

# Equality Policy & Public Sector Equality Duty

## Introduction

Under the Equality Act 2010, public bodies have a **general duty** to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.

In addition, public bodies (including all English HEIs) have **specific equality duties** which are intended to demonstrate the ways in which they are working towards the general equality duty. The specific duties are: (i) to publish relevant, proportionate information by 31 January 2012, and at least annually thereafter, showing compliance with the Equality Duty; and (ii) to set at least one equality objective by 6 April 2012 and subsequently at intervals no greater than four years.

Exeter College is considered as an HEI under the Duty.

## The Legal Context

The Equality Act 2010 harmonised and replaced most existing equalities legislation. It came into force on 10 October, and for HEIs, covers their functions as an employer and as a provider of education and services. The Act covers nine '**protected characteristics**': age, disability, gender reassignment, marriage and civil partnership (but only in relation to employment), pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Some of these remain the same as under previous legislation; for others, protection has been extended or reinforced.

The Public Sector Equality Duty ('**the general duty**') came into force on 5 April 2011, replacing 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.

The **general duty** requires HEIs to have due regard in decision-making to the need to:

- Eliminate discrimination, victimisation and harassment and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people from different protected groups, including:
  - Removing or minimising disadvantages suffered by people due to their protected characteristics;
  - Meeting the needs of people with protected characteristics
  - Encouraging people with protected characteristics to participate in areas where their representation is low.
- Foster good relations between people from different protected groups, including tackling prejudice and promoting understanding.

The **specific duties** require HEIs to:

- Publish, no later than 31 January 2012, information to demonstrate their compliance with the general duty, and subsequently at intervals no greater than one year from the last publication;
- Prepare and publish one or more specific and measurable objective(s) that it thinks it should achieve to meet any of the three aims of the equality duty. The objective(s) must be published not later than 6 April 2012 and subsequently at intervals of no greater than four years;
- Publish information and objectives in a manner that is accessible to the public: this may be within another published document.

The College's Equality Review Committee consulted on the College's equality objectives in Hilary term 2012, and the committee agreed two objectives for publication and implementation in April 2012.

### **The College's Aims**

Exeter College welcomes diversity among its staff, students, alumni 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 College's Commitment**

The College is committed to using its best endeavours to ensure that all of its activities are governed by principles of equality of opportunity.

No prospective or actual student or member of staff will unjustifiably be treated less favourably than any other, whether before, during or after their study or employment at Exeter College on one or more of the following grounds (subject to any legal constraints and in relation to the protected characteristics laid out in the Equality Act 2010): age; colour; disability<sup>1</sup>; ethnic origin; gender (including gender reassignment); marital or civil partnership status; nationality; national origin; parental status; pregnancy or childbirth; race; religion or belief (including lack of belief); sexual orientation; or length or type of contract (e.g. part-time or fixed term).

The College has particular supportive policies for race (Racial Equality Policy), disability (Disability Equality Policy and Scheme) and gender (Gender Equality Scheme and Action Plan), and a Code of Practice on Harassment to protect its members from any form of harassment or discriminatory behaviour which might

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<sup>1</sup> Under the Equality 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.

inhibit them from pursuing their work, studies or other business with the College. Any other complaints about breaches of this policy may be raised using the College's Complaints and Appeals Procedures, which was introduced in June 2012 as a means of resolving grievances falling outside the scope of our Code of Practice on Harassment.

This Equality Policy applies to all members of the College community, both students and staff, whether permanent, temporary, casual, part-time or on fixed-term contracts, to job applicants, to student applicants, current and former students, to honorary and associate members and to visitors to the College.

With regard to staff, this policy applies, but is not limited to, advertising of jobs and recruitment and selection, to training and development, to opportunities for promotion, to conditions of service, benefits, facilities and pay, to health and safety, to conduct at work, to grievance and disciplinary procedures and to termination of employment.

With regard to students, this policy applies, but is not limited to, admissions, to teaching, learning and research provision, to scholarships, grants and other awards and benefits under the College's control, to student support and welfare, to access to College accommodation and to other buildings, facilities and services, to health and safety, to personal conduct and to student complaints and disciplinary procedures.

