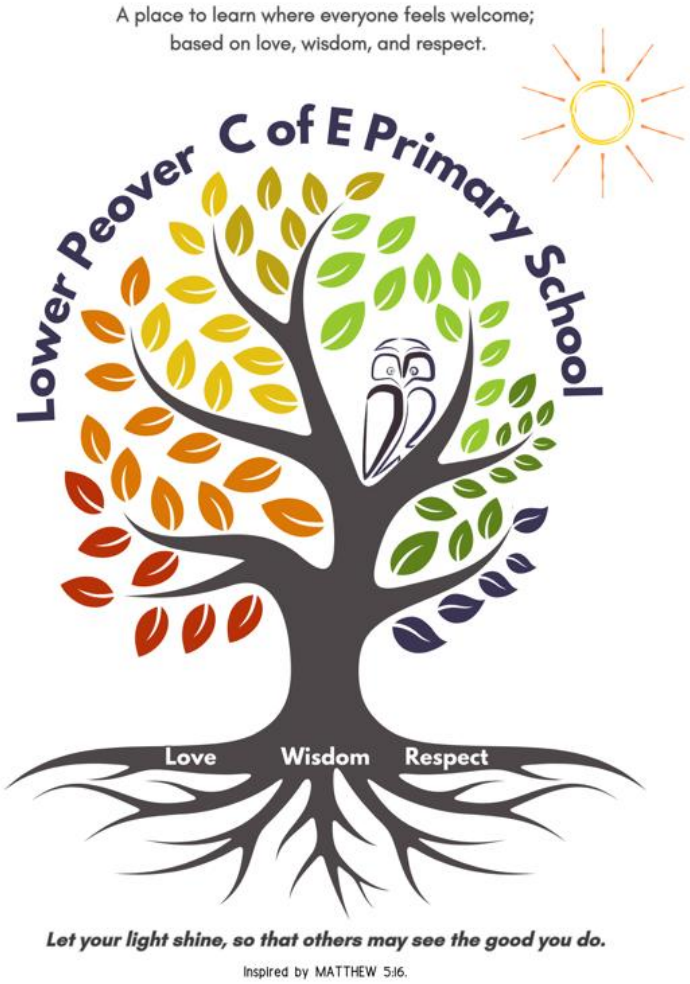

Staff Equality, Equity, Diversity & Inclusion Policy

Review Date:	**October 2027**

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Statement of intent

Lower Peover CofE Primary School is committed to promoting equality of opportunity for all staff and job 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. We are committed to supporting our staff and applicants to be their authentic selves in the workplace without judgement and ensuring that diverse communities are celebrated.

We do not discriminate against staff on the basis of age, disability, gender identity and/or reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex, or sexual orientation (the protected characteristics), amended in line with the Equality Act 2010.

We are also mindful of intersecting identities within our school environment and will work with our communities to better understand the experience of multiple minority identities for individuals.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat pupils, parents, governors, third party organisations and former staff members.

This policy does not form part of any employee's contract of employment and may be amended at any time.

This policy covers all individuals working at all levels and grades, including members of the SLT, teachers, TAs, learning mentors, support staff, trainees, home workers, part-time and fixed-term employees, volunteers, interns, casual workers, and agency staff (collectively referred to as 'staff' in this policy).

Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Human Rights Act 1998
- Equality Act 2010
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Protection from Harassment Act 1997

This policy operates in conjunction with the following school policies:

- Grievance Policy
- Disciplinary Policy and Procedure

Public Sector Equality Duty (PSED)

PSED requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations between people who share a protected characteristic and people who do not.

Principles underlying this policy

In accordance with this policy, the school commits to:

- Creating a working environment free of bullying, harassment, victimisation, and unlawful discrimination, where individual differences and the contributions of all staff are recognised and valued.
- Promoting dignity and respect for all.
- Training managers and all other employees about their rights and responsibilities under this policy.

This policy applies to all aspects of the school's relationship with staff and to relations between staff members 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.

