

Warwick Independent Schools Foundation

Warwick Preparatory School | Warwick Junior School | King's High School | Warwick School | The Kingsley School

Author	Human Resources
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Equal Opportunities Policy for Staff

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 November 2021.</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 Employment Handbook Disciplinary and Dismissal Procedure Recruitment and Selection Policy Staff Code of Conduct Policy Whistleblowing 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 the Principal/Heads/ Foundation Bursar/ 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</p>

	regard to equal opportunities.
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 members of staff and has a zero-tolerance approach to any discriminatory practices or behaviour.</p>

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 Foundation is an equal opportunities employer. In order to promote an environment within which the Foundation 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 age, sex, marriage and civil partnership, gender reassignment, race, disability, sexual orientation, religion or belief, pregnancy and maternity (defined as Protected Characteristics).
- 4.2 As a committed equal opportunities employer, the Foundation 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, promotion, training and development, ensuring that no applicant for employment or member of staff is disadvantaged by conditions or requirements which cannot be shown to be justifiable.
- 4.3 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 and training opportunities.

- Benefits, terms and conditions of employment.
 - Grievance and disciplinary procedures.
 - Termination of employment including redundancies.
 - Conduct at work.
- 4.4 Procedures are in place to ensure fair and equitable treatment in relation to the admission and assessment of pupils.
- 4.5 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.

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.

6.2 The staffing process is governed by the Foundation'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 considered.
- All applicants will be dealt with courteously and as expeditiously as possible.
- Carefully selected and validated skills and/or psychometric tests may be used as part of the selection process and will be administered by a trained tester.
- Shortlisted applicants will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children.
- All offers of appointment shall be conditional on satisfactory completion of the pre-employment checks, as set out within Keeping Children Safe in Education (KCSIE).

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 Human Resources department 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. 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 Part-time and fixed term work

8.1 Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

9.0 Gender Pay Gap Reporting

- 9.1 We are required to publish an annual report containing data on our gender pay gap. The report is published on the website of Warwick School, King's High School and Warwick Preparatory School. From 2022, this reporting will also include the Kingsley School.

10.0 Breaches of the policy

- 10.1 The Foundation takes a strict approach to breaches of this policy, which will be dealt with under our disciplinary and dismissal procedure. 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 November 2021. The Head of HR will be responsible for reviewing this policy in Autumn 2023 unless operational needs or changes in legislation dictate an earlier review.