



# Exeter College

## Equal Opportunity and Diversity policy

### 1. Introduction

Exeter College is committed to ensuring that (as far as is practicable) all employees, job applicants, customers, suppliers, contractors, clients and other people with whom we deal are treated fairly and are not subjected to unfair or unlawful discrimination.

This policy is not contractual, but sets out the way in which Exeter College aims to manage equal opportunity and diversity in relation to the people that it employs.

### 2. Scope of this policy

This policy applies to all employees, including those on part-time, apprentice, fixed-term and job-share contracts, as well as casual workers and agency staff.

### 3. Aims of this policy

Our policy is designed to ensure that – as far as is practicable - current and potential workers are offered the same opportunities regardless of a protected characteristics (sex, race, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity, gender reassignment) or indeed any other characteristic unrelated to the performance of the job. We seek to ensure that no one suffers, either directly or indirectly, as a result of unlawful discrimination. This extends beyond the individual's own characteristics, to cover discrimination by association and by perception.

We recognise that an effective equal opportunity policy will help all employees to develop to their full potential, which is clearly in the best interests of both our staff and our business. We aim to ensure that we not only observe the relevant legislation but also seek to do whatever is necessary to provide genuine equality of opportunity.

We expect everyone who works for us to be treated, and to treat others, with respect. Our aim is to provide a working environment free from harassment, intimidation, or discrimination in any form that may affect the dignity of the individual.

We further recognise the benefits of employing individuals from a range of backgrounds, as this creates a workforce where creativity and valuing difference in others thrives. We value the wealth of experience within the community in which we operate and aspire to have a workforce that reflects this.

### 4. Legal considerations

The following pieces of legislation apply to this policy:

- the Rehabilitation of Offenders Act 1974
- the Protection from Harassment Act 1997
- the Human Rights Act 1998
- the Sex Discrimination (Gender Reassignment) Regulations 1999

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- the Racial and Religious Hatred Act 2006
- the Equality Act 2010
- the Enterprise and Regulatory Reform Act 2013
- any Codes of Practice issued by the Equality and Human Rights Commission
- plus any amendments to the above legislation.

The main legislation that covers equal opportunity and discrimination is the Equality Act 2010. This Act defines the various protected characteristics, and the different types of discrimination, harassment and victimisation. The Act also places specific duties on public bodies, such as Exeter College, to promote equality and in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act;
- Promote equality of opportunity; and
- Foster good relations between people who share a protected characteristic and those who do not.

As such, the College has published information about how it complies with these duties. These documents are available from the College website at: [www.exeter.ox.ac.uk/equality-and-diversity](http://www.exeter.ox.ac.uk/equality-and-diversity).

## 5. Definitions of discrimination and harassment

Discrimination may be direct or indirect, and can take different forms, for example:

- treating any individual less favourably than others on grounds of a protected characteristic (sex, race, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity or gender reassignment);
- expecting a person, solely on the grounds stated above, to comply with requirements that are different to the requirements for others, for any reason whatsoever;
- imposing on an individual requirements that are in effect more onerous than they are on others. This would include applying a condition (which is not warranted by the requirements of the position) which makes it more difficult for members of a particular group to comply than others not of that group;
- By association - someone is discriminated against because he/she associates with someone who possesses a protected characteristic;
- By perception - discrimination on the grounds that the person is perceived as belonging to a particular group (e.g. sexual orientation, religion or belief), irrespective of whether or not this is correct;
- Harassment - unwanted conduct which has the purpose or effect, intentionally or unintentionally, of violating dignity, or which creates an intimidating, hostile, degrading, humiliating or offensive environment for the individual;
- Victimisation - treating a person less favourably because he or she has committed a "protected act". "Protected acts" include previous legal proceedings brought against the employer or the perpetrator, or the giving of evidence at a disciplinary or grievance hearing or at tribunal, or making complaints about the perpetrator or the employer or their alleged discriminatory practices;

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- Any other act or omission of an act, which has the effect of disadvantaging one person against another, purely on the above grounds.

