-informed policy development.

Equality aims

23. Our aims in relation to equality are to help the HE sector in England improve the diversity of its students, staff, leaders and governors. We do this with the support of expert bodies such as the Equality Challenge Unit, the Higher Education Academy and the Leadership Foundation for HE, who are already implementing measures to

help institutions support a more diverse student population, update their employment practices, and develop leaders for the future who will reflect such diversity.

24. We understand that this process of change in higher education will be demanding for both us and the sector. We appreciate that issues of equality are not always clear-cut and that discrimination can affect people in different ways. For instance, a person may experience discrimination on the basis of more than one identity, such as their disability and gender, or their race and religion. The theory of multiple identity is one which underpins our SES and approach to equality. While we are required by law to have separate schemes for race, disability and gender we know that equality is a multi-dimensional issue. We look forward to the creation of the Commission for Equality and Human Rights, which we hope will bring the separate areas of equality closer together.

25. Our SES has been written taking into account both our strategic aims and the above equality aims. It is backed up by a detailed Equality Action Plan (Annex D) which allocates responsibility to individuals across the Council for implementing equalities duties in their areas of work.

Our approach

26. We are a relatively small organisation that deals with a range of complex policy-related initiatives and services delivered to a wide range of stakeholders. Our SES must be capable of handling that complexity, and the complexity of the issues related to equal opportunities. As a result it needs to:

- reflect the structure and focus of the equalities legislation
- take account of the work that is already being done in HEFCE and HEIs to promote equality
- build as far as practicable on existing plans, initiatives, processes and mechanisms in order to mainstream equality across our work.

27. We are committed to meeting our obligations under the equalities legislation and acting as a beacon of good practice for the sector. To so do, we will use the specific duties, including this scheme, to make equality and equal treatment – irrespective of race, gender, disability, sexual orientation, age, religion or belief – an underpinning theme in the development, delivery and refinement of our policies, initiatives and services and in the way we manage our staff.

28. The various pieces of legislation aim to put equality at the core of public service delivery as part of good generic management practice, and to ensure that a strategy and action plan are in place in every public body to eliminate conscious and unconscious discrimination.

29. As an accountable body, we have primary responsibility for ensuring that the public funds we allocate are spent properly and to maximum effect. At the same time, HEIs are independent institutions and we are concerned to ensure that accountability requirements placed on them are not excessive or inappropriate, and do not divert them from their main purpose. HEIs are directly accountable for ensuring that they meet the requirements of equalities legislation.

30. Our equality scheme is therefore designed not to impose an additional burden on HEIs, nor to substitute for their own strategies and action plans for addressing equality, but to complement their activities. We will regularly review our scheme and develop support for the sector, offering information and guidance, and disseminating good practice in equality.

Responsibility for the SES

31. This SES is managed by our leadership, governance and management (LGM) team, with input from across the organisation. Action plans relating to the SES are now entrenched in our corporate planning structure and within individual team plans across HEFCE. Our human resources department has an equality and diversity policy separate from this SES, which deals with our approach and duties as an employer. We will review the need for this equality and diversity policy to be incorporated more fully into the SES.

32. The project manager and internal equality team will develop subsequent versions of the SES, updating the action plans and handling enquiries. They can be contacted by e-mail, equality@hefce.ac.uk, or telephone, 0117 931 7316. Steve Egan is the director with responsibility for this area. HEFCE's Chair and Board have the ultimate legal accountability for compliance with all equality legislation.

Legislative context

33. Three pieces of legislation are central to our SES. These are:

- Race Relations (Amendment) Act 2000 (RR(A)A)
- Disability Discrimination Act (DDA) 2005
- Equality Act 2006.

34. These laws impose positive duties on all public bodies to promote race, disability and gender equality in everything that we do. The general duties for each are outlined below, and the specific duties are explained in the individual equality schemes in Annexes A to C.

35. Under the general duty of the RR(A)A, public authorities are required to have due regard to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between people of different races.

36. Under the DDA 2005, public authorities are required to have due regard to the need to:

- promote equality of opportunity between disabled people and other people
- eliminate discrimination that is unlawful under the Act
- eliminate harassment of disabled people that is related to their disabilities
- promote positive attitudes towards disabled people
- encourage participation by disabled people in public life
- take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others.

37. Under the Equality Act, public authorities are required to have due regard to the need to:

- eliminate discrimination and harassment that is unlawful under the Sex Discrimination Act, and discrimination that is unlawful under the Equal Pay Act
- promote equality of opportunity between men and women.

38. We acknowledge that equality and diversity mean more than the promotion of race, disability and gender equality. We therefore regard the following legislation as relevant to our SES:

- Employment Equality (Age) Regulations 2006 (forthcoming)
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003.

39. These laws do not have positive duties to promote equality associated with them but they do apply to employment and the provision of further and higher education. We must therefore ensure that through our functions, policies and employment practices, we are not discriminating on any of these grounds.

Background and summary of work already undertaken

40. We have been actively promoting equality for some years. Since the mid-1990s we have developed policy and funding initiatives relating to disabled students, and have been supporting good practice initiatives such as the Athena Project (promoting women in science, engineering and technology employment in HE) since 1999. In May 2002, we published our first Race Equality Scheme and Action Plan in response to the RR(A)A, and now in 2006 we are producing an SES to bring together our legal duties and wider commitments.

41. In 2001, we worked with the other UK HE funding councils (as well as Universities UK and the Standing Conference of Principals) to establish the Equality Challenge Unit (ECU), to work with HEIs on all aspects of equality for staff in HE. We have enjoyed a strong relationship with the ECU, working on joint projects (for example, the review of HEIs' race equality policies in 2002). We recently agreed to extend its funding to 2010 and to broaden its remit to include student equality issues.

42. Since 1999 we have funded projects to promote good practice in leadership, governance and management in HEIs. This started as the Good Management Practice Programme and is now the Leadership, Governance and Management Fund. Both of these programmes have funded projects on enhancing equality and diversity practice in HEIs.

43. We evaluate the impact and outcomes of our work on equality through a range of methods. For instance, an independent evaluation of our LGM Fund will (in late 2006) examine the impact of projects on equality and diversity practices in HEIs. Additionally, we recently conducted a review of the ECU's effectiveness, which has led to its extended funding and remit.

Partnership working

44. We work at a strategic level in the HE sector and therefore must deliver activity with the help of other organisations. Sometimes such partners are HEIs themselves (for example, through the LGM Fund), sometimes we engage with groups, such as the Higher Education Race Action Group (which is serviced by the ECU), and sometimes we link up with other organisations that also work at a sector level. A good example of this is the additional funding we have given to the Higher Education Academy to carry out work to support disabled students. Specific partnerships related to gender, race and disability are described in the individual schemes in Annexes A to C.

Development of the SES

45. The actions we have undertaken to arrive at this version of our SES are outlined in Table 1.

Table 1 **Actions to develop our Single Equality Scheme**

Date	Action	Outcome
October 2005	Office of Public Management (OPM) consultants met with every HEFCE department individually to brief them about the new duties and undertake initial equality action planning with them.	OPM produced draft equality action plans for each team, which form the basis of the Equality Action Plan, and a report for the Council which summarised key themes and issues.
December 2005	An internal HEFCE project team was formed to further develop the equality schemes, which had representatives from the LGM, widening participation (WP) and regional teams.	Cross-Council working helped to make the SES detailed and effective. As a result action plans are cohesive.
February 2006	First meeting of a working group with our counterparts at the DfES and the Learning and Skills Council to discuss joint approaches to equality schemes.	Ensured a joined-up approach to equality schemes is being taken across all three organisations.
May 2006	Consulted with the HEFCE trades union (PCS) and the ECU on our draft SES.	Gained feedback, which fed into SES improvements.
July 2006	This version of the SES was approved by the HEFCE Board at its June 2006 meeting, to be issued for consultation with the HE sector and others.	Feedback will be reported on the consultation responses and will be reflected in the final SES. Both will be published in January 2007.

Reviewing and updating this SES

46. Progress towards meeting our commitments detailed in the Equality Action Plan (see Annex D) will be reported annually to our Board, in line with our statutory duties under the RR(A)A, DDA 2005 and Equality Act. We commit to reviewing and updating this action plan annually, and to revising the SES at least every three years. Our strategic plan runs on a three-year cycle (the current plan covers the period 2006-11, but will be re-issued in 2009) and it is intended that our SES will fit into this development and planning cycle. We may make minor revisions or updates to it more frequently than that to ensure it stays up to date with our latest policy positions or context.

47. Our SES will be a web-based document (with a hard copy summary produced in an accessible format) to facilitate frequent updating. We will seek feedback on this approach.

Consultation and involvement

48. Consultation and involvement are both ways of ensuring we get the input we need to fulfil the various general duties highlighted at paragraphs 35-37. This SES will be the subject of extensive consultation until 31 October 2006. We are approaching the consultation in an interactive way, with workshops, focus groups and surveys, to ensure as much involvement from different groups as possible, as well as engagement with HEIs. Consultation responses can be made through our web-site at www.hefce.ac.uk (with this document under Publications) or e-mailed directly to equality@hefce.ac.uk.

49. We regard consultation on a new or existing policy as a fundamental and vital part of the policy development and evaluation process. We follow the protocols and minimum standards set out in our standards of service when carrying out consultations.¹ We aim to ensure that our consultation is:

- a. Meaningful – genuinely feeding in to the decision-making process and timed to allow this to happen.
- b. Representative – based on a proper cross-section of views on whether the policy is likely to have a differential impact by racial group, disability or gender.
- c. Effective – making a genuine impact on the policy development process.
- d. Appropriate for the topic and the groups involved.

Our commitments relating to consultation and involvement for race, gender and disability specifically are described in more detail in the relevant schemes (Annexes A to C).

Impact assessment

50. Through impact assessment we can measure whether we have fulfilled the general duties highlighted at paragraphs 35-37. We are currently developing new arrangements for assessing and consulting on whether existing and proposed HEFCE policies would have an adverse impact on specific groups and opportunities for promoting equality. These new arrangements are being developed in response to the two new duties for disability and gender, and to an internal review of effectiveness of our existing mechanisms to conduct impact assessment for race equality. The approach will be fully developed and rolled out to all HEFCE staff by December 2006 and described in the final version of this SES. Before then we are assessing, in relation to new policy development and review of existing policy, the use of historical data, existing and new survey/feedback arrangements, population data (including census findings), and specially commissioned research such as meetings or focus groups.

51. Our new approach to impact assessment will be backed by issuing guidance to HEFCE staff, possibly including training, and will link to the involvement of our staff in the SES more broadly (see paragraphs 62-65). Pilot impact assessments using the new approach will be undertaken throughout autumn 2006.

52. If, as a result of this new approach, we find that an existing or proposed policy of ours is likely to have an adverse impact on race equality, disabled people or those of a particular gender, HEFCE staff responsible for the policy will consider:

- a. How we can best meet our duties under the legislation.
- b. Alternatives that could meet the policy objectives without the adverse impact.

¹ See www.hefce.ac.uk under About us/Standards of Service.

- c. Whether the adverse impact is unavoidable, and whether it can be justified in relation to the aims and importance of the policy. If we adapt the policy, could that compensate for any adverse effects?
 - d. Taking measures that would help to reduce the predicted adverse impact.
 - e. Where we wish to significantly change a policy to avoid adverse impact on equality, whether to undertake a further consultation.
53. For existing policies, we will also do the following:
- a. Examine any relevant and appropriate data (both quantitative and qualitative).
 - b. Generate relevant and appropriate data where they are not currently available, where feasible.
 - c. If we determine that the policy is likely to have an adverse impact on race equality, disabled people or those of a specific gender, we will apply the principles set out in paragraph 52. (We will carry out any impact assessment work in accordance with our good practice guidance published in 2004.²)
 - d. Secure independent assessment of the impact of outcomes where necessary.
54. New pressures and projects can arise at any time, and policy makers must ensure that relevance of the SES to any new work is considered at the outset. The HEFCE actions in the individual equality schemes will be reviewed regularly. The nature and frequency of the review will be proportionate to the potential differential impact of the functions and policies on equality. Initially they will be reviewed annually. Individual policy leaders are responsible for ensuring that these assessments take place, and they are named in the action plan.

Our monitoring arrangements

55. We have a statutory duty to monitor the HE sector for any adverse and differential impact on race of a HEFCE-sponsored policy or service. By December 2006 and April 2007 respectively, this duty will apply to disability and gender equality also. We will report on the results of that monitoring through an annual equalities report to our Board. We also have a statutory duty to monitor teaching staff by racial group under the RR(A)A, and we will monitor and publish the results of that monitoring annually. Since we can obtain data through the Higher Education Statistics Agency (HESA) for students as well as staff, we are monitoring them in the same way as for staff.
56. We are committed to developing a monitoring framework that does not impose undue burdens on institutions, and does not seek to collect any data additional to that already being requested or collected as part of HEIs' own monitoring requirements. We will publish a summary of the monitoring information we collect on the HEFCE web-site and in other publications.
57. If we note any problems or discrepancies in the monitoring data collected which indicates an HEI is not complying with the legislation, we can offer guidance and support to that institution, in partnership with the ECU, to enable the HEI to rectify any problems. We have no enforcement powers under the legislation.
58. We consulted on our monitoring arrangements for race equality in April 2004³ and received widespread support of our policies. Institutions strongly emphasised the need for us to reduce the administrative burden on them and not to impose

² 'Conducting impact assessments for equal opportunities in higher education: A guide to good practice' (HEFCE 2004/37).

³ See HEFCE 2004/16.

additional data collection. However, we must balance the concerns around burden and accountability against the relevance of a particular policy or practice on equality. In the rare instance where we require further data from HEIs in addition to that already collected through agencies such as HESA, we will do the following:

- conduct a regulatory impact assessment to ensure that the administrative burden on the sector is fully justified and understood
- only collect data or information from the sector that is essential to assessing the impact of a policy or process on equality.

59. Our monitoring arrangements will supplement where necessary, on a sector-wide basis, the work being undertaken by individual HEIs to explore whether policies and services impact differentially and adversely on those from minority ethnic communities, people with disabilities or a specific gender. For example, we could undertake the following work to support HEIs, at a sector level:

- measure levels of access to particular programmes
- undertake quantitative and qualitative data gathering
- analyse specific issues or emerging problem areas across the sector
- initiate new discussion forums
- identify and disseminate good practice
- review existing research findings.

Our communications

60. We have a number of methods of communicating with our stakeholders. For instance, we have a web-site, a newsletter (Council Briefing) and publications that we distribute on new policy developments or good practice initiatives. Our communications within the organisation include an intranet and a newsletter. Our Corporate Communications team oversees our communications activity and it regularly evaluates the effectiveness of this through stakeholder surveys. It is committed to making our communication methods accessible, and regularly evaluates its performance in this area.

61. We are constantly seeking new ways of engaging with our stakeholders and all the people who might be affected by our SES. We recognise this may entail some creative thinking as some groups are known to be hard to reach or may not already be engaging with us through our established methods.

HEFCE as an employer

62. We are a relatively small organisation, employing around 260 staff, and we believe it is important for our effectiveness to develop and reward high performance. We believe that everything we do needs to take place within a supportive learning culture, and that such a culture is best nurtured by a relatively flat structure and a non-bureaucratic style, where there is high respect for individual needs and diversity.

