Wallsend Jubilee Primary School

Equal Opportunities and Dignity at Work policy

Policy and Procedure: Equal Opportunities & Dignity at Work Policy

Date of governing body approval: September 2021

Review date: September 2022

1. Policy statement

Wallsend Jubilee is committed to promoting equality of opportunity for all staff and job applicants. 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 age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.

The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, governors, third party organisations and former staff members.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status.

This policy does not form part of any employee's contract of employment and may be amended at any time.

2. Who is covered by the policy?

This policy covers all individuals working at all levels and grades, including members of the senior leadership team, teachers, teaching assistants, learning mentors, support staff, trainees, home workers, part-time and fixed-term employees, volunteers, interns, casual workers and agency staff (collectively referred to as **staff** in this policy).

3. Who is responsible for this policy?

Our Board of Governors has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Head Teacher and SLT.

All members of the senior leadership team within the Academy must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. SLT will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Head Teacher has overall responsibility for equal opportunities training.

If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Head Teacher.

4. Scope and purpose of the policy

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, disciplinary and grievance procedures, and termination of employment.
We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

5. Forms of discrimination

Discrimination by or against an employee 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 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.

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.

6. Recruitment and selection

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Short listing of applicants will be done by more than one person wherever possible.

Job advertisements will avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. We take steps to ensure that our vacancies are advertised to a diverse labour market.

Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which will only be used with the HR’s approval. 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.
- 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 the approval of a HR Advisor (who will first consider whether such matters are relevant and may lawfully be taken into account).

We are required by law to ensure that all staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, will be expected to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we 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 applicant's chances of recruitment or any other decision related to their employment. The information is removed from applications before short listing, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

7. Staff training and promotion and conditions of service

Staff training needs will be identified through regular staff performance management. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.

Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

Our conditions of service, benefits and facilities are reviewed regularly to ensure that they equal opportunities for all.

8. Termination of employment

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

We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

9. Disability discrimination

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriately.

If you experience difficulties at work because of your disability, you may wish to contact your line manager or Human Resources to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The SLT or a member of the HR team may wish to consult with you and a medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

10. Zero hours, Fixed-term employees and agency workers

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

11. Part-time work

We 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.

12. Breaches of this policy

If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter with your line manager and / or a member of the HR team.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary 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.

13. Monitoring and review of the policy

This policy is reviewed by the Head Teacher and the governing Body.

We will continue to review the effectiveness of this policy to ensure it is achieving its objectives. As part of this process we monitor the composition of job applicants and the benefits and career progression of our staff.

Staffs are invited to comment on this policy and suggest ways in which it might be improved by contacting the Head Teacher.