Equal Opportunities and Diversity Policy

Our aspiration is that Thorndown Primary will be an outstanding school.

We value and respect everyone in our community and work as a team to:

Provide learning experiences which support and inspire high achievement for all;

Ensure a caring, safe and welcoming environment;

Promote co-operative and responsible attitudes to make a positive contribution;

Actively encourage independence and confidence to thrive in a changing world

Approved at Personnel and Salaries committee meeting on: 8th March 2023
Review Period: Four yearly
Date for next review: Spring 2027

Introduction

Thorndown Primary School is committed to promoting and achieving equality of opportunity for all students, parents, staff, Governors, visitors and job applicants.

This policy reflects our current practices and applies to every individual working for the school irrespective of their status, level or grade. It therefore includes, the Headteacher, members of the Senior Leadership Team, employees, consultants, contractors, trainees, volunteers, home-workers, part-time or fixed-term employees, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the school who are required to familiarise themselves and comply, with its contents. We reserve the right to amend this policy at any time.

Aim of this Policy

We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

We do not discriminate against Staff on the basis of their sex, sexual orientation, marital or civil partner, pregnancy or maternity, gender reassignment, race (which covers colour, nationality, ethnic or national origin), religion or belief, disability or age (the protected characteristics).

We will meet our statutory obligations under relevant legislation including the Equality Act 2010, which prohibits discrimination, harassment and victimisation in employment. This policy conforms to the Equality Act 2010 and is monitored to ensure compliance with the requirements of the relevant legislation in force from time to time. The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, visitors, suppliers and former staff members.

Scope and Purpose of this Policy

All Staff are required to support this policy to ensure that discrimination does not occur in the workplace. All Staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not discriminate against or harass other colleagues, regardless of their status. Please refer to our separate Bullying and Harassment Policy for further details.

All Staff must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to this policy and promote our aims and objectives with regard to equal opportunities and diversity. Staff will be given appropriate training on equal opportunities awareness and equal opportunities for recruitment and selection best practice.

Any questions about the content or application of this policy should be referred to the Headteacher in the first instance.

This policy applies to all aspects of our relationship with Staff and to relations between Staff members at all levels. This includes:

- job advertisements;
- recruitment and selection;
- training and development;
- opportunities for promotion;
- conditions of service;
- pay and benefits;
- conduct at work;
- capability, disciplinary and grievance procedures; and
- termination of employment.

We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

Forms of Discrimination

Discrimination by or against a member of Staff is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their sex or race because they would not "fit in" would be direct discrimination.

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Bullying and Harassment Policy.

Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else's complaint.

Recruitment and Selection

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics as mentioned above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and

abilities. Job selection criterions are regularly reviewed to ensure that they are relevant to the job and are not disproportionate.

Job advertisements will avoid using wording that may discourage particular groups from applying. A short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies.

We will take steps to ensure that our vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in the school.

Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which we may use, for example:

- questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
- questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
- positive action to recruit disabled persons; and
- equal opportunities monitoring (which will not form part of the decision-making process).

Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without first considering whether such matters are relevant and may lawfully be taken into account.

We are required by law to ensure that all members of Staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective members of Staff, regardless of nationality, must be able to produce the requisite original documents or satisfy the necessary online checks, before employment starts, to satisfy current immigration legislation. A list of acceptable documents is available from the school business manager.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the school we will monitor applicants' ethnic group, gender, disability, sexual orientation, religion, and age as part of the recruitment procedure. Provision of this information is voluntary, and it will not adversely affect an individual's chances of recruitment, or any other decision related to their employment. The information will be removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us to take appropriate steps to avoid discrimination and improve equality and diversity.

Recruitment of Applicants with a Criminal Record

The school is an organisation that uses the Disclosure and Barring Service (DBS) to assess candidates' suitability for positions of trust working in an environment with children or vulnerable adults. We fully comply with the DBS Code of Practice and undertakes to treat all candidates fairly.