63. We have a diversity and equality policy, which describes how we aim to treat our staff and what happens if anyone contravenes that policy. It links to our formal harassment, disciplinary and grievance policies, which are highly relevant to equality. We regularly review our performance on staff equality through the collection and monitoring of data, consultation with our recognised trade union (the Public and Commercial Services Union, PCS), and an annual anonymised staff survey.

64. The actions related to our employment function, for instance the monitoring of our staff and applicants for jobs, and the prioritisation of the policies and functions we feel are particularly relevant to equality, are described in more detail in the individual schemes (Annexes A to C) and the Equality Action Plan (Annex D).

65. We are committed to training all our staff in equality and diversity. We have implemented equal opportunities training, which all members of staff attended in 2003. All new members of staff receive equal opportunities training as part of our induction programme. We also provide training for those staff who need specific skills to carry out their roles effectively (such as recruitment and selection, or race equality impact assessment). We are working on a further project to promote equality and diversity issues internally.

HEFCE governance

66. We are keen to ensure that our Board and committees reflect an increasingly diverse society. Our Board members are appointed by the Secretary of State for Education and Skills, usually for three years. We are monitoring the diversity of our Board and continue to advise the Secretary of State and the DfES about our concerns to ensure adequate representation of all groups. Our Board and strategic committee members have all received detailed briefings on the requirements of the RR(A)A, DDA 2005 and Equality Act, and we issue these to new members as part of their formal inductions.

Reporting on and enforcing the SES

67. Under the specific duties of the RR(A)A, the DDA 2005 and Equality Act, we have statutory duties to report annually on our schemes' progress. We will accomplish this by submitting an annual report to our Board on the SES, which will cover activity across the race, disability and gender schemes as well as other equality activity. The Board will also be asked to approve a revised Equality Action Plan each year, which takes account of the actions completed in the previous year. The annual reports to our Board will be published on our web-site each January.

68. Enforcement of the specific duties of the RR(A)A, DDA 2005 and Equality Act is the responsibility of the Commission for Racial Equality, the Disability Rights Commission and the Equal Opportunities Commission. From mid-2007, the Commission for Equality and Human Rights will be created to take on the enforcement powers of the existing commissions. HEFCE is not an enforcement body for higher education and it has not been given powers under any of the Acts to enforce equality or any of the positive duties within the sector. HEIs' own legal rights and responsibilities remain unaffected by this SES.

Complaints against the Council

69. Our complaints procedure aims to maintain public confidence in the Council by ensuring that public accountability encompasses a fair, proper and constructive response to complaints. The Board currently has a semi-independent panel consisting of one non-executive Board member and two external lay members (drawn from a pool of suitably experienced figures independent of the Council) to consider complaints that cannot be resolved by our staff or chief executive. The effectiveness of the panel is periodically reviewed by the Board Audit Committee.

70. To make a complaint against the Council see the HEFCE web-site under 'About us' or request a leaflet from the Clerk to the Board.

Annex A

Race Equality Scheme

1. This Race Equality Scheme was originally published to comply with our statutory duties under the Race Relations (Amendment) Act 2000. It has been updated twice (once fundamentally) since its original publication in 2002 and has now been updated again in order to integrate it into our new Single Equality Scheme. The amendments mainly serve to remove duplication with the SES and to bring the Race Equality Scheme up to date with HEFCE's new strategic plan (HEFCE 2006/13).

Overview of race equality at HEFCE

Our vision

2. HEFCE is committed to achieving race equality and equality of opportunity for all who learn and work in higher education and for our own staff.
3. For students, we aim to ensure that all those with the potential to benefit from higher education have the opportunity to do so, whatever their background and whenever they need it. We also want to help higher education institutions develop a more demonstrably fair and supportive environment for their staff.
4. We promote diversity and equal opportunities in employment at HEFCE. We aim to have a diverse and well motivated workforce where all colleagues are treated equally and with respect.

Context

5. We understand the challenges that currently face the sector in implementing such wide-ranging legislation as the Race Relations (Amendment) Act 2000 and know there is much to be done across the sector. Some of the monitoring statistics we have collected through the Higher Education Statistics Agency illustrate this well:

- 21 per cent of black and minority ethnic UK students are studying at post-1992 institutions, compared to 14 per cent in pre-1992 institutions
- 4 per cent of professor-level academic staff are from black and minority ethnic groups compared to 8.4 per cent of lecturer-level staff
- of this 4 per cent, there are only 40 from Black British or Black African/Caribbean backgrounds (out of a total of 12,285 staff at professor level).

Aims

6. We aim to help the HE sector in England improve the diversity of its students, staff, leaders and governors. We will do this with the support of expert bodies such as the Equality Challenge Unit (ECU), the Higher Education Academy and the Leadership Foundation, who are already putting practical measures in place to help academics support a more diverse student population, update their employment practices and help to develop more leaders for the future from black and minority ethnic groups.

7. We understand that this process of change in higher education will be demanding, both for us and the sector. We appreciate that issues of race equality are not clear-cut, and that individuals may have multiple identities (they may be from a minority ethnic group and also have a disability for instance) and that discrimination can affect people in very different ways.

8. Our Race Equality Scheme has been written with these aims in mind. It is backed up by a detailed Equality Action Plan (see Annex D) which allocates responsibility to individuals across the Council for implementing race equality in their areas of work.

Status of this Race Equality Scheme

9. This scheme forms part of our overall Single Equality Scheme (SES). Therefore there is some cross-referencing between this annex and the overall SES. This is to avoid duplication and to streamline our equality processes as far as is possible and appropriate. While we feel that this scheme fulfils our statutory duties, it is meant to be read in the context of our SES.

Introduction

10. The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 – referred to as the Act throughout this annex – places a general duty on public authorities to promote race equality. Under the new duty, and through all relevant functions, public authorities are required to have due regard to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between people of different racial groups.

11. The Council is subject to the Act and was required to produce a Race Equality Scheme by 31 May 2002. We have developed a scheme that includes:

- the values, principles and standards that guide our approach to race equality
- the overall strategic aims and objectives adopted to promote race equality
- clear timescales and actions
- how often each part of the scheme and the scheme as a whole will be reviewed
- how complaints about the way we are meeting our duties or other complaints about race equality will be dealt with
- how the scheme relates to our other policies and strategies
- a consultation strategy
- an action plan to ensure that all our staff are aware of the scheme and understand what it involves.

12. We have taken the view that the Race Equality Scheme should form part of our overall SES, and be linked to our wider strategic aims and objectives – as long as it can be easily identified, monitored, assessed and reviewed as meeting the requirements of the general and specific duties under the Act.

13. As part of the process of developing the scheme in 2002, independent consultants Focus Consultancy Limited worked with HEFCE senior managers, Board members, staff from ethnic minorities, and a project steering group.

Context

14. The Race Relations Act 1976 provides the legislative base for anti-racist policies within Britain. The 1976 Act was significantly strengthened as a result of recommendations that came out of the Macpherson Report on the Stephen Lawrence murder inquiry. The Race Relations (Amendment) Act 2000 amended the 1976 Act so as to:

- a. Prohibit race discrimination in public functions not previously covered by the 1976 Act.
- b. Place a general duty on specified public authorities to have due regard to the need to promote race equality.
- c. Give the Home Secretary powers to impose specific duties on public authorities that are subject to the general duty, and to add to the list of bodies to which the general duty applies.

15. A 'racial group' in the 2000 Act is a group of people defined by colour, ethnicity, race, nationality, national or ethnic origins. The new anti-discrimination provisions and the general duty for public authorities listed in the 2000 Act came into effect on 2 April 2001.

16. Schedule 1A to the 1976 Act, as amended, lists the bodies and other persons subject to the general duty.

17. The Macpherson report gave the definition of institutional racism as:

‘the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people.’

We endorse this definition, and signed the Bristol Joint Declaration on Racial Equality in December 2003 to publicise our acceptance of it. Through the Declaration, we work in partnership with a number of public and private sector organisations in the Bristol area (where our headquarters is) on shared issues such as minority ethnic participation in the local labour market, policy impact assessment tools and race equality training.

18. There have also been several advances in race equality law through the European Community, including:

- **Article 13 of the Treaty of Amsterdam** which conferred upon member states the ability to ‘take action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation’
- **Council Directive 2000/43/EC**, which implements the principle of equal treatment between people irrespective of racial or ethnic origin. It was adopted by EU member states in 2000
- **Race Relations Act 1976 (Amendment) Regulations 2003** which redefined indirect discrimination, introduced a new definition of harassment (applicable to both employers and employees), redefined the burden of proof and its application to institutional liability, and removed those exceptions that are contrary to the principle of equal treatment for all.

19. Another relevant piece of legislation (passed on 2 December 2003) was the Employment Equality (Religion or Belief) Regulations which cover direct and

indirect discrimination on the grounds of a person's religion or belief. We understand that there are parallels between racial and religious discrimination, but acknowledge that race and religion are not the same issue and are often manifested or experienced separately.

Specific duties

20. The specific requirements in relation to our Race Equality Scheme are as follows:

- a. The preparation and publication of a scheme which sets out how that public authority intends to meet its obligations under the general duty and other specific duties which have been set and are relevant to it.
- b. An assessment of that public authority's functions and policies which it feels are relevant to the general duty (which must be reviewed at least every three years).
- c. That public authority's arrangements for assessing and consulting on the impact that any policies it is proposing are likely to have on the promotion of race equality.
- d. That public authority's arrangements for monitoring its policies for any adverse impact on the promotion of race equality.
- e. That public authority's arrangements for publishing the results of its:
 - i. Assessment under (b).
 - ii. Consultations under (c).
 - iii. Monitoring under (d).
- f. That public authority's arrangements for ensuring that those from minority ethnic communities have access to information and to services that it provides.
- g. That public authority's arrangements for the training of its staff on issues relevant to the general duty and the specific duties.

21. The specific requirements in relation to each further and higher education institution (HEI) are that it should:

- a. (Before 31 May 2002) prepare a written statement of its policy for promoting race equality (its 'race equality policy').
- b. Have in place arrangements for fulfilling, as soon as is reasonably practicable, its duties under the Act.
- c. Maintain a copy of the statement and fulfil these duties in accordance with such arrangements.
- d. Assess the impact of its policies, including its race equality policy, on students and staff of different racial groups.
- e. Monitor, by reference to these racial groups, the admissions and progress of students and the recruitment and career progress of staff.
- f. Include in the written statement of its race equality policy how it will publish that statement and the results of its assessment and monitoring under subparagraphs 21d and 21e above.
- g. Take such steps as are reasonably practicable to publish annually the results of its monitoring.

Employment duties

22. There are also the following specific duties relating to employment issues, which apply to HEFCE. (Higher education institutions are subject to slightly different duties with regard to employment.)

- a. Certain public authorities subject to the general duty are required to have in place arrangements for monitoring the ethnicity of:
 - i. Staff in post.
 - ii. Applicants for jobs, promotion and training.
- b. If such a body has more than 150 full-time employees it is required to have in place arrangements for monitoring the ethnicity of staff who:
 - i. Receive training.
 - ii. Benefit or suffer detriment as a result of performance appraisal.
 - iii. Are involved in grievance procedures.
 - iv. Are the subject of disciplinary procedures.
 - v. Are dismissed or leave for other reasons.
- c. A public authority subject to these employment duties must publish annually the results of the above ethnicity monitoring.

23. Section 71C of the Race Relations Act 1976, as amended, confers on the Commission for Racial Equality (CRE) the power to issue codes of practice in relation to any aspect of the general duty, in terms of both the general and specific duties mentioned above. Such codes can be admissible as evidence in proceedings brought under the Race Relations Act.

24. The CRE has published a statutory 'Code of practice on the duty to promote race equality' and a non-statutory guide for institutions of further and higher education (HE). The code came into effect on 31 May 2002, following consultation and approval by Parliament. It will be admissible as evidence in any legal proceedings under the Race Relations Act.

Our approach

25. The Council is a relatively small organisation that deals with a range of complex policy-related initiatives, and services delivered to a wide range of stakeholders. Our scheme must be capable of dealing with that complexity, and the complexity of the issues related to institutional racism. As a result it needs to:

- a. Reflect the structure and focus of the legislation.
- b. Take account of ideas and issues coming out of the CRE code of practice and its good practice guides.⁴
- c. Take account of the work that is already being done in HEFCE and HEIs to promote race equality.
- d. Build as far as practicable on existing plans, initiatives, processes and mechanisms in order to mainstream race equality across the Council's work.

⁴ For example the CRE guides 'Conducting Impact Assessments: A Practical Guide' and 'Race Equality and Public Procurement'.

26. We are committed to meeting our obligations under the general duty and acting as a beacon of good practice for the sector. To do so, we will use the specific duties, including this scheme, to make race equality and equal treatment – irrespective of gender, disability, sexuality, age or religious belief – an underpinning theme in the development, delivery and refinement of our policies, initiatives and services, and in the way we manage our staff.

27. The Act and associated CRE guidance aim to put race equality issues at the core of public service delivery as part of good generic management practice, and to ensure that a strategy and action plan are in place to eliminate conscious or unconscious racial discrimination in public institutions.

28. As an accountable body, we have a primary responsibility for ensuring that funds are spent properly to maximum effect. At the same time, HEIs are independent institutions and we are concerned to ensure that accountability requirements placed on them are not excessive or inappropriate, and do not divert them from their main purpose. HEIs are directly accountable for ensuring that they meet the requirements of the Act as well as the requirements placed on them by virtue of the Act through the Council.

29. Our Race Equality Scheme is therefore designed to not impose an additional burden on HEIs, nor to substitute for their own strategies and action plans for addressing race equality issues, but to complement these. We intend to achieve this through regular review of the scheme, and by developing the race equality dimension of our support to the sector, including offering information and guidance, and disseminating good practice.

Principles and characteristics

30. Our Race Equality Scheme is based on the following principles:

- a. The scheme should have due regard for our role in the sector, in particular our roles in offering appropriate information, guidance, advice and support for HEIs, and providing advice to the Government and Department for Education and Skills (DfES).
- b. Race equality and diversity equality (and fair treatment) issues should be built into our core strategic themes to maximise the potential positive impact on race equality.
- c. Where the potential impact on race equality is unclear or unknown, additional data should be collected.
- d. The Race Equality Scheme should be used to develop the capacity of the Council and the sector as a whole, and thus reflect good generic management practice.
- e. The scheme will be reviewed annually and remain an active, web-only document to enable responsive updates. Alternative formats (including hard copies) are available on request and we intend to produce a summary leaflet of the SES in 2007.

31. The scheme:

- a. Will be promoted and readily accessible to those working in the Council and the sector and to the public, via published documents and our web-site.

- b. Will be brought to the attention of all HEFCE staff in the staff guide and included within induction and a special staff training programme, so that it becomes a core part of our working.
 - c. Sets out a timetabled action plan to help us meet our obligations under the Act.
 - d. Includes plans and procedures to deal with any complaints about possible failure to meet the general and specific duties, or other complaints about the promotion of race equality.
 - e. Includes measures which have been or are being put in place to promote race equality.
32. In relation to the specific duties, the scheme:
- a. Will be reviewed and updated annually, so that it properly reflects priorities and pressures facing the Council.
 - b. Will be evaluated annually in terms of the impact on our staff and the development and delivery of policies, initiatives and services.

