

P18.College

**Dated**

**August 2019**

**ST MARY'S COLLEGE**

**Equal opportunities policy**

Version 10.09.2020

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## 1. Policy statement

- 1.1 St Mary's College is committed to promoting equality of opportunity for all staff, pupils and 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. *At St Mary's College we recognise our responsibilities under the Equality Act 2010 to eliminate discrimination and promote good relations between pupils, staff and parents.*
- 1.2 We do not discriminate 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 ("protected characteristics"). This includes pupils.
- 1.3 The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, clients, customers, suppliers and former staff members.
- 1.4 All staff have a duty to act in accordance with this policy and treat colleagues and pupils with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status.

This policy has been agreed in consultation with the Governing Body.

We aim to equip pupils with an awareness of our diverse community and to appreciate the value of difference. All forms of discrimination by any person will be treated seriously. Every pupil and employee has a right to dignity and respect and we will not tolerate bullying/harassment.

- 1.5 **The legal framework for this policy is based on:**
  - Special Education Needs and Disabilities Code of Practice 2015

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- Equality Act 2010
- Children Act 2004
- Care Standards Act 2002
- Childcare Act 2006
- Children and Families Act 2014

### 2. Who is covered by the policy?

This policy covers all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, casual workers and agency staff (collectively referred to as **staff** in this policy).

### 3. Who is responsible for this policy?

- 3.1 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 Principal.
- 3.2 All managers 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. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Principal has overall responsibility for equal opportunities training. All staff as role models are aware of the influence of adults in promoting positive attitudes and use that influence to challenge stereotypical ideas. Staff will not use discriminatory language or make discriminatory comments, whether racist, sexist, classist etc. to any child/adult at any time. In the case of a report of any such behaviour a disciplinary process will commence.
- 3.3 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 Principal to request training or further information.

#### **4. Scope and purpose of the policy**

- 4.1 This policy applies to all aspects of our relationship with staff and pupils and to relations between staff members and pupils 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.
- 4.2 We will take appropriate steps to accommodate the requirements of different religions and cultures.
- 4.3 Equality of opportunity permeates the whole school curriculum and is reflected in the whole school organisation. All parents and carers regardless of ethnic background, disability, gender or socio economic background are welcome and will be encouraged to participate in the life of the school. We promote a positive atmosphere of mutual respect and trust among all pupils and staff. All pupils are respected individuals and potential is recognised, valued and nurtured. Activities, teaching resources and use of play equipment offer children opportunity to develop free from prejudice and discrimination and encouraged to enjoy and learn from them equally"

#### **5. Forms of discrimination**

- 5.1 Discrimination by or against an employee or pupil is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 5.2 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.
- 5.3 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

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they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

- 5.4 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.
- 5.5 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

- 6.1 We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.
- 6.2 The College is a thriving community which places a high value on our central emphasis as a Catholic school. Our school is built on strong Catholic values and a high emphasis on the Catholic faith. Accordingly, when considering key appointments to senior positions such as Principal, Deputy Head, Senior Pastoral Posts and the teaching of RE, the College reserves its right to objectively justify the proportionate weighting of selection criteria towards appointment of a practising Catholic candidate.
- 6.3 Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions. For example:
  - (a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
  - (b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.

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- (c) Positive action to recruit disabled persons.
- (d) Equal opportunities monitoring (which will not form part of the decision-making process).

6.4 Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters concerning age, race, sexual orientation, or gender reassignment. The College reserves the right to ask for information as to whether the applicant for senior roles are practising Catholics where the requirement to do so is objectively justified.

6.5 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 UK Border Agency.

6.6 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we may 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.

## 7. Staff training and promotion and conditions of service

7.1 Staff training needs will be identified through regular staff appraisals. 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.

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- 7.2 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

### **8. Termination of employment**

- 8.1 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 8.2 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**

- 9.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 9.2 If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your 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.
- 9.3 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. Fixed-term employees and agency workers**

We monitor our use of 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

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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. We will ensure requests to alter working hours are dealt with appropriately [under our Flexible Working Policy].

### **12. Breaches of this policy**

- 12.1 If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you are uncertain which applies or need advice on how to proceed you should speak to the Principal.
- 12.2 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.
- 12.3 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.
- 12.4 If a pupil or group of pupils is considered to have committed a breach of this policy then the form teacher, Head of Year or Principal will apply an appropriate sanction which will be recorded in the special file and in the pupil's personal file. Members of staff with pastoral responsibility for the pupil(s) will be informed.
- 12.5 Appropriate sanctions against pupils may range from regular monitoring through to suspension or expulsion depending on the circumstances, and if relevant, any past history of discrimination.

**13. Monitoring and review of the policy**

- 13.1 We will continue to regularly review the effectiveness of this policy to ensure it is achieving its objectives.
  
- 13.2 Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Head of Early Years, (who is the Policies co-ordinator).

**Reviewed by MK 010916**

**Reviewed by MK 310819**

**Reviewed by MK 10102020**