

## **EQUAL OPPORTUNITIES AND DIGNITY AT WORK POLICY - STAFF**

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| 1. Context          | 1.1. The Equality Act 2010 states that it is unlawful to discriminate directly or indirectly against any existing or potential pupil or staff member on the grounds of race, colour, disability, gender reassignment, age, marriage and civil partnership, pregnancy and maternity, religion or belief, sex and sexual orientation ('protected characteristics'). It is also unlawful to directly discriminate against a pupil or staff member based on a perception that he or she has a particular protected characteristic.  |
| 2. Scope            | <p>2.1. This policy covers all staff members, workers, contractors and volunteers at the school, as well as Vernon Educational Trust governors. Any reference to Staff in this policy applies to all of these affected groups, as appropriate. The core principles in the policy apply equally to treatment of pupils and potential pupils, but these are set out in more detail in the Pupil Equal Opportunities policy.</p> <p>2.2. All school policies and practices will be applied with observance of these principles.</p> <p>2.3. This policy does not form part of any employee's contract of employment, and may be amended at any time.</p>   |
| 3. Policy statement | <p>3.1. Vernon Education Trust (known as Danes Hill School or Danes Hill School and Bevendean) is an equal opportunities employer.</p> <p>3.2. In order to promote an environment within which the school can call upon the widest possible range of knowledge, skill and experience, as well as ensuring compliance with relevant legislation and codes of practice, the governors are committed to achieving and maintaining a workforce which reasonably represents the population within our recruitment area in terms of race or colour, nationality or national or ethnic origins, religion or belief, sex, sexual orientation, pregnancy or maternity, marital or civil partnership status, gender reassignment, age and disability (together known as '<b>Protected Characteristics</b>').</p> <p>3.3. To this end the school will regularly review the operation of recruitment, promotion, training and development policies to ensure that no applicant for employment or member of staff is disadvantaged by conditions or requirements which cannot be shown to be justifiable.</p> <p>3.4. The school ethos aims to provide equality of provision for all, a rejection of unfair discrimination and a positive attitude to a pluralist society. The school is committed to the principles of human equality, tolerance and valuing all members of the community.</p> <p>3.5. All members of the school community will be made aware of their individual responsibility to abide by this policy and to report instances to an appropriate person if they feel the policy has been infringed.</p> |
| 4. Curriculum       | <p>4.1. The school aims to provide a caring and supportive environment for learning and this is reflected in each person's actions as part of the school community. Departments and pastoral teams undertake to ensure that the ethos of equal opportunities is adhered to in all school matters and to report instances where this policy is not being implemented.</p> <p>4.2. All staff must be aware of this commitment and of their individual responsibility to report matters to ensure adequate monitoring of this policy.</p>  |
| 5. Complaints       | 5.1. Any complaints or incidents that have an element of racism must be recorded in the incident log book which is held by the Head's Personal Assistant. The Head will delegate an appropriate member of staff to  |

investigate any incident and the action to be taken will be decided in consultation between this person and the Head. The log book will be reviewed annually by the governors.