Action plan

33. Our Equality Action Plan (see Annex D) sets out all the actions we will be taking as a result of the analysis of our functions and policies. In it, all the actions relating to our Race Equality Scheme are clearly identified. Many of the actions are continuations of or build-on actions from our previous race equality action plans, but they are time-bound and have outcomes attached.

Assessment of HEFCE functions

34. The assessment of our functions, to see which are appropriate for inclusion within the scheme, is an important stage in the scheme's development and maintenance.

35. Our functions are designed to meet the requirements of central government stakeholders and to support the sector. While we have few direct dealings with the public, nevertheless our functions could have a significant impact on the capacity of the sector to meet the needs of minority ethnic communities. A qualitative assessment of the relative priority of the functions for the Race Equality Scheme is given in Table 2.

Table 2 **The relative priority of our functions for the Race Equality Scheme**

HEFCE function	Priority for race equality	Rationale
Corporate communications	High	Communications and our public presentation can have a high impact on stakeholders', staff, potential staff and the public's regard for HEFCE, and could have a high impact on our ability to promote good race relations and share information about the Council's activities in this area.
Engaging with HEIs	High	Our direct interaction and support for institutions has a potentially high impact on our ability to promote good race relations and help to eliminate unlawful discrimination in the HE sector.
Human resources	High	Human resources has a high impact on race equality for staff at HEFCE, as there is direct impact on employee resourcing, relations and development.
Research policy	High	This theme has high relevance in race equality due to its strategic focus on research careers and the Research Assessment Exercise (which we have assessed as being of high relevance itself to race equality).
Analytical services	High	Our Analytical Services Group specifies, analyses and reports on all the equal opportunities monitoring data submitted on all members of staff and students in HE. Therefore its work has a very high relevance and priority for race equality.
Widening participation	High	Our widening participation activity aims to both widen and increase participation among under-represented groups in HE and ensure that access to HE is open to everyone, whatever their background. This area has a very high relevance to our scheme.
Leadership, governance and management	High	The LGM team has overall responsibility for the Race Equality Scheme and for equal opportunities issues for staff in HE.
Business and community interaction	Medium	This policy area has some relevance, particularly in specific funds which support community engagement by institutions, but the business interaction side has a lower relevance, hence the medium rating.
Learning and teaching	Medium	Supporting learning and teaching activities in HE has a medium impact on race equality: there is some relevance (for example the impact on race equality of special funding initiatives such as the Centres for Excellence in Teaching and Learning) and in some curriculum development areas, supported by the Higher Education Academy.
Finance, planning and procurement	Medium	Some areas, notably corporate planning and procurement, have medium-high impact on race equality, although the finance/payments division has almost no impact, hence the medium rating.
International collaboration and development	Medium	This has a medium impact as members of staff in this team regularly engage with colleagues from countries across the world by undertaking visits and welcoming people to the UK. They also have a role in advising other colleagues making visits about different countries' cultures.
Assurance service (including audit, estates and institutional finance)	Low	Some areas, such as estates and institutional finance, have a very low relevance to race equality, while others – such as audit – have a medium relevance as their work involves making judgements about the management of an institution and compliance with legislation.
Information technology and systems	Low	The IT and systems team within the Council has almost no impact on race equality, except for the support it provides in updating web pages or facilitating staff surveys.
Knowledge management	Low	The knowledge management team has minimal impact on race equality, beyond its role in promoting information on race equality (by disseminating articles, books and so on) and relaying queries from members of the sector or public.

HEFCE policy development for race equality

36. A key area of activity to implement our Race Equality Scheme will be impact assessment of our policies on race equality. Our overall approach to impact assessment for all our strategic aims and policy areas is described in paragraphs 50-54 of the SES. Areas we have categorised as ‘high priority’ for impact assessment for race in each of our strategic themes are described below, and link to the prioritisation of our functions for race at paragraph 35 of this annex. We currently provide a race equality impact assessment of our major policy areas to the DfES. That document is currently being updated (due to be completed by August 2006) but the most recent version is on the DfES web-site.⁵ We would particularly welcome input via this consultation on our priorities as listed in Table 3, such as whether they are the right ones. All policies, categorised as high, medium or low, are described in the Equality Action Plan at Annex D.

Table 3 **Our priority policies for race impact assessment, by strategic aim**

Enhancing excellence in learning and teaching	
Priority policies for race impact assessment	Rationale
Learning and teaching	We allocate around 60 per cent of our overall funding through our formula funding for teaching (£4,228 million in 2006-07). This funding, while not ring-fenced, is benefiting hundreds of thousands of students in England and we must ensure that there is no negative impact on race equality through our funding mechanisms.
Quality assurance	We are in a position to support the sector in a culture of continuous improvement and in ensuring equality of outcome for all racial groups. Our quality assurance policies are therefore a high priority for race impact assessment.
Professional development	Teaching in HE is a skilled profession which must be adequately recognised and rewarded. The effective provision of learning and teaching to all students and the support of all teachers through programmes of continuing professional development have potentially a high impact on the student experience and are therefore a high priority for impact assessment.
Workplace learning	As part of our strategy on employer engagement, we are developing an approach to workplace learning that will contribute both to economic success and widening access to HE. It is our hope to support people in the workplace that do not have HE qualifications, to gain such qualifications and participate in HE. It is possible that this initiative will have a positive impact on some racial groups who have not traditionally had high participation rates in HE, as it provides another route to study.

Note: The key data sources for helping us to assess the impact on race equality of these policies are:

- National Student Survey
- HESA individualised student record
- Youth Cohort Study
- Destination of Leavers from HE survey.

⁵ See www.dfes.gov.uk/hegateway/uploads/Race_Impact_Assessment_August_2004.pdf

Widening participation and fair access

Priority policies for race impact assessment

Rationale

Increasing demand for HE through funding the national Aimhigher programme

Aimhigher's aims are to raise the aspirations and develop the abilities of people from groups that are under-represented in HE. Aimhigher partnerships build cross-sector relationships which break down the barriers which institutions and systems can unwittingly create for learners. This programme has a potentially large impact on under-represented racial groups, especially with regard to raising their aspirations for HE and supporting HEIs to eliminate the barriers barring some applicants from entering HE.

Note: The key data sources for helping us to assess the impact on race equality of these policies are:

- UCAS data about applicants to HE
- HESA individualised student record
- LSC individualised learner record (which relates to learners in the learning and skills sector)
- Aimhigher evaluation information, such as project outputs and case studies
- summer schools/European Social Fund information on participation (monitoring can be analysed by race).

Enhancing excellence in research

Priority policy for race impact assessment

Rationale

2008 Research Assessment Exercise

The 2008 RAE is a major exercise for the UK funding councils and almost all HEIs. It also has a large potential impact on the amounts of research funding received by an HEI as well as on individual members of staff and their research careers.

Note: The key data source for helping us to assess the impact on race equality of this policy is the HESA individualised staff record.

Enhancing the contribution of HE to the economy and society

Priority policies for race impact assessment

Rationale

Meeting new economic and social challenges – the social dimension

We want to focus more on our support to HE to contribute to wider social agendas. This includes its contribution to civic life and developing civilising values; social, community and environmental support; and regeneration. This wider social agenda could embrace race equality issues.

Note: The key data source for helping us to assess the impact on race equality of this policy is the HE-Business and Community Interaction survey.

Sustaining a high quality HE sector

Priority policies for race impact assessment

Rationale

Developing people and organisational culture

As a knowledge-based sector, the performance of the people who work in HE is critical. They represent its biggest cost and most significant asset. The actions we have set out to support the continuous improvement of leadership, governance and management will support the development of people and the organisational culture. Evidence has shown that staff from black and minority ethnic groups are often subject to detriment in employment, therefore this is a high priority area for impact assessment.

Equality and diversity for people employed in HE

We have committed to working in partnership with HEIs on improvements in equal opportunities and diversity, as we do on other aspects of people development – although in these areas we also have legal responsibilities to monitor the sector. Race equality for all, and our statutory duty to promote race equality, are clearly high priorities here.

Note: The key data sources for helping us to assess the impact on race equality of these policies are:

- HESA individualised staff record
- findings from the 2005 Equal Opportunities Research Programme⁶
- 'The higher education workforce in England: a framework for the future', (HEFCE 2006/21).

Enabling excellence

Priority policies for race impact assessment

Rationale

People management

This links to HEFCE's role as an employer of over 250 people, and we believe it is important for the organisation's effectiveness that we develop and reward high performance. Everything we do needs to take place within a supportive learning culture where there is a high respect for individual needs and diversity. Equality across all outcomes for staff of all racial groups is our goal, and therefore our people management policies are a high priority for race impact assessment.

Note: The key data sources for helping us to assess the impact on race equality of these policies are:

- HEFCE's human resources database
- annual staff survey
- recruitment and selection monitoring data.

⁶ HEFCE 2005/19.

Our monitoring arrangements

37. The Act places a statutory duty on us to monitor the HE sector for any adverse and differential impact of a HEFCE-sponsored policy or service on a minority ethnic community. There is also a specific duty on us to monitor, by racial group, the numbers of teaching staff in the HEIs we are responsible for, and to publish annually, as far as possible, the results of that monitoring. We have decided to exceed this requirement by monitoring all types of staff employed by HEIs, and all students undertaking programmes of higher education. The establishment and maintenance of robust monitoring arrangements, for existing and proposed policies that are relevant to the general duty, is critical to enable us to meet our obligations under the specific duties.

38. We are committed to developing a monitoring framework that does not impose undue burdens on institutions, and does not seek to collect any data additional to that already being requested or collected as part of HEIs' own monitoring requirements. The monitoring information we do collect will be published, in summary form, on the HEFCE web-site and in other appropriate publications.

39. If we note any particular problems or discrepancies in the monitoring data collected that indicates an HEI is not complying with the Act, we can offer guidance and support to that institution, in partnership with the ECU, to enable it to rectify any problems. We have no enforcement powers under the Act.

40. The scheme will supplement where necessary, on a sector-wide basis, the direct work being undertaken by individual HEIs to explore whether policies and services impact differentially and adversely on those from minority ethnic communities. These tools could include, as appropriate:

- a. Measurement of levels of access to particular programmes.
- b. Quantitative and qualitative data gathering.
- c. Analysis of specific issues or emerging problem areas across the sector.
- d. Discussion forums.
- e. Identification and dissemination of good practice.

The consultation process

41. We aim to ensure that key stakeholders understand, participate in, and own the Race Equality Scheme. We will follow the process set out in the SES at paragraphs 48-49 and aim to re-visit these in the light of emerging guidance on consultation and communication models of good practice in the context of the Act.

Arrangements for publishing the scheme, results of consultations and progress reports

42. We intend to publish on our web-site:

- a. The Race Equality Scheme, which will also be available in hard copy on request.
- b. The results of consultations in relation to the scheme.
- c. Results of consultations on the race equality dimension of any new policy or initiative.
- d. The annual equality report submitted to the HEFCE Board.

43. We will also publicise through specialist media, including those used by minority ethnic audiences, the availability of the above publications.

Enforcement

44. If a public organisation does not meet the general duty, its actions (or failure to act) can be challenged by a claim to the High Court for judicial review. A claim for judicial review can be made by a person or group of people with an interest in the matter, or by the CRE.

45. If the CRE (or at some point in the future, the Commission for Equality and Human Rights) is satisfied that a public authority has failed to comply with any of its specific duties, the CRE may serve a 'compliance notice'. This will require the public authority to comply with its specific duties, and to inform the serving body within 28 days of measures that are being taken in response. The CRE can also require the public authority to provide written information verifying compliance. If, after three months, the public authority has not complied with the notice the CRE can ask the courts to order compliance.

46. Our arrangements for handling complaints against the Council are outlined in paragraphs 69-70 of the SES.

Annex B

Disability Equality Scheme

Overview of disability equality at HEFCE

Our vision

1. The Council supports the Government's aim for disability equality as set out in its report 'Improving the Life Chances of Disabled People', namely that: 'disabled people in Britain should have full opportunities and choices to improve their quality of life and be respected and included as equal members of society'. We recognise that successful participation in higher education can be an important step in realising this aim.
2. Our vision for higher education is that disabled people face no segregation or unequal treatment. We also want to support an environment where disabled students have genuine freedom of choice in where they learn, based on their personal preferences and academic strengths. Our vision for disability in the sector more broadly is one where everyone has the opportunity to access higher education and fulfil their potential in a culture characterised by inclusiveness and respect.

Context

3. We understand the challenges that face the English higher education sector in implementing such wide-ranging legislation as the Disability Discrimination Act 2005, and we know there is much to be done at all levels. Some of the monitoring statistics we have collected and published illustrate the current position for disabled people studying or working in HE in England:
 - a. According to the British Labour Force Survey, there are 6.8 million people of working age (that is, men aged 16-64 and women aged 16-59) in Britain who have a disability, which represents 20 per cent of the working population. In England, there are 5.7 million disabled people of working age.⁷
 - b. Of the 270,000 people employed in the HE sector in 2003-04, 2.3 per cent have declared a disability.⁸
 - c. In 2003-04, 4.8 per cent of first year students declared a disability (which equates to nearly 40,000 students out of a total first year student cohort of 845,000).⁹
 - d. Of these disabled students, 40 per cent have dyslexia and a further 20 per cent have an unseen disability.

Aims

4. We aim to help the HE sector in England attract and retain more disabled students and staff. We will work with partner organisations such as the Equality Challenge Unit, the Higher Education Academy and the Leadership Foundation to support HEIs in this mission. We also wish to work closely in our advisory capacity with the Department for Education and Skills (DfES) and the Secretary of State for Education and Skills to raise the profile of disability equality issues within HE. Specifically, we have a key performance target in our strategic plan which aims for

⁷ Source: Disability Rights Commission, Disability Briefing March 2006.

⁸ Source: HESA Staff Record 2003-04.

⁹ Source: HESA Student Record 2003-04.

an increased proportion of disabled staff in senior positions in HE by 2010-11. We will measure this through the Higher Education Statistics Agency staff record, year on year, and report on progress against this target annually.

5. Our Disability Equality Scheme has been written with these aims in mind, and we have taken a rigorous and structured approach to the scheme. It is backed up by a detailed Equality Action Plan (see Annex D), which allocates responsibility to individuals across the Council for embedding disability equality throughout their areas of work.

Status of this Disability Equality Scheme

6. This scheme forms part of our overall Single Equality Scheme (SES). Therefore there is some cross-referencing between this annex and the overall SES. This is to avoid duplication and to streamline our equality processes as far as is possible and appropriate. While this scheme fulfils our statutory duties, it is meant to be read in the context of our SES.

Introduction

7. The Disability Discrimination Act 2005 – referred to as the DDA 2005 throughout this annex – places a general duty on public authorities to promote disability equality. Under the new duty, and through all relevant functions, public authorities are required to have due regard to the need to:

- promote equality of opportunity between disabled people and other people
- eliminate discrimination that is unlawful under the DDA
- eliminate harassment of disabled people that is related to their disabilities
- promote positive attitudes towards disabled people
- encourage participation by disabled people in public life
- take steps to take account of disabled people's disabilities, even where that involves treating disabled people more favourably than others.