The College expects all its staff, students and visitors to take personal responsibility for familiarising themselves with this policy and to conduct themselves in an appropriate manner towards other staff, students (prospective, current and former) and visitors. Members of the College community have a duty to treat colleagues with respect at all times, and not to discriminate against, victimise<sup>2</sup> or harass<sup>3</sup> other students, members of staff or visitors, whether junior or senior to them. 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.

In order to realise its commitment to equality of opportunity and to fulfilling the public sector equality duty, the College will:

- Promote the aims of this policy;
- Promote equality of opportunity and foster good relations between people who share a relevant protected characteristic and people who do not share it, including tackling prejudice and promoting understanding;
- Be proactive in eliminating discrimination, including harassment, victimisation and bullying, through training and the production, dissemination and review of its policies, codes of practice and guidance<sup>4</sup>;

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<sup>2</sup> Victimisation is defined in the Equality Act as treating someone badly because they have done a 'protected act' (or because the institution believes that a person has or is going to do a protected act). A 'protected act' is making a claim or complaint of discrimination (under the Equality Act), helping someone else to make a claim by giving evidence or information, making an allegation that the further or higher education institution or someone else has breached the Act, or doing anything else in connection with the Act.

<sup>3</sup> There are three types of harassment that are unlawful under the Equality Act: unwanted conduct related to a relevant protected characteristic, unwanted conduct of a sexual nature or that is related to gender reassignment or sex, and less favourable treatment because the person concerned submits to or rejects the unwanted conduct. 'Of a sexual nature' can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, inappropriate touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings, or sending emails with material of a sexual nature.

<sup>4</sup> The Act includes discrimination by association i.e. being related to, or friendly with, someone with a protected characteristic, or perceiving someone to have a protected characteristic.

- Demonstrate due regard in decision-making to the requirements of the general duty of the Equality Act 2010, including understanding the effect of its policies and practices on equality;
- Have regard to its obligations under relevant legislation, and for its policies, codes of practice and guidance to mirror the same and be changed to meet the demands 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;
- Make this policy, as well as all codes of practice and guidance, available to all staff, students, contractors and suppliers, and visitors, who work, study, live in or visit the College;
- Regularly review the terms of this policy and all associated codes of practice and guidance.

The policy statement is supported by the College's Racial Equality Policy, Freedom of Speech Code of Practice, Disability Equality Policy and Scheme, Gender Equality Scheme and Action Plan, Code of Practice on Harassment, and Complaints and Appeals Procedures. These can be read online at <http://www.exeter.ox.ac.uk/information/policies/collegepolicies.html>. The College supports the aims of the University's Integrated Equality Policy, available at <http://www.admin.ox.ac.uk/eop/missionstatement/integratedequalitypolicy/>.

### **The College's Responsibilities**

The Governing Body of Exeter College has overall responsibility for setting strategic objectives and for taking all reasonable steps to ensure equality of opportunity and the prevention of discrimination, harassment and victimisation of staff, students and visitors in their relationship with the College.

The Equality Review Committee is responsible for the development, implementation and review of policies and practices to support the College's equality policy in relation to staff, students, contractors and suppliers, visitors and others closely associated with the College. The Committee is chaired by the Rector, and includes representation from all members of the College community (students, academic and non-academic staff). Members of Equality Review Committee include the Sub-Rector, Bursar, Academic Dean, HR Officer, Harassment Officers, Junior Dean, Academic Registrar and Bursary Officer. The Presidents of the Junior and Middle Common Rooms (or their representatives) are on this Committee, and it is afforded by such other College members and members of College staff as may, in the opinion of the Rector, most accurately reflect the diversity of backgrounds and experiences within the College.

College Officers and Heads of Department are responsible for the day-to-day implementation and delivery of the College's strategic objectives for equality and diversity.

