



## Disability Equality Policy

### The College's Aims

Exeter College welcomes diversity among its staff, students and visitors, recognising the particular contributions to the achievement of the College's mission which can be made by individuals from a wide range of backgrounds and experiences.

Exeter College aims to provide an inclusive environment which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all its staff and students are respected to assist them in reaching their full potential. The College will work to remove any barriers which might deter people of the highest potential and ability from applying to the College, either as staff or students.

### The Legal Context

The Equality Act 2010 places a positive duty on all public bodies, including the College, to eliminate discrimination and harassment and to promote equality of opportunity for people with disabilities. The College is required to have in place a Disability Equality Scheme (DES) which must comprise a range of operational and strategic activities that the College will engage upon over a three-year period to meet the requirements of the Act.

The DES is informed by the social model of disability which requires that the 'barriers' or elements of social organisation that exclude people who have impairments should be identified and removed. Examples of such barriers include:

- inflexible organisational procedures and practices
- inaccessible information
- inaccessible buildings
- inaccessible transport
- discriminatory health and social support services.

In summary, public authorities such as the College are required to have due regard<sup>1</sup> to the following when carrying out their functions:

- promoting equality of opportunity between disabled people and other people
- eliminating discrimination that is unlawful under the Equality Act
- eliminating harassment of disabled people that is related to their disability
- promoting positive attitudes towards disabled people
- encouraging participation by disabled people in public life
- taking steps to meet disabled people's needs, even if this requires more favourable treatment.

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<sup>1</sup> 'Due regard' means that authorities should give due weight to the need to promote disability equality in proportion to its relevance.

The Equality Act 2010 has broadened previous definitions of discrimination and the scope of protection.

Definition of discrimination: Under the Act, a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.<sup>2</sup>

Scope of protection: The Act provides protection for those who have, or have had, a disability, and those who do not have a disability (for example, those mistakenly perceived to be disabled, and those linked or associated with a disabled person). That is, disability is a protected characteristic because of a current or past disability, and through perception or association.

As a result, the Act governs how organisations have to act and respond in order to prevent and address disability discrimination and disability-related harassment when they provide goods, facilities and services to the public:

- It is no longer necessary for someone to show that their impairment affects a particular 'capacity' - for example, their speech, mobility, hearing, eyesight – for it to be impairment.
- Direct disability discrimination (where a disabled person receives worse treatment than someone without a disability) applies to areas other than at work; for example, in accessing goods and services.
- Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the unfavourable treatment cannot be justified, unless the organisation can show that it is intended to meet a legitimate objective in a fair, balanced and reasonable way, or that it could not be reasonably expected to know about the disability.
- Indirect disability discrimination occurs when a rule, policy or practice that applies to everyone is particularly disadvantageous to people with a particular disability, and it cannot be shown to be justified to meet a legitimate objective in a fair, balanced and reasonable way.
- Reasonable changes are required to the way things are done and to the built environment wherever disabled customers or potential customers would otherwise be at a 'substantial disadvantage' compared with non-disabled people (previously described as 'impossible or unreasonably difficult' for a disabled person). Service providers must anticipate and address barriers that might impede a disabled person. The only legal question is whether or not the adjustment is a reasonable one to make.
- People are protected from disability-related harassment; that is, unwanted behaviour related to disability that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
- People can claim that they have been treated badly (suffered unlawful victimisation) because they have made a complaint about disability

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<sup>2</sup> 'Impairment' covers, for example, long-term medical conditions such as asthma and diabetes, and fluctuating or progressive conditions such as rheumatoid arthritis or Motor Neurone Disease. A mental impairment includes mental health conditions such as bipolar disorder or depression. 'Long-term' means an impairment which has lasted at least 12 months, is likely to last for at least 12 months, or is likely to last for the rest of the life of the person affected.

discrimination or harassment, or helped someone to do so, or because the service provider thinks they are doing or may do this (previously complainants needed to show that that they had been treated less favourably).

## **The College's Commitment**

The College is committed to promoting equality of opportunity between disabled people and other people, eliminating unlawful discrimination for disabled people and harassment of disabled people, promoting positive attitudes towards disabled people, encouraging participation by disabled people in the life of the College and taking steps to meet the needs of disabled people, including where necessary by more favourable treatment. The College will assess the impact of policies on disabled students and staff, monitor their recruitment and progression, and publish the results of impact assessments and monitoring.

Any unlawful discriminatory behaviour, including harassment or bullying by individuals or groups, will be regarded extremely seriously and could be grounds for disciplinary action, which may include expulsion or dismissal.

## **Monitoring and Audit**

The College has in place arrangements to monitor, by reference to disability, the selection and recruitment of members of staff and the admission of students. The results of this monitoring process are collated by the Academic Administrator and HR Officer and reported to the Equality Review Committee. Additional monitoring is undertaken as necessary to ensure that the College is able to identify possible improvements in its practices in relation to:

- Management and governance
- Teaching, learning and assessment
- Admissions, access and participation
- Support and guidance for students
- Behaviour and discipline
- Staff recruitment, training and career development
- Partnership and community links
- Service delivery.

The Action Plan for the College's Disability Equality Scheme sets out arrangements for monitoring in particular areas and reporting on outcomes.

## **Responsibilities**

Governing Body is responsible for securing compliance with the general and specific duties and for overseeing implementation of the Disability Equality Scheme.

The Rector is responsible for providing leadership in the promotion and implementation of the Scheme.

The Equality Review Committee is responsible to Governing Body for the promotion, development, implementation, monitoring, prioritisation and review of equality policies generally.

All College Committees are responsible for ensuring that this policy is embedded in their duties and functions in relation to both students and staff.

Those with managerial responsibilities have a duty to take forward specific actions under this policy as identified in the action plan in addition to the general duties under the Act.

### **Contractors and Service Providers**

The College's procurement policies will address, where appropriate, the obligation to promote disability equality and equality between disabled people and other people.

### **Review**

The Equality Review Committee will consider an annual report of the Disability Equality Scheme in Michaelmas Term each year. A full review of the Disability Equality Scheme will take place every three years from initial publication (the first review to take place in 2015).

### **Publication**

The College will publish the Disability Equality Scheme and results of monitoring and assessments as part of the annual report of the Scheme.

### **Complaints**

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 Office.

### **Further Information and Advice**

The College works in partnership with the Equality and Diversity Unit of the University, which provides the following services to students and staff:

Student Counselling Service - <http://www.ox.ac.uk/students/shw/counselling/>  
Student Disability Advisory Service - <http://www.ox.ac.uk/students/shw/das/>

Staff Counselling Service - <http://www.admin.ox.ac.uk/uohs/at-work/mental-health/counselling/>  
Staff Disability Advisory Service - <http://www.admin.ox.ac.uk/eop/disab/staff/>

Exeter College Oxford  
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