8. The Council is subject to the DDA and is required to produce a Disability Equality Scheme by 4 December 2006. We have developed our scheme for consultation alongside our SES and Gender Equality Scheme. The final version of the Disability Equality Scheme will be published in December 2006. We have aimed to develop a scheme that includes:

- the values, principles and standards that guide our approach to disability equality
- the overall strategic aims and objectives adopted to promote disability equality
- clear timescales and actions (set out in the Equality Action Plan at Annex D)
- how often the scheme and action plan will be reviewed and reported on
- how complaints about the way we are meeting our duties or other complaints about disability equality matters will be dealt with
- our involvement and consultation strategy
- a prioritised list of HEFCE functions in relation to disability equality
- our primary sources of information for assessing the impact of our policies on equality for disabled people.

9. This Disability Equality Scheme forms an integral part of our overall SES and should be read in conjunction with it. It cross-refers to sections in the SES to avoid duplication. It is our aim to have a holistic and streamlined approach to our positive duties to promote race, disability and gender equality. We will as far as possible seek to implement this scheme in conjunction with our schemes for race and gender equality, but clearly it may be necessary or appropriate to take actions separately; disability discrimination can manifest itself in different places and in different ways to gender or race discrimination.

Legislative context

10. The Disability Discrimination Act (DDA) 1995 has been amended by the Disability Discrimination Act 2005 so that it now places a duty on all public bodies to promote disability equality. We recognise that the DDA 1995 was an important step towards achieving equality for disabled people, but disability equality has not had the same statutory emphasis or history as sex or race discrimination (the Sex Discrimination Act and Race Relations Act are both over 30 years old). The Government commissioned a Disability Rights Task Force which reported in 1999 ('Towards Inclusion: Civil Rights for Disabled People') and recommended a number of amendments to the DDA 1995. This resulted in the DDA Amendment Regulations (2003), which came into force on 1 October 2004.

11. This new positive duty marks another important stage as it requires public bodies to be proactive in promoting equality for disabled people, rather than simply to make reasonable adjustments for their staff and service users in order not to discriminate. The duty requires a root and branch overhaul of policy-making procedures within public authorities as well as demanding much greater openness.

12. We recognise that the duty builds on good work already done by higher education institutions (HEIs) to be proactive and anticipate the needs of disabled students under the Special Educational Needs and Disability Act 2001 (otherwise known as SENDA or DDA Part 4). We have much to learn from HEIs about the processes they used to achieve this, and see a role for us and our partners in helping to disseminate learning and good practice across the sector.

13. HEFCE's role both as a non-departmental public body and as the principal public funding body for higher education in England has been set out at paragraphs 12-14 of the SES. We have not been given additional duties to monitor any aspect of the HE sector with regard to disability equality (such as our duty to monitor under the Race Relations (Amendment) Act 2000). We already analyse data on both staff and students with regards to disability and we will continue to publish this annually on our web-site.

14. We subscribe to the social model of disability, as it is described in the Statutory Code of Practice issued by the Disability Rights Commission (DRC):

'The poverty, disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal or environmental barriers.'¹⁰

¹⁰ The Duty to Promote Disability Equality: Statutory Code of Practice, England and Wales, Disability Rights Commission 2005, paragraph 1.6.

15. The legal definition of a disability is:

‘A person has a disability if he or she has a physical or mental impairment, which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.’¹¹

16. We will use the social model and legal definition of disability in all our internal and external communications about disability. We will also promote the social model with partner organisations and the HE sector. We will await the results of the DRC’s recent consultation on the definition of disability¹² before refining our approach to the models or definitions of disability any further.

17. As already discussed, HEFCE is a key operator in the English HE sector, but other organisations – some partly funded by HEFCE and some not – also work at a national level to support various aspects of the HE system, for instance learning and teaching. We regard our key partners in implementing the DDA 2005 to be:

- Equality Challenge Unit (ECU)
- Higher Education Academy
- Leadership Foundation for HE
- Action on Access (the widening participation national co-ordination team)
- Higher Education Statistics Agency (HESA)
- Universities and Colleges Admissions Service (UCAS).

18. We will work proactively with these organisations to share information about disability in HE (for instance, with UCAS about the number of disabled applicants to HE) and to promote or co-sponsor initiatives in the sector.

Local and national context

19. Our Disability Equality Scheme is situated within our local context (as a predominantly Bristol-based employer) and also within the national context for HE in England, where we have funding and policy-making responsibilities. We look to local information from the British Labour Force Survey to help understand this context, and note that there are 554,000 disabled people of working age in the South West region. This equates to 19 per cent of the working population in this region. HEFCE employs around 260 staff, of whom about 2 per cent have declared themselves disabled. In common with many organisations, we may have an under-disclosure issue which we will seek to address through this scheme.

20. In the English HE sector, 2.3 per cent of the 270,000 people employed in 2003-04 have declared themselves to be disabled. This compares unfavourably with the national estimates of 20 per cent of the working population in the British Labour Force Survey. It is likely that there is an under-reporting and under-disclosure of disability in HE, probably for a range of reasons. We have issued guidance on equality monitoring¹³ to the HE sector and conducted research on the attitudes and experiences of disabled staff in HE in 2005.¹⁴ An anonymous survey conducted as part of the research found that 5 per cent of staff declared a disability according to the legal definition, and 15 per cent declared health problems that did not constitute a disability.

¹¹ The Duty to Promote Disability Equality: Statutory Code of Practice, England and Wales, Disability Rights Commission 2005, Appendix B.

¹² Available on the DRC web-site www.drc-gb.org

¹³ HEFCE 2004/14, ‘Equality and diversity monitoring in higher education institutions’.

¹⁴ ‘Non-disclosure and hidden discrimination in higher education’ (HEFCE equal opportunities and diversity project two), Institute of Employment Studies 2005.

Specific duties

21. The specific requirements in relation to our Disability Equality Scheme are as follows:

- a. To publish a Disability Equality Scheme, by 4 December 2006, which demonstrates how we intend to fulfil our general and specific duties.
- b. To involve disabled people in the development of the scheme.
- c. To include in the scheme a statement of:
 - the way in which disabled people have been involved in the development of the scheme
 - our methods for impact assessment
 - the steps which we will take towards fulfilling the general duty (the ‘action plan’)
 - our arrangements for gathering information in relation to employment, and, where appropriate, our delivery of education and our functions
 - our arrangements for using the information gathered, in particular in reviewing the effectiveness of our action plan and in preparing subsequent Disability Equality Schemes.
- d. Within three years of the scheme being published, to take the steps set out in our action plan (unless it is unreasonable or impracticable for us to do so) and to put into effect the arrangements for gathering and making use of information.
- e. To publish a report that summarises the steps taken under the action plan, the results of our information gathering, and the use to which we have put the information.

22. HEIs have an additional specific duty to assess the impact of their policies and practices on the ‘educational opportunities’ available to and the achievements of disabled students. The DRC has advised HEIs that ‘educational opportunities’ should be interpreted broadly, to include aspects across the breadth of activities made available by the HEI. It has also noted that the definition of disability under the DDA 2005 is different from the eligibility criteria for special educational needs provision.

23. This may mean HEIs need to gather information on the following (this list is not exhaustive and HEIs should determine their own priorities):

- attainment of formal qualifications
- gaining positions of responsibility
- numbers of disabled students in different subject areas or course types
- instances of bullying and harassment
- the extent to which positive attitudes towards disabled people have been promoted
- numbers of disabled staff recruited
- the extent to which disabled staff take up opportunities for training and professional development compared to non-disabled staff
- the extent to which disabled staff are retained compared to non-disabled staff.

The employment duty

24. The DDA 2005 requires employers to undertake specific information-gathering on the effect of an organisation's policies and practices on the recruitment, development and retention of disabled employees.

25. Therefore, we are committed to monitoring, analysing information and taking appropriate action with regard to the following:

- applicants (successful and unsuccessful) for jobs at the Council
- applicants for training and promotion opportunities
- workplace treatment generally, such as involvement in disciplinary and grievance procedures
- information related to termination of employment (such as redundancies, dismissals, resignations, end of fixed-term contracts).

26. Our Equality Action Plan highlights the areas where further information needs to be obtained or collected from scratch. We will undertake such monitoring and analysis to ensure there are no differential outcomes for disabled and non-disabled people. If there are differential outcomes, we will investigate the reasons for them and, if necessary, implement remedial actions. We will build on work already undertaken by our human resources team under the RR(A)A 2000 to monitor these areas so as to ensure our processes are sufficient to capture disability information also.

Development of our Disability Equality Scheme

27. We have developed this Disability Equality Scheme and action plan in conjunction with our new Gender Equality Scheme and the revision of our Race Equality Scheme. This has enabled us to take a 'whole-system approach' to the process and to create a Single Equality Scheme which provides an overarching view of our three equalities schemes and shapes our overall equality and diversity strategy. The steps we have gone through to date are shown in Table 4.

Table 4 **Actions to develop our Disability Equality Scheme**

Date	Action
December 2003	Briefed our Chief Executive's Group about the forthcoming DDA and secured its agreement to produce a new scheme and action plan for the Council.
January 2004	Established contact with the DRC to jointly set up a higher education stakeholder group to discuss the requirements of the new public sector duty.
February 2004	Joined the DRC's public sector reference group to represent the interests of the HE sector in wider public policy discussions about the DDA 2005. Both this group and the higher education stakeholder group have engaged closely with the DRC about the format and content of the Code of Practice and other guidance documents.
January 2005	Briefed stakeholders such as HEFCE's human resources team and the HEFCE Board about their new responsibilities and duties under the DDA.

Date	Action
October 2005	Commissioned the Office of Public Management (OPM) to meet with every HEFCE team individually to brief them about the new duties and undertake initial equality action planning with them. OPM produced draft equality action plans for each team, which have fed into the Equality Action Plan, and a report for the Council, which summarises key themes and issues arising from the team meetings.
December 2005	Set up an internal HEFCE project team to take the equality schemes forward with representation from our leadership, governance and management (LGM), widening participation (WP) and regional teams.
February 2006	Established a working group with our counterparts at the DfES and the Learning and Skills Council (LSC) to ensure a joined-up approach to disability equality is taken across all three organisations.
March 2006	Met with the head of the Disabled Students Campaign of the National Union of Students (NUS) in February 2006 to get feedback on our approach to our Disability Equality Scheme and to hear about the key issues for disabled students currently in HE.
March 2006	Held a consultation seminar with representatives from HE organisations, such as the Higher Education Academy, as well as groups for and of disabled people to discuss key disability issues for HE and future involvement mechanisms.
May 2006	Consulted on the scheme with the Council's recognised trade union, the Public and Commercial Services Union (PCS).
May 2006	Held a meeting with the NUS Disabled Student Committee where they were involved in setting our priorities for impact assessment and in giving general feedback about their experiences in HE.
May 2006	Held a workshop where disabled members of staff and students from HEIs were involved in setting our priorities for impact assessment and in giving general feedback about their experiences in HE.
June 2006	Sought approval of the scheme and Equality Action Plan from the HEFCE Board.
July 2006	Published the scheme and Equality Action Plan for public consultation.

28. We have aimed to involve disabled people as meaningfully as we could throughout the development of our Disability Equality Scheme. In our role as a funding council we do not provide a direct service to the public, or even to individuals within the HE sector, so we have needed to proactively seek disabled volunteers from the sector who were willing to get involved with the content of the scheme. We have also involved a range of national organisations for and of disabled people in the development of the scheme, as well as disabled people who will be directly affected by it. By dealing with representative groups – for example the NUS's Disabled Students Campaign, whose chair is disabled and elected by disabled students – we are involving, in an appropriate way, the individuals and organisations that have the largest stake and recognition of our role in HE. We welcome feedback on this approach and we recognise the need to be flexible in how and when we involve different groups of disabled people and organisations.

Reporting on progress

29. We have set out in the SES at paragraphs 46-49 how all of our equality schemes will be published, consulted on and promoted both internally and externally. In relation to the specific duties of the DDA 2005, we will take the following actions:

- report on the Disability Equality Scheme annually to the HEFCE Board in conjunction with reports on the schemes for race and gender equality in December each year
- review and update the Disability Action Plan annually so that it properly reflects the priorities and pressures facing the Council, showing which actions have been completed and, if they have not, the reasons why. The outcomes of the actions taken will also be reported
- fundamentally review and re-issue the Disability Equality Scheme every three years. The first review is due to start in September 2009 and be completed in December of that year.

30. This consultation on our equality schemes has been published in hard copy, with alternative formats available via the HEFCE web-site and on request. We plan to publish subsequent schemes and action plans on the web only (to better enable regular updating).

31. The HEFCE Chief Executive and Board have ultimate responsibility for ensuring this scheme is implemented. Day-to-day responsibility is shared between the LGM and WP teams. This is because equality for disabled people cuts across our policy areas for people management and participation in HE.

Disability Action Plan

32. Our Equality Action Plan (see Annex D) sets out all the actions we will be taking as a result of the analysis of our functions and policies. As this is our first Disability Equality Scheme, all the actions relating to it are for the future, but they are time-bound and have outcomes attached. The Action Plan will be monitored annually at the same time as our internal team plans are monitored and reported on.

Assessment of HEFCE functions

33. The assessment of our functions, to establish which are appropriate for inclusion within the scheme, is an important stage in its development and maintenance. We have involved disabled people in setting these priorities and have sought further feedback through a specific question in the consultation.

34. Our functions are designed to meet the requirements of central government stakeholders and to support the sector. While we have few dealings with the public, nevertheless our functions could have a significant impact on the capacity of the HE sector to meet the needs of its disabled students, staff and other users. A qualitative assessment of the relative priority of our functions is given in Table 5.

Table 5 **The relative priority of our functions for the Disability Equality Scheme**

HEFCE function	Priority level	Rationale
Corporate communications	High	Press and communications can have a high impact on the regard for HEFCE among stakeholders, staff, potential staff and the public. Therefore actions in this area can do much to enable us to fulfil our duty to promote positive attitudes towards disabled people and to encourage participation of disabled people in public life. Another way we could make a positive impact is to improve the accessibility of our communications.
Engaging with HEIs	High	Our direct interaction and support for institutions has a potentially high impact on our ability to promote disability equality in HE.
Human resources	High	This has a high impact on equality for disabled staff and potential staff at HEFCE.
Analytical services	High	Our Analytical Services Group specifies, analyses and reports on many aspects of equal opportunities data drawn from the HESA records of staff and students in HE.
Widening participation	High	Our WP activity aims to both widen and increase participation among under-represented groups in HE and to ensure that access to HE is open to everyone, whatever their background or disability status. The WP team also share lead responsibility for implementation of the Disability Equality Scheme.
Leadership, governance and management	High	The LGM team shares lead responsibility for implementing the scheme with the WP team and leads on policy related to equality for HE staff and all aspects of leadership, governance and management within HEIs.
Learning and teaching	High	Implementing policy to enhance learning and teaching in HE has a potentially high impact on supporting disabled learners through accessible curricula.
Information technology and systems	High	Like communications, our IT and systems function has a high potential impact on disability equality with regard to accessibility of IT services for HEFCE staff and for the accessibility of our web-site to both internal and external stakeholders.
Research policy	High	Work is being undertaken on the research careers of individual researchers in HE, but most of the policy work focuses on large initiatives such as the 2008 Research Assessment Exercise, which will need impact-assessing for disability equality.
Business and community	Medium	This policy area has a medium relevance to disability equality, particularly with regard to its funding streams which support community engagement and volunteering schemes within HEIs, but the business interaction side has a lower relevance.
Planning	Medium	The planning function has a medium impact on disability, as it assists with collating and monitoring of the equality action plans and is responsible for major corporate processes such as the HEFCE strategic plan and our submissions to the Government's Comprehensive Spending Reviews.
Procurement	Medium	To fulfil the duty we will re-examine our procurement processes and guidance to ensure they are promoting disability equality where necessary and appropriate.
Assurance (including audit, estates and institutional finance)	Medium	Some areas of this activity, eg estates, has a high impact due to the disability capital funding for HEIs to make adjustments to their physical infrastructure, but other areas such as audit and institutional finance have relatively low impact; so a net result of medium.
Finance	Low	The activities of distributing funds to institutions and processing payments and invoices are generally considered to be of low relevance to disability equality.
International collaboration and development	Low	The function of engaging and liaising with colleagues from countries across the world, ie by undertaking visits and receiving visitors to the UK, has a reasonably low impact on disability equality.
Knowledge management	Low	The knowledge management team's work has a minimal impact on disability equality, beyond its role in promoting information resources on disability to staff and to directing relevant queries from the sector to the right people.

