



# Equality Policy

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## 1. The College's Aims

- 1.1 University College Oxford (the College) aims to provide an inclusive environment which promotes equality, and values diversity. The College aims to provide education of excellent quality for undergraduates and graduates, whatever their background in pursuit of this aim. We will work to remove any barriers which might deter people of the highest potential and ability from applying to the College. We will also maintain a working, learning and social environment in which the rights and dignity of all staff and students are respected.
- 1.2 In exercising its policies, practices, procedures and other functions the College will have due regard to its duties under The Equality Act 2010 and to the protected characteristics specified within it\*
- 1.3 No prospective or actual student or member of staff (including all fellows, academic, academic-related and non-academic staff) will be treated less favourably than any other, whether before, during or after their study or employment at the College (subject to any legal constraints) in relation to the protected characteristics laid out in the Equality Act 2010: for the purposes of the Act, Fellows are members of staff/employees.

## 2. The College's commitment

- 2.1 The College will encourage applications for study and employment from the widest pool of potential candidates.
- 2.2 With regard to students, the College is committed to ensuring that all of its activities are governed by principles of equality of opportunity, and that all students are supported to achieve their full academic potential. Decisions on the admission of both undergraduate and graduate students will be based solely on the individual merits of each candidate and the application of selection criteria appropriate to the course of study.
- 2.3 This policy applies to (but is not limited to) admissions, to teaching, learning and research provision, to scholarships, grants and other awards under the College's

\*The characteristics protected by the Equality Act 2010 are: age, disability, gender reassignment, marital or civil partnership status (in employment), pregnancy and maternity, race, religion or belief (including lack of belief), sex and sexual orientation

control, to student support, to accommodation and other facilities, to health and safety, to personal conduct, and to student complaints and disciplinary procedures

- 2.4 With regard to staff (including all fellows, academic, academic-related and non-academic staff) , the College will ensure that entry into and progression within employment is determined solely by the criteria which are related to the post, the relevant pay band and personal merit. In all cases the ability to perform the job would be the primary consideration.
- 2.5 This policy applies to (but is not limited to) recruitment and selection (including advertising of jobs); training and development; promotion; pay and benefits (and conditions of service); facilities; health and safety; grievance and disciplinary procedures and termination of employment.
- 2.6 The Equality Act introduced a new Public Sector General Equality Duty, which requires the University to pay 'due regard' to the need to: eliminate unlawful discrimination, victimisation and harassment; advance equality of opportunity and foster good relations. This came into force on 5 April 2011, and replaced the previous separate equality duties for race, disability and gender. 'Specific duties', which aim to show how HEIs are responding to the general duty, were commenced on 10 September 2011. Institutions must meet both the general duty and the specific duties.

In order to realise its commitment, the College will:

- promote the aims of this policy
- promote equality and good relations between people who share a relevant protected characteristic and people who do not share it
- be proactive in eliminating discrimination, including harassment and bullying through training and the production and dissemination of codes of practice and guidance
- have regard to its obligations under relevant legislation, including the requirement to meet the Public Sector Equality Duties (the general duty and specific duty), ensure that its policies, codes of practice and guidance mirror the same, and reflect the provisions of new legislation
- whilst acknowledging that they are not legally binding, have regard to any Codes of Practice issued or adopted by the Equality and Human Rights Commission and relevant non-Statutory bodies
- make this policy, as well as all codes of practice and guidance, available to all staff and students; and
- regularly review the terms of this policy and all associated codes of practice and guidance.

### **3. Roles and Responsibilities**

#### *Governing Body and its major committees.*

It is the responsibility of the Governing Body and its major committees to provide mechanisms through which the College's strategic objectives for equality and diversity can be delivered and also to work in partnership with the University to agree a fair and equitable division of responsibility under current and future equality legislation. The Governing Body provides leadership in all matters relating to equality and diversity and oversees the development of equality policy frameworks and their application in the College. The committee charged by the Governing Body with procedural advice and review will be the General Purposes Committee.

#### *Heads of Department.*

Heads of both academic and administrative departments are responsible for the day-to-day implementation and delivery of the College's strategic objectives for equality and diversity in accordance with the guidance attached to this policy.

### **4. Application.**

- 4.1 This policy applies to all members of the College community, , both students and staff (including all fellows, academic, academic-related and non-academic staff) whether permanent, temporary, casual, part-time, or on fixed-term contracts, to job applicants, to student applicants, current and former students, to associate members, and to visitors to the College.
- 4.2 All members of the College community have a duty to act in accordance with this policy, and therefore to treat colleagues with respect at all times and not to discriminate against or harass other students or members of staff, whether junior or senior to them.
- 4.3 The College expects all its staff (including all fellows, academic, academic-related and non-academic staff) to take personal responsibility for familiarising themselves with this policy and to conduct themselves in an appropriate manner at all times to respect equality of opportunity for all staff, students, applicants and visitors.
- 4.4 The Equality Policy is closely linked to the Flexible Working Policy, the Parental Leave Policy and the Code on Harassment.

- 4.5 The existence of our Equality Policy, other related policies and legislation cannot by themselves prevent discrimination. The College's members, students and staff (including all fellows, academic, academic-related and non-academic staff) should critically examine their behaviours and seek to challenge themselves, and influence others, in order to ensure the College is achieving its aims.

