

SECTION 2

EQUAL OPPORTUNITIES POLICY

PURPOSE OF THE POLICY

- 1 **School's position:** The School supports the principle of equal opportunities and opposes discrimination on the basis of age, sex, marriage and civil partnership, gender reassignment, race, colour, nationality, ethnic or national origin, disability, sexual orientation, religion or belief, pregnancy and maternity and part-time or fixed-term employment (defined as **Protected Characteristics**). Being a committed equal opportunities employer, the School will take every possible step to ensure that employees are treated equally and fairly. All policies and practices will conform with the principle of equal opportunities in terms of recruitment, selection, training, pay and conditions, promotion, career development, discipline and grievance, redundancy and dismissal.

TO WHOM DOES THIS POLICY APPLY?

- 2 **Application:** This policy applies to the School's employees, whether permanent, temporary, casual, and part-time or on fixed-term contracts, to ex-employees, to job applicants and to individuals such as agency staff and consultants and volunteers who are not our employees, but who work at the School (collectively workers).
- 3 **Workers' duties:** All workers have a duty to act in accordance with this policy, to treat colleagues with dignity at all times, and not to discriminate against, harass or victimise other members of staff, whether junior or senior to them. In some situations, the School may be at risk of being held responsible for the acts of individual members of staff and will not tolerate any discriminatory practices or behaviour.

PERSONNEL RESPONSIBLE

- 4 **Overall responsibility:** The Board of Governors has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Board of Governors has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Bursar.
- 5 **Management:** Those working at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the School with regard to equal opportunities
- 6 **Questions about this policy:** All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives. 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 Bursar or HR Manager.

FORMS OF DISCRIMINATION

- 7 **Types:** Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 8 **Direct discrimination:** Direct discrimination occurs where:

- 8.1 Someone is treated less favourably because of a Protected Characteristic. For example, rejecting an applicant because they would not "fit in" because of their race or sexual orientation would be direct discrimination.
 - 8.2 Someone is less favourably treated because of their association with someone who has a Protected Characteristic. For example, an employee may be treated less favourably because they have a disabled child.
 - 8.3 Someone is treated less favourably because they are perceived to have a Protected Characteristic. For example, an employee may be treated less favourably because they are believed to be (but may not actually be) homosexual.
- 9 **Indirect discrimination:** Indirect discrimination occurs where an individual is subject to a provision, criterion or practice, applied to a group of people, which puts them at a particular disadvantage because of a Protected Characteristic, and it cannot be objectively justified. An example might be a minimum height requirement for a job. This is likely to eliminate proportionately more women than men. If this criterion cannot be objectively justified, because it is not a proportionate means of achieving a legitimate aim, then it will be indirectly discriminatory on the ground of sex.
- 10 **Victimisation and harassment:** Discrimination also includes victimisation (suffering a detriment because of action the employee has taken or may take to assert legal rights against discrimination or to assist a colleague in that regard (called a **Protected Act**)) and harassment (see the School's Dignity at Work policy for a more detailed explanation of "harassment").

RECRUITMENT AND SELECTION

- 11 **School's position:** The School aims to ensure that no job applicant receives less favourable treatment because of a Protected Characteristic. Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person and with the involvement of the Human Resources Department where possible. Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities and that sufficiently diverse sectors of the community are reached. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. Job selection criteria are reviewed from time to time to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.
- 12 **Immigration:** We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able 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 Human Resources Department or] the Border Agency.
- 13 **Monitoring during recruitment:** 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 individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting, 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.

STAFF TRAINING AND PROMOTION AND CONDITIONS OF SERVICE

- 14 **The School's position:** Staff training needs shall be identified through regular staff appraisals. All workers will be given an equal opportunity and access to training to enable them to progress within the organisation. All promotion decisions shall be made on the basis of merit.
- 15 **Terms and conditions:** Our conditions of service, benefits and facilities will be reviewed from time to time to ensure that they are available to all workers who should have access to them and that there are no unlawful obstacles to accessing them.

TERMINATION OF EMPLOYMENT

- 16 **Redundancy:** We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory
- 17 **Discipline:** We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

DISABILITY DISCRIMINATION

- 18 **Informing the School:** If you are disabled, or become disabled in the course of your employment, you are encouraged to tell us about your condition. This is to enable us to support you as much as possible and to ensure that you are not treated less favourably because of something related to your disability.
- 19 **Reasonable adjustments:** You may also wish to advise your Line Manager / HR Manager of any reasonable adjustments to your working conditions or the duties of your job which you consider to be necessary, or which would assist you in the performance of your duties. This may involve the provision of an additional piece of equipment or assistance in helping you to perform your work. Your Line Manager / HR Manager may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate the suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments.
- 20 **Physical features:** The School will monitor the physical features of its premises to consider whether it can make any changes to help remove disadvantages which these may create for disabled users. Where possible and proportionate, the School will take steps to improve access for disabled users of the premises.

FIXED TERM EMPLOYEES

- 21 **MONITORING:** Fixed term employees should be treated the same as comparable permanent staff and enjoy no less favourable terms and conditions (on a pro rata basis where appropriate), unless different treatment is justified. We will monitor our

use of fixed-term employees 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 within the school to ensure that they are accessing permanent vacancies.

PART-TIME EMPLOYEES

- 22 **Monitoring:** Part-time employees should be treated the same as comparable full-time staff and enjoy no less favourable terms and conditions (on a pro rata basis where appropriate), unless different treatment is justified. The School 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 requests to alter working hours are dealt with appropriately under the School's Flexible Working Policy.

BREACHES OF THE POLICY

- 23 **Complaints:** If you believe that you may have been disadvantaged because of a Protected Characteristic, you are encouraged to raise the matter through the School's grievance procedure or Dignity at Work Procedure as appropriate. If you believe that you may have been harassed because of a Protected Characteristic, you are encouraged to raise the matter through the School's Dignity at Work policy. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure.
- 24 **False allegations:** These procedures apply during and after termination of your employment. There must be no victimisation or retaliation against staff who complain about discrimination. However, false allegations of a breach in this policy which are found to have been made in bad faith will, however, be dealt with under the disciplinary and dismissal procedure.
- 25 **Disciplinary action:** If, after investigation, you are proven to have engaged in any unwanted conduct because of a Protected Characteristic, or otherwise acted in breach of this policy, you will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The School will always take a strict approach to serious breaches of this policy.

REVISION OF POLICY

- 26 **Review:** This policy is reviewed from time to time by the HR Manager in consultation with the staff liaison members.
- 27 **Management:** The School is committed to providing relevant training for all staff on their responsibilities and duties under this policy.