

Equality, Diversity and Inclusion- Why this matters to Cardiff University and What do you need to know?

Information for those who have contracts with Cardiff University

Why do you need to know about Equality, Diversity and Inclusion

What the law says

- The University is a 'Public Organisation' and has a responsibility to make sure it follows the law relating to equality and to act in a way that considers equality in everything we do.
- We have a duty not to act in a way that would treat any equality groups in a less favourable way and a duty to work towards equality in a positive way.

The Cardiff University way

- Equality, diversity and inclusion is important to us at Cardiff University, not only because of the law but also because we feel it makes the way we work and the services we provide better for everyone.
- If you provide services on behalf of the University you are also expected to follow what the law says and provide services in 'the Cardiff University way'.

It can damage our reputation but also yours if we do not act in line with the law and if we have discrimination complaints

What is Equality, Diversity and Inclusion?

It is important to remember that 'Equality' in law is not about treating everyone the same because everyone is different. People can have different needs and experiences based on 'characteristics' protected under the law.

What is Equality, Diversity and Inclusion

- ‘Equality’ here is talking about equality of opportunity- the chance to have the same opportunities in work and the same level of services as everyone else (including when that service is provided in a different way).
- Diversity is about recognising that different groups of people might want or need something specific from a service and we need to be flexible to provide this.
- Inclusion is about working/providing services that can work for well everyone and are welcoming to everyone.

Why Equality, diversity and inclusion?

- Please remember that the law is not in place to be 'politically correct' or to treat some groups better than others- it is there to make sure that people can use our services and do not feel unwelcome / left out/ hurt/embarrassed/frightened by the way we behave.
- The law also gives us all rights – so we have a responsibility to treat others in a reasonable way, but also the right not to be treated badly ourselves.

It's only banter.....?

- We need to make sure that the way we behave when working on behalf of Cardiff University – including our informal behaviour ‘jokes’ or ‘banter’ - does not have a negative effect on anyone else.
- ‘Banter’ is not a defence or an excuse for discrimination, bullying or harassment.
- Generally, if the comments are likely to offend someone, especially where they are linked to a ‘protected characteristic’ (see later slides) then they have probably crossed the line.

What 'characteristics' does the law cover?

- The different things the equality law covers are called 'Protected characteristics' (an explanation of what these are is given in the next few slides).
- It may be worth noting that under the law on equality, it is only the 'Protected Characteristics' that are covered, but remember that other workplace, health and safety or even criminal law might apply to other sorts of negative behaviour.

The protected characteristics under Equality Law are:

Age

This refers to a person belonging to a particular age or range of ages (e.g. 18 - 30 year old). The law says you shouldn't treat someone/people badly for reasons relating to their age (whether young or old).



Disability

A person has a disability if s/he has a physical (including serious illness) or mental impairment that is likely to last a long time (a year or longer) and makes their normal day-to-day activities much more difficult.



Protected Characteristics

Gender Reassignment

The process of changing from one gender to another (e.g. from male to female or female to male).



Marriage and Civil Partnership

Marriage is defined as a formal union between a two people (same-sex or different sex).

Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.



Protected Characteristics



Pregnancy and Maternity

Being pregnant/ expecting a baby. Maternity refers to the time after the birth. Protection against maternity discrimination is for 26 weeks after giving birth, and this includes not treating a woman unfavourably because she is breastfeeding.

Race

Refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. Protection for race equality applies to all ethnicities including 'white' ethnic groups.



Protected Characteristics

Religion and Belief



'Religion' usually means a particular system of faith and worship often believing in a God or Gods but 'belief' includes non-religious beliefs (e.g. Atheism). A 'belief' under the law would usually mean something you believe in that affects the way you live your day-to-day life. The law also covers people who do not have a specific religion/belief (and are treated badly because of this) .

Sex (Gender)

Treating a man or woman less favorably for reasons relating to the fact that they are a man/woman.

There are also specific sections in the law about sexual harassment.



Sexual Orientation

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

What is expected of us?

For staff

- Employers and co-workers are expected to treat staff fairly and not to treat someone in a worse way because of a reason relating to one of their 'protected characteristics'. Including for example:
 - in the things we say (verbally, in writing, on social media)
 - in the way we pay staff, in the training we offer
 - in the way we decide who will work for us
 - how we give promotions and
 - in our policies/procedures etc.
- It is also an employer's responsibility to make sure that we train staff so they know about equality law (e.g. similar to Health and Safety).

