



# **WHITLEIGH PRIMARY AND SIR JOHN HUNT FEDERATION**

Sir John Hunt



# **EQUALITY & DIVERSITY POLICY**

Adopted: Governors Personnel Committee - 17 February 2011

Re-adopted: Full Governors – 11 July 2012

Re Adopted Federation - 8 June 2015

Reviewed - 15 June 2016

Reviewed - 22 March 2017

Reviewed – 21 March 2018

Reviewed – 20 March 2019

Reviewed – 11 March 2020

Reviewed – 03 March 2021

Reviewed – 16 March 2022

Next Review: March 2023

**PLP - APRIL 2016**

**CHANGES**

March 2003:	Policy Implemented
June 2010:	Styling revised in line with corporate guidelines
December 2011:	Policy updated
April 2016:	Policy reviewed
March 2022	Policy reviewed WPSJH

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## **1 POLICY STATEMENT**

The Federation recognises the schools' responsibility as an employer for setting standards of fair treatment. The Federation will provide equal opportunities to any employee or applicant and will not discriminate either directly or indirectly. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential. Further guidance and information about how to create a fair workplace can be found on the [ACAS website](#).

## **2 OUR COMMITMENT**

This Equality and Diversity Policy is our formal commitment to fairness, reducing inequalities. We will work hard to keep this promise even when we face challenges. If we do not do this, we will respond to concerns or complaints, and do our best to put things right and learn from this.

The Governing Body has overall responsibility to ensure this policy is consistently applied and the Senior Management Teams have responsibility for the implementation of the policy.

The Equality Act 2010 was introduced to ensure protection from discrimination, harassment and victimisation on the grounds of specific characteristics (referred to as **protected characteristics**).

For schools, this means that it is unlawful to discriminate against individuals or treat them less favourably because of their sex; race; age; disability; religion or belief; gender reassignment; sexual orientation; pregnancy or maternity.

**Under the Act, the school is expected to comply with the Public Sector Equality Duty (PSED). This requires us to:**

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

**As a public organisation, we are required to:**

- Have due regard to the PSED when making decisions, taking action or developing policy and practice.
- Publish information to show compliance with the Equality Duty. This is done via our Equalities Policy.
- Publish Equality Objectives which are specific and measurable.

Our Equalities Policy is in line with national guidance and contains information about how the school complies with the Public Sector Equality Duty. We also give guidance to staff and the wider school community on our approach to promoting equality.

Our Equality Objectives reflect the school's priorities, our Cooperative values and draw upon available data and other evidence. Careful analysis of this is undertaken in order to ensure that we are working to achieve improved outcomes for different groups.

### **For 2021 - 2022, our Equality Objectives are:**

- To continue to provide a school environment that welcomes, protects and respects diverse people.
- To continue to close the gaps in attainment and achievement between students and all groups of students; especially boys and girls, disadvantaged students, students with Special Educational Needs and Disabilities, Looked After Children, and students from different heritage groups.
- To ensure that all students are given the opportunity to make a positive contribution to the life of the school, particularly focusing on developing leadership opportunities for all students.
- To eradicate the use of homophobic, sexist, racist and other discriminative language by students in the school.
- To review the accessibility across the school for students, staff and visitors with disabilities, including access to specialist teaching areas.

Specific tasks relating to these objectives can be found within the respective school's School Development Plans

### **3 APPLICATION**

All employees have personal responsibility for the practical application of the policy and those with responsibility for staff are reminded that they may be held individually accountable for ensuring that no form of discrimination occurs in the recruitment, selection, promotion and training of employees.

Enquiries will be made into suspected cases of direct discrimination or acts of commission or omission which lead to indirect discrimination. Any such practices will be stopped and disciplinary action may be taken against the individual(s) concerned.

#### **The Governing Board 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, and that they are reviewed and updated at least once every four years.
- Delegate responsibility for monitoring the achievement of the objectives on a regular basis to the Headteacher/Principal who will endeavour to ensure the objectives remain relevant and up to date.

#### **The Principal / Headteacher will ensure that:**

- Knowledge and understanding of the equality objectives are promoted amongst staff and pupils
- Monitor success in achieving the objectives and report back to the governors

#### **Staff will ensure that**

- Teaching and learning takes this policy into account
- Diversity will be recognised as a positive, rich resource for teaching, learning and the curriculum

#### **Equality information and objectives**

Schools must publish equality information and objectives and ensure they are updated annually.

## **Recruitment and Selection**

The selection process is of crucial importance and must be carried out according to objective job-related criteria which must be subject to regular review. The Federation will endeavour through appropriate training to ensure that employees making selection decisions will not discriminate whether consciously or unconsciously in making these decisions. The Federation will ensure:

- That the selection criteria relate to job requirements and are not discriminatory by asking for inappropriate qualifications or experience.
- Job advertisements are not without proper reason confined to publications or worded in such a way as to exclude applicants either individually or of a particular group.
- Advertisements will carry a statement that the schools are an equal opportunity employer.
- Every job is open equally to all applicants with the required qualifications except where conditions of privacy, and decency or authenticity apply or in cases where the job involved the provision of personal services.
- Applications will be dealt with in accordance with the Governing Body's recruitment and selection policy.
- Where selection tests are used they are validated to ensure they relate directly to the job requirements and/or career requirements and measure an individual's ability to do or train for the particular work or career. Such tests are reviewed regularly to check that they remain relevant and free from bias either in content or scoring.