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| 6. Employment                                     | <p>6.1. No employee or prospective employee will receive unfair or unlawful treatment on the grounds of a protected characteristic, because they are perceived to have a protected characteristic or because they are associated with someone who has a protected characteristic, in particular but not only, in relation to:</p> <p>6.1.1. Recruitment and selection.</p> <p>6.1.2. Promotion, transfer and training opportunities.</p> <p>6.1.3. Benefits, remuneration, terms and conditions of employment.</p> <p>6.1.4. Grievance and disciplinary procedures.</p> <p>6.1.5. Termination of employment including redundancies.</p> <p>6.1.6. Conduct at work.</p> <p>6.2. Procedures are also in place to ensure fair and equitable treatment in relation to the admission and assessment of pupils.</p> <p>6.3. The principles of non-discrimination and equality of opportunity apply to the way in which staff must treat visitors, pupils, parents, suppliers and former members of staff.</p>   |
| 7. Recruitment and selection                      | <p>7.1. The recruitment and selection process (set out in the Staff Recruitment Policy and Procedure) is governed by principles of fair selection with no discrimination based on a protected characteristic, and is designed to achieve the best match between, on the one hand, the individual's knowledge and skills, experience and character and, on the other hand, the requirements of the vacant post, recognising the need for flexibility to respond to changing conditions.</p> <p>7.2. The capability of the individual to perform in the position will be the major selection criterion but the ability to work with others and to be trained, together with individual potential will be taken into account.</p> <p>7.3. All applicants will be dealt with courteously and as expeditiously as possible.</p> <p>7.4. Shortlisted candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children.</p> <p>7.5. Appointments will be confirmed on satisfactory completion of the pre-employment checks, as set out within Keeping Children Safe in Education.</p> |
| 8. Employees and job applicants with disabilities | <p>8.1. If a member of staff is disabled or becomes disabled, the school will make reasonable adjustments and offer appropriate support to help them in their day to day work at the school.</p> <p>8.2. All staff are encouraged to speak to the HR Director or their line manager about any condition that may affect their work, so they can be supported, and to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The School may wish to consult with a medical adviser about possible adjustments, and the staff member would be asked to give consent to a report being produced about the state of their health and ability to perform their duties. The School will try to accommodate individual needs within reason, and if an adjustment would not be reasonable will explain the reasons and try to find an alternative solution if possible. .</p>  |

- 8.3. A disability will not of itself justify the non-appointment of an applicant for a position at the School. Such reasonable adjustments to the application procedures shall be made as required to ensure that applicants are not disadvantaged because of their disability. For example, where written tests are used, alternative arrangements may be made for visually impaired applicants.
9. Implementation
    - 9.1. The School, with the assistance of the Staff, will:
      - 9.1.1. Break down barriers to equality of opportunity which may prevent staff members realising their full potential or accessing benefit.
      - 9.1.2. Advertise suitable vacancies and ensure job selection criteria are appropriate for the job.
      - 9.1.3. Promptly and fully investigate all complaints of discrimination and harassment, taking appropriate action where necessary.
      - 9.1.4. Ensure that all members of staff are fully informed and trained on this policy.
      - 9.1.5. Monitor the composition of the school and the effects of its recruitment practices.
      - 9.1.6. Examine and review existing procedures to ensure they are not discriminatory in their operation.
      - 9.1.7. Ensure that the language used in official communication reflects School policy.
    - 9.2. The School will comply both with the spirit as well as the letter of legislation. The existence of law cannot in itself ensure that any policy of fair and equal treatment will work effectively - it is up to management staff and the wider staff community to promote equality for everyone. Individual staff, therefore, at all levels, are responsible for ensuring that their own conduct, in the exercise of the school's affairs, is consistent with this policy.
    - 9.3. Unfair discrimination may be linked to harassment and dignity at work, and the school's Staff Code of Conduct sets out clear guidance on treating other members of the School community with respect. The School's approach to dealing with harassment at work is set out at 10. below.
    - 9.4. The school takes a strict approach to breaches of this policy, which will be dealt with in accordance with the disciplinary procedure. Serious cases of unfair discrimination may amount to gross misconduct resulting in dismissal.
    - 9.5. Any member of staff may raise a concern related to discrimination based on a protected characteristic informally with their line manager or the HR Director, or formally through the Grievance Procedure. Complaints will be treated in confidence and investigated as appropriate.
    - 9.6. There must be no victimisation or retaliation against staff who complain about unfair discrimination. However, making a false allegation deliberately and in bad faith would be treated as misconduct and dealt with under the Disciplinary Procedure.
    - 9.7. Discrimination or harassment by third parties such as clients or customers which is related to a protected characteristic will not be tolerated by the school and, once reported, the School will take all reasonable steps to prevent the harassment from happening again.
    - 9.8. The school supports the principle and use of monitoring to ensure the effective operation of the policy. All monitoring will respect the confidentiality of the individuals concerned.

