

## **Girton College**

### **Equal Opportunities Policy**

This policy does not form part of any employee's terms and conditions of employment and may be subject to change at the discretion of the College at any time, for example in order to incorporate changes in law or in line with best practice, with due notification. It is the responsibility of the Human Resources department to ensure this policy is regularly reviewed and that key changes are highlighted and communicated to College's consultative committees and agreed by Council.

This policy should be read in conjunction with the Dignity at Work policy, Code of Conduct, Disciplinary and Grievance Policies.

#### **1. Our values and commitment**

1.1. At the heart of the College's Strategic Plan lie the core values of Excellence, Inclusion and Sustainability. Students are at the heart of what the College values and central to every decision made. Along with this the College values its employees (this includes all staff and fellows with contracts of employment - for the purposes of this policy known as "staff") who contribute to the lives of students in whatever capacity, the opportunities available both to students and to staff, the various communities of which the College forms a part, and recognising the value of seeking the highest quality in all that we do.

1.2 The College is committed to providing equal opportunities in employment and to avoiding unlawful discrimination on any grounds.

1.3 Furthermore, the College is committed to the elimination of unconscious bias, promoting an ethos of inclusion, respect for others and celebrating diversity in all its forms throughout the College community.

#### **2. Scope**

2.1. The College aims to encourage, value and manage diversity ensuring that staff achieve their full potential and employment decisions are taken without reference to discriminatory criteria. This policy is intended to assist the College to put this commitment into practice. Compliance with this policy should also ensure that staff do not commit unlawful acts of discrimination.

2.2. Striving to ensure that the work environment is free of harassment and bullying and that everyone, including staff, volunteers and anyone engaged to work at the College (whether they are in a direct contractual relationship with the College or otherwise) are treated with dignity and respect, is an important aspect of ensuring equal opportunities in employment.

2.3. This policy equally applies to members of staff's obligations around the treatment of students, customers, visitors and members of the public. Staff with managerial responsibilities should seek advice from the Human Resources department if they have any doubts about the application of this policy.

2.4. staff should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action. The College has a separate "Dignity at Work" policy.

#### **3. The law**

3.1. It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy or maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because of a person's marital or civil partner status. These are known as "Protected Characteristics".

3.2. Discrimination during and after employment may also be unlawful, such as refusing to give a reference for a reason related to one of the protected characteristics.

3.3. It is unlawful for an employer to fail to make reasonable adjustments to its requirements, working practices or the physical features of the workplace where these put a disabled job applicant or member of staff at a substantial disadvantage.

#### **4. Types of unlawful discrimination**

4.1. **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic.

4.2. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

4.3. **Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

4.4. **Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

4.5. **Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic.

4.6. **Victimisation** occurs where a member of staff is subjected to a detriment because they made or supported a complaint in good faith, or raised a grievance under the Equality Act 2010, or because they are suspected of doing so.

4.7. However, staff are not protected from victimisation if they acted maliciously or made or supported an untrue complaint in bad faith.

#### **5. Dignity at Work**

5.1 The College has a separate Dignity at Work Policy which defines **Harassment, Bullying and Victimisation** and outlines, in detail, the College's approach and procedure concerning issues of bullying, harassment and victimisation, and how complaints of this type will be dealt with.

#### **6. Equal opportunities in employment**

6.1 The College will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection

for redundancy. The recruitment process will be conducted in line with its Recruitment and Selection Policy and Procedures and in such a way as to result in the selection of the most suitable person for the role in terms of relevant experience, abilities and qualifications, as well as to meet the College's compliance requirements.

6.2 Job Descriptions and Person Specifications will outline those requirements that are necessary and justifiable for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability.

6.3 Opportunities for training and development of staff will be made available to both full time and part time staff. Reasonable adjustments will be made to assist disabled staff participate in training and development activities.

## **7. Disability and Reasonable Adjustments**

7.1 Disability is defined as a mental or physical condition that has a substantial and long term adverse effect on an individual's ability to carry out normal day-to-day activities. Long term means that the condition must generally last, or be likely to last, for more than 12 months.

7.2 The College will make reasonable adjustments to assist in the application and interviewing process of any disability identified by potential applicants and will assist disabled staff participate in training and development activities.

7.3 The College aims to take reasonable steps, within the resources available, to develop an environment that reduces barriers to enabling disabled persons to participate in all aspects of College life on equal terms.

7.4 The College will consider making any reasonable adjustments to either the work environment or working processes that affect a disabled member of staff in accordance with the duties specified under the Equality Act 2010.

7.5 Reasonable adjustments are made after consultation with the individual, line manager, a member of the Human Resources department and any relevant external bodies.

7.6 All staff have a duty to act in accordance with this policy, and not to discriminate against other members of staff and people working on behalf of the College.

## **8. Individual Responsibilities**

8.1 Every member of staff is required to assist the College to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

8.2 staff can be held personally liable as well as, or instead of, the College for any act of unlawful discrimination. Staff who commit serious acts of harassment may be guilty of a criminal offence.

8.3 Acts of discrimination, harassment, bullying or victimisation against staff or customers are disciplinary offences and will be dealt with under the College's Disciplinary Policy and Procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

## **9. Complaints**

9.1 All allegations of discrimination will be investigated and dealt with promptly and sensitively. Confidentiality will be maintained to the maximum extent possible. The College will not ignore, or treat lightly, grievances or complaints of unlawful discrimination from staff.

9.2 If an individual considers that they may have been unlawfully discriminated against, they may use the College's Grievance Policy and Procedure to make a complaint. If the complaint involves bullying or harassment, they should also refer to the College's Dignity at Work Policy.

9.3 Breach of the Equal Opportunity Policy is potentially a serious disciplinary matter and in some cases this may constitute gross misconduct which would result in dismissal.

9.4 Individuals will not be penalised for raising a grievance, even if that grievance is not upheld, unless the complaint is both untrue and made in bad faith.

9.5 Staff should refer to the College's Whistleblowing Policy if they have a reasonable belief that there has been an act of wrongdoing.

## **10. Monitoring and review**

10.1 This policy will be monitored periodically by the College to judge its effectiveness and will be updated in accordance with changes in the law. The College will regularly monitor the effects of selection decisions, working practices and pay policies in order to assess whether equal opportunity is being achieved. If changes are required, the College will implement them.

## **11. Training**

11.1 The College will provide training in unconscious bias to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise, with the objective of eliminating bias.

11.2 The College will provide Equality, Diversity and Inclusion training to all existing and new staff and others engaged to work at the College to help them understand their rights and responsibilities under the Dignity at Work Policy and what they can do to help create a working environment free of discrimination, bullying and harassment, thereby promoting an inclusive and supportive environment.

11.3 The College provides additional training to managers through its Management Development Programme to enable them to deal more effectively with equality, diversity and inclusion within their teams.

## **12. Data Protection**

12.1 The College treats personal data collected for reviewing equality of opportunity in recruitment and selection and in the course of employment in accordance with its Data Protection Policy and Privacy Notice for Employees Policy. Information about how data is used and the basis for processing is outlined in the College's Privacy Notice for Employees Policy.

Anyone found to be in breach of this policy may be liable to disciplinary action under the provisions of the Disciplinary policy and procedure.

Reviewer	SA
Post of Reviewer	Head of HR
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