

EQUAL OPPORTUNITIES POLICY FOR STAFF

Last review:	August 2021
Next review due:	August 2022
Reviewed by:	Director for Pastoral Care and Well-being HR Administrator

1. Background

d'Overbroeck's is firmly committed to equality and diversity in all areas of our work. As part of the school's responsibilities under the Equality Act 2010, we have a duty to promote equality of opportunity as well as tackling unlawful discrimination. We believe that embracing diversity results in a happy, more productive work force and promotes positive and healthy attitudes in our modern multi-cultural world.

We have much to learn and profit from diverse cultures, experiences and perspectives, and believe that diversity will make our organisation more effective in meeting the needs of all our stakeholders. It is therefore everyone's responsibility to make sure that diversity and inclusion is promoted throughout d'Overbroeck's.

Under the Equality Act 2010 we will ensure that the following characteristics are protected:

- Age
- Disability
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Gender reassignment
- Sexual Orientation

2. Aims and scope

The overall aim of this policy is to:

- eliminate unlawful discrimination;
- ensure that we treat all individuals fairly, with dignity and respect;
- promote equality of opportunity;
- promote equality of access;
- provide a safe, supportive and welcoming environment;
- integrate our values into our work.

This policy applies to every employee, prospective employee, contractor, peripatetic teacher and volunteer engaged to work with d'Overbroeck's.

It forms part of the formal contract of employment for employees and d'Overbroeck's. All members of the school must abide by this policy, and those in senior or managerial positions or with specific responsibilities for recruitment, selection, training, appraisal and promotion should be especially mindful of the policy. Any failure to comply could result in disciplinary proceedings.

3. Responsibilities

The Governors, Principal and Senior Leadership Team have responsibility for promoting and ensuring compliance with this policy.

All employees with managerial or supervisory responsibility have responsibility for implementing, monitoring and promoting this policy within the workplace.

All employees have a responsibility to work to the policy in all areas of their work, individually and collectively. All staff should expect to be treated with dignity and respect whilst at work, and have an equal responsibility to treat their colleagues similarly. Employees must make sure they do not:

- discriminate against anyone;
- persuade or pressure another employee to discriminate;
- harass, bully or abuse other employees or the public for any reason;
- condone harassment.

If anyone witnesses a discriminatory incident at work, they have a duty of care to others to challenge such behaviour and practice.

If an employee does not follow these and other requirements of this policy, their behaviour will be dealt with under the Disciplinary procedure.

4. Equality and diversity at work

All school policies are designed to promote equal opportunity and protection for all employees, contractors and volunteers. In order to ensure that equality underpins all aspects of our employment policies, procedures and practices, we will, as far as is reasonably practicable:

- a) not unfairly discriminate against any job applicant or employee and, when recruiting, will consider only those factors that are relevant to someone's ability to perform the job well;
- b) treat all employees and job applicants fairly in relation to all our employment policies and procedures and meet any reasonable and appropriate additional needs they may have;
- c) aim to create a workforce that is as diverse as the community we serve;
- d) value and respect the identities and cultures of our employees;
- e) work towards a workplace that is free from discrimination, bullying and harassment, and act promptly on any complaints of discrimination, bullying, harassment or victimisation;
- f) provide a safe working environment;

- g) make the workplace, and information about work, as accessible as we can for all our employees;
- h) give our employees clear information about job selection and training and encourage all employees to reach their full potential;
- i) ensure that we work according to the relevant employment legislation and statutory codes of practice;
- j) continue to develop good practice employment policies and procedures over and above those required by legislation;
- k) apply this Equal Opportunities Policy through the school's recruitment and selection process, training programmes, grievance procedures and all other employment policies;
- l) give employees and job applicants access to complaint procedures if they feel unfairly treated.

5. Commitment to service users

Service users include visitors, students, parents, those who hire school premises, and members of the community with whom the school interacts. They can expect d'Overbroeck's to:

- a) design and deliver appropriate, accessible and effective services to all members of the school community;
- b) work in partnership with others to promote equality and diversity;
- c) make sure that we provide services that comply with relevant legislation and statutory codes of practice;
- d) continue to develop good practice policies and procedures over and above that required by legislation;
- e) act promptly if we receive any complaints about the way we provide services;
- f) ensure complaints of perceived discriminatory practice are taken seriously and dealt with in line with the school's Complaints policy which is available from the [policies page](#) of the school website.

