

Policy Owner	HR Manager
Approving Body	Board of Governors
Date Approved	February 2024
Effective Date	February 2024
Review date	February 2027



## **Equal Opportunities and Dignity at Work Policy**

**St Aubyn's (Woodford Green) School Trust**

St Aubyn's School is an equal opportunities employer.

In order to promote an environment within which the school can call upon the widest possible range of knowledge, skill and experience, as well as ensuring compliance with the relevant legislation and codes of practice, we are committed to achieving and maintaining a workforce which represents the population within our recruitment area in terms of race or colour, nationality or national or ethnic origins, religion or belief, sex, sexual orientation, pregnancy or maternity, marital or civil partnership status, gender reassignment, age, and disability (together known as "Protected Characteristics").

To this end, we shall regularly review the operation of our recruitment, promotion, training and development procedures to ensure that no applicant for employment or member of staff is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

No employee or prospective employee will receive unfair or unlawful treatment on the grounds of a Protected Characteristic, because they are perceived to have a Protected Characteristic or because they are associated with someone who has a Protected Characteristic, in particular but not only, in relation to:

- Recruitment and selection
- Promotion, transfer & training opportunities
- Benefits, terms and conditions of employment
- Grievance and disciplinary procedures
- Termination of employment including redundancies
- Conduct at work
- Procedures ensure fair and equitable treatment in relation to admission and assessment of students.

The principles of non-discrimination and equality of opportunity also apply to the way in which staff must treat visitors, pupils, parents, suppliers and former members of staff.

### **Implementation**

The School with the assistance of the staff will:

- Break down any barriers to equality of opportunity which may prevent staff members realising their full potential or accessing benefit
- Advertise vacancies and ensure job selection criteria are appropriate for the job.
- Promptly and fully investigate all complaints of discrimination and harassment, taking appropriate action where necessary.
- Ensure that all members of staff are fully informed and trained on this Policy.
- Examine and review existing procedures to ensure they are not discriminatory in their operation
- Ensure the language used in official communication reflects the letter and spirit of the policy

### **Recruitment and Selection**

The staffing process is governed by the school's principles of non-discrimination and is designed to achieve the best match between, on the one hand, the individual's knowledge and skills, experience and character and, on the other hand, the requirements of the vacant post, recognising the need for flexibility to respond to changing conditions.

- The capability of the individual to perform in the position will be the major selection criterion but the ability both to work with others and to be trained, coupled with individual potential, will be taken into account.
- All applicants will be dealt with courteously and as expeditiously as possible.
- Appointments will be confirmed on receipt of satisfactory references, DBS checks, a medical report (where applicable) and satisfactory completion of a probationary period.

## **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.

A disability will not of itself justify the non-recruitment of an applicant for a position at the School. Such reasonable adjustments to the application procedures shall be made as are required to ensure that applicants are not disadvantaged because of their disability. For example, where written tests are used, alternative arrangements will be made for visually impaired applicants.

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 about possible adjustments and you may be required to give your consent to a report being produced about your state of health and ability to perform your duties. 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. Once an adjustment has been made its operation may need to be reviewed at agreed intervals, to assess its continuing effectiveness.

The School will make such adjustments to work arrangements or School premises as are reasonable to enable a disabled staff member to carry out his or her duties.

Where during the course of their employment a disabled member of staff recognises their need for a reasonable adjustment to be made to work arrangements or School premises, he or she should discuss this requirement with the Bursar.

## **Dignity at Work**

You should not engage in any behaviour or conduct which may amount to harassment, bullying or victimisation of another person at work. These are regarded as disciplinary offences and in serious instances may lead to instant dismissal.

**Harassment** may take the form of unwanted conduct which is related to a relevant Protected Characteristic which is perceived as affecting an employee's dignity at work. It may also take the form of unwanted conduct towards someone based on their appearance or other personal characteristic which is perceived as affecting their dignity at work. It is not only unwanted physical contact, assault or propositions; it includes suggestive remarks or gestures, pin-ups, graffiti, offensive comments, jokes and banter. Harassment may include bullying, intimidatory behaviour, persistent teasing or constant unfounded criticism of the performance of work tasks, unfair allocation of work and responsibilities, or exclusion from normal work place conversation. It may be directed towards one individual or a group. A single incident can amount to harassment if sufficiently grave.

**Sexual harassment** is unwanted conduct of a sexual nature which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

**Bullying** in the workplace may be characterised as offensive, intimidating, malicious, or insulting behaviour involving an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

**Victimisation** is defined as subjecting an individual to a detriment because he or she has done, is thought to have done, or might do a protected act (e.g. bringing proceedings under the Equality Act 2010).

The school takes seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

Such acts will be dealt with as misconduct under the School's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, 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.

### **Reporting Procedure**

- If you consider that you have been the recipient of unwanted conduct amounting to harassment (including sexual harassment), bullying or victimisation, it is open to you to try to resolve the problem informally with the other person, either face to face or in writing. If this is not appropriate or has not been successful, you may raise a grievance in accordance with the procedure in the Staff Handbook. All such grievances will be dealt with sensitively and in confidence as far as reasonably practicable to progress the complaint. Both during the investigation of the complaint and afterwards (whatever the outcome), consideration will be given to ensuring that you and the alleged harasser are not required to work together against your wishes.
- If you consider that you have been subject to discrimination of any form, you should inform the Head or the Bursar.
- The School will seek to ensure that you are not in any way penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped.
- If you believe that another member of staff is experiencing bullying, victimisation or harassment (including sexual harassment) you are encouraged to report your concerns to your Line Manager, the Designated Safeguarding Lead, or directly to the Head.
- False or malicious allegations will be treated as a disciplinary offence. Retaliation against a member of staff who complains of harassment can be expected to lead to disciplinary action.
- If a member of staff feels that their complaint has not been handled properly, there is a right of appeal to the school Governors.