### **Monitoring and Audit**

Higher education institutions have a duty to have effective arrangements for the collection and analysis of data for equality monitoring purposes. Collecting and analysing equal opportunities data helps us to ensure that all staff members are

treated equally within employment and enables us to measure the effectiveness of our policies.

The College regularly reviews its Equality Policy to assess its effectiveness. Equality Review Committee meets formally each term to consult on and develop the College's equality policies and practices, and equal opportunities monitoring data is reported annually to the Governing Body in Hilary term. At present, the Equal Opportunities data held by the College for current academic, academic-related and support staff is incomplete but includes age, gender, disability and ethnicity; this information is also asked of applicants to academic, academic-related and support staff vacancies.

In addition to the monitoring and assessment arrangements already in place, the College will be putting in place procedures to ensure that such additional monitoring is undertaken as is necessary to ensure that the College is able to identify possible improvements in its practices, whether in relation to teaching, learning and assessment; management and governance; admissions, access and participation; students' support and guidance; behaviour and discipline; partnership and community links; staff recruitment, training and career development; and service delivery. Appendix 1 presents extracts from the College's current data on students, staff and applicants.

### **Equality Objectives**

As part of the College's commitment to the aims of the Public Sector Equality Duty, we have developed and agreed two measurable equality objectives to demonstrate the College's compliance with the specific duties of the Act. The College will undertake to review its progress against these objectives at least annually, and will set new objectives at subsequent intervals no greater than four years.

Consultation was undertaken with student and staff representatives at the meeting of the Equality Review Committee on 8 March 2012, and the following equality objectives were agreed for implementation on 6 April 2012:

	Objective :	Purpose:	Review date and frequency:
1	To review and update the College's current Code of Practice on Harassment to provide an effective procedure for handling complaints.	To meet the aim of the general equality duty to eliminate discrimination, victimisation and harassment by establishing clear and fair procedures by which any complaint about a breach of this policy may be investigated and resolved.	By end of Trinity Term 2012.  Progress report: Complaints & Appeals Procedures published on 19 June 2012 to complement the College's Code of Practice on Harassment.  <a href="#">Available online here</a>

	Objective :	Purpose:	Review date and frequency:
2	To improve the College's arrangements for the collection and analysis of Equal Opportunities data from students, staff and applicants.	To advance equality of opportunity between people from different protected groups by enabling us to measure the effectiveness of our policies, identify areas for improvement, and engage with groups of people with protected characteristics to encourage participation in areas where representation is low.	By beginning of Michaelmas Term 2012.  Progress report: updated questionnaire issued to applicants and current staff in Michaelmas Term 2012, and data collected.  Publication of first dataset by end of Hilary Term 2013 and annually thereafter.

## Complaints

The College is committed to protecting its members from any form of harassment or discriminatory behaviour which might inhibit them from pursuing their work or studies. Violent, indecent, disorderly, threatening, abusive, or offensive behaviour or language and bullying are unacceptable forms of behaviour. The College will view seriously any action which runs contrary to these principles, ensuring an environment in which the dignity of other members of College, members of staff and visitors is respected.

Complaints of harassment, victimisation or bullying on the grounds of age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief (or lack of it), sex and sexual orientation should be reported according to the College's Code of Practice on Harassment ([http://www.exeter.ox.ac.uk/sites/exeter/files/documents/cop\\_harassment.pdf](http://www.exeter.ox.ac.uk/sites/exeter/files/documents/cop_harassment.pdf)), which is also available from the College Office, the Harassment Officers, the Women's Adviser, and from the JCR and MCR Welfare Officers. Harassment may be broadly understood as consisting of a course of unwarranted behaviour such as to cause, and which may reasonably be expected to cause, such distress or annoyance as seriously to disrupt the work or substantially to reduce the quality of life of another person. It includes any offensive physical act, behaviour or expressions which relate to any of the protected characteristics. Similarly, abusive behaviour of any sort is a disciplinary offence, which should be reported through the appropriate channels.

Any prospective or current student or member of staff, or visitor, who has any other complaint concerning a breach of this policy, may bring such a complaint to the College using the Complaints and Appeals Procedures, available from <http://www.exeter.ox.ac.uk/sites/exeter/files/documents/Complaints-and-Appeals-Procedures.pdf>.