6. Employment practices

All employees have a personal responsibility to adhere to the principles of equal opportunity and maintaining harmony. d'Overbroeck's will actively promote equal opportunities in all our operations to ensure that individuals receive treatment that is fair and equitable and consistent with their relevant aptitudes, potential skills and abilities.

Employees will be recruited and selected, promoted and trained on the basis of objective criteria. Sexual, racial and other forms of discrimination and/or harassment will not be tolerated and d'Overbroeck's will treat unfair discriminatory conduct by any employee as a disciplinary offence.

7. Recruitment

Recruitment is carried out on the sole basis of the applicant's abilities and suitability for the job. Gender, sexual orientation, disability, marital status, age, religion, race, nationality, colour, ethnic or national origin will not justify the non-recruitment of an applicant.

No applicant will be considered unsuitable for appointment, or less suitable than another applicant, on these grounds.

Any job vacancies advertised internally or externally (for example via agencies, online or in the written press) will carry an equal opportunities statement.

d'Overbroeck's will not discriminate against anyone who has a spent conviction under the Rehabilitation of Offenders Act 1974. Having a criminal record will not necessarily bar an applicant from working or using services provided by d'Overbroeck's. This will depend on the nature of employment and the circumstances and background of an applicant's offence(s).

8. Harassment at work

Harassment is unsolicited and unwelcome workplace behaviour that adversely affects the dignity of the recipient. Where such behaviour is motivated by gender, sexual orientation, disability, marital status, age, religion, race, nationality, colour, ethnic or national origin, this also amounts to an infringement of this policy.

d'Overbroeck's is committed to ensuring that no harassment or victimisation at work, whatever the motivation, is overlooked or condoned. Such behaviour can range from extreme forms such as violence or bullying to less obvious actions like practical jokes and ridiculing colleagues or subordinates.

Conduct becomes harassment if it persists after the recipient has made clear that it is regarded as offensive, although a single offensive act can amount to harassment if it is so serious as to be obviously offensive towards the recipient.

Any form of harassment is a potential disciplinary matter and will be dealt with under the school's Grievance and Disciplinary procedures.

9. Pay

Men and women are entitled to be paid equally without any bias on the grounds of sex.

All reasonable steps will be taken to ensure that male and female employees receive equal pay for the same work and for work rated as equivalent and for work of equal value.

10. Age discrimination

The Equality Act 2010 makes it unlawful to discriminate on the basis of age unless:

- the practice is covered by an exception from the ban, or
- good reason can be shown for the differential treatment ('objective justification')

Discrimination or harassment on grounds of age by employers is prohibited in the areas of recruitment, promotion and training.

It is unlawful for an employer to discriminate against a person:

- in the arrangements made for the purpose of determining to whom employment should be offered;
- in the terms on which that person is offered employment;
- by refusing to offer, or deliberately not offering, employment.

Similarly, it is unlawful for an employer to discriminate against that person:

- in the terms and conditions of employment;
- in the opportunities for promotion, a transfer, training, or receiving any other benefit;
- by refusing or deliberately not affording that person any such opportunity;
- by dismissing or subjecting that person to any other detriment.

There are certain circumstances when some of the Regulations may not apply in relation to genuine occupational requirements of employment.

11. Disability Discrimination

11.1 Introduction

The law prevents discrimination against disabled people at work. d'Overbroeck's has set out this section of the policy for the guidance of all employees and to ensure that we comply with our legal responsibilities to disabled people.

Any employee who believes that he or she has been unfairly discriminated against for reasons related to their having a disability should use the Grievance procedure to submit a concern. The Grievance procedure is available to staff from the [school intranet](#).

Disciplinary action will be taken against any employee who is found to have committed an act of discrimination against someone with a disability. This includes treating them less favourably because of their disability; harassment or victimisation, or failing to make reasonable adjustments to prevent a disabled person being placed at a substantial disadvantage at work.

Serious breaches of policy will be taken as gross misconduct.

11.2 Recruitment

Recruitment is carried out on the sole basis of the applicant's abilities and suitability for the job. A disability will not of itself justify the non-recruitment of an applicant.

Reasonable adjustments to the application procedures will be made as required to ensure that applicants are not disadvantaged because of disability.

No applicant will be considered unsuitable for appointment, or less suitable than another applicant, unless full consideration has been given as to whether a reasonable adjustment can be made to overcome any effect of his or her disability upon his or her suitability.