	9.9.	In order to achieve effective implementation of the policy, the school will ensure that this policy and procedure is brought to the attention of all staff. The School will identify any scope for the provision of training and encouragement to assist in overcoming barriers to progression and appointment.
10. Harassment and dignity at work	10.1.	The School is committed to providing a working environment free from harassment and bullying and ensuring all staff are treated, and treat others, with dignity and respect.
	10.2.	Staff must not engage in any behaviour or conduct which may amount to harassment of another person at work. Harassment of any kind is regarded as a disciplinary offence and in serious instances may lead to dismissal without notice.
	10.3.	This policy covers harassment or bullying which occurs at work or out of the workplace, such as on School trips or at work-related events or social functions. It covers bullying and harassment by staff (which includes volunteers, consultants, contractor agency workers) and by third parties such as parents, suppliers, or visitors to the School.
	10.4.	Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.
	10.5.	It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
	10.6.	Harassment may take the form of unwanted conduct which is related to a relevant Protected Characteristic and which is perceived as affecting an employee's dignity at work. It may also take the form of unwanted conduct towards someone based on their appearance or other personal characteristics which is perceived as affecting their dignity at work. Harassment is unacceptable even if it does not fall within any of the Protected Characteristic categories.
	10.7.	Harassment is not only unwanted physical contact, assault or propositions; it includes suggestive remarks or gestures, pin-ups, graffiti, offensive comments, jokes and banter. Harassment may include bullying, intimidation, persistent teasing or constant unfounded criticism of the performance of work tasks, unfair allocation of work and responsibilities, or exclusion from normal workplace conversation. It may be directed towards one individual or a group.
	10.8.	A person may be harassed even if they were not the intended 'target'. For example a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.
11. Dealing with harassment	11.1.	Staff are required to report to their line manager or another senior manager if they see any member of staff being subjected to unfair or unwanted behaviour.
	11.2.	If an employee considers that they have been the recipient of unwanted conduct amounting to harassment, they may feel able to try to resolve the problem informally with the other person, either face to face or in writing. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding. The member of staff should make it clear to the person concerned that their behaviour is unwelcome and makes them feel uncomfortable, and should be stopped.

This may be with the support of a colleague, manager or union representative.

- 11.3. A member of staff looking for support with an incident of possible bullying or harassment should initially contact their line manager or the HR Director for confidential advice.
- 11.4. If an informal resolution is not appropriate or has not been successful, the staff member may raise a grievance in accordance with the grievance procedure. All such grievances will be dealt with sensitively and in confidence as far as reasonably practicable to progress the complaint. Both during the investigation of the complaint and afterwards (whatever the outcome), consideration will be given to ensuring that the individual and the alleged harasser are not required to work together against their wishes.
- 11.5. If an employee considers that they have been subject to discrimination of any form, they should inform the HR Director or Head. The school will seek to ensure that the individual is not in any way penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped. Any member of staff involved will be offered the opportunity to use the school's counselling facilities.
- 11.6. False or malicious allegations will be treated as a disciplinary offence. Retaliation against a member of staff who complains of harassment can be expected to lead to disciplinary action.

## 12. Responsibilities

- 12.1. It is the responsibility of all members of the school to abide by and promote the school policy on Equal Opportunities and Dignity at Work. Senior managers and staff all have a responsibility to play a part in ensuring fairness and equality for all.
- 12.2. The responsibility for the implementation of this policy lies with the Head, who will ensure that suitable underpinning arrangements exist within all areas of the school.
- 12.3. The HR team will monitor the implementation of the policy and review ways to promote equality of opportunity throughout the school.
- 12.4. The HR Director will ensure that appropriate training will be made available to all members of staff to ensure that they are kept fully aware of their responsibilities in respect of equal opportunities and discrimination.
- 12.5. Managers and supervisors at all levels are expected to set an example in non-discriminatory behaviour and to ensure, as far as reasonably practicable, that staff act in accordance with this policy.

## 13. Related documents

- 13.1. Disciplinary Procedure
- 13.2. Grievance Procedure
- 13.3. Staff Code of Conduct
- 13.4. Incident Log Book
- 13.5. Staff Recruitment Policy and Procedure
- 13.6. Pupil Equal Opportunities and Disability Policy
- 13.7. Equality Act 2010