Background to HEFCE's policy on disabled students

35. HEFCE has a long established policy to support disabled students to access, progress and succeed in higher education.

36. We provide funding to improve provision for disabled students, which is apportioned to the higher education institutions and further education colleges that we fund as part of their block grant. More information about how the allocation is calculated can be found at www.hefce.ac.uk under Widening participation/Disabled students. The allocation reflects the proportion of students that each institution recruits who receive the Disabled Students Allowance (DSA). In 2006-07, this will be a total of £12.6 million. The DSA is granted by the DfES; more information about this is available on the DfES Student Support web-site.¹⁵

37. Figures on the participation of students in higher education in receipt of the DSA are published by HESA on its web-site www.hesa.ac.uk. In 2003-04 there were 22,830 undergraduate students in England in receipt of the DSA, which represents 3.1 per cent of the total undergraduate student population.¹⁶

38. Between 1999 and 2005, we made available special initiative funding to HEIs and FECs to support provision for disabled students. In the most recent round (2003-05) we funded 54 projects. In particular, we funded work to produce resources relating to the learning and teaching of disabled students.

39. The outcomes of all the special initiative projects and many resources are available to all HEIs on the Action on Access web-site www.actiononaccess.org.

40. We have also helped HEIs to invest in their physical infrastructure and to make anticipatory adjustments to ensure that disabled students, staff and others (for example, members of the public) can access their facilities. In May 2003 we published 'Project capital round three: invitation to apply for funds'. Of the £494 million allocated to improve capital and IT infrastructure to support learning and teaching, £117 million was allocated to improve provision for disabled students. This money helped HEIs to respond to their new duties under the Disability Discrimination Act 1995 and its extension in the Special Educational Needs and Disability Act 2001.

41. The National Disability Team (NDT) was established by HEFCE in 2000 to monitor and manage the special initiative projects for disability and to provide general support to HEIs to enable them to better support disabled students. The NDT's contract came to an end in December 2005, and we redirected its resource into three organisations:

- Action on Access (the WP co-ordination team) to embed disability work into the WP agenda, including outreach
- the Higher Education Academy to support learning and teaching
- the ECU to ensure the embedding of disability provision in the context of broader equalities developments.

This arrangement has been called the 'Disability Equality Partnership'.

42. Through the Disability Equality Partnership, we feel we can continue to gather evidence to further understand the barriers faced by disabled students and encourage improvements to institutional policy and practice to address these barriers.

¹⁵ www.dfes.gov.uk/studentssupport/students/stu_students_with_d_1.shtml

¹⁶ www.hesa.ac.uk/pi/0304/dsa.htm

Impact assessment

43. A key area of activity to implement our scheme will be impact assessment of our policies on disability equality. Our overall approach to impact assessment for all our strategic aims and key policy areas is described in paragraphs 50-54 of the SES. We have categorised particular areas as ‘high priority’ (through our discussions with disabled people, as well as examining our own evidence) for impact assessment for disability in each of our strategic themes. These are described in Table 6, and link to the prioritisation of our functions for disability in Table 5 of this annex. Other policies, categorised as medium or low, are described in the Equality Action Plan at Annex D.

Table 6 **Our priority policies for disability impact assessment, by strategic aim**

Enhancing excellence in learning and teaching	
Priority policies for disability impact assessment	Rationale
Learning and teaching funding allocation	We allocate around 60 per cent of our overall funding through our formula funding for teaching (£4,228 million in 2006-07). This funding, while not ring-fenced, is benefiting all students in England and we must ensure that there is no negative impact on disabled people through our funding mechanisms.
Quality assurance	The Quality Assurance Framework includes guidelines on good practice in learning, teaching and student support. This has a potentially high impact on disabled students, as it is closely linked to their experience of HE.
Flexible, lifelong and work-based learning	The profile of students in HE is changing, with nearly 55 per cent of undergraduate students now aged over 21, and 45 per cent studying part time. We know there are correlations between increasing age and disability and that different modes of delivery for HE are likely to impact some disabled students, who are more likely to require greater flexibility or different modes of learning (eg, distance, work based or e-learning) to succeed in HE.

Note: The key data sources for helping us to assess the impact on disabled people of these policies are:

- National Student Survey
- HESA individualised student record
- Youth Cohort Study
- Destination of Leavers from HE survey
- Labour Force Survey.

Widening participation and fair access

Priority policies for disability impact assessment

Rationale

Increasing demand for HE through funding the national Aimhigher programme

Aimhigher aims to raise the aspirations and develop the abilities of people from groups that are under-represented in HE. Aimhigher builds cross-sector relationships which break down the barriers which institutions and systems can unwittingly create for learners. This programme has a potentially large impact on potential students who have a disability, especially with regard to raising their aspirations for HE and supporting HEIs to eliminate the barriers discouraging disabled applicants from entering HE.

Disabled students policy

Disabled students are a key part of our WP agenda. We provide funding (detailed at paragraph 36-40 of this annex) to HEIs to support disabled students, and we provide funding to the Disability Equality Partnership to support institutions to develop provision and practice for disabled students.

Note: The key data sources for helping us to assess the impact on disabled people of these policies are:

- UCAS data about applicants to HE
- HESA individualised student record
- LSC individualised learner record (which relates to learners in the learning and skills sector)
- Aimhigher evaluation information, such as project outputs and case studies
- summer schools/European Social Fund information on participation (monitoring can be analysed by disability).

Enhancing excellence in research

Priority policy for disability impact assessment

Rationale

2008 Research Assessment

The 2008 RAE is a major exercise for the UK funding councils and almost all HEIs. It also has a large potential impact on the amounts of research funding received by an HEI, as well as on individual members of staff and their research careers.

Note: The key data source for helping us to assess the impact on disabled people of this policy is the HESA individualised staff record.

Enhancing the contribution of HE to the economy and society

Priority policies for disability impact assessment

Rationale

Meeting new economic and social challenges – the social dimension

We want to focus more on our support to HE to contribute to wider social agendas. This includes its contribution to civic life and developing civilising values; social, community and environmental support; and regeneration. This wider social agenda could embrace disability equality issues.

Note: The key data source for helping us to assess the impact on disabled people of this policy is the HE-Business and Community Interaction survey.

Sustaining a high quality HE sector

Priority policies for disability impact assessment	Rationale
Developing people and organisational culture	As a knowledge-based sector, the performance of the people who work in HE is critical. They represent its biggest cost and most significant asset. The actions we have set out to support the continuous improvement of leadership, governance and management will support the development of people and the organisational culture. We must ensure that the contribution and development needs of disabled staff are equally valued and nurtured.
Equality and diversity for people employed in HE	We have committed to working in partnership with HEIs on improvements in equal opportunities and diversity, as we do on other aspects of people development – although in these areas we also have legal responsibilities to monitor the sector. Equality for disabled people and our statutory duty to promote disability equality are high priorities here.

Note: The key data sources for helping us to assess the impact on disabled people of these policies are:

- HESA individualised staff record
- findings from the 2005 Equal Opportunities Research Programme¹⁷
- 'The higher education workforce in England: a framework for the future'.¹⁸

Enabling excellence

Priority policies for disability impact assessment	Rationale
People management	This links to HEFCE's role as an employer of 260 people, and we believe it is important for the organisation's effectiveness that we develop and reward high performance. Everything we do needs to take place within a supportive learning culture where there is a high respect for individual needs and diversity. Equality across all outcomes for disabled staff is our goal, and therefore our people management policies are a high priority for disability impact assessment.

Note: The key data sources for helping us to assess the impact on disabled people of these policies are:

- HEFCE's human resources database
- annual staff survey
- recruitment and selection monitoring data.

¹⁷ See HEFCE 2005/19, 'Equal opportunities and diversity for staff in higher education'.

¹⁸ HEFCE 2006/21.

Evidence gathering

44. We have listed the key data and information requirements linked to the policy areas we have prioritised (through involvement of disabled people and our own assessments) for impact assessment. Where we do not have the data we need to undertake disability impact assessments, we may collect additional information. This is a situation where we would need to balance our requirements for impact assessment against the ongoing pressure we are under to reduce the accountability burden. There are ways of collecting the information and evidence we need which do not place a burden on the sector as a whole and we will seek to explore this. Examples of this might be:

- surveys posted on web-sites or mailbase groups used by disabled staff or students in HEIs
- focus groups of disabled people convened by the Council, perhaps jointly with other agencies such as the Learning and Skills Council or DfES
- structured interviews with disabled people
- use of a forum or ‘think tank’ of disabled people.

Involving disabled people

45. Our commitment to consultation is outlined in paragraphs 48-49 of the SES. We recognise, however, that the DDA requires us to go further than simple consultation and to actively involve disabled people in both developing and implementing our Disability Equality Scheme.

46. The DDA’s specific duties require the Council to involve disabled people in writing our scheme. We must also include a statement about how we have done this: the statement is in paragraph 28 above. In all our involvement activities, we aimed to find out:

- what barriers and unsatisfactory outcomes face disabled people in HE, including problems in accessing HEFCE information or services
- what our priorities should be for disability impact assessment
- how best to involve disabled people in the future.

47. We want to involve disabled people in the implementation and ongoing development of our scheme. We propose to do this in a number of ways, some of which are already described under ‘Evidence gathering’ above. We have convened a Disability Advisory Group made up of disabled people from the sector. The group has been involved in setting our priorities, and we hope to work with it on implementation issues. We want to keep the various organisations for and of disabled people involved in our work, but we are mindful of ‘consultation fatigue’ and therefore are formulating an approach with the ECU about how to utilise this expertise most effectively.

48. Our core commitments around our duty to involve disabled people are:

- involve disabled people in developing our Disability Equality Scheme and in any future changes to it
- involve disabled people in implementing the scheme, and to welcome challenges to our ‘business as usual’
- ensure that all involvement activities are fully accessible and facilitated where appropriate
- ensure that involvement is timely, transparent and genuine.

Enforcement

49. If a public body does not comply with the general duty, its actions, or failure to act, can be challenged by a claim to the High Court for judicial review. A claim for judicial review could be made by a person or a group of people with an interest in the matter, or by the DRC (or Commission for Equality and Human Rights from late 2007).

50. If the DRC is satisfied that a public authority has failed to comply with any of its specific duties, the DRC may serve a 'compliance notice'. This will require the public authority to comply with its specific duties, and to inform the serving body within 28 days of measures taken. The DRC can also require the public authority to provide written information verifying compliance. If, after three months, the public authority has not complied with the notice the DRC can ask the courts to order compliance.

51. Our arrangements for handling complaints against the Council are outlined in paragraphs 69-70 of the SES.

Annex C

Gender Equality Scheme

Overview of gender equality at HEFCE

Our vision

1. We have a vision for gender equality for higher education in England that gives women and men real choice and equality of opportunity about where and what they want to learn. We also aspire for HE institutions to be employers of choice for women and men, and for both genders to have equal chances, treatment and pay. We recognise that HE is in a unique position, as it is enabling the learning of this country's future employees, managers and leaders. HE contributes to the growth and health of our society in a number of ways – not least to help us understand and solve problems – and its contribution to pushing forward the understanding of gender equality needs to be celebrated and built on for the future.

Context

2. We understand the challenges that face the English higher education sector in implementing such wide-ranging legislation as the Equality Act 2006. Although the sector has already worked to achieve gender equality, much still needs to be done at all levels. Some of the monitoring statistics we have collected and published illustrate the current position for women and men studying or working in HE:

- a. A total of 52 per cent of the 270,000 people employed in HE in 2003-04 are female. However, only 16 per cent of all senior academics or professors (1,722 out of a total 10,760) are female.
- b. There is an apparent divide between women and men when it comes to the subject area they are employed in: in physics, only 10 per cent of permanent staff are female as opposed to 60 per cent in subjects allied to medicine.¹⁹
- c. In the total student population, 59 per cent of undergraduate and postgraduate students are female.
- d. Some gender division exists between subject areas: 15 per cent of engineering and technology students are female, while 83 per cent of students in subjects allied to medicine are female.

Aims

3. We aim to help the HE sector in England attract and retain female, male and transsexual students and staff in all areas of study, research and work. We will work with organisations such as the Equality Challenge Unit, the Higher Education Academy and the Leadership Foundation to support HEIs in this mission. We also wish to work closely in our advisory capacity with the Department for Education and Skills (DfES) and the Secretary of State for Education and Skills to raise the profile of gender equality issues within HE.

4. Our Gender Equality Scheme has been written with these aims in mind. It is backed up by a detailed Equality Action Plan at Annex D which allocates responsibility to individuals across the Council for implementing gender equality in their areas of work.

¹⁹ Source HESA individualised staff and student records, 2003-04.

Status of this Gender Equality Scheme

5. This scheme forms part of our overall Single Equality Scheme (SES). Therefore there is some cross-referencing between this annex and the overall SES. This is to avoid duplication and to streamline our equality processes as far as is possible and appropriate. While we feel this Gender Equality Scheme fulfils our statutory duties, it is meant to be read in the context of our SES. We will as far as possible seek to implement this scheme in conjunction with our schemes for race and disability equality, but clearly it may be necessary or appropriate to take actions separately; gender discrimination can manifest itself in different places and in different ways from disability or race discrimination.

Introduction

6. The Equality Act 2006 included within it a new positive duty on public bodies to promote gender equality. Under the new duty, and through all relevant functions, public authorities are required to have due regard to the need to:

- eliminate discrimination and harassment that is unlawful under the Sex Discrimination Act and discrimination that is unlawful under the Equal Pay Act
- promote equality of opportunity between men and women.

7. We are subject to the duty and are required to produce a Gender Equality Scheme by 6 April 2007. We have developed this scheme for consultation; the final version will be published in December 2006. We aim to develop a scheme that includes:

- the values, principles and standards that guide our approach to gender equality
- the overall strategic aims and objectives adopted to promote gender equality
- clear timescales and actions (set out in the Equality Action Plan at Annex D)
- how often the scheme and action plan will be reviewed and reported on
- how we will handle complaints about the way we are meeting our duties or other complaints about gender equality matters
- our consultation strategy
- a prioritised list of HEFCE functions in relation to gender equality
- our primary sources of information for assessing the impact of our policies on equality for women, men and transsexuals.