11.3 Induction

When a disabled employee starts work with d'Overbroeck's, we will, in consultation with the disabled employee, ensure that such reasonable adjustments are made as required to enable him/her to work safely and effectively and to secure equal access to the benefits of employment.

If the school does not have the relevant expertise to resolve the problem we will, where required, consult an outside specialist.

11.4 Training and career development

d'Overbroeck's recognises that all employees have equal rights to training, promotion, and other aspects of career development based purely on their abilities. Promotion and training will be made accessible to disabled employees by such adjustments as are reasonable.

11.5 Benefits

Disabled employees have equal access to all benefits and facilities and reasonable adjustments will be made where necessary.

11.6 Harassment

Harassment of disabled employees, service users or suppliers will be a disciplinary offence and may constitute gross misconduct. Any unwanted conduct that violates a disabled person's dignity or creates an intimidating hostile, degrading, humiliating or offensive environment for him or her is illegal.

11.7 Retention

As part of our commitment to equal opportunities for disabled people d'Overbroeck's will ensure that all reasonable measures are taken to retain disabled employees in employment.

We will make such adjustments as are reasonable to enable a disabled employee to carry out his or her duties. This will include, but is not limited to, consideration of the provision of specialist equipment, job re-design, re-training, flexible hours, remote working and/or re-deployment.

11.8 Adjustment

The prime responsibility for arranging the appropriate adjustment will lie with the line manager who will, at all times, consult with the employee concerned, whose agreement will be sought. The expertise of the disabled person concerning his or her own disability will be recognised. Where required, an outside specialist may be consulted. Once an adjustment has been made, the arrangement may need to be reviewed at agreed intervals to assess its continuing effectiveness.

11.9 Action plan – removal of barriers

An action plan will be drawn up in consultation with the employee indicating the actions to be taken over a certain period of time to remove barriers from the working environment.

The plan will address physical access to the premises, recruitment and arrangements for recruitment, terms and conditions of employment, access to benefits of employment, performance assessment, promotion and retention.

It will also state who has responsibility for the various aspects of the plan and how it will be monitored.

12. Racial discrimination

Racial discrimination may take the form of harassment at work directed towards an employee by another employee or group of employees which is of a racial nature, or which is based on a person's race, colour or origins, and which is regarded as unwelcome or offensive to the recipient. It may take the form of verbal and physical actions as well as other form of communication including written and electronic communication such as text messages, emails and posts on social media.

The following are examples of conduct that may be classed as racial harassment:

- jokes about race;
- offensive names used;
- references to people by offensive racist descriptions;
- verbal or physical abuse because of a person's race or colour;
- detrimental behaviour because of a person's race;
- denial of opportunity because of race.

If any employee, service user, volunteer or supplier believes they are the subject of harassment they should make a formal complaint. Depending on the seriousness of the allegation, the alleged harasser may be suspended on full pay while the matter is being investigated under our disciplinary procedures.

The aim throughout is to resolve the complaint of harassment sensitively, impartially, effectively and quickly.

13. Training and development

d'Overbroeck's is committed to a process of Continuous Professional Development (CPD) for all employees and will train, develop and promote on the basis of merit and ability only, and will encourage employees without discrimination.

14. Complaints procedure

d'Overbroeck's does not want to foster a complaints culture but everyone needs to have the confidence to tell someone in authority if they feel they have been unfairly treated, and have the confidence that they will be listened to and their complaints dealt with properly.

Complaints will be dealt with quickly, sensitively and at the lowest appropriate level. All complaints will be recorded and the details reported accurately in accordance with extant policy, and the outcome of any procedure must remedy the situation.

Any employee who feels they have not been treated in accordance with this policy may raise the matter through the school's Grievance Procedure, which is available to staff from the [school intranet](#) or on request from the school office.

Any service user who wishes to raise complaint can do so under the school's Complaints policy available from the [policies page](#) of the school website or on request from the school office.

All complaints will be dealt with seriously, promptly and confidentially. If a member of staff is found to have breached this Equal Opportunities Policy they may be subject to disciplinary action under the school's Disciplinary Procedure, which could result in dismissal.

15. Monitoring and Implementation

This policy will be reviewed at least annually, to ensure it is appropriate and responsive to relevant legislation.

We will ensure effective implementation of this policy by:

- actively promoting it;
- making it freely available to staff via the school intranet, as well as on the school website, including on the vacancies page;
- providing appropriate training and guidance, particularly to line managers, to make sure that they understand this policy and their legal responsibilities;
- taking appropriate action to deal with any breach of this policy.

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