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## Appendix 1: Equality Data

The College currently has separate Equality policies and schemes for Gender, Disability and Race, and reference is made to the information on College policy and practice contained in these reports that demonstrates compliance with the Public Sector Equality Duty. Further information about the College can be found in the College's Publication Scheme, available at

<http://www.exeter.ox.ac.uk/sites/exeter/files/documents/publication-scheme.pdf>.

This appendix presents extracts from the College's existing data on current students, staff and applicants. It is a live document, and will be reviewed and updated as required.

### Undergraduate and Graduate Admissions

The College has subscribed to the University's Common Framework for Admissions, under which data on undergraduate and graduate student applicants is collected and monitored centrally by the University. For undergraduate admissions statistics see

[http://www.ox.ac.uk/about\\_the\\_university/facts\\_and\\_figures/undergraduate\\_admissions\\_statistics/index.html](http://www.ox.ac.uk/about_the_university/facts_and_figures/undergraduate_admissions_statistics/index.html).

For graduate admissions statistics see

[http://www.ox.ac.uk/about\\_the\\_university/facts\\_and\\_figures/graduate\\_admissions\\_statistics/index.html](http://www.ox.ac.uk/about_the_university/facts_and_figures/graduate_admissions_statistics/index.html).

### Current Students

Detailed student data on the current student population by individual college is published on the University's website at

<http://www.admin.ox.ac.uk/ac-div/statistics/student/> and at

<http://www.ox.ac.uk/gazette/statisticalinformation/studentnumberssupplements/#d.en.48839>.

The College gathers data on the profile and progress of accepted students, including data on ethnicity and gender, which is maintained electronically on the College's Student Database and on the University's student supervisory systems and monitored annually by the Equality Review Committee. The College's student gender profile, as at 1 December 2011 and 1 December 2012 (based on the 1 December HEFCE 'snapshot' of student data), can be found in Charts 1a and 1b.

Chart 1a: Gender profile by student group, as at 1 December 2011.

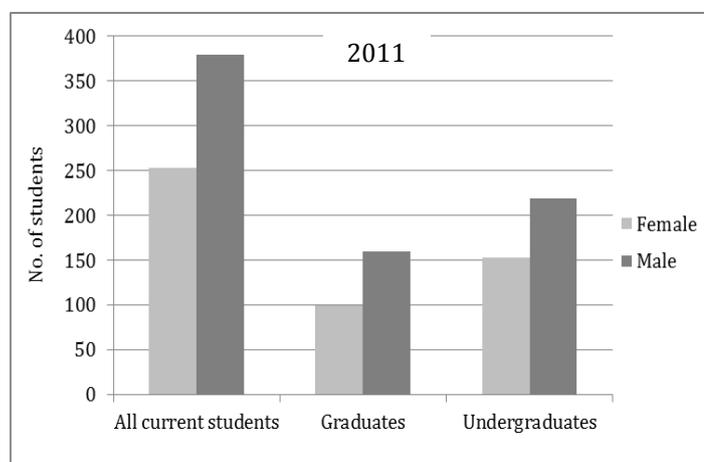
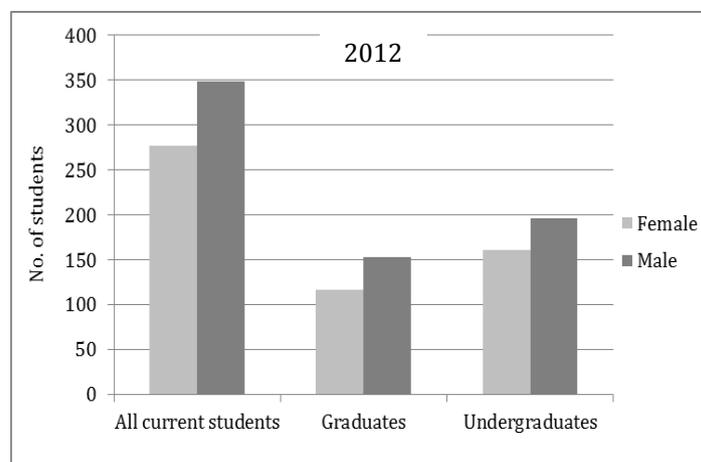


Chart 1b: Gender profile by student group, as at 1 December 2012.



All of our students are encouraged to complete the National Student Barometer survey (<http://www.ox.ac.uk/students/living/surveys/>), and the College investigates and takes action on the feedback received from this survey.

## Recruitment Monitoring Statistics

The College has in place arrangements to monitor the selection and recruitment of members of staff by means of Equal Opportunities monitoring forms returned by applicants on a voluntary and anonymous basis. The results of this monitoring process are collated by the Equal Opportunities Officer and reported by the HR Officer annually to the Equality Review Committee, normally in Michaelmas term of each academic year; the timing of this may change in light of monitoring decisions arising from the College's equality objectives agreed in Hilary term 2012.

The following charts show the age, gender, ethnicity and disability profile of 240 applicants to a total of 14 vacancies for academic and non-academic/support roles in 2010, and the same profiles for 260 applicants to a total of 12 vacancies in 2011. Not all of the applicants returned the recruitment monitoring form from which this data has been collated; of those who did, not all answered every question.

Chart 2a: Gender profile of applicants for College Academic, academic-related and support staff vacancies in 2010.

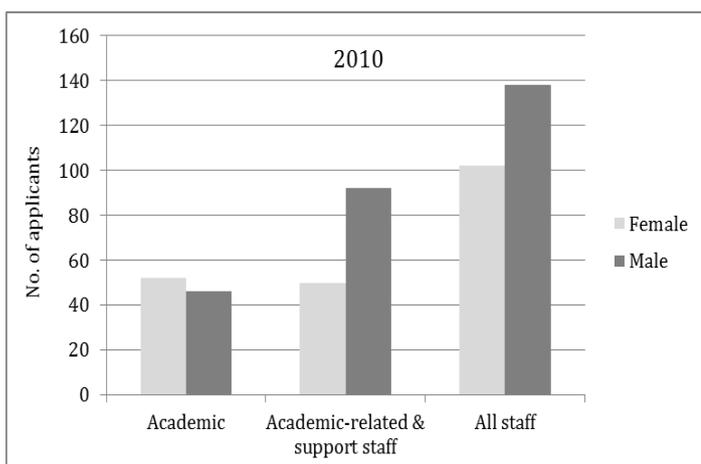


Chart 2b: Gender profile of applicants for College Academic, academic-related and support staff vacancies in 2011.

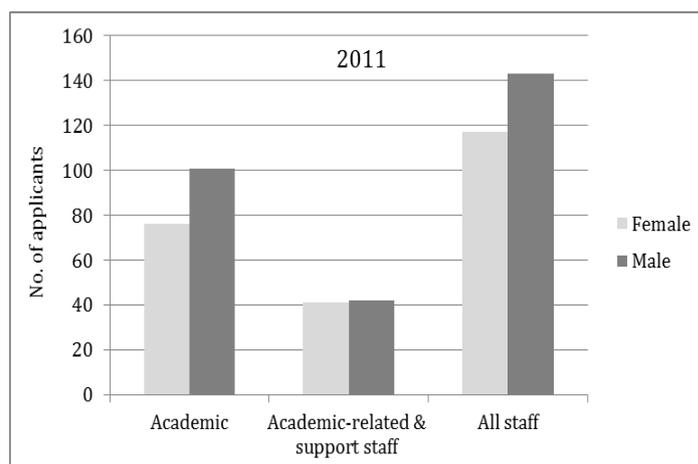


Chart 3a: Age profile of applicants for College academic, academic-related and support staff vacancies in 2010.