## 5. Complaints

- 5.1 The College regularly assesses the impact of its policies on its students and its staff (including all fellows, academic, academic-related and non-academic staff), and on applicants for admission to or employment in the College. Students who consider they have experienced or perceived improper discrimination or anything adverse to equality of opportunity are requested to state their complaint or concern, as appropriate, to a Tutor, or the Dean, Senior Tutor, Domestic Bursar, Junior Deans, or other College officer, or to the Welfare Officer or Women's Officer of the Junior or Middle Common Room. Others associated with the College who have such a concern may state it as provided for by their terms of employment or by statute XII part VI.
- 5.2 The College monitors the admission and progress of students, and appointments and progress of staff by reference as legally required to categories such as sex, nationality (including citizenship), and ethnic or national origins. The collated results are considered at least once a year by a committee<sup>1</sup> responsible for advising the Governing Body whether considerations of equality of opportunity call for changing any policy, arrangement, or practice, corporate or individual. They are considered by the Governing Body at least annually, and after that are available on request from the Academic Office (for student data) and HR (for staff data).
- 5.3 The College regards any breach of this policy by any employee(s) or student(s) as a serious matter to be dealt with through its agreed procedures and which may result in disciplinary action. Any prospective or current student or member of staff who has a complaint concerning a breach of this policy may bring such a complaint to the College. The procedures for dealing with concerns about breaches of this policy are set out below:

### 5.3.1 Candidates for admission

Queries about admissions should be directed to;  
*Tutor for Admissions* ([andrew.bell@univ.ox.ac.uk](mailto:andrew.bell@univ.ox.ac.uk)) for undergraduate admissions  
*Tutor for Graduates* ([peter.jezzard@univ.ox.ac.uk](mailto:peter.jezzard@univ.ox.ac.uk)) for postgraduate admissions

### 5.3.2 Students of the College

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1. In relation to students, this is the Academic Committee; in relation to others associated with the College it is the General Purposes Committee.

Allegations of harassment and bullying are covered by the College Policy and Procedure on Harassment , which can be found here:

<http://www.univ.ox.ac.uk/content/regulations-and-policy-documents>

Any other complaint should be made under the Student Complaints Procedure, which can be found here:

<http://www.univ.ox.ac.uk/sites/www4.univ.ox.ac.uk/files/Student%20Complaints%20Procedure%20v1.1.pdf>

### 5.3.3 Applicants for employment

Applicants for employment should refer any concerns in writing to the HR Advisor/Manager in the first instance.

### 5.3.4 Members of staff

Allegations of harassment and bullying are covered by the College Policy and Procedure on Harassment and Bullying. Other complaints should be handled under the College Grievance Procedure

## 6. **Prevent Duty**

6.1 University College upholds its staff's and students' rights to freedom of expression and confidentiality. While securing and protecting the existing rights (in the absence of serious crime) to confidentiality and privacy and at all times to equal treatment under the law, it takes seriously its statutory duty under the Counter-Terrorism and Security Act 2015 (the 'Prevent' Duty) to have due regard for the need to prevent people from being drawn into terrorism. Any suspected breaches of those rights will be referred to the Master for investigation by a panel of College officers.

## 7. **Other relevant Policies and Review Date**

7.1 The Equality Policy is closely linked to other College policies which are available on the website or through the Equalities Officer:

- Flexible Working Policy
- Parental Leave Policy
- Code on Harassment
- Prevent Action Plan and Risk Assessment

7.2 The College will review the Equality Policy on a four-year cycle. The next review will take place in Hilary Term 2020.

## Definitions of Equality and Diversity and Discrimination

<sup>1</sup> **Equality** is about creating a fairer society where everyone can participate and has the same opportunity to fulfil their potential. Equality is backed by legislation designed to address unfair discrimination based on membership of a particular group.

<sup>2</sup> **Diversity** is about recognising that everyone is different in a variety of visible and non-visible ways. It is about creating a culture and practices that recognise, respect and value difference. It is about creating a workforce/student community who feel valued and respected and have their potential fully utilised in order to meet College goals. It is about harnessing this potential to create a productive environment in which the equally diverse needs of individuals can be met.

### Discrimination

The areas of discrimination where the law offers protection are:

**Direct discrimination** is where a person is treated less favourably than another in a similar situation on a protected ground.

Specific forms of direct discrimination have also been defined:

- **Associative (transferred) discrimination** is now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- **Perceptive discrimination** is now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic
- **Disability related direct discrimination:** is where a person discriminates against a disabled person if, on the ground of that person's disability, he or she is treated less favourably than a person not having that particular disability has been or would have been treated.
- **Disability - reasonable adjustments:** is where employers are obliged to make reasonable adjustments to premises or working arrangements to prevent a disabled person from being placed at a substantial disadvantage compared with persons who are not disabled.

**Indirect Discrimination** is where a rule or practice is applied across the board, but it operates to particularly disadvantage a protected group when compared to others outside the group, unless the rule is needed to achieve a legitimate aim, and the means of achieving that aim are appropriate and necessary.

**Victimisation** is where an individual who has sought to enforce their rights, or has helped another to do so, has as a result been treated less favourably than others who have not complained.

**Harassment** where an individual is subjected to unwanted conduct on a protected ground which has the purpose or effect of violating his or her dignity or of creating an intimidating, hostile, humiliating, or offensive environment.

## Protected Characteristics

The nine protected characteristics on the grounds upon which discrimination is unlawful are:

**Age** - refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

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

**Gender reassignment** - the process of transitioning from one gender to another.

**Marriage and civil partnership** - marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. The public sector equality duty does not apply to this characteristic.

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

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

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

**Sex** - a reference to a man or to a woman

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