Legislative context

8. The new duty to promote gender equality has the potential to be the most revolutionary change in sex discrimination in 30 years, since the introduction of the Sex Discrimination Act itself. It will be a key tool for us to contribute to making the public sector more efficient, effective and responsive to different needs. It can and should be a catalyst to real change in the way that public policy and public services are designed and delivered. Both Government and those who deliver services are increasingly realising that a 'one-size-fits-all' approach no longer meets the needs of 21st century Britain.

9. The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need:

- to eliminate unlawful discrimination and harassment
- to promote equality of opportunity between women and men.

10. Women and men, including transsexual people, may experience different forms of disadvantage depending on their age, ethnicity, colour, religion/belief, sexual orientation, marital or civil partnership status, and disability status. In order to understand and address questions of gender equality, we may need to consider such complexity and whether particular groups of women or men are experiencing particular disadvantages.

11. This new duty marks another step forward, as it requires us to be proactive in promoting equality for women, men and transsexual people, rather than simply to make adjustments for our staff and service users in order not to discriminate. The duty requires a root and branch overhaul of our policy-making procedures, as well as demanding much greater openness.

12. We recognise that the duty builds on good work already done by higher education institutions (HEIs) to be proactive and anticipate the opportunities and needs of women, men and transsexual students and staff under the Sex Discrimination Act. We have much to learn from HEIs about the processes they used to achieve this, and see a role for the Council in helping to disseminate learning and good practice across the sector.

13. HEFCE's role both as a non-departmental public body and as the principal public funding body for higher education in England has been set out at paragraphs 12-14 of the SES. Thus far, we understand that we are unlikely to be given any additional duties to promote gender equality (such as we were given under the Race Relations (Amendment) Act 2000). If additional duties are included in the Equality Act 2006, we will amend this section of the scheme accordingly. We already analyse data on both staff and students with regards to gender and we publish this annually on our web-site.²⁰

14. Unlawful discrimination in the Sex Discrimination Act and Equality Act means:

- a. Direct or indirect discrimination against women and men, in employment and education; in goods, facilities and services and in the exercise of public functions.
- b. Harassment, sexual harassment and discrimination on the grounds of pregnancy and maternity leave.
- c. Discrimination on the grounds of gender reassignment in employment and vocational training.
- d. Direct and indirect discrimination in the employment field on the grounds that a person is married or has a civil partner.
- e. Victimisation on the basis of gender.

15. In employment and vocational training, the Sex Discrimination Act also protects individuals who are discriminated against because they:

- intend to undergo gender reassignment
- are currently undergoing gender reassignment
- have already undergone gender reassignment.

16. Transsexual people are protected under existing sex discrimination legislation from discrimination and harassment on the grounds of gender reassignment in employment and vocational training. We are legally required to take this into

²⁰ See www.hefce.ac.uk under Leadership, governance & management/Equality and diversity/Equal opportunities monitoring.

account when addressing that part of the duty which requires the elimination of unlawful discrimination and harassment.

17. As already discussed, we are a key operator in the English HE sector, but there are other organisations – some partly funded by HEFCE and some not – that also work at a national level to support various aspects of the HE system, for instance learning and teaching. We regard our key partners in implementing the duty to promote gender equality to be:

- Equality Challenge Unit (ECU)
- Equal Opportunities Commission (EOC)
- Higher Education Academy
- Leadership Foundation for HE
- Action on Access (the widening participation national co-ordination team)
- Higher Education Statistics Agency (HESA)
- Universities and Colleges Admissions Service (UCAS).

18. We will work proactively with these organisations to share information about gender equality in HE (for instance, with the Leadership Foundation for HE about its research and projects to improve the numbers of women competing for senior management and leadership positions).

Specific duties

19. The specific requirements in relation to our Gender Equality Scheme are as follows:

- a. Publish a Gender Equality Scheme, by 6 April 2007, identifying gender equality goals and showing the actions we will take to implement them.
- b. Consult our employees and stakeholders as appropriate in drawing up our gender equality scheme.
- c. Monitor progress and publish annual reports on progress.
- d. Review the scheme at least every three years.
- e. Develop and publish a policy on developing equal pay arrangements between women and men – including measures to promote equal pay and ensure fair promotion and development opportunities to tackle occupational segregation – which we will review at regular intervals (for example every three years).
- f. Conduct and publish gender impact assessments, consulting appropriate stakeholders, covering all major proposed developments in employment, policy and services.
- g. Develop and publish an arrangement for identifying developments that justify conducting a formal gender impact assessment.

20. HEIs have a specific duty to assess the impact of their policies and practices on educational opportunities available to and achievements of female, male and transsexual students. The EOC has advised HEIs that ‘educational opportunities’ should be interpreted broadly, to include aspects across the breadth of activities made available by the HEI.

21. This may mean HEIs need to gather information on the following, analysed by gender:

- access to HE programmes
- attainment of formal qualifications
- numbers of students in different subject areas or course types
- instances of bullying and harassment.

The employment duty

22. To meet the duty to promote gender equality we must eliminate discrimination and harassment in our employment practices and actively promote gender equality within our workforce. It is expected that in practice this will involve a cycle of data collection, analysis of data, developing an action plan, implementing the plan and monitoring the outcomes to inform further action. We will need to involve the workforce in the process and agree a timescale in which to take action.

23. The areas we would like to focus on initially are:

- recruitment and selection
- the concentration of women and men in particular areas of work or pay bands
- work/life balance policy and implementation
- managing leave for parents and carers
- managing pregnancy and return from maternity leave
- sexual and sexist harassment
- transsexual staff and potential staff
- grievance and disciplinary procedures
- equal pay
- access to training and development opportunities.

Development of our Gender Equality Scheme

24. We have developed this scheme and Action Plan in conjunction with our new Disability Equality Scheme and the revision of our Race Equality Scheme. This has enabled us to take a 'whole-system approach' to the process and to create a Single Equality Scheme which provides an overarching view of our three equalities schemes and shapes our overall equality and diversity strategy. The steps we have gone through to date are:

- in October 2005, we commissioned the Office of Public Management (OPM) to meet every HEFCE team individually to brief them about the new duties and undertake some initial equality action planning with them. OPM produced draft equality action plans for each team, which have fed into the Gender Equality Action Plan, and a report for the Council which summarises key themes and issues arising from the team meetings
- in January 2006 we formed an internal HEFCE project team to take the equality schemes forward with representation from our leadership, governance and management (LGM), widening participation (WP) and regional teams
- we met with the National Union of Students' (NUS) Women's Officer and Lesbian, Gay, Bisexual and Trans (LGBT) support staff member in February 2006 to get their feedback on our approach to our scheme and to hear about the key issues for women and transsexual students currently in HE

- we consulted on the draft of this scheme with the Council's recognised trade union, the Public and Commercial Services union (PCS).

25. Public authorities will be expected to provide evidence that due regard has been paid to the duty to promote gender equality in relation to their core functions of policy development, service design and delivery, and employment. We have involved a range of national organisations for and of women, men and transgender people in the development of our scheme, as well as representatives of groups of people that will be directly affected by it. By engaging with representative groups – for example the NUS Women's and LGBT officers and committee, who are elected by students who define themselves to be in that group – we are engaging in a meaningful and appropriate way with individuals and organisations that have the largest stake and recognition of our role in HE. We welcome feedback on this approach and we recognise the need to be flexible in how and when we involve different groups of people and organisations.

Reporting on progress

26. We have set out in the SES at paragraphs 46-49 how all of our equality schemes will be published, consulted on and promoted both internally and externally. In relation to the specific duties of the Equality Act 2006, we will take the following actions:

- report on the Gender Equality Scheme annually to the HEFCE Board in conjunction with reports on the schemes for race and disability equality in December each year
- review and update the Equality Action Plan annually so that it properly reflects the priorities and pressures facing the Council, showing which actions have been completed and, if they have not, the reasons why. The outcomes of the actions taken will also be reported
- fundamentally review and re-issue the Gender Equality Scheme every three years.

27. This consultation on our equality schemes has been published in hard copy, with alternative formats available via the HEFCE web-site and on request. We plan to publish subsequent schemes and action plans on the web only (to better enable regular updating).

Action plan

28. Our Equality Action Plan (see Annex D) sets out all the actions we will be taking as a result of the analysis of our functions and policies. As this is our first Gender Equality Scheme, all the actions relating to it are for the future, but they are time-bound and have outcomes attached. The Action Plan will be monitored annually at the same time as our internal team plans are monitored and reported on.

Assessment of HEFCE functions

29. The assessment of our functions, to establish which are appropriate for inclusion within the scheme, is an important stage in the scheme's development and maintenance.

30. Our functions are designed to meet the requirements of central government stakeholders and to support the sector. While we have few dealings with the public, nevertheless our functions could have a significant impact on the capacity of the HE sector to meet the different needs of its female, male and transsexual students, staff and other users. A qualitative assessment of the relative priority of our functions is given in Table 7.

Table 7 **The relative priority of our functions for the Gender Equality Scheme**

HEFCE function	Priority level	Rationale
Corporate communications	High	Press and communications can have a high impact on regard for HEFCE by stakeholders, staff, potential staff and the public. Therefore actions in this area can do much to enable us to fulfil our duty to promote positive attitudes towards the role of women, men and transsexuals.
Engaging with HEIs	High	Our direct interaction and support for institutions has a potentially high impact on our ability to promote gender equality in HE.
Human resources	High	This has a high impact on equality for female, male and transsexual staff and potential staff at HEFCE.
Analytical services	High	Our Analytical Services Group specifies, analyses and reports on many aspects of equal opportunities data drawn from the HESA records of staff and students in HE.
Widening participation	High	Our WP activity aims to both widen and increase participation among under-represented groups in HE and to ensure that access to HE is open to everyone, whatever their background or gender.
Leadership, governance and management	High	The LGM team has lead responsibility for implementing the scheme. It also leads on policy related to equality for HE staff and all aspects of leadership, governance and management within HEIs.
Learning and teaching	High	Implementing policy to enhance learning and teaching in HE has a potentially high impact on ensuring equality of opportunity for learners, regardless of their gender, through different teaching methods or new technologies. There are a range of policy initiatives and funding streams to enable this.
Research policy	Medium	Work is being undertaken on the research careers of individual researchers in HE, but most of the policy work focuses on large initiatives such as the 2008 Research Assessment Exercise, which will need impact-assessing for gender equality.
Business and community interaction	Medium	This policy area has a medium relevance to gender equality, particularly with regard to its funding streams which support community engagement and volunteering schemes within HEIs. The business interaction side has a lower relevance, but does offer the opportunity to demonstrate and encourage best practice within the private sector.
Planning	Medium	The planning function has a medium impact on gender, as it assists with collating and monitoring of the equality action plans and is responsible for major corporate processes such as the HEFCE strategic plan and our submissions to the Government's Comprehensive Spending Reviews.
Procurement	Medium	Because the duty to promote gender equality applies to those functions which are carried out through procurement, it is essential that our procurement process ensures that those awarded contracts meet all legal obligations set out in the duty.
Information technology and systems	Low	Our IT and systems function has a low impact on gender equality.
Assurance (including audit, estates and institutional finance)	Low	Areas such as audit and institutional finance have a low impact.
Finance	Low	The activities of distributing funds to institutions and processing payments and invoices are generally considered to be of low relevance to gender equality.
International collaboration and development	Low	The function of engaging and liaising with colleagues from countries across the world, ie, by undertaking visits and receiving visitors to the UK, has a low impact on gender equality.
Knowledge management	Low	The knowledge management team's work has a low impact on gender equality, beyond its role in promoting information resources on gender to staff and to directing relevant queries from the sector to the right people.

Background to gender equality work at HEFCE

31. Although there has been no statutory duty to promote gender equality in HE until now, much work has been undertaken over the last 20 years. This work has focused on trying to balance the situation for women and men in terms of both fields of study and employment within the HE sector generally.

32. One initiative we help set up and fund (although it is now funded by the Royal Society) is the Athena project. The project works to support women currently working in science, engineering and technology subjects, and helps to promote opportunities for women who seek to work in the area. Athena offers annual awards to institutions that show innovation and high level commitment in this area; examples can be found at: www.athenaproject.org.uk/casestudies.htm.

33. An example of good practice comes from Oxford Brookes University. It won the British Computer Society Prize and 2004 Royal Society Athena Award for its use of information technology in a mentoring scheme. The scheme matched European women in mathematics, from undergraduate through to junior academic staff level, with more experienced mathematicians. The scheme made use of web technology to connect geographically isolated people. It provided mentees with the opportunity to communicate with role models and to get impartial advice on careers, balancing family, career and gender issues in the workplace.

34. With regard to subject choice for students, we recently agreed to fund a new project managed by the Royal Academy of Engineering to encourage women (and other under-represented groups) to study engineering at HE level. There are four elements to the project:

- a. To engage with 9-19 year-old students in 15 secondary schools in south London and 35 feeder primary schools, removing the barriers to them studying engineering at university by providing flexible entry and exit points to courses, with defined progression routes from a variety of starting points (such as GCSEs, HNDs, A-levels, vocational qualifications).
- b. To use face-to-face and other targeted marketing to promote engineering HE courses to students in the target groups, including adult learners.
- c. To engage with selected HEIs to develop new or improved engineering curricula that will attract more students from the target groups (including women).
- d. To demonstrate real and achievable engineering career destinations for students of the project.

Impact assessment

35. A key area of activity to implement our Gender Equality Scheme will be impact assessment of our policies on gender equality. Our overall approach to impact assessment for all our strategic aims and key policy areas is described in paragraphs 50-54 of the SES. We have categorised particular areas as 'high priority' for impact assessment for gender equality in each of our strategic themes. These are described in Table 8, and link to the prioritisation of our functions for gender equality in Table 7. Other policies, categorised as medium or low, are described in the Equality Action Plan at Annex D.

Table 8 **Our priority policies for race impact assessment, by strategic aim**

Enhancing excellence in learning and teaching	
Priority policies for gender impact assessment	Rationale
Learning and teaching funding allocation	We allocate around 60 per cent of our overall funding through our formula funding for teaching (£4,228 million in 2006-07). This funding, while not ring-fenced, is benefiting hundreds of thousands of students in England and we must ensure that there is no negative impact on gender equality through our funding mechanisms.
Flexible, lifelong and work-based learning	The profile of students in HE is changing, with nearly 55 per cent of undergraduate students now aged over 21, and 45 per cent studying part time. With greater numbers of mature learners in the system, the sector will need to cater for people with greater caring responsibilities who are more likely to require greater flexibility or different modes of learning (eg, distance, work based or e-learning) to succeed in HE.

Note: The key data sources for helping us to assess the impact on gender equality of these policies are:

- National Student Survey
- HESA individualised student record
- Youth Cohort Study.

Widening participation and fair access	
Priority policies for gender impact assessment	Rationale
Increasing demand for HE through funding the national Aimhigher programme	Aimhigher's aims are to raise the aspirations and develop the abilities of people from groups that are under-represented in HE. Aimhigher partnerships build cross-sector relationships which break down the barriers which institutions and systems can unwittingly create for learners. This programme has a potentially large impact on all potential students, especially with regard to raising their aspirations for HE and supporting HEIs to eliminate the barriers discouraging female or male applicants from entering HE.

