Equality and Diversity in Employment Policy

1 Scope

This policy is recommended for adoption by the governing bodies of all Northumberland schools.

2 Purpose

The purpose of this policy is to set out the commitment of the governing body to promote equality and diversity and to tackle discrimination in all areas of employment. This commitment includes adopting best practice and complying with current employment legislation: in particular the Equality Act 2010 (the Act) and the public sector equality duty outlined in the Act.

3 Legal considerations

Employers must not discriminate against people on the basis of any of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, unless this can be objectively justified. There are some specific circumstances, known as "occupational requirements", where an employer is allowed to discriminate on the basis of a protected characteristic, which are set out in more detail in the Recruitment and Selection Code of Practice.

Types of treatment which can be unlawful are:

Direct discrimination: someone is treated less favourably than another person because of a protected characteristic. Two forms of direct discrimination are:

- **Associative discrimination**: discrimination against a person because that person has an association with someone with a protected characteristic (for example, the parent of a disabled child);
- **Perceptive discrimination**: discrimination against a person because the discriminator thinks the person possesses a protected characteristic (even if that person does not in fact do so).

Indirect discrimination: can occur when a rule, policy, practice, or criterion, which is applied to everyone, disadvantages a particular protected characteristic.

Harassment: behaviour an individual may find offensive even if it is not directed to them.

Victimisation: someone is treated badly because they have made/supported a complaint or grievance under the Act.

Harassment by a third party: employers are potentially liable for harassment of their staff by people they do not employ, such as a contractor.

4 Roles and responsibilities

Governing body: The governing body has responsibility for developing and reviewing this policy and ensuring that effective monitoring systems and procedures are in place.

Head teacher: The head teacher has responsibility for:

- ensuring that the policy is implemented and maintained;
- collecting and providing statistical information in relation to this policy;
- identifying and progressing specific action plans and measures developed as part of the school's equality objectives;
- providing advice and ensuring appropriate and timely training is provided for staff;
- issuing guidelines to assist the implementation of the policy; and
- monitoring the effectiveness of the policy.

Employees: Every employee has a personal responsibility to implement this policy and is under a duty to behave appropriately at all times in accordance with this policy. We actively seek to prevent harassment, discrimination, bullying and all other forms of unwarranted or improper behaviour in the workplace.

5 Policy statement

The governing body makes the following commitments:

- We seek to employ a workforce which reflects the diversity of the communities we serve. We understand and value the added contribution that individuals can make when we recognise and embrace individual differences in age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- We recognise and understand the importance of delivering the maximum benefits to our pupils through the recruitment, development and retention of a diverse and highly effective workforce.
- We are committed to providing employment opportunities which are fully accessible to all.
- We are determined to tackle prejudice and eliminate unfair discrimination in all its forms and to recognise and take account of equality and diversity throughout all our employment policies and practices.
- Our aim is to provide an inclusive employment environment where unjustifiable discrimination or prejudice do not exist and where all employees are treated with courtesy, dignity and fairness in all ways.
- In recognising our equality duty, we will ensure that equality issues and implications are fully considered and regularly reviewed, including assessing implications for people with particular protected characteristics as an integral part of our policy development and decision making processes.

We will have due regard to the need to:

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

Advancing equality involves:

- removing or minimising disadvantages experienced by individuals due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- encouraging people from protected groups to work in our school, where their participation is disproportionately low.

We oppose all forms of unlawful and unfair discrimination. All employees, whether part-time, full-time or temporary will be treated fairly and with respect. Selection for employment, training, or any other benefit will be on the basis of aptitude and ability.

All employees will be helped to develop their full potential within our school. Developing the talents and resources of our workforce will enhance the effectiveness of our school.

We will challenge, and if necessary discipline, anyone not following this policy.

6 Policy in practice

This policy applies to every aspect of employment, from recruitment through pay, access to facilities and employment benefits, promotion, training, discipline and grievance procedures and so on up to the end of the contractual relationship and beyond, for example, when references are provided.

Each stage of the employment relationship is covered by an individual employment policy or procedure. The full suite of employment policies and procedures will be consistent with the aims and principles of this policy and will take into account the specific equalities considerations that arise in that particular context. Examples include:

- Recruitment and Selection Code of Practice
- Pay Policy
- Dignity at Work Policy (which sets out how we aim to prevent and deal with harassment)
- Leave of Absence Policy
- Family Leave Policy
- Flexible Working Policy
- Managing Sickness Absence Policy and Procedure
- Redundancy Procedure

All employment policies and procedures are available from the school office and electronically via the Northumberland Schools' Network.

7 Publicising the policy

All prospective job applicants will receive a copy of this policy with the application form for the vacancy. All staff will have access to this policy in their school and electronically via the Northumberland Schools Network.

We will ensure that awareness and understanding of equality and diversity in all areas of employment is included in the induction of new staff and volunteers.

8 Monitoring the Policy

The head teacher will monitor this policy in line with established procedures for monitoring recruitment and selection, promotion, training, the management of capability, discipline, absence, grievances, and reasons for leaving our employment.

9 Complaints or concerns

Complaints from external job applicants under this policy should be sent to the chair of governors, who will consider how to proceed under the school's Complaints Procedure.

An employee who believes he/she has been subject to unwelcome or objectionable behaviour at work and has a concern or complaint under this policy should raise the matter with their line manager in the first instance.

If the matter is not dealt with to the employee's satisfaction an employee may use the school's Grievance Procedure. In cases of harassment, the Dignity at Work Policy should be used in the first instance.

10 Breaches of this policy

Any employee who commits an act of discrimination or personal harassment will be liable to disciplinary action, and ultimately the possibility of dismissal.

Revision Record of Issued Versions			
Author	**Creation Date**	**Version**	**Status**
School Support	January 1993	1.0	Final version
Changed by	**Revision Date**		
School Support (SH)	13 August 2010	1.1	As above but updated with changes to department names, statutes etc.
School Support (SH)	23 December 2010	2.0	Re-written due to introduction of Equality Act 2010. Updated final version agreed with trade union representatives
Northumberland HR for Schools (DJ)	15 April 2013	3.0	Final version agreed with joint Unions following amendments to Corporate Diversity and Equalities in Employment policy.