

Equality & Diversity Policy

Whaplode CofE Primary School

Status

Consulted, not agreed

Church schools serving their communities through excellence,
exploration and encouragement within the love of God.

The Diocese of Lincoln is called to faithful worship, confident discipleship and joyful service and our church schools bear witness to our belief that every child is made in the image of God and loved by Him. They were founded for the good of their local communities so that children can be educated through the values and stories of Christianity.

Policy Owner: LAAT CEO

Policy Date: November 2019

Policy Review Date: September 2021

Excellence

Exploration

Encouragement

1 Purpose

- 1.1 The purpose of this policy is to provide equality and fairness for all and to ensure staff are not treated unfairly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and Maternity, race, religion or belief, sex, sexual orientation, in line with the Equality Act 2010 and all other associated legislation

This policy has been implemented following consultation with the recognised trade unions.

2 Applicability

- 2.1 This policy applies to all individuals working at all levels and grade, including senior managers, employees, trainees, part time and fixed term employees, volunteers, casual workers, agency workers, staff and governors (collectively referred to as staff in this policy). Specific sections of the policy also apply to job applicants to the LAAT.

3. Roles and Responsibilities

- 3.1 The LAAT along with Local boards are responsible for the implementation and compliance of this policy.

- 3.2 Headteachers/Line Managers are responsible for ensuring:

- a) This policy is implemented and operates effectively.
- b) All employees are aware of the requirements of this policy and their individual responsibilities.
- c) All employment matters are dealt with in a fair and consistent manner and are appropriately documented.
- d) Any concerns raised under the scope of this policy are taken seriously and dealt with sensitively and confidentially.

- 3.3 Employees are responsible for:

- a) Not discriminating in any employment practice or process.
- b) Raising with management any suspected discriminatory acts or practice.
- c) Co-operating with measures introduced to ensure equality of opportunity
- d) Treating everyone fairly and not harassing, intimidating or victimising others.

4. Principles

- 4.1 The LAAT is an Equal Opportunities Employer and is committed to eliminating discrimination and encouraging cultural diversity amongst its workforce.
- 4.2 LAAT treats all employees fairly and equally. The LAAT will ensure as far as possible that no employee or potential employee receives less favourable treatment on the grounds of the following protected characteristics: pregnancy and Maternity, gender (including gender, marriage, gender re-assignment); race (including ethnic origin, colour, nationality, language and national origin); disability; sexual orientation; religion, spirituality or belief; age, sex, on their marital or civil partnership status or disadvantaged by any other conditions or requirements which cannot be shown to be justifiable.
- 4.3 This policy aims to:-
- a) