



Low Ash Primary School  
Policy for School Staff

# A Whole School Equality Policy

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Low Ash Primary School has adopted the PACT HR recommended model procedure as agreed by Trade Unions.

Approved by the governing body on: 14.4.21

To be reviewed on: Spring Term 2023

NB. This guidance will be retained for a period of 7 years from replacement.

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# Contents

## A whole school equality policy

|   |    |
|---|----|
| Introduction .....                                      | 3  |
| Scope of the Policy.....                                | 3  |
| Statement Of Intent .....                               | 4  |
| Roles and Responsibilities .....                        | 4  |
| Role of Governors: .....                                | 4  |
| Role of Headteacher: .....                              | 5  |
| Role of Senior Leadership Team: .....                   | 5  |
| Role of School Staff:.....                              | 5  |
| Role of Students*/Pupils* (delete as appropriate):..... | 6  |
| Role of Parents/Carers:.....                            | 6  |
| Statutory Requirements .....                            | 6  |
| Recruitment .....                                       | 9  |
| Positive Action .....                                   | 10 |
| Equality Monitoring & Review .....                      | 10 |
| Harassment, Bullying and Grievance Procedures.....      | 11 |

# Introduction

The Governing Body of Low Ash Primary School recognises its responsibilities to ensure the fair and equal treatment of everyone employed at the school and those individuals who undertake work on the school premises.

This policy sets out the principles under which the Governing Body of the school will operate to meet these aims, and brings together all previous policies, schemes and action plans around equality including those that were previously for Race, Gender and Disability. It includes all the protected characteristics covered under the Equality Act 2010 as well as other aspects which have the potential to discriminate against or to devalue any individuals within our community.

The principles outlined here by the Governing Body of fair and equal treatment apply equally to our approach to students/pupils and parents of the school and to our dealings with members of the local community and all outside agencies. The school's policy on equality in the curriculum and the treatment of students/pupils is set out in a separate policy document.

The policy has been discussed and agreed with all staff representatives and with the trade unions. It is available to all everyone in the school and to any prospective applicant. The Governing Body welcomes any comments or contributions to the policy document.

## Scope of the Policy

This policy sets out the principles under which the Governing Body of the school will operate having due regard to the need to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity, and
- foster good relations between groups.

This policy applies to employees of Low Ash Primary School, workers (engaged through, or by, an employment agency supplied to the school or a temporary basis), and all job applicants regarding recruitment. It also applies to sub-contractors, in that the school will take all necessary steps to ensure good performance and compliance with appropriate behaviours whilst on school premises. However, if any issues become apparent with regards to diversity or equality in relation to any contractor or third party's behaviour towards others involved at the school, ie staff, pupils/students, parents, other workers engaged at the school, these will be taken very seriously by the school and those individuals asked to leave the school premises.

## Statement Of Intent

The Governing Body of Low Ash Primary School is committed to equality for all in the appointment, development, training and promotion of staff, and in all dealings with students/pupils and parents of the school. The aims of the policy are for the school to be an inclusive organisation, where diversity is valued, respected and built upon, with the ability to recruit and retain a diverse workforce that reflects the communities it serves.

It is recognised that there are similarities and differences between individuals and groups, but the school and Governing Body intend to strive to ensure that differences do not become barriers to participation, access and learning and to create inclusive processes and practices, where the varying needs of individuals and groups are identified and met.

All employment related policies (listed below) adopted by the school, are applied impartially and objectively and are designed to promote equal opportunity and protection against discrimination for all.

- (i) Capability Procedure for Staff
- (ii) Managing Attendance Procedure for Schools
- (iii) Complaints and Grievance Procedures for Schools
- (iv) Disciplinary Procedure for School Staff
- (v) Appraisal Policy
- (vi) Fixed Term Contracts Policy
- (vii) ICT Policy
- (viii) Leave of Absence Policy
- (ix) Flexible Working Policy
- (x) Work and Families Policy
- (xi) Pay Policy
- (xii) Management of Workforce Change Procedure
- (xiii) Stress Policy
- (xiv) Redundancy, Redeployment and Retraining Guidance
- (xv) CCTV Policy
- (xvi) Recruitment and Selection Guidance
- (xvii) Managing Investigations for Staff and Headteachers
- (xviii) Whistleblowing Policy
- (xix) Religious and Cultural Needs Policy
- (xx) Visitors to School

## Roles and Responsibilities

### Role of Governors:

- The Governing Body has set out its commitment to equality in school through this plan and it will continue to do all it can to ensure that the school

is fully inclusive to all through supporting all members of staff within the school.

- The Governing Body seeks to ensure that people are not discriminated against when applying for jobs at our school and welcomes all applications.
- The Governing Body will take all reasonable steps to ensure that the school environment gives access to people with disabilities and also strives to make school communications as inclusive as possible for all those working in school.
- The governing body ensures that no member of staff is discriminated against whilst working in Low Ash Primary School on account of any of the protected characteristics identified as part of the Equality Act 2010.

### Role of Headteacher:

- It is the Headteacher's responsibility to implement the school's Equality Policy and s/he is supported by the Governing Body in doing so.
- It is the Headteacher's role to ensure that the Senior Leadership team is kept up to date with any development affecting the policy or actions arising from it.
- It is the Headteacher's role to ensure that everyone in school are aware of the Equality Policy and their responsibilities within it, and have access to training which helps to implement the policy.
- The Headteacher ensures that all appointment panels give due regard to the Equality Policy in school, so that no one is discriminated against when it comes to employment or training opportunities.
- The Headteacher promotes the principle of equal opportunity in all aspects of school life.
- The Headteacher treats all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incidents, with due seriousness.

### Role of Senior Leadership Team:

- The Senior Leadership Team will have responsibility for supporting everyone in implementing this policy.
- The Team will provide a lead in the dissemination of information relating to the policy.
- The Team, alongside the Headteacher, will provide advice/support in dealing with any incidents/issues.
- The Team will assist in implementing reviews of this policy, alongside the Headteacher and Governing Body.

### Role of School Staff:

- All staff will ensure that all other members of staff are treated fairly, equally and with respect and will maintain awareness of the school's Equality Policy.
- All staff will strive to promote positive images, based on race, gender and disability and challenges stereotypical images throughout the school.

- All staff will challenge any incidents of prejudice or discrimination, drawing them to the attention of the Headteacher, Senior Leadership Team or the Chair of Governors (in the case of incidents involving the Headteacher).

### Role of Pupils

- The pupils will be involved in the development of the policy and will understand how it relates to them, appropriate to age and ability.
- Pupils will be expected to act in accordance with the policy.
- Pupils will be encouraged to actively support the policy.

### Role of Parents/Carers:

- Parents/Carers will be given accessible opportunities to become involved in the development of the policy.
- They will have access to the policy through a range of different media appropriate to their requirements.
- They will be encouraged to actively support the policy.
- They will be encouraged to attend any relevant meetings and activities related to the policy.
- They will be informed of any incident related to this policy which could directly affect their child.

## Statutory Requirements

The Governing Body and School welcome its duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity, and it is recognised that that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

The Equality Act 2010 has brought together all the current discrimination laws into one and sets out the 'protected characteristics' that qualify for protection from discrimination. These are:

#### **Age**

The Governing Body are opposed to any direct or indirect discrimination based on age.

#### **Disability**

The Governing Body is opposed to any discrimination against any person with a disability, based on assumptions of their ability or otherwise to carry out the duties of the post to which they were appointed in school.

Where applicable, all candidates with disabilities who meet the basic essential criteria for a post will be interviewed.

Under the Equality Act 2010, reasonable provision will be made for adjustments to a member of staff's working conditions or environment for any person with a disability appointed to a post in school, where the adjustments are reasonably practicable.

### **Gender Re-assignment**

The Governing Body is opposed to any discrimination as a result of a person proposing to undergo, undergoing or having undergone a process (or part of a process) for the purpose of re-assigning a person's sex."

### **Marriage and Civil Partnership**

The Governing Body is opposed to any discrimination against employees who are married or in a civil partnership.

### **Pregnancy and Maternity**

The Governing Body is opposed to discriminating against a woman on the grounds of pregnancy and maternity during the period of her pregnancy and maternity leave to which she is entitled.

### **Race**

The Governing body is opposed to any direct or indirect discrimination based on race (colour, nationality, ethnic or national origins). However, situations may arise in school which require special consideration and where a genuine occupational requirement may apply to justify the employment of someone of one particular race or ethnic origin. It is envisaged that these situations will be unusual and exceptional, and will be discussed with staff in advance.

### **Religion or Belief**

The Governing body is opposed to any direct or indirect discrimination based on religion or belief. As stated in the Equality Act 2010, religion includes any religion. It also includes a lack of religion, where employees or job seekers do not follow a certain religion or have a religion at all. Please see the Religious and Cultural Needs Policy for further information.

### **Sex**

The Governing Body is opposed to any direct or indirect discrimination based on gender. However, situations may arise in school which require special consideration and where a genuine occupational requirement may apply to justify the employment of someone of one particular sex. It is envisaged that these situations will be unusual and exceptional, and will be discussed with staff in advance.

### **Sexual Orientation**

The Governing Body is opposed to any discrimination against employees based on perceived or actual sexual orientation. The Equality Act protects bisexual, gay, lesbian, transgender and heterosexual people. It is unlawful to discriminate against any individual on the grounds of their actual or perceived sexual orientation, or the actual or perceived sexual orientation of those with whom they associate.

## Harassment or Bullying

The Governing Body is opposed to any unwanted conduct relating to any characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

The Governing Body is further opposed to any act of victimisation, harassment or bullying against any member of staff either by an employee or third party. Such action will be investigated in accordance with the school's procedure any may lead to formal disciplinary action.

## Types of Discrimination

| Type of Discrimination        | Description  |
|-------------------------------|--|
| Direct Discrimination         | When someone is treated less favourably than another person because of a protected characteristic they have or are thought to have. or because they associate with someone who has a protected characteristic. |
| Discrimination by association | This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.   |
| Perception Discrimination     | This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.      |
| Indirect Discrimination       | Can occur when you have a condition, rule, policy or even practice that applies to everyone but particularly disadvantages people who share a protected characteristic.  |

Discrimination, harassment or victimisation legislation extends to periods beyond the end of the working relationship and covers issues such as the provision or references, either written or oral.



The School's Governing Body and Senior Leadership Team will not discriminate directly or indirectly when dealing with requests for time off for religious and belief observance. However, employees need to be aware that the law does not confer an automatic right for employees to have time off, or to be provided with facilities to undertake religious observance. Employees need to refer to the school's Leave of Absence Policy for guidance on time off for religious observance.

The Governing Body and Senior Leadership Team of the school will where reasonably practicable, in line with the Equality Act 2010, strive to accommodate reasonable adjustments to working conditions, the working environment, recruitment processes and terms and conditions of employment to help overcome practical difficulties created by a particular disability.

The Governing Body will not treat any employee of the school unfairly, based on their membership of a trade union.

The over-riding premise that will be adhered to in matters of equality, by all governors and staff in the school, is that everyone has the right to be treated with dignity and respect whatever their age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

## Recruitment

Vacancies will be advertised openly either internally or externally unless there are exceptional reasons why this should not occur, for example in situations of potential redundancy.

All decisions relating to appointments or promotions will be conducted in accordance with the following principles,

- (i) A detailed role profile will be drawn up which accurately describes the duties or competencies of the post.
- (ii) An objective and sufficiently detailed person specification (where applicable) will be defined from the role profile.
- (iii) From these documents a list of objectively assessed selection criteria will be drawn up.
- (iv) Shortlisting will be carried out against the selection criteria and a written record retained of the assessment of each candidate.
- (v) All panel members must be suitably trained or experienced in conducting interviews.
- (vi) Selection decisions will be made against the agreed criteria and no other criteria will be used.
- (vii) A written record of the selection decision relating to the agreed criteria will be retained.

- (viii) Reasonable adjustments will be made to the recruitment and selection process where necessary to ensure that people with disabilities are enabled to compete for appointments in the school.

## Positive Action

The Governing Body recognises that the avoidance of discrimination is not sufficient to ensure that equality exists in the school. The Governing Body will therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy. This is action designed to encourage or facilitate the employment or training of disadvantaged groups.

The Governing Body will not discriminate in favour of individuals from specific groups (positive discrimination), but it will take positive action to ensure the workforce of the school is reflective of the community and area it supports to enable those groups to compete on an equal basis. Positive action measures may include:

- (i) Encouraging applications from specific groups which are under represented in the school.
- (ii) Encouraging people with disabilities to apply for posts.
- (iii) Flexible working – promoting the use of job shares and flexible working where operational factors make this possible.
- (iv) Supporting training measure for under-represented groups.
- (v) Exploring the possibility of career breaks for women to assist with family commitments.
- (vi) Commitments to interviewing disabled people who meet the basic criteria for the post.
- (vii) Encouraging staff to become representatives of trade unions or associations.

## Equality Monitoring & Review

The Governing Body of Low Ash Primary School commit to monitoring the use of all policies in school, staff turnover figures and feedback from exit interviews as a means of identifying any issue of discrimination, harassment or victimisation and to ensure that staff turnover does not reflect a disproportionate number of individuals from minority groups.

The Governing Body will also regularly monitor the effectiveness of this policy, by the following methods:

- (i) The existing workforce will be asked to complete a monitoring form so that data is available on the composition of the staff group in school.

- (ii) All applicants for posts will be asked to complete a monitoring form to enable monitoring of our selection decisions against the principles of this policy.
- (iii) All applicants for posts will be invited to indicate whether they have any special requirements or require reasonable adjustments to enable them to submit an application, attend an interview or carry out the duties of that post. Responses to this question and appropriate actions taken by the school to accommodate people with disabilities will also be monitored as part of this process.
- (iv) Information arising from this data collection process will be published on an annual basis and will be available to all staff and governors.
- (v) Staff and governors will be invited to give feedback from time to time, and to make suggestions for improvements.
- (vi) The incidence of complaints under the appropriate school's procedure and any other aspect of this policy will also be monitored and figures published on a regular basis.
- (vii) The Governing Body will ensure that information is stored in an appropriate and confidential format in accordance with the Data Protection Act 1998.

Where monitoring does take place, the governing body, commit to adhering to the terms of the Data Protection Act 1998 and all data will be managed accordingly.

## Harassment, Bullying and Grievance Procedures

Any employee of the school who wishes to make a complaint or grievance under this policy, should do so using the Schools Complaints and Grievance Procedure. Complaints made under this procedure should be made within 30 working days of the last action complained of. Where the actions complained of are allegations of bullying, harassment or discrimination on a continuing basis the 30 day limitation will not apply. Where there are medical reasons for a delay in making the complaint the 30 day period may be extended where it is reasonable to do so.

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