On all occasions where those in control of employees are required to make judgements between them, (e.g. disciplinary matters, selection for training, promotion, pay increases, awards etc) it is essential that merit, experience, skills and temperament are considered as objectively as possible.

## 6. Responsibility for this policy

The overall responsibility for implementing and monitoring the effectiveness of this policy rests with the Governing Body of Exeter College.

The College also has an Equality Review Committee, which is the main body in College dedicated to the delivery of the College's diversity and equality objectives. The committee meets once per Term, and reports to the Governing Body on a regular basis. The members of the committee include representatives from the constituent bodies of the College.

Heads of Department and line managers are responsible for promoting diversity and equality of opportunity on a day-to-day basis in their own areas of responsibility.

The HR Officer supports the day-to-day operation and monitoring of this policy, and is also responsible for organising training for staff so that they are aware of their responsibilities. In addition, the HR Officer reports a range of data and statistics to the Equality Review Committee to demonstrate the extent to which the College is achieving its goals (particularly in the area of recruitment).

All employees, irrespective of their job, seniority, or part-time or fixed-term status have a personal duty to familiarise themselves with the contents of this policy, and to act in accordance with this policy at all times. Employees also have a responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues, job applicants or ex-employees, nor encouraging others to do so or tolerating such behaviour; to challenge any unacceptable behaviour should they either witness it or experience it directly, and to report any matters of concern to a member of the College's management team, as appropriate.

Disciplinary action, including dismissal, may be taken against any employee found guilty of unfair discrimination, harassment and/or victimisation. Employees should be aware that not only is the employer liable for any cases of discrimination or harassment that occur, but individuals also may be held personally liable for their own acts and behaviour (as some actions may constitute a criminal, as well as a civil, offence).

## 7. Recruitment and selection

We aim, through appropriate information, training and supervision, to ensure that all those who are responsible for recruitment and selection are familiar with this policy and apply it in conjunction with our recruitment policy.

Selection will – as far as possible - be conducted on an objective basis and will focus on the applicants' suitability for the job and their ability to fulfil the job requirements. Our interest is in the skills, abilities, qualifications, aptitude and potential of individuals to do their jobs. Shortlisting and interviewing will normally be carried out by more than one person, to minimise the risk of conscious or unconscious bias.

Person specifications will be reviewed to ensure that criteria are not applied which are discriminatory, either directly or indirectly, and that they do not impose any condition or requirement which cannot be justified by the demands of the post. Questions asked of candidates will relate to information that will help us to assess their ability to do the job.

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Questions about marriage plans, family intentions, religious or political commitments, caring responsibilities, intention to join our pension scheme or to opt out, or about any other issues which may give rise to suspicions of unlawful discrimination should not be asked. Selection tests will be specifically related to the job and measure an individual's actual, or inherent, ability to do or train for the job.

Job adverts should encourage applications from all types of candidates and should not be stereotyped. They will normally state: "Exeter College is an equal opportunity employer and values diversity". Reference to this policy will also be made on job and person descriptions.

## **8. Training and development**

Exeter College recognises that equal opportunity responsibilities do not end at selection, and is committed to ensuring that, wherever possible, all employees receive the widest possible range of development opportunities for advancement, in line with the operational requirements of the College.

All employees are encouraged to discuss their career prospects and training needs with their Head of Department or line manager on a regular basis (and at least annually). Opportunities for promotion and training will be communicated, usually by Heads of Department, and will be made available to staff according to their relevance to the job concerned, and on a fair and equal basis.

No age limits apply for entry to training or development schemes - these are open to all employees.

## **9. Terms and conditions of employment**

We will ensure that all of our employment policies including compensation, benefits and any other relevant issues associated with terms and conditions of employment, are formulated and applied in such a way as to remove/ minimise any discrimination on the grounds of a protected characteristic (sex, race, disability, sexual orientation, religion or belief, age, marital status or civil partnership, pregnancy/maternity, gender reassignment), or indeed any other characteristic unrelated to the performance of the job.