Note: The key data sources for helping us to assess the impact on gender equality of these policies are:

- UCAS data about applicants to HE
- HESA individualised student record
- LSC individualised learner record (which relates to learners in the learning and skills sector)
- Aimhigher evaluation information, such as project outputs and case studies.

Enhancing excellence in research

Priority policy for gender impact assessment

Rationale

2008 Research Assessment Exercise

The 2008 RAE is a major exercise for the UK funding councils and almost all HEIs. It also has a large potential impact on the amounts of research funding received by an HEI, as well as on individual members of staff and their research careers.

Note: The key data source for helping us to assess the impact on gender equality of this policy is the HESA individualised staff record.

Enhancing the contribution of HE to the economy and society

Priority policies for gender impact assessment

Rationale

Meeting new economic and social challenges – the social dimension

We want to focus more on our support to HE to contribute to wider social agendas. This includes its contribution to civic life and developing civilising values; social, community and environmental support; and regeneration. This wider social agenda could embrace gender equality issues.

Note: The key data source for helping us to assess the impact on gender equality of this policy is the HE-Business and Community Interaction survey.

Sustaining a high quality HE sector

Priority policies for gender impact assessment

Rationale

Developing people and organisational culture

As a knowledge-based sector, the performance of the people who work in HE is critical. They represent its biggest cost and most significant asset. The actions we have set out to support the continuous improvement of leadership, governance and management should also support the development of people and the organisational culture. The position of both women and men within HEIs needs to be monitored and analysed, and specific initiatives supported.

Equality and diversity for people employed in HE

We have committed to working in partnership with HEIs on improvements in equal opportunities and diversity, as we do on other aspects of people development – although in these areas we also have legal responsibilities to monitor the sector. Our duty to promote gender equality is highly relevant in this area.

Note: The key data sources for helping us to assess the impact on gender equality of these policies are:

- HESA individualised staff record
- findings from the 2005 Equal Opportunities Research Programme²¹
- 'The higher education workforce in England: a framework for the future' (HEFCE 2006/21).

²¹ HEFCE 2005/19.

Enabling excellence	
Priority policies for gender impact assessment	Rationale
People management	This links to HEFCE's role as an employer of 260 people, and we believe it is important for the organisation's effectiveness that we develop and reward high performance. We believe that everything we do needs to take place within a supportive learning culture where there is a high respect for individual needs and diversity. Equality across all outcomes for all staff is our goal, and therefore our people management policies are a high priority for gender impact assessment.

Note: The key data sources for helping us to assess the impact on gender equality of these policies are:

- HEFCE's human resources database
- annual staff survey
- recruitment and selection monitoring data.

Evidence gathering

36. We have listed the key data and information requirements linked to the policy areas we have prioritised for impact assessment. Where we do not have the data we need to undertake gender impact assessments, we may collect additional information. However, we would need to balance our requirements for impact assessment against the ongoing pressure we are under to reduce the accountability burden. There are ways of collecting the information and evidence we need which do not place a burden on the sector as a whole and we will seek to explore this. Examples might be:

- surveys posted on web-sites or mailbase groups used by staff or students in HEIs
- focus groups of women and men convened by the Council, perhaps jointly with other agencies such as the Learning and Skills Council or DfES
- structured interviews with women and men
- open consultations on gender issues and the inclusion of gender issues in consultations on other matters.

Enforcement

37. The EOC and the forthcoming Commission for Equality and Human Rights (CEHR) have formal powers to enforce the duty to promote gender equality. However their primary action will be to support and help authorities meet their needs. If a public authority fails to meet the requirements set out by the duty after informal correspondence with the EOC or CEHR there are two courses of action that can then be taken to enforce the duty:

- If a public authority (including a private or voluntary organisation exercising public functions) does not comply with the general duty, its actions or failure to act can be challenged through an application to the High Court for judicial review. An application could be made by the EOC or (from late 2007) the CEHR, by a person or group of people with an interest in the matter. However

we would hope that such an individual or group of people would raise any concerns with us directly.

- b. If the EOC or (from late 2007) the CEHR are satisfied that a public authority has failed to comply with any of its specific duties, the EOC or CEHR may serve a 'compliance notice'. This will require the public authority to comply with its specific duties, and to inform the serving body within 28 days of measures taken. The EOC or CEHR can also require the public authority to provide written information verifying compliance. If after three months the public authority has not complied with the notice, the EOC or CEHR can ask the courts to order compliance.
38. Our arrangements for handling complaints against the Council are outlined in paragraphs 69-70 of the SES.

Annex D

HEFCE's Equality Action Plan 2006-07

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
1				Widening participation and fair access				
1.1	•	•	•	Annually monitor the student admissions to higher education and publish this information on the HEFCE web-site.	Annually in September	Amy Norton	Web-based statistics and report	Ability to track numbers of people from equalities groups participating in HE
1.2	•	•	•	Continue work with UCAS and DfES to ensure that admissions mechanisms are bias-free and contain adequate equalities monitoring provisions.	Ongoing	John Thompson	Written update, possibly changes to UCAS process	Promote positive attitudes in all equalities areas
1.3	•	•	•	Ensure that equality promotion is included in all WP publications, procurement and other documents.	Ongoing, review in July 2006	All WP team	Various. References to HEFCE publications or invitations to tender	Promote positive attitudes in all equalities areas
1.4	•	•	•	Assess the impact of new WP initiatives or policies to ensure they are bias-free for all equality areas.	Ongoing, review in July 2006	All WP team	Various. Short reports on outcomes	Promote positive attitudes in all equalities areas
1.5	•	•	•	Continue to identify opportunities to discuss equality and diversity issues associated with broader widening participation policy within the WP Strategic Committee.	Timetable of committee (three meetings per year)	Chris Scrase	Strategic committee minutes and reports to the HEFCE Board.	Promote positive attitudes in all equalities areas
1.6	•	•	•	Promote findings from the joint HEFCE/ESRC Teaching and Learning Research Programme that specifically relate to supporting diverse students.	Review in July 2006	Sarah Howls	Report	Better information to support the promotion of equality of opportunity
1.7	•	•	•	Review the final report of a major review of barriers to people wanting to enter higher education, explore outcomes and potential impacts relating to equalities issues.	September 2006 and ongoing	Sarah Howls	Final report published on the HEFCE web-site	Better information to support the promotion of equality of opportunity
1.8	•	•	•	Ensure that monitoring and evaluation of Aimhigher takes full account of equalities issues.	Annual	Helen Blencowe/ Chris Leonard	Report	Aspirations and achievements of people in all equalities areas increase
1.9	•	•	•	Ensure Aimhigher practitioner site and Aimhigher portal are accessible and relevant to all equalities groups.	Review September 2006	Chris Scrase	Accessible web-site	Promote positive attitudes in all equalities areas
1.10	•	•	•	Ensure existing STEM (science, engineering, technology and mathematics) projects focus on increasing participation of all equalities groups.	Ongoing	Katie Germer/ Sarah Howls	regular feedback	Increase in equalities groups studying STEM subjects at HE

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
1.11	•	•	•	Ensure proposals for new STEM projects include a focus on increasing participation of all equalities groups.	1 September 2006	Katie Germer/ Sarah Howls	Proposal assessment	Increase in equalities groups studying STEM subjects at HE
1.12	•	•	•	Promote the need for Lifelong Learning Networks (LLNs) to ensure their materials, processes and procedures are accessible and relevant to people from minority ethnic groups.	Ongoing (over 3 years)	Jenny Allen	Appropriate materials, processes and procedures	Vocational progression for equalities groups improves
1.13	•	•	•	Work with LLN practitioner group to ensure that curriculum development positively takes into account the needs of diverse students.	Ongoing (over 3 years)	Jenny Allen	Appropriate curriculum developed	Vocational progression for equalities groups improves
1.14	•	•	•	National monitoring and evaluation of LLN programmes carried out to identify their impact on people from all equalities groups.	2009	Jenny Allen	Report	Vocational progression for equalities groups improves
1.15	•	•	•	Ensure LLNs' own evaluation strategy includes identifying the impact on people from all equalities groups.	Ongoing (3 phases)	Jenny Allen	Strategy report	Vocational progression for equalities groups improves
1.16	•	•	•	Develop institutional profiles to include their specific equality policies.	Ongoing	Helen Blencowe	Database	Better information to support the promotion of equality of opportunity
1.17	•	•	•	Share good practice on equality in specific thematic areas such as partnerships. Key areas will be Action on Access, Disability Equality Partnership and Aimhigher communications.	Ongoing, review in July 2006	Chris Scrase/ Katie Germer	Good practice on equality included in joint publications.	Promote positive attitudes in all equalities areas
1.18	•	•	•	Explore ways in which Action on Access, the Communications Resources Team and the Disability Equality Partnership can access groups outside their own networks (sharing information on good practice with business, advertising conferences more widely).	Ongoing, review in July 2006	Chris Scrase/ Katie Germer	Various	Promote positive attitudes in all equalities areas
1.19	•	•	•	To incorporate the ability to summarise by race, disability and gender into the Longitudinal Survey of Destination of HEI Leavers.	January 2007	All WP team	Database	Better information to support the promotion of equality of opportunity
1.20	•			Audit area Aimhigher plans for references to interventions relating to people from minority ethnic groups.	September 2006	Chris Leonard	Report	Better information to support the promotion of equality of opportunity
1.21			•	Continue to deliver equality policy for disabled students through the Disability Equality Partnership.	Ongoing	Katie Germer	Regular feedback and short reports	Promote positive attitudes to and involvement of disabled people

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
2				Enhancing excellence in learning and teaching				
2.1	•	•	•	Monitor the responses from the National Student Survey and investigate any sector-wide differences emerging.	December 2006	Graeme Rosenberg	Report	Enhancement policy will more accurately address the reported deficiencies in the HE experience of a diverse student body
2.2	•	•	•	Work with regional teams and institutions to ensure an equality and diversity dimension in institutions' learning and teaching strategies, and disseminate any resultant good practice.	Ongoing	Peter Seddon	Publication issued annually to include feedback on the annual monitoring statement	Promote greater awareness within the Council and across the sector of current best practice
2.3	•	•	•	Monitor the Higher Education Academy's progress on embedding equality through its annual report and business plan.	January 2006 and ongoing annually	Sean Mackney	Higher Education Academy's annual report	Relationship with the Higher Education Academy will demonstrate the Council's commitment to actively promoting the needs of a diverse student body
2.4	•	•	•	Build equality and the support for diverse students into HEFCE's contracts with the Higher Education Academy (includes the development of professional standards for HE teachers), the QAA and Foundation Degree Forward.	Ongoing, review in December 2006	Carole Webb	Various, including funding agreements and annual reports	All relationships with partner bodies will demonstrate the Council's commitment to actively promoting the needs of a diverse student body
2.5	•	•	•	Review, as part of the development of the Council's new work based learning (WBL) strategy, the consequences and effects of work based learning on minority ethnic groups, gender and disabled people.	December 2006	Wendy Staples	Report	Appropriate consideration of the effects of WBL will be given in the writing of the strategy
2.6	•	•	•	The new teaching funding method will be impact assessed to ensure no adverse impact on equality target groups.	December 2006	Chris Taylor	New model presented to the Board in September 2006 and final version published in February 2007	A teaching funding method that will fairly reflect the costs inherent in delivering HE to a diverse student body
2.7	•	•	•	To ensure that the annual monitoring statements linked to learning and teaching activity show how HEIs are actively meeting the positive duties.	2006-07	Sean Mackney	Overview of HEI reported activity used to inform policy creation. [note: AMS is currently used to report by exception only so this data may be not an accurate picture of the activities of all HEIs]	Promote greater awareness within the Council and across the sector of current best practice

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
2.8	•	•	•	Develop best practice in partnership work and incorporate equality duties throughout and at the initial stages of partnership. Use involvement in partnerships to address the needs of under-represented groups, specifically black and minority ethnic groups, women and people with disabilities. For example, Lifelong Learning Networks and Sector Skills Councils to address under-representation in specific areas such as veterinary medicine.	Ongoing	Sean Mackney	Best practice disseminated across staff involved with managing partnership relationships	All relationships with partner bodies will demonstrate the Council's commitment to actively promoting the needs of a diverse student body
3 Enhancing excellence in research								
3.1	•	•	•	Ensure that HEIs have a policy on how they will select staff for assessment under the RAE in line with institutional equal opportunities policies.	May 2007	Ed Hughes	Guidance to HEIs on submissions	HEIs will have full guidance on how to adhere to policies
3.2	•	•	•	ASG to monitor by gender, race and disability all staff selected for the RAE 2008	Summer 2009	ASG	Summary data available	Increased knowledge of RAE recipients
3.3	•	•	•	Promote equality briefings and codes of practice at regional RAE 'roadshows' in 2006.	Summer 2006	Ed Hughes	Roadshows attended by ECU and briefings given	HEIs will be fully briefed on policies
3.4	•	•	•	Seek opportunities to discuss equality and diversity and its impact on the research policy agenda at the HEFCE Strategic Committee for Research.	Ongoing	Paul Hubbard	Inclusion in committee papers and minutes. Reports to HEFCE Board 3 times per year	Raise committee awareness of equality issues in research and give due consideration to them
3.5	•	•	•	Manage the Council's relationship and funding agreements with Research Councils in developing and implementing research capacity building initiatives to support implementation of the equality duties.	Review in July 2006	Paul Hubbard	Inclusion in funding agreement	Due consideration will be given to equality issues on policies
3.6	•	•	•	To analyse postgraduate research completion rates based on gender, race and disability.	June 2007	Will Naylor	Consider outcome of analysis on disability	We will have a full understanding of impact on disability

4 Enhancing the contribution of HE to business, economy and society

4.1	•	•	•	Raise the profile of the duty to promote equality at visits to HEIs and regional or national meetings.	Ongoing	Business and community team	Staff in HEIs are familiar with the requirements of the disability duty	Raised awareness of the positive duties
4.2	•	•	•	To identify good practice case studies from HEIs which illustrate positive action around gender, race and disability, while ensuring that this is carefully balanced against wider considerations.	November 2006	Simon Whitemore	Good practices published	Raised awareness and more effective practice in HEIs

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
4.3	•	•	•	To incorporate references to equality in the guidance which accompanies the HE Business and Community Interaction Survey (specifically that around Table 5 - for public events).	Ongoing	Adrian Day	Good practices communicated to the sector	Raised awareness and improved information on completion
4.4	•	•	•	To identify examples of HEIs targeting and addressing social and economic needs in response to third stream funding requirements, thereby demonstrating active promotion of the positive duties.	Ongoing	Alex Thompson	Good practices published	Raised awareness
4.5	•	•	•	To use the team's influencing and facilitation role via networks and partnerships to actively promote the new duties.	Ongoing	Business and community team	Speeches, presentations, correspondence, etc	Raised awareness
5 Sustaining a high quality higher education sector								
5.1	•	•	•	Discuss issues relating to equality in HEIs at HEFCE regional teams' senior management group (RTSM) meetings.	Ongoing, review in July 2007	Chair of RTSM	Agenda item and minutes of discussion (internal use only)	Improved strategies for institutional engagement regarding the positive duties
5.2	•	•	•	Support institutions to fulfil their obligations under the general duties through discussions with HEIs' senior management teams, reviewing HEIs' annual monitoring statements and providing feedback to them.	Ongoing, review in July 2007	All HEFCE regional consultants	Ad hoc assistance and support	Greater awareness of the general duties' requirements and the support available from HEFCE and ECU among HEI senior management teams.
5.3	•	•	•	Investigate the need for specific training around the general duties for HEFCE regional teams.	Ongoing	Chair of RTSM	A rationale for implementing (or not) a training programme	Staff trained and supported adequately to support HEIs more effectively in implementing the general duties
5.4	•	•	•	Ensure HEFCE regional teams are copied into all correspondence to institutions that relates to equality matters.	Ongoing, review progress in July 2007	Chair of RTSM	Letters and e-mails are copied to regional teams to keep them informed of institutional progress or other issues	HEFCE regional teams have fuller knowledge of all equality issues within HEIs
5.5	•	•	•	Support institutions to fulfil their legal obligations for race, disability and gender equality through guidance in the Strategic Development Fund (SDF). HEIs are asked to provide outline equality impact assessments in their SDF proposals and to describe the measures they plan to take to mitigate any possible adverse impacts.	June 2006, new guidance, then ongoing	HEFCE SDF publication team, then Regional Consultants	New guidance, assistance and support in SDF process	Raised awareness of applicants and SDF projects which take equality properly into account from the beginning.