Will we have to do anything to prove we are acting fairly (on staff issues)?

- It could mean that you will need to collect and use information that proves that you act fairly - for example information about the characteristics of those who have applied for and been offered or turned down for jobs with you.
- It could also mean that you will need to keep a record of who has been given equality training (your staff).

What is expected of us

For our Students / Providing Services

- We need to make sure that we deliver our services in a way that people can use them. This can mean for example putting specific arrangements in place for disabled people (without an extra cost).
- Delivering services in an inclusive way can mean thinking about a range of things including for example:
 - physical access (buildings, signage etc.)
 - information (e.g. bigger size print or another format)
 - support (some people may need help/support to use services)
 - availability (e.g. times of services).

What is expected of us For Students / Providing Services

- We also have to make sure that when we provide services, our staff do not say or do anything that would mean someone is treated in a worse way than others or is upset or embarrassed or frightened as a result of using our services. This could mean for example making sure that our staff do not use sexist or homophobic language.
- Organisations and people delivering services on behalf of the University need to make sure that they follow the law on equality and that they don't behave in a way that would stop people from being able to (or wanting to) use our services, or that would damage the University's reputation.

What if things go wrong?

- If the University has a complaint about the way in which services have been delivered, or about someone's behaviour, we will always investigate this complaint.
- If the complaint is found to be true, then the University will take appropriate action (based upon the contract terms and conditions), which can include ending the contract in serious cases.

What if things go wrong?

- If we don't end the contract we could ask you to put arrangements in place to make sure the same problem doesn't come up again e.g. staff training.
- If contractors have a complaint about the way that someone has behaved towards them when they are delivering services for the University we would encourage you to raise this with Procurement Services, whose contact details can be found on the last page of this guidance.

What about the benefits of Equality?

- Treating your staff well can mean that you get a reputation as a good employer, attracting more people to want to work for you.
- Having staff from all sorts of different backgrounds and with a mix of protected characteristics could also mean that they can bring different ways of thinking and lots of different ideas, it can also mean having a wider customer appeal.
- Thinking about how to include everyone's needs in your services can mean that you provide better services to everyone (because you're thinking - could it be done in a better way?) It can also mean that you can broaden your 'customer base' by providing services that more people can use.

What about the benefits of Equality?

Examples:

The Minister for Disabled People Mark Harper announced in August 2014 that thousands of high street businesses could effectively be turning away the custom of 1 in 5 people by not attracting disabled people: <http://www.disabilityrightsuk.org/news/2014/august/high-street-should-pursue-disabled-peoples-purple-pound>

The DWP estimates that households with a disabled person have a combined income of £212 billion (after housing costs), dubbed the 'purple pound'.

If you provide an accessible inclusive service, you could be attracting a share of the 'purple pound' for your organisation.

What about the benefits of equality?

Not discriminating in the way that services are provided
avoids expensive legal action, avoids damage to
reputation and promotes additional business
opportunities

What about the benefits of equality?

Example

Contrast the “gay wedding cake” case where ‘Ashers bakery’ were taken to court by an LGBT+ organisation in Northern Ireland after refusing to make a cake celebrating gay marriage potentially also resulting in loss of business to the company:

<http://www.pinknews.co.uk/2015/05/20/tesco-reviewing-stock-of-ashers-bakery-products-after-discrimination-ruling/>

With the predicted potential for a new law on equal marriage potentially providing opportunities for companies to benefit from a boost in spending:

<http://www.standard.co.uk/news/uk/surge-in-gay-marriage-could-boost-uk-economy-by-18m-a-year-8471195.html>

What about the benefits of Equality?

- It could help you get other contracts – the public sector spend a lot of money on buying services every year. If you have good equality arrangements in place, chances are other public organisations will want to use you too.

What about the benefits of Equality?

Example:

‘Public authorities spend £236 billion each year on buying goods, works or services from other organisations across every sector. This purchasing power can be used by public authorities as a way to advance equality and, where appropriate, achieve wider social benefits, such as creating training or employment opportunities.’ Equality Human Rights Commission, March 2013.

More Info & Contact

If you would like some more information about equality, diversity and inclusion you may want to look at the following pages:

- Equality and Human Rights Commission :
<http://www.equalityhumanrights.com/private-and-public-sector-guidance>
- ACAS: <http://www.acas.org.uk/equality>
- Stonewall: <http://www.stonewall.org.uk/>
- Diverse Cymru: <http://www.diverseecymru.org.uk/index.php>

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