

B. RACE EQUALITY POLICY

1. Current Legal Position

The Race Relations Act 1976 (“RRA”) forbids discrimination on grounds of race in both employment and education. The RRA covers discrimination on grounds of race, colour, nationality, ethnic origin and national origin.

It excludes religion or culture alone, except where these can in fact be classified as “race”. It is acknowledged that the law is unclear on the precise scope. However, as a general rule, a group may be identified as a race or of the same ethnic origin where the group views itself, and is viewed by others, as “a distinct community by virtue of certain characteristics”. These characteristics must include “(a) a long shared history, of which the group is conscious as distinguishing it from other groups, and the memory of which it keeps alive; (2) a cultural tradition of its own, including family and social customs and manners, often but not necessarily associated with religious observance”. Others may include common geographic origin, language or literature. In many cases, the law relating to discrimination on grounds of religion or belief will afford protection.

Direct discrimination, indirect discrimination, harassment and victimisation are all covered.

It is possible to justify indirect race discrimination where it 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 minority ethnic applicants, because they are under-represented in the permanent academic staff base of the College. The selection for admission to study and appointment to posts must however be made only on the basis of merit.

Genuine Occupational Requirements (GOR) – an employer may also justify discrimination because a post has a genuine requirement for a worker of one race 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..

2. College Response

The College’s response is given in two sets of documents:

The College has a separate Race Equality Policy which sets out the detailed policies in the areas required by the Race Relations (Amendment) Act 2000.

The College's Race Equality Action Plan summarises how the College meets its obligations under the law.

Race Equality Policy

The College is committed to promoting equality of opportunity and good race relations and avoiding racial discrimination.

The Race Relations (Amendment) Act 2000, has placed a general duty on public authorities, including the College, in carrying out its functions, have due regard to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity; and promote good relations between people of different racial groups

The Act has placed further specific duties on Higher Education Institutions to publish a Race Relations Policy and an Action Plan for its implementation, and to put in place appropriate monitoring and audit to allow for effective assessment of the impact of the policy and constructive development of new policies and the enhancement of existing policies.

The policy has been developed with regard to the Code of Practice issued by the Commission for Racial Equality.

Commitment

The College will ensure that in the conduct of all its activities, steps are taken to avoid the occurrence of racial discrimination, whether direct or indirect, and to promote good relations between different racial groups.

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

Consultation

There will be consultation at all stages in the implementation and review of this policy. This will include all employees and students and in particular those from different racial groups, union representative bodies, and other interested and relevant groups within the College. The most appropriate vehicle for such consultation is the College's Equality Committee.

Community partnership

The College will incorporate into the development and implementation of outreach activities and awareness of the need to promote equality of opportunity and good relations between people of different racial groups.

Guidance, support and training

Guidance, support and training will be provided to College members to ensure that the College's commitment to race equality is fully realised.

Monitoring and auditing

The College has in place arrangements to monitor, by reference to different racial groups, the selection and recruitment of members of staff and the admission of students. The results of this monitoring process for students are collated by the College's Senior Tutor and for employees by the Bursar, and reported to the College's Equality Committee. It is the responsibility of this Committee, to review the effectiveness of the College's Equal Opportunities policies and to identify in the light of the monitoring process any steps that should be taken to improve the College's practice and procedures in relation to race equality and other opportunity matters. In the event that improvements are identified, it is the responsibility of the Equality Committee to formulate proposals for approval by Governing Body.

In addition to the monitoring and audit arrangements already in place, the Equality Committee manages 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 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.

It will be the responsibility of the Senior Tutor and the Bursar to identify such monitoring arrangements as are required, and for the Equality Committee in consultation with other College committees and with the approval of Governing Body, to ensure that the requirements are brought to the attention of the relevant departments together with the appropriate guidance.

The College's **Race Equality Action Plan** sets out in greater detail the way in which arrangements for monitoring are to be developed.

Responsibilities

The *Governing Body* is responsible for securing compliance with the general and specific duties and for overseeing implementation of the Action Plan.

The *Rector* is responsible for providing leadership in the promotion and implementation of the Action plan.

The *Senior Tutor* and *Bursar* are responsible for ensuring that this policy is complied with in carrying out their duties and functions in relation to both students and employees.

The College's *Equality Committee* is responsible to the Governing Body for the promotion, development, implementation, monitoring, prioritisation and review of equal opportunities policies generally in relation to employees, students, visitors and others closely associated with the College.

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

current legislation.

Contractors and service providers

The College's procurement policies will address, where appropriate, the obligation to promote race equality and good relation between different racial groups.

Review

The Race Equality Policy will be reviewed annually to assess its effectiveness. Governing Body will undertake the review during Michaelmas Term, through regular monitoring of the action plans and the reports prepared by the Senior Tutor and Bursar and considered by the Equality Committee.

Publication

The College will publish the Race Equality Policy and Action Plan and will update these policies in the light of the annual review. It will also publish the results of monitoring and assessments, including information on consultation undertaken as part of the assessment process.

Progress against the Race Equality Policy is monitored by the College's Equality Committee.

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.

4. Services and Information

Staff

- The Bursar is able to provide initial guidance and advice. He/she will call on the services of other College officers (particularly the Senior Tutor and the UNISON representative) and of external consultants as appropriate. Among the departments of the University which can provide advice
- Training on fair recruitment, management and administration is available from the [Oxford Learning Institute](#).
- Training on fair admissions is available from the [Admissions office](#).
- Training for harassment advisers is available from the [DEO](#).
- Guidance for departments on practical issues on employment of refugees and asylum seekers is available [here](#). Guidance on work permits is available from [Personnel Services](#).
- The University of Oxford Staff Consultative Forum meets regularly to discuss matters of common interest. To join or for further information, please contact [Ketan Patel](#).
- The University of Oxford BME (black and minority ethnic) Staff Consultative Forum is a formal body comprising BME staff from all staff groups who meet regularly to discuss matters on common interest. To join or for further information, please contact [Ketan Patel](#).

Students

- The Bursar is able to provide initial guidance and advice. He/she will call on the services of other College officers (particularly the Senior Tutor, the Deans and student representatives) and of external consultants as appropriate. Among the departments of the University which can provide advice
- A summary of the University's work on widening participation and the Access scheme is available from the [Admissions Office](#).
- Support with Academic English is available from the [Language Centre](#), who offer a range of courses suitable for non-native users of English.
- A wide range of advice and support is available from the [International Students office](#), covering funding needs, housing issues and other guidance for students arriving in Oxford from overseas.
- The [Careers Service](#) has a range of services especially targeted at offering ethnic minority students work experience and CV services for entry into professions where they are under-represented.
- [Oxford University Students' Union \(OUSU\)](#) runs a number of diversity campaigns.

Links to Legislation and external bodies

- [Race Relations Amendment Act, 2000](#).
- [Commission for Racial Equality \(CRE\)](#).
- [Equality Challenge Unit \(ECU\)](#).
- [Race for Opportunity](#)