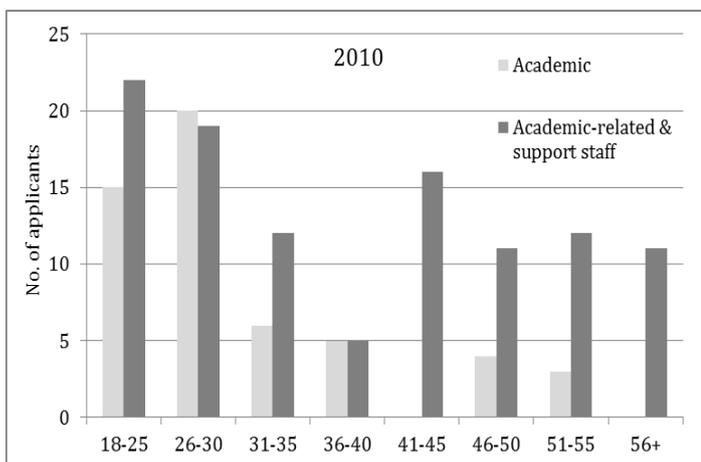


Chart 3b: Age profile of applicants for College academic, academic-related and support staff vacancies in 2011.

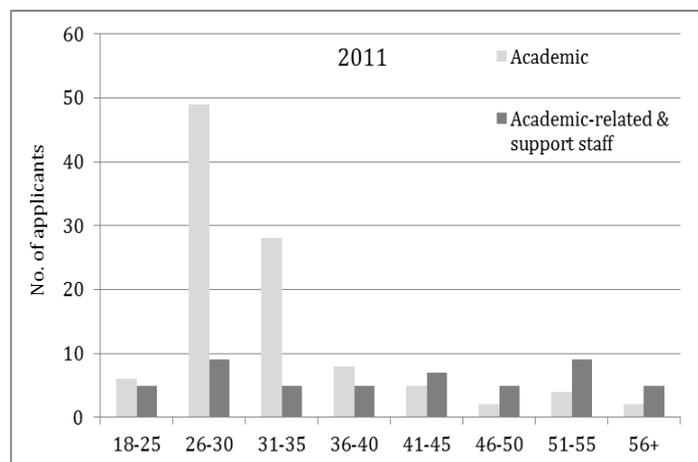


Chart 4a: Ethnicity of applicants for College academic, academic-related and support staff vacancies in 2010.

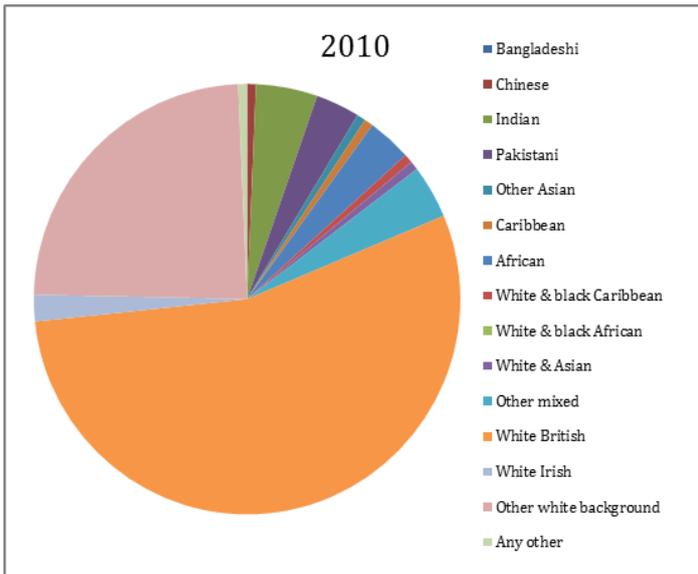


Chart 4b: Ethnicity of applicants for College academic, academic-related and support staff vacancies in 2011.