## **Training**

Equal opportunities must be integrated into all training concerned with selection skills, staff assessment, counselling, staff development and the management or supervision of staff. The importance of equal opportunities in the field of customer care initiatives is also recognised. The Federation will ensure:

- Transfer, promotion and training are open equally to all eligible employees and selection criteria do not exclude applicants from any group.
- Specific training on recruitment and selection will be undertaken by governors and staff as appropriate, to ensure awareness of the wider implications of discrimination.

## **Promotion**

It is in the Federation's interest to provide equal opportunities for promotion to all employees. Headteachers/Principals must continually assess the promotion potential of all employees and all promotion decisions must be made in accordance with objective selection criteria.

## **Grievance and Discipline**

Employees who believe that they have experienced unfair or unlawful discrimination or racist or sexist abuse or harassment should raise their concern through the applicable grievance procedure.

It is important to understand that employees who consider they have failed to secure adequate redress, within the procedure of the Governing Body, may choose to take their case to an industrial tribunal. External applicants who feel they have been unfairly discriminated against may also take their case to an industrial tribunal. In these circumstances complaints can be brought against individual employees as well as the Governing Body and the employing authority.

#### 4 MONITORING

The Federation will establish appropriate information and monitoring systems to assist the effective implementation of the policy. Information will only be collected which will be used and will be held confidentially.

Most organisations will collect information based on current UK legislation. This protects people against discrimination because of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

The table below sets out the legal position regarding monitoring:

	<b>Legal position</b>
Race and Ethnicity	A requirement for public bodies to monitor ethnicity. Use the ethnic groupings set out in the 2001 Census standards as a minimum
Gender	A requirement for public bodies to monitor gender – male and female.
Gender reassignment	Covered by the public equality duty, however but any monitoring will require careful consideration.
Disability	A requirement for public bodies to monitor disability. You are required to make reasonable adjustments to help a disabled person give their best.
Sexual orientation	A requirement to monitor in public sector from April 2011.
Religion and belief	A requirement to monitor in public sector from April 2011.
Age	A requirement to monitor in public sector from April 2011.

The Governing Body will review implementation and the need for monitoring.

#### 5 COMPLAINTS

Employees who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through the agreed procedures. All complaints of discrimination will be dealt with seriously, promptly and confidentially.

## **6 POSITIVE ACTION**

The Equality Act allow employers to take positive action if you think that employees or job applicants who share a protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

The Equality Act 2010 from April 2011 allows you, if you want to, to take a protected characteristic into consideration when deciding who to recruit or promote. However, you can only do this when you have candidates who are "as qualified as" each other for a particular vacancy. This does not mean they have to have exactly the same qualifications as each other, it means that your selection assessment on a range of criteria rates them as equally capable of doing the job.

You would also need some evidence to show that people with that characteristic face particular difficulties in the workplace or are disproportionately under-represented in your workforce or in the particular job for which there is a vacancy. In these circumstances, you can choose to use the fact that a candidate has a protected characteristic as a 'tie-breaker' when determining which one to appoint. You must not have a policy of automatically treating job applicants who share a protected characteristic more favourably in recruitment and promotion. This means you must always consider the abilities, merits, and qualifications of all of the candidates in each recruitment or promotion exercise. Otherwise, your actions would be unlawful and discriminatory.

## **7 FREQUENTLY ASKED QUESTION**

### **What kinds of words won't be permissible in job adverts?**

Employers should ensure that their job advertisements do not imply or suggest that a person of a particular age should not apply for the job being advertised, unless that job has a genuine occupational requirement

In order to attract job applicants of a particular age, employers may wish to extend the publication of their job vacancies, for example, to magazines or newspapers aimed at persons of a particular age or within a certain age group.

The Government has suggested the following examples:

"An employer places a job advertisement only in a magazine for young people, because this age group is underrepresented in his business. This may in practice encourage applications mainly from younger people, so it may be indirectly discriminatory. If so, it would fall under the positive action provision. It will be lawful if it reasonably appears to the employer that this helps to compensate for a disadvantage suffered by this age group.

"The same applies if the employer asks a headhunting firm to search particularly for candidates in a certain age group (because that age group is underrepresented in its workforce). As long as applications from people in other age groups are not excluded, this is covered by the positive action provision."

A criterion in a job advertisement for a successful job applicant to have ten years' work experience may amount to unlawful indirect age discrimination against younger job applicants (it is unlikely that such job applicants will have ten years' work experience) unless the employer can objectively justify that criterion. The employer would have to justify why a successful job applicant should have ten years' work experience rather than, for example, requiring them to demonstrate their suitability against a clearly drawn up person specification based on the required competencies.

Examples of the kind of "ageist" job advertisements employers should seek to avoid are available on the Employers Forum on Age (EFA) website at [www.efa.org.uk](http://www.efa.org.uk). There is also an example of an advertisement created by the EFA that avoids reference to the "culture" of an organisation (e.g. "young, vibrant company"), the ideal age range for the job and years of work experience required.

I can confirm that the governors of **Whitleigh Primary and Sir John Hunt CSC Federation** have adopted this policy as their own.

<b>Chair of Governors</b>	<b>Headteacher</b>
Sign.....	Sign.....
Print.....	Print.....
Date .....	Date .....
<b>Principal</b>	
Sign.....	
Print.....	

**WCPS is a rights respecting school. As a result all policies in the school adhere to the 54 articles of the rights of a child.**