Instances of bullying, harassment, victimisation, and unlawful discrimination will be dealt with as misconduct, in line with the school's Grievance Policy and/or Disciplinary Policy and Procedure, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. Harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

Roles and responsibilities

The governing board will be responsible for:

- Ensuring the effective operation of this policy.
- Ensuring compliance with discrimination law.
- Monitoring the composition of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability.
- Monitoring how the composition of the workforce encourages equality, equity, diversity, and inclusion, and meets the aims and commitments set out in this policy.
- Assessing how this policy, and any supporting action plans, are working in practice, reviewing them annually, and considering and taking action to address any issues.

The SLT will be responsible for:

- Setting an appropriate standard of behaviour and leading by example.
- Ensuring that those they manage adhere to this policy and promote the school's aims and objectives with regard to equal opportunities.
- Taking appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities, in line with the school's Flexible Working Policy.
- Making opportunities for training, development, and progress available to all staff.
- Ensuring staff are helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Making staff progression decisions based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act 2010).
- Reviewing employment practices and procedures where necessary to ensure fairness.
- Updating employment practices and procedures, and this policy, to take account of changes in the law.

All staff will be responsible for:

- Conducting themselves to help the school provide equal opportunities in employment, and prevent bullying, harassment, victimisation, and unlawful discrimination.

- Understanding that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation, and unlawful discrimination, in the course of their employment, against their colleagues, customers, suppliers, visitors and the public.
- Taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination by their colleagues, customers, suppliers, visitors, the public and any others in the course of the school's work activities.

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. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

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

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.

Recruitment and selection

The school will aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. The school's recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria will be regularly reviewed to ensure that it is relevant to the job and not disproportionate. The shortlisting of applicants will be done by more than one person wherever possible.

Job advertisements will avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. The school will take steps to ensure that vacancies are advertised to a diverse labour market.

Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which will only be used with the head of HR's approval, such as:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- Positive action to recruit disabled persons.
- Equal opportunities monitoring (which will not form part of the decision-making process).

The school is required by law to ensure that all staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, will be expected to produce original documents, e.g. a passport, before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, the school will monitor applicants' ethnicity, gender, disability, sexual orientation, religion, and age as part of the recruitment procedure.

Provision of this information will be voluntary and will not adversely affect an applicant's chances of recruitment or any other decision related to their employment. The information will be removed from applications before the shortlisting process and will be kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps the school take appropriate steps to avoid discrimination and improve equality and diversity.

Staff Training and Promotion and Conditions of Service

Staff training needs and associated development opportunities will be identified through regular staff appraisals, in line with the school's Teacher Appraisal Policy and Support Staff Performance

Management Policy. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made based on merit. The school will adopt good practice in terms of data collection and use this data to monitor and measure the attraction, recruitment, retention, and progression of staff.

Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the needs of disadvantaged or underrepresented groups. The school's conditions of service, benefits and facilities are reviewed regularly to ensure that they equal opportunities for all.

Termination of Employment

The school will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

The school will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal, or other disciplinary action, in line with the school's Disciplinary Policy and Procedure.

Disability Discrimination

The school will encourage staff who are disabled or become disabled to inform the headteacher or their line manager about their condition so that the school can support them as appropriate.

Staff experiencing difficulties at work because of their disability (physical or otherwise) may wish to contact their line manager or the head of HR to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Their line manager or the head of HR may wish to consult with the staff member and a medical adviser about possible adjustments.

The governing board will monitor the physical environment of the school premises to consider whether certain features place physically disabled staff, job applicants, service users, or other stakeholders at a substantial disadvantage compared to others. Where reasonable, the school will take steps to improve access for disabled staff and service users.

Part-time, zero hours, and fixed-term employees and agency workers

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. The school will ensure requests to alter working hours are dealt with appropriately under the Flexible Working Policy.

The school will monitor its use of zero hours and 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. The school will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

Breaches of this policy

If a member of staff believes that they may have been discriminated against, they will be encouraged to raise the matter through the school's Grievance Policy. If they believe that they may have been subject to harassment, they will be encouraged to raise the matter with their line manager and/or the head of HR.

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 Policy and Procedure.

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. The school takes a strict approach to serious breaches of this policy.