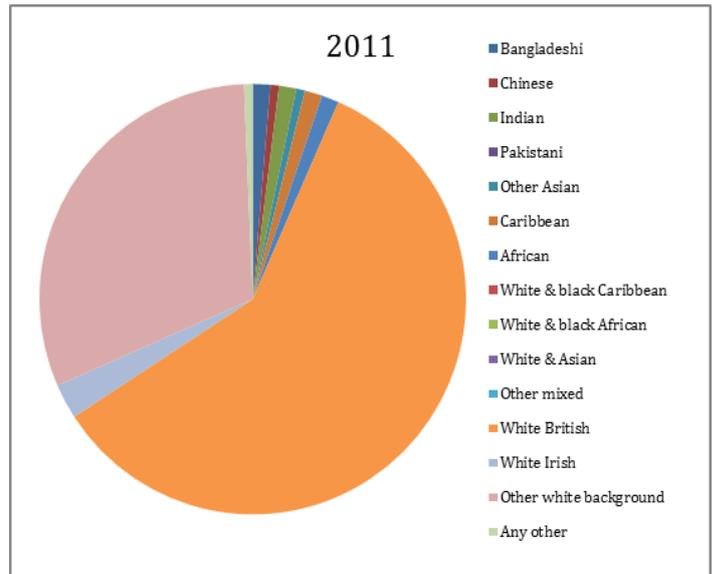


Chart 5a: Applicants for College academic, academic-related and support staff vacancies in 2010 declaring a disability.

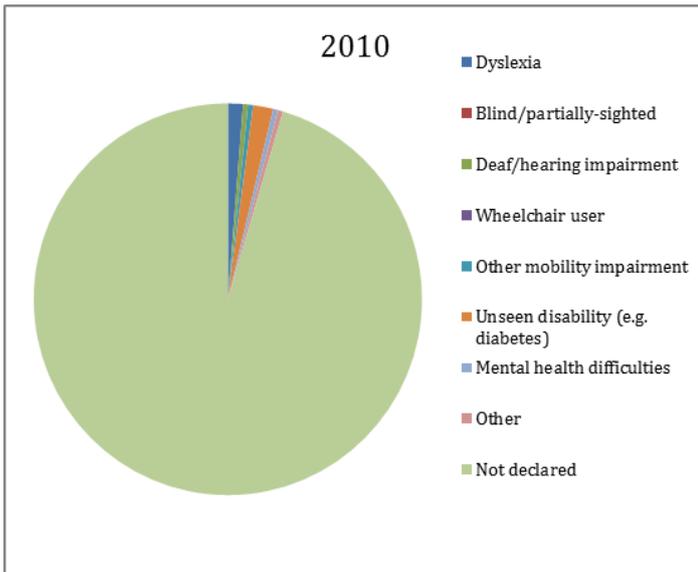
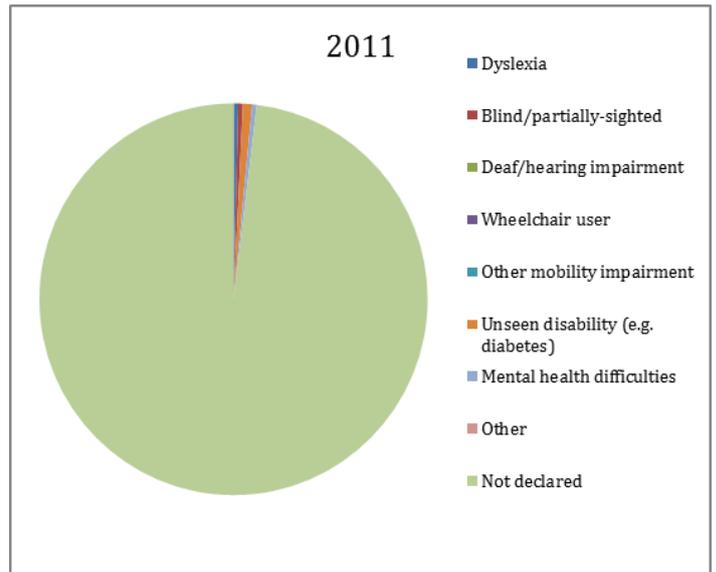


Chart 5b: Applicants for College academic, academic-related and support staff vacancies in 2011 declaring a disability.



## Current Staff

The following charts show the gender and age profiles of our current academic, academic-related and support staff, as at 31 January 2012; future updates and further information relating to other protected characteristics is likely to be available from Hilary term 2013, following the results of the Equal Opportunity survey in Michaelmas term 2012.