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-2007	Timescale	Lead person	Output	Outcome
5.6	•	•	•	Consider how applications to the Leadership, Governance and Management (LGM) Fund can be made more accessible and its aims promoted to as wide an audience as possible.	Ongoing	Alison Johns	The profile of the LGM Fund is raised among diverse stakeholders	More diverse pool of applicants to LGM Fund
5.7	•	•	•	Encourage and stimulate applications to the LGM Fund which would promote any aspect of equality.	Ongoing	Alison Johns	Presentations and other promotional literature	Greater number of bids to the fund which focus on supporting HEIs in promoting equality through LGM activities
5.8	•	•	•	Equal opportunities monitoring information is mainstreamed throughout HEFCE 2006/21, 'The higher education workforce in England: a framework for the future', and published to enable institutional benchmarking.	Annually each January	Alison Johns	Completed strategy will be published on the HEFCE web-site	Raised awareness of national trends for workforce planning purposes.
5.9	•	•	•	To work with the HE funding councils in Scotland and Wales to promote equality and diversity issues.	Ongoing	Amy Norton	LGM convenes a support and challenge group of the UK funding councils	Greater synergy between the UK funding councils and solutions found to problems of equality implementation
5.10	•	•	•	Produce annual monitoring statistics for staff on all available equality areas (race, gender and disability status).	Annually in September	Amy Norton	Statistics published in an accessible format on the HEFCE web-site	Up to date information is disseminated to the sector and other stakeholders
5.11	•	•	•	To review the LGM Fund assessment template to ensure that it specifically assesses the positive duties in relation to race, gender and disability.	August 2006	Alistair Townsend	Updated template	Panel members will be able to assess applications effectively for their potential impact on the equality duties.
5.12	•	•	•	To introduce monitoring requirements for HEIs in relation to race, disability and gender as a condition of LGM Fund grant.	August 2006	Alistair Townsend	Equality monitoring is included in final reports to LGM Fund secretariat	Project leaders are made aware of their positive duty to promote and monitor the equality outcomes of their projects and this informs future LGM policy
5.13	•	•	•	Identify opportunities to promote equal opportunities good practice in Good Management Practice Fund projects through HE and non-HE press and publicity outlets.	Ongoing	Alistair Townsend	Positive press coverage in HE and non-HE outlets	Raised stakeholder awareness of positive action through projects

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
5.14	•	•	•	Develop, implement and review the Council's Race, Disability and Gender Equality Schemes and action plans, including: review the schemes and action plan annually; consult widely on the schemes' development both internally and externally to the Council; ensure the schemes remain relevant and proportionate to both the positive duties and the Council's needs; report annually to the HEFCE Board on progress made against the action plan.	By December 2006 and review each year	Amy Norton	Board paper in October each year	Race, disability and gender equality is effectively promoted throughout the Council and progress is reported to the Board
5.15	•	•	•	Manage the Council's relationship and funding agreement with the ECU and contracting it to support the HE sector's implementation of the positive duties on race, disability and gender.	Ongoing, review each year in November	Amy Norton	ECU's annual review published in October each year	The HE sector receives high quality support from the ECU, measured through independent evaluations and stakeholder surveys
5.16	•	•	•	Monitor and support the activities of the Leadership Foundation in promoting equality of opportunity for leaders in HE.	Ongoing, review each October	Alison Johns	Leadership Foundation annual report published each October	Ultimately, that the pool of leaders in HE becomes more diverse, which can be measured through HESA data
5.17	•	•	•	Work with the ECU to produce good practice guidance on equality issues as needs are identified in the HE sector.	Ongoing	Amy Norton	Good practice guides published and disseminated widely	HEIs receive up to date and credible information to enable best practice
5.18	•	•	•	Continue to identify opportunities to discuss equality and diversity issues associated with broader LGM policy within the LGM Strategic Committee.	Timetable of committee (three meetings per year)	Alison Johns	Strategic committee minutes and reports to the HEFCE Board	Equality is effectively promoted at strategic committee level and becomes mainstreamed through the work of the committee
5.19	•	•	•	Be alert to the opportunities to promote physical access/disability equality in the next round of capital funding.	Ongoing, review each April	Andrew Smith	Disability equality issues will be included in the capital funding process, where appropriate	Disability equality is promoted through HEFCE's capital investment framework

6 Excellence in delivery: organisational development within HEFCE

6.1	•	•	•	Human Resources Continue to train recruitment and selection panel members in equal opportunities issues.	Ongoing throughout 2006-07	Tracey Vardy	Panel members trained	Panel members will be aware of relevant legislation and conduct regarding gender discrimination
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No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
6.2	•	•	•	Monitoring all staff in post by disability, race and gender with regard to: recruitment, promotion, staff turnover, dismissals, access to training, appraisal scores, involvement in grievance, disciplinary and complaints procedures.	Annually in April each year; review in April 2006	Sarah de Vere/ Tracey Vardy	Accurate data for: new HR database, monitoring workforce against targets, annual Board report in April	Continually review targets to monitor workforce and application of policies
6.3	•	•	•	Embedding equality awareness training in induction sessions (building on all staff mandatory training) to ensure that all staff are aware of the Council's duties under the positive duties.	Ongoing	Trish Archer/ Tracey Vardy	Induction sessions are carried out quarterly and evaluated annually.	Employees will be aware of relevant legislation and conduct regarding gender discrimination
6.4	•	•	•	Equal opportunities recruitment targets are reviewed and adjusted as necessary.	Ongoing,	Tracey Vardy	Board paper on staffing issues and statistics produced annually in April	Continually review targets to monitor workforce
6.5	•	•	•	Monitor other HEFCE teams' equality actions plans and their implications for staff training and development.	Ongoing	Trish Archer	Align outcomes of teams' plans with training/development requirements for HR plan	Continually review against targets across the organisation
6.6			•	Office Services To explore opportunities in the ergonomic impact assessment to promote the positive duty under the DDA ie, prevention and cure.	Ongoing	Office Services	Survey conducted. Continual review	A more ergonomic workplace
6.7			•	To reassess the implications of Bristol and Centre Point buildings in terms of the needs of disabled people, given the renewal of the lease and forthcoming rent review.	Ongoing	Office Services	Survey conducted disabled consultant, and landlord advised of findings. Issues had impact on lease renewal and rent review. Continual review	More accessible building
6.8	•	•	•	Corporate Communications Continue to identify opportunities to feature articles relevant to equality and diversity in Council Briefing, HEFCE's external newsletter.	Ongoing, review in December 2006	Philip Walker, Brian Best	Articles promoting the Council's equality and diversity activities are printed	Institutions aware of HEFCE's role in promoting good practice about diversity

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
6.9	•	•	•	To promote the achievement of under-represented groups, specifically women (in senior posts), people with disabilities and black and minority ethnic groups, in the external newsletter Council Briefing.	Ongoing	Brian Best	Articles in Council Briefing	Greater awareness of value and achievements of under-represented groups
6.10	•	•	•	To review HEFCE's house style in relation to its web-site to ensure that it is accessible in relation to the forthcoming positive duties.	January 2007	Shelley Hollingsworth, ITS	Review completed	Accessible web-site
6.11	•	•	•	To review HEFCE's house style in relation to its printed publications to ensure that they are accessible in relation to the forthcoming positive duties.	January 2007	Helen Buttery, Rowland Spyer	Review completed	Accessible publications
6.12	•	•	•	Continue to ensure that taken as a whole visual images of students and staff on HEFCE publications represent diversity.	Ongoing	Rowland Spyer, Helen Buttery	Range of images in different publications	Demonstrate the diversity of the sector
6.13	•	•	•	Continue to develop 'admin-hefce', the HEFCE open e-mail group with around 3,500 subscribers. The e-mail group is a way for HEFCE to reach staff at all levels in HEIs and is free to subscribe to.	Ongoing, review in December 2006	Helen Buttery	Providing an open and easily accessible means of keeping up to date with all of HEFCE's news	Increased number of subscribers
6.14	•	•	•	Identify opportunities in our day-to-day work to send material to appropriate groups. Add a box to the press release check list to prompt us to do this	December 2006	Philip Walker	Press releases sent appropriately to different groups	Groups are aware of our activities and policies in relation to their concerns
6.15	•	•	•	Publish good practice on the intranet on how to hold accessible events. Continue to provide event materials in large print on request.	End summer 2006	Cherylin Nicholson	Colleagues in the Council who organise events to be aware of guidance	All conference organisers adhere to guidance when organising an event
6.16	•	•	•	To review (with advice from policy colleagues) our list of stakeholder organisations to ensure that equal opportunities organisations are appropriately represented.	December 2006	Roger Grinyer/ Amy Norton	Revised list of stakeholder organisations	Better stakeholder relationships with equal opportunities organisations
6.17	•	•	•	To hold one or more internal HEFCE briefings with a diversity focus.	Ongoing, beginning July 2006	Cherylin Nicholson/ Amy Norton	Briefings are carried out	Raised awareness among HEFCE staff
6.18	•	•	•	ITS To continue to ensure W3C WAI*-AA compliance as standard for HEFCE web sites and where possible comply with WAI1-AAA. *World Wide Web Consortium's Web Accessibility Initiative	Ongoing	ITS	Ensure compliance	Accessible web-site
6.19	•	•	•	Review and update the existing disability section of the external web-site. Consider the need for other sections of the HEFCE web-site on other equal opportunities issues.	December 2006	Amy Norton/ Shelley Hollingsworth	Revised content on HEFCE web-site	Raised awareness

No.	Race	Gender	Disability	Actions by HEFCE from April 2006-07	Timescale	Lead person	Output	Outcome
6.20			•	Ensure that all future software development meets minimum accessibility requirements where reasonably possible. To review and assess all legacy windows/clients for accessibility and plan for upgrade where reasonably possible.	December 2006	Paul Newnham	Change in software requirements	All HEFCE interfaces are reasonably accessible
6.21	•	•	•	Board Secretariat Continue to raise with the appropriate government departments how to maximise the diversity of nominations for the HEFCE Board, in line with the public appointments process.	Ongoing, annual review in July 2006	Simon Cannell	Government departments are aware of the equality duties requirements	Increased Board diversity
6.22	•	•	•	Ensure that all new Board and strategic committee members are briefed on their responsibilities, liabilities and accountabilities under the equality acts.	Ongoing, annual review in July 2006	Simon Cannell	Briefings are carried out and all members are aware of the Acts' requirements	Increased Board awareness
6.23	•	•	•	Assurance Service Circulate a refresher message to CHEIA (HEIs' audit network), alerting institutions about the compliance and risk issues associated with not meeting the requirements of equality legislation. The HEFCE Head of Assurance will update the sector internal auditors' 2006 conference (September) on the implications of the legislative changes for internal auditors and on HEFCE's action plans.	December 2006	Paul Greaves	E-message to CHEIA mailbox	Increasing awareness among sector internal auditors of equalities compliance risks

Annex E

Consultation questions

1. The Single Equality Scheme (SES) reflects our role in dealing with a range of complex policy-related initiatives and functions delivered to a wide range of stakeholders. However, we see it very much as a living document – subject to review and refinement – and we are concerned to fully involve all our stakeholders in this process. One of the main ways we aim to do this is through a comprehensive consultation.
2. We welcome any comments that you have on our SES, which includes our individual race, disability and gender equality schemes within it. In particular, we welcome your views on the following:
 - a. Are the principles upon which our scheme is based appropriate? (See paragraphs 26-30 of the SES.)
 - b. Are the procedures for addressing impact assessment and monitoring effective and appropriate? (See paragraphs 48-59 of the SES.)
 - c. Do the proposed actions to address race, disability and gender equality within our functions and policies meet both the spirit and letter of the legislation? (See the Equality Action plan at Annex D.)
 - d. Are our functions prioritised appropriately in the race, disability and gender equality schemes? (See Tables 2, 5 and 7.)
 - e. Have we identified the right policies as a high priority for impact assessment in our race, disability and gender equality schemes? (See Tables 3, 6 and 8.)
 - f. Are the proposals for consultation and involvement, and the arrangements for publishing the results of our consultations and the scheme, appropriate and effective? (See paragraphs 48-49 and 60-61 of the SES.)
 - g. Do the actions listed in our Equality Action Plan achieve our priorities and do they reflect the content of the SES? (See Annex D.)
 - h. Is the complaints procedure robust, appropriate and effective? (See paragraphs 69-70 of the SES.)

Monitoring of consultation responses

3. As part of this consultation, we want to measure how effective we have been at engaging with all our stakeholders and as many people who are affected by our SES as possible. To achieve this, we would be grateful if individual respondents (as opposed to those responding on behalf of their institution or other body) could complete an equal opportunities monitoring form. This is available as a download on the web-site with this publication (www.hefce.ac.uk under Publications). The results of this monitoring will be published in an aggregate format with the results of the consultation in January 2007.
4. All monitoring forms will be held separately from the consultation response and the data kept strictly confidential. Monitoring forms can either be submitted at the same time as the consultation responses or separately. We will separate the monitoring returns immediately and store them separately.

5. Responses, by Tuesday 31 October 2006, can be made through our web-site at www.hefce.ac.uk (with this document under Publications), or via e-mail to equality@hefce.ac.uk or by post to:

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List of abbreviations

CEHR	Commission for Equality and Human Rights
CRE	Commission for Racial Equality
DDA	Disability Discrimination Act
DfES	Department for Education and Skills
DRC	Disability Rights Commission
DSA	Disabled Students' Allowance
ECU	Equality Challenge Unit
EOC	Equal Opportunities Commission
HE	Higher education
HEFCE	Higher Education Funding Council for England
HEI	Higher education institution
HESA	Higher Education Statistics Agency
LGM	Leadership, governance and management
LLN	Lifelong Learning Network
LSC	Learning and Skills Council
NDT	National Disability Team
NUS	National Union of Students
OPM	Office of Public Management
PCS	Public and Commercial Services Union
QAA	Quality Assurance Agency for Higher Education
RAE	Research Assessment Exercise
RR(A)A	Race Relations (Amendment) Act 2000
SES	Single Equality Scheme
UCAS	Universities and Colleges Admissions Service
WP	Widening participation

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