

## **D. GENDER EQUALITY STATEMENT**

### **1. Current Legal Position**

The Sex Discrimination Act 1975 (“SDA”) forbids discrimination on grounds of gender, which includes gender, gender reassignment and pregnancy/maternity; and marital status, which includes civil partnerships.

Direct discrimination, indirect discrimination and victimisation are all covered. Harassment is also covered, as is sexual harassment. Sexual harassment takes place where a person engages in unwanted verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of either: (a) violating another person’s dignity; or (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

The Equality Act 2006 amends the Sex Discrimination Act to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need:

- to eliminate unlawful discrimination and harassment; and
- to promote equality of opportunity between men and women.

This ‘general duty’ came into effect from 6 April 2007. To support progress in delivering the general duty, there is also a series of ‘specific duties’ set out for public bodies listed by the Act, including universities. These specific duties are summarised below:

- To prepare and publish a Gender Equality Scheme, showing how it will meet its general and specific duties and setting out its gender equality objectives.
- In formulating its overall objectives, to consider the need to include objectives to address the causes of any gender pay gap.
- To gather and use information on how the public authority's policies and practices affect gender equality in the workforce and in the delivery of services.
- To consult stakeholders (i.e. employees, service users and others, including trade unions) and take account of relevant information in order to determine its gender equality objectives.
- To assess the impact of its current and proposed policies and practices on gender equality.
- To implement the actions set out in its scheme within three years, unless it is unreasonable or impracticable to do so.
- To report against the scheme every year and review the scheme at least every three years.

**Direct discrimination** on the grounds of gender can not be justified unless it is covered by the exemptions described below. The motive for the discrimination is not relevant, so actions done in good faith which are directly discriminatory are still unlawful.

**Indirect discrimination** on grounds of gender may be justified if the College is able to show that the discriminatory practice or conduct is a “proportionate means of achieving a legitimate aim”.

**Positive action** – The College may take positive action in respect of access to facilities and training for specific groups who are under-represented. It would be reasonable to take action to increase applications for posts or study from a particular group of people, or provide work experience, outreach days or training programmes only for those people. These actions increase the numbers of eligible people by developing relevant skills and increasing applications from under-represented groups. An example would be the Career Development Fellowships, which especially welcome applications from women and minority ethnic applicants, because they are under-represented in the permanent academic staff base of the University. The selection for admission to study and appointment to posts must however be made only on the basis of merit.

**Genuine Occupational Requirements** – an employer may also justify gender discrimination because a post has a genuine requirement for a worker of one gender to carry out the duties of the post. There must be a clear connection between the duties of the post in question and the characteristics required. A general preference or a habit from past experience would not be sufficient. An example might be the need to recruit a woman to treat young girls with eating disorders, because of the vulnerability of the girls concerned. Any department wishing to establish a GOR should clear this with the Diversity Office before advertising the post.

## **2. College Response**

The College’s response is given in the attached Gender Equality Scheme. This Gender Equality Scheme should be regarded as a work that is continually in progress. It is expected that it will be changed and added to over time. The Equality Committee will take the lead in this process, but all members of the College community are expected and are invited to contribute to making this an evolving set of practicable policies.

## **3. Support and Advice**

The College is able to provide some mechanisms for support and advice. Other vehicles are available via the central University. The College is not liable for the accuracy or appropriateness of advice given by a University body, but believes that the resources provided by the University may be useful to College members.

The Bursar is able to provide initial guidance and advice. He/she takes advice from an external human resources consultant where appropriate.

Student representatives are able to provide guidance and advice. The JCR and MCR Presidents and Welfare Officers should be consulted in the first instance.

For staff the UNISON representative is able to provide advice.

The University's [Diversity & Equal Opportunities Unit](#) is able to offer guidance and advice to departments on University policies.

Investigations into claims of harassment are carried out as per the College's Policy on Harassment

The University offers [training](#) in best practice for those involved in the admissions process, recruitment and selection, management and teaching.

Advice on childcare is available from the University's [Childcare Officer](#) or on the [Childcare website](#) where full details of University nursery and childminding provision, advice on staff and student funding, and application forms are available.

The University supports a number of professional and personal development programmes. [Springboard](#) is a development programme specifically for women.

[The Oxford Learning Institute](#) also offers a variety of personal and professional development programmes for University staff and students.

The University subscribes to the national [Athena](#) Project and is a founder member of the [Athena SWAN Charter](#).

The University currently offers 15 [Career Development Fellowships](#) to men and women in a range of disciplines.

[Oxford Women's Network \(OWN\)](#) exists to facilitate networking between female members of staff. This network includes all women employed in the collegiate University who wish to join an informal network .

Oxford University Students' Union (OUSU) has an elected [Women's Officer](#) who is able to offer support and advice to female students of the University.

### **Links to Legislation and external bodies**

- The [Women and Science Unit](#) provides general advice and news for women working in the sciences.
- The [UK Resource Centre for Women in SET](#) is a source of information and news in the Science, Engineering and Technology sector.
- [The Equal Opportunities Commission \(EOC\)](#) has issued a [Code of Practice on Sex Discrimination](#) and a [Code of Practice on Equal Pay](#).
- The proposed [Gender Equality Duty](#) is outlined here
- [Sex Discrimination Act 1975](#)
- [Equal Pay Act 1970](#)
- [The Maternity and Parental Leave \(Amendment\) Regulations 2002](#)
- [The Paternity and Adoption Leave Regulations 2002](#)
- [Pensions Act 1995](#)