The University has gathered and published monitoring and statistical data and other equality information in a series of reports available from <http://www.admin.ox.ac.uk/eop/publicsectorequalityduty/>; these incorporate data on members of the College's academic staff who hold a joint appointment with the University.

Chart 6: Gender profile of current College academic, academic-related and support staff.

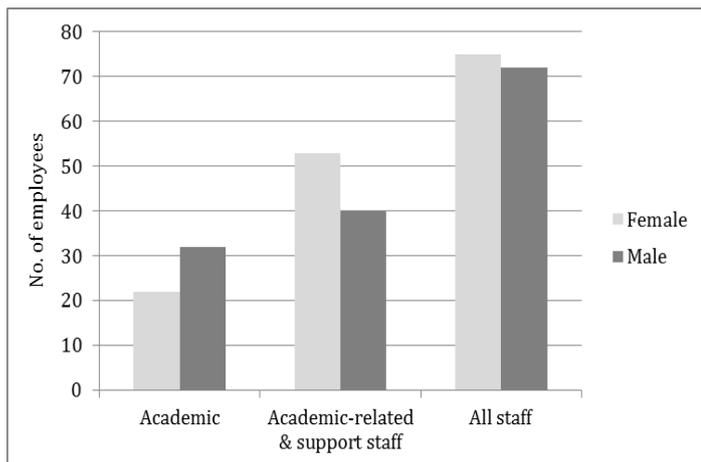
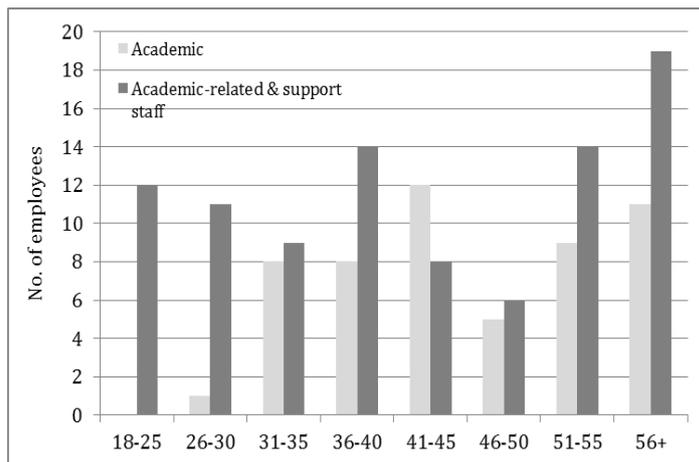


Chart 7: Age profile of current College academic, academic-related and support staff.



## Staff Retention Data

Information on non-academic College-only staff is gathered by the HR Officer and reported to Staff Committee as required. For the period 1 October 2010 to 30 September 2011, the turnover rate was 10% across all non-academic staff posts. In the period 1 October 2011 to 30 September 2012, the turnover rate fell very slightly to 8.7%.

Further details are not published here to prevent the identification of individuals, but in general, the majority of non-academic employees who left the College's employment in 2010/11 were female; most left the College voluntarily, citing promotion/career prospects or personal/family reasons for their departure. For the period 2011/12, reasons for leaving were more varied and included resignation, retirement and dismissal; a slightly higher number of males than females ceased working for the College in 2011/12. The age of departing staff ranged from 18-25 to 56+, and all were of white British or other white background ethnic origin.

## Future Work

Consideration has been given to what equality information the College will publish in future, and the arrangements for the data collection and analysis. In Hilary term 2012, the Equality Review Committee agreed for publication and implementation by 6 April 2012 two specific and measurable objective(s) to meet the aims of the Equality Duty. It is hoped that further data will be provided by staff, students and applicants from Hilary Term 2013, on an entirely voluntary and anonymous basis, following the implementation of these equality objectives. More detailed information on other protected characteristics may be disclosed in future as the quality and coverage of equal opportunities data collection improves in response to the aims of the Public Sector Equality Duty.

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