

WARWICK INDEPENDENT SCHOOLS FOUNDATION



Warwick
Preparatory
School



King's
High
WARWICK



Warwick
School

Author	Human Resources
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Review	Bi-annually unless legislative changes dictate an earlier review. Next review Summer 2019

Equal Opportunities Policy

1.0 The Basics

What's included in this Policy?	<p>This policy was formally contained within the Employment Handbook and was first established in 2011.</p> <p>The policy was reviewed and with effect from 1st June 2015 is now a stand-alone Policy published on the Foundation Portal. It was reviewed in October 2017.</p> <p>Describes the Foundation's position with regards to Equality Opportunities for its workers.</p>
Other Policies you might need to refer to	<p>Dignity at Work Policy</p> <p>Employment Handbook</p> <p>Disciplinary and Dismissal Procedure</p> <p>Recruitment and Selection Policy</p> <p>Staff Code of Conduct Policy</p>

2.0 Who this Policy applies to

Person(s) Responsible:	Responsible for:
Governors and Line Managers	<p>The Governing Body has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Board of Governors has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to Heads/ Foundation Secretary/ Head of Human Resources.</p> <p>Those working at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the organisation with regard to equal opportunities.</p>
All Staff	<p>This policy applies to all employees, whether permanent, temporary, casual, and part-time or on fixed-term contracts, to ex-employees, to job applicants and to individuals such as agency staff and consultants and volunteers who are not our employees, but who work for the organisation (collectively workers).</p> <p>All workers have a duty to act in accordance with this policy, to treat colleagues with dignity at all times, and not to discriminate against, harass or victimise other members of staff, whether junior or senior to them. In some situations, the organisation may be at risk of being held responsible for the acts of individual</p>

	members of staff and will not tolerate any discriminatory practices or behaviour.
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3.0 Legislation and Aims

Legislation applying to this policy	Equality Act 2010
Aims of this policy to:	<p>Ensure compliance with all relevant legislations and HR best practice.</p> <p>Ensure that no employee is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.</p>

4.0 Introduction

4.1 The organisation supports the principle of equal opportunities and opposes discrimination on the basis of age, sex, marriage and civil partnership, gender reassignment, race, disability, sexual orientation, religion or belief, pregnancy and maternity and part-time or fixed-term employment (defined as Protected Characteristics). Being a committed equal opportunities employer, the organisation will take every possible step to ensure that employees are treated equally and fairly. All policies and practices will seek to conform to the principle of equal opportunities in terms of recruitment,

5.0 Forms of discrimination

Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

5.1 **Direct discrimination** occurs where:

- Someone is treated less favourably because of one or more Protected Characteristics. For example, rejecting an applicant because they would not "fit in" because of their race or sexual orientation would be direct discrimination.
- Someone is less favourably treated because of their association with someone who has a Protected Characteristic. For example, an employee may be treated less favourably because they have a disabled child.
- Someone is treated less favourably because they are perceived to have a Protected Characteristic. For example, an employee may be treated less favourably because they are believed to be (but may not actually be) homosexual.

5.2 **Indirect discrimination:** Indirect discrimination occurs where an individual is subject to a provision, criterion or practice, applied to a group of people, which puts them at a particular disadvantage because of a Protected Characteristic, and it cannot be objectively justified. An example might be a minimum height requirement for a job. This is likely to eliminate proportionately more women than men. If this criterion cannot be objectively justified, because it is not a proportionate means of achieving a legitimate aim, then it will be indirectly discriminatory on the ground of sex.

5.3 **Victimisation and harassment:** Discrimination also includes victimisation (suffering a detriment because of action the employee has taken or may take to assert legal rights against discrimination or to assist a colleague in that regard (called a Protected Act) and harassment (see the employer's Dignity at Work policy for a more detailed explanation of "harassment").

6.0 Recruitment and Selection

6.1 The organisation aims to ensure that no job applicant receives less favourable treatment because of a Protected Characteristic. Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities and that sufficiently diverse sectors of the community are reached. Job selection criteria are reviewed from time to time to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

7.0 Disability discrimination

- 7.1 **Informing the Employer:** If you are disabled, or become disabled in the course of your employment, you are encouraged to tell us about your condition. This is to enable us to support you as much as possible and to ensure that you are not treated less favourably because of something related to your disability.
- 7.2 **Reasonable adjustments:** You should also advise the Head of Human Resources of any reasonable adjustments to your working conditions or the duties of your job which you consider to be necessary, or which would assist you in the performance of your duties. This may involve the provision of an additional piece of equipment or assistance in helping you to perform your work. The Head of Human Resources may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate the suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments.
- 7.3 **Physical features:** The employer will monitor the physical features of its premises to consider whether it can make any changes to help remove disadvantages which these may create for disabled users. Where possible and proportionate, the employer will take steps to improve access for disabled users of the premises.

8.0 Breaches of the policy

- 8.1 Breach of this policy will be dealt with under our disciplinary and dismissal procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.
- 8.2 **Complaints:** If you believe that you may have been disadvantaged because of a Protected Characteristic, you are encouraged to raise the matter through the grievance procedure. If you believe that you may have been harassed because of a Protected Characteristic, you are encouraged to raise the matter through the Dignity at Work policy. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure.
- 8.3 **False allegations:** These procedures apply during and after termination of your employment. Workers who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach in this policy which are found to have been made in bad faith will, however, be dealt with under the disciplinary procedure.
- 8.4 **Disciplinary action:** If, after investigation, you are proven to have engaged in any unwanted conduct because of a Protected Characteristic, or otherwise acted in breach of this policy, you will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The employer will always take a strict approach to serious breaches of this policy.

9.0 Queries

- 9.1 All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives. If you have any questions about the content or application of this policy, you should contact the Human Resources team by emailing hr@warwickschools.co.uk or telephoning 01926 735413.

10.0 Review

- 10.1 This policy reflects the law and the employer's practice as at October 2017. The Head of HR will be responsible for reviewing this policy in Summer 2019 unless operational needs or changes in legislation dictate an earlier review.