



# **Fairness, Diversity and Equal Opportunities Policy**

**Policy Written By: GCC**

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**Policy to be taken to Governors: Yes**

**Policy Category: School/ HR**



## **1.0 Introduction**

1.1 The council is committed to ensuring equality of opportunity and fairness in the workplace, and providing equality of access to services for the communities it serves.

1.2 This fairness and diversity policy statement provides an overarching framework within which all of the school's policies and procedures operate. The principles based upon the council's policy set out in this document should therefore be taken to be appropriately embedded within all the school's policies and procedures.

1.3 It applies directly to all employees within schools and potential employees, covering all aspects of employment.

## **2.0 Diversity**

2.1 Diversity is about recognising everyone as individuals, valuing abilities and skills they can bring to an organisation. Diversity focuses on being proactive and finding opportunities to enhance the business. It is about moving beyond the legal framework and embedding equality into the way the school works.

2.2 The school is committed to providing equality of opportunity and challenging discrimination in all areas of employment, including recruitment, training, development and all terms and conditions of employment.

2.3 The school recognises that success depends on recruiting, developing and keeping the right people with the appropriate skills, knowledge and experience.

2.4 The school is committed to ensuring that all its recruitment and employment policies ensure full accessibility for people with disabilities.

2.5 The council is proud to use the two tick 'positive about disabled people' symbol. As our society becomes increasingly diverse it becomes even more important that public bodies reflect the diversity of the population and ensures that public services meet diverse needs.

2.6 The school will:

2.6.1 Create positive opportunities to employ a workforce that is representative of the county's population

2.6.2 Operate and monitor fair and open recruitment and selection processes and encourage applications from all sections of the community

2.6.3 Ensure that all employees have fair access to learning and development opportunities

2.6.4 Provide a safe and accessible working environment that values and respects each individual

2.6.5 Monitor the effects of organisational changes to ensure corporate processes do not inadvertently create a disproportionate impact for particular sections of the workforce.

2.7 The Equality Act 2010 specifically requires public bodies, including schools to publish information on workforce equality data.



2.8 The head teacher in conjunction with the Governing Board will be responsible for ensuring the implementation and effective monitoring and publishing of this data and policy.

### **3.0 Legislation**

3.1 The Equality Act 2010 (the Act) brings together discrimination law introduced over four decades through legislation and regulations. It replaces most of the previous discrimination legislation, which is now repealed.

3.2 Additionally, the school will have due regard to the relevant codes of employment practice issued by the Equality and Human Rights Commission.

### **4.0 Discrimination and Harassment**

4.1 We are committed to achieving equality for all by removing direct and indirect discrimination on the grounds of the nine protected characteristics:

- 4.1.1 age
- 4.1.2 disability
- 4.1.3 sex
- 4.1.4 gender reassignment
- 4.1.5 marriage and civil partnership
- 4.1.6 pregnancy and maternity
- 4.1.7 race
- 4.1.8 religion or belief
- 4.1.9 sexual orientation.

4.2 Direct discrimination is where someone is treated less favourably than others because (as a direct result) of their race or sex or any of the other areas of potential discrimination listed above.

4.3 Indirect discrimination is a provision, criterion or practice applied in the same way for all but disadvantages people with a protected characteristic, unless the employer can justify the action as being a proportionate means of achieving a legitimate aim.

4.4 The statutory provisions regarding indirect discrimination are rather complex, so please contact the school's HR adviser for further guidance.

4.5 Associative discrimination can occur where someone is treated less favourably than another on the grounds of another person's situation. For example someone who is a carer of a disabled person may be treated less favourably than others not because they themselves are disabled but for reasons connected with the disability of the person for whom they are a carer.

4.6 Perceived discrimination is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.



4.7 Harassment related to a protected characteristic is unwanted conduct related to a relevant protected characteristic, 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.

4.8 This allows for single actions combining characteristics, for example a claim can be made based on both age and gender together.

### **5.0 Schools response**

5.1 The school is determined that no employee should suffer any form of harassment or unjustifiable discrimination. Any such action by an employee that is established after proper investigation will be regarded as misconduct and dealt with under the appropriate managing performance policy.

5.2 Managers and employees should report through their manager any situation in which discrimination or lack of opportunity is occurring.

### **6.0 Inappropriate behaviour**

6.1 Examples of inappropriate behaviour include:

- 6.1.1 Using offensive language
- 6.1.2 Offensive jokes or inappropriate language
- 6.1.3 Hostile working environments
- 6.1.4 Bullying and harassment including homophobic bullying
- 6.1.5 Intended exclusion, isolation etc. from team working
- 6.1.6 Discrimination on the grounds of the nine protected characteristics
- 6.1.7 Behaviour/body language which demonstrates prejudice or ignorance
- 6.1.8 This list is not exhaustive.