We endeavour not to discriminate unlawfully against any candidate who is required to provide information (a check) through this process. Having a criminal record will not necessarily prevent a candidate from working with the school. Whether or not it does will depend on the nature of the position and the circumstances and background of the offence(s).

Our policy on the recruitment of those with a criminal record will be made available to all candidates at the outset of the recruitment process. We will ensure that it makes any candidate who is subject to a check aware of the DBS Code of Practice and will provide a copy of the Code on request.

As a DBS check is part of our recruitment process, we encourage all candidates called to interview to provide details of any criminal record (except cautions and convictions which are "protected" (as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and 2020) at an early stage of the application process. We request that this information is sent under separate, confidential, cover to a designated person within the school, who may vary depending on the nature of the post being recruited. We guarantee that only those who need to see this information as part of the recruitment process will see it.

We will ensure that the school discusses with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job may result in an offer of employment being withdrawn.

Staff Training, Promotions and Conditions of Service

Staff training needs will be identified through informal and formal staff appraisals.

All Staff will be given appropriate access to training to enable them to progress within the school and all promotion decisions will be on the basis of merit.

The composition and movement of Staff at different levels will be reviewed from time to time to ensure equality of opportunity at all levels within the school.

Where appropriate, we will take steps to identify and remove unnecessary or unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.

The conditions of service, benefits and facilities that we provide will be reviewed from time to time to ensure that they are available to all Staff who should have access to them and that there are no unlawful obstacles to accessing them.

Termination of Employment

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

The School will also ensure that absence, capability and disciplinary procedures and penalties are applied without discrimination and are carried out fairly and uniformly for all Staff, whether they result in formal warnings, dismissal or other action.

Disability Discrimination

If a member of Staff is disabled, or becomes disabled, in the course of their employment with the school, they are encouraged to tell us about their condition. This is to enable us to support the member of Staff appropriately.

If a member of Staff experiences difficulties at work because of their disability, they may wish to contact their Line Manager to discuss any reasonable adjustments to their working conditions or duties which they consider to be reasonable and necessary, or which would assist in the performance of their duties.

The Line Manager may wish to consult with the member of Staff and their medical adviser(s) about possible adjustments. Careful consideration will be given to any such proposals, and they will be accommodated where reasonable, practicable and proportionate in all the circumstances of the case.

Nevertheless, there may be circumstances where it would not be reasonable for us to accommodate a particular adjustment and in such circumstances, it will ensure that it provides the member of Staff with its reasons and will try to find an alternative solution where possible.

We will monitor the physical features of its premises to consider whether they place disabled Staff, job applicants or service users at a substantial disadvantage compared to other Staff. Where reasonably practicable and proportionate, we will take steps to improve access for disabled Staff and service users.

Fixed-Term Employees and Agency/Temporary Workers

We will monitor the use of fixed-term employees and agency workers, and their conditions of service to ensure they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will also, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

Part-Time Workers

We will monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will also ensure that requests to alter working hours are dealt with appropriately under our Flexible Working Policy

Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics

We will treat all complaints of discrimination, harassment or victimisation related or connected to any of the protected characteristics made by its staff, students or third parties seriously and will take action where appropriate.

Any member of Staff who considers that they may have been unlawfully discriminated against, victimised or harassed within the meaning of this policy should discuss the matter in the first instance with their Line Manager/Head of Department or, if they do not consider

this to be appropriate, with the Headteacher. In some cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.

If a member of Staff wishes to make a formal complaint, they should raise the matter in accordance with our Grievance Procedure Policy.

Allegations regarding potential breaches of this policy will be treated in confidence and will be investigated in accordance with the relevant procedure and the member of Staff will be given the opportunity to respond to the allegation and provide an explanation for their actions.

Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. If we conclude that the allegations are false or have been made maliciously or in bad faith, we will deal with the matter in accordance with our Disciplinary Policy and Procedure. Any member of Staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.