These will be reviewed regularly to ensure there is no discrimination. Employees will not be subjected to any detriment if they wish to join our pension scheme, nor will they be offered any inducement not to do so. This would include refusing promotion or training to someone who decided not to opt-out, or refusing or reducing a pay increase if it would bring the worker within the band of earnings that would make him/her eligible for auto-enrolment, etc.

## **10. Grievances, disputes and disciplinary procedure**

Exeter College will take seriously any breach of this policy. Employees who believe they have been discriminated against should bring this to the attention of the College as soon as possible. In the first instance employees are encouraged to do this informally (e.g. to your line manager, or to the HR Officer), but where it has not been possible to resolve the matter informally, or where the matter is particularly serious, they are advised to use our internal grievance procedure.

An employee who, in good faith, brings a complaint of discrimination must not be victimised or less favourably treated as a result.

However, false allegations that are found to have been made in bad faith will be dealt with under the appropriate disciplinary procedures.

Bullying or harassment will not be tolerated, and any individual who feels that he/she has been subjected to bullying or harassment should refer to our bullying and harassment policy. Equally, anyone who witnesses incidents of bullying or harassment should report this to his/her manager or an appropriate senior member of staff.

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When dealing with general disciplinary matters, care is to be taken that employees or workers who have, are perceived to have, or are associated with someone who has, a protected characteristic are not dismissed or disciplined for performance or behaviour which could be overlooked or condoned in other employees or workers.

## **11. References**

We will not discriminate against individuals who have left our organisation by providing references that are not based on factual information, nor by failing to provide one based on a protected characteristic.

## **12. Retirement**

We have no fixed retirement age and anyone who wishes to work beyond State Pension Age may choose to do so.

## **13. Positive action**

We also recognise that passive policies will not reverse the discrimination experienced by many groups of people. To this end, if certain groups are under-represented within our business we may actively seek to encourage applications from those groups.

The decision as to which applicant is offered a post (either recruitment or promotion) must be based entirely on the merit of the individual. However, where two candidates are equally qualified and suitable in all other respects, we may decide to offer the post to a candidate who is from a group that is under-represented in our workforce at that particular level.

## **14. Communication of this policy**

All job applicants, employees and workers will be made aware of this policy. A copy will be available on the College website and in alternative formats (e.g. large print, translation, etc) where appropriate. Reference to the policy will be included in our Employee Handbook, which is given to all employees on joining us. Customers, clients, suppliers and others who request it will also be made aware of this policy.

In addition, employees will be reminded of this policy from time to time through such means as advertisements, job descriptions (which will refer to this), application forms, posters, training courses and emails.

## **15. HR policies and procedures**

Our HR policies and procedures will be reviewed regularly to improve, amend or adapt current practices to promote diversity and equality of opportunity within our business. Relevant data will be collected to support this. Personal details provided by employees or job applicants for the purposes of equal opportunity monitoring are confidential, will be kept apart from all other records and not used for any other purpose.

## **16. Monitoring and review of this policy**

The Governing Body of the College (through the Equality Review Committee) has overall responsibility for implementing and monitoring this policy, which will be reviewed on a regular basis and may be changed from time to time to take account of experience and/ or changes in legislation.

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Relevant data will be collected to support this policy. Personal details provided by employees or job applicants for the purposes of equal opportunity monitoring are confidential, and will therefore be kept apart from all other records and not used for any other purpose.

Any queries or comments about this policy should be addressed to the HR Officer.

If you would like copies of this policy in alternative formats (e.g. large print, translation, etc) please contact the HR Officer.

### **Related Policies**

- Bullying and Harassment policy
- Disciplinary procedure
- Grievance procedure
- Recruitment and selection policy

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