

Equality and Diversity Policy

Staff

West Heath School



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Copies of this policy are available on the School Website - <http://www.westheathschool.com/> Staff matters - Policies or as a hard copy on request from the School Office.

1. Aims

Our school aims to promote respect for difference and diversity in accordance with our values.

Our school aims to meet its obligations by having due regard to the need to:

Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010

Advance equality of opportunity between people who share a protected characteristic and people who do not share a relevant protected characteristic

Foster good relations across all characteristics – between people who share a protected characteristic and people who do not share it. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

2. Legislation and guidance

This document meets the requirements under the following legislation:

[The Equality Act 2010](#), which introduced the Public Sector Equality Duty and protects people from discrimination

[The Equality Act 2010 \(Specific Duties\) Regulations 2011](#), which require schools to publish information to demonstrate how they are complying with the Public Sector Equality Duty and to publish equality objectives

This document is also based on Department for Education (DfE) guidance: [The Equality Act 2010 and schools](#), the [technical guidance for schools from the Equality and Human Rights Commission](#) and guidance from the Government Equalities Office .

3. Roles and Responsibilities

The Trustees will:

Ensure that the equality information and objectives as set out in this statement are published and communicated throughout the school, including to staff, pupils and parents/carers

Ensure that the published equality information is updated at least every year, and that the objectives are reviewed and updated at least every 4 years

Delegate responsibility for monitoring the achievement of the objectives on a daily basis to the headteacher

The headteacher will:

Promote knowledge and understanding of the equality objectives among staff and pupils

Monitor success in achieving the objectives and report back to governors

Have "due regard" when making a decision or taking an action to whether it may have particular implications for people with particular protected characteristics

The Human Resources Department:

Support the headteacher in promoting knowledge and understanding of the equality objectives among staff and pupils

Support the headteacher in identifying any staff training needs, and deliver training as necessary

All school staff are expected to have regard to this document and to work to achieve it's objectives.

4. 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 as set out above. For example, rejecting a job applicant because of their religious views. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post. It will only be in exceptional circumstances that this will apply in our School.

Indirect discrimination occurs where someone is disadvantaged by a provision, criterion or practice that applies to everyone but puts people with a protected characteristic at a particular disadvantage. Such a requirement will need to be objectively justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can 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. Harassment is dealt with further in our Anti-Bullying and Harassment Policy.

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.

Discrimination by association is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Discrimination by perception is where an individual is directly discriminated against or harassed based on a perception that a person has a particular protected characteristic irrespective of whether they do have that protected characteristic (this does not include marriage and civil partnership and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as parents and carers, clients or customers. Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.

5. Applying our Policy to Recruitment and Selection

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. Our recruitment procedures are reviewed regularly to ensure that individuals are treated fairly on the basis of their relevant skills and abilities. Please refer to the Recruitment and Selection policy.

6. Applying our Policy to Training, Promotion, Pay Decisions and Conditions of Service

Employees training needs will be identified through the appraisal process. All employees will be given appropriate access to training for their job and in order to enable them to progress within West Heath School.

Pay and promotion decisions will be based on an employee's performance (where relevant), skills and experience.

Our benefits and facilities are reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

Relevant national and local conditions of service within our School, as applied to our employees, will meet the requirements of equal opportunities.

7. Applying our Policy when Terminating 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 are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

8. Disability Discrimination

Disability discrimination includes direct or indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate the effects caused by a disability.

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

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 occupational health or 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.

We will monitor the physical features of our premises to consider whether they place disabled employees or job applicants at a substantial disadvantage compared to other employees. Where reasonable, we will take steps to improve access for employees who have a disability.

9. 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 through our Anti-Bullying and Harassment Policy. If you are uncertain which policy applies or need advice on how to proceed you should speak to Human Resources.

Allegations regarding potential breaches of this policy are taken seriously and will be treated in confidence and investigated in accordance with the relevant procedure. Employees 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 allegations relating to discrimination or harassment will be dealt with under the disciplinary policy subject to disciplinary action.

10. Review of Policy

This policy is reviewed annually by the Human Resources Department.