



# 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.<sup>1</sup>
- 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, all Fellows are considered members of staff/employees.
- 1.4. *Zero Tolerance for Bullying and Harassment*

The College has a zero-tolerance approach to all forms of bullying, harassment, and victimisation. We are committed to fostering an environment of respect and dignity for all. Unacceptable behaviour, including unwanted conduct related to a protected characteristic or of a sexual nature, will not be tolerated. Anyone experiencing or witnessing such behaviour is strongly encouraged to report it. Support and guidance are available from [HR, Welfare, or relevant officer], and complaints will be handled sensitively.

## 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 control, to student support, to

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<sup>1</sup> 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.

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 will 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 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**

#### **3.1. *Governing Body and its Major Committees***

It is the responsibility of the Governing Body, and its 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 ensuring that the College meets its duties under the Equality Act 2010, including progress against the targets set in the Equality Action Plan, and providing leadership in related areas of work will be the Equality, Diversity and Inclusion Committee.

### 3.2. *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, or Fellow for Anti-Racism, Fellow for Women, 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>2</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).

<sup>2</sup> In relation to students, this is the Academic Committee; in relation to others associated with the College it is the Equality, Diversity and Inclusion Committee.

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, both undergraduate and postgraduate, should be directed to the Senior Tutor (andrew.bell@univ.ox.ac.uk);

5.3.2 Students of the College

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 may 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 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 may 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 HR Manager/Equality 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 2024.

## ANNEX

### 1. The Definition of Equality, Diversity and Inclusion

**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.

**Diversity** The concept of diversity encompasses acceptance and respect. It means understanding that each individual is unique, and recognising our individual differences. We understand that simply having diversity in our student body and work force is not enough; we must create an inclusive environment where all people can contribute and reach their full potential.

**Inclusion** is engaging the uniqueness and talents, beliefs, backgrounds, capabilities and ways of working of all individuals, joined in a common endeavour, to create a culture of belonging, in which people feel valued and respected.

### 2. The Definition of 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. Reasonable Adjustments – Practical Information.

#### Requesting Reasonable Adjustments

The College is committed to providing reasonable adjustments for staff, students, and applicants with disabilities. To request an adjustment, individuals are encouraged to contact [HR/the Disability Officer/the relevant college contact] as soon as possible. The College will consider all requests promptly and confidentially, and work collaboratively to implement appropriate support. Further guidance and support are available on request.

- **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.

### 3. The Definition of the 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' or between a same-sex couple. 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.

### 4. Equality and Diversity Training and Reasonable Steps

To embed equality and prevent discrimination, bullying, and harassment (including sexual harassment), all staff and managers are required to undergo equality and diversity training at induction and at regular intervals thereafter. This training covers the College's legal duties, best practice expectations, and how to identify and prevent all forms of harassment, including sexual harassment.

The College recognises its responsibility under the Equality Act 2010 to take proactive, reasonable steps to prevent discrimination and harassment. Regular training is designed to help establish a “reasonable steps” defence, should a discrimination claim arise, and to comply with the new statutory duty to actively prevent sexual harassment, as required by updated EHRC guidance. Further information on sexual harassment and safeguarding responsibilities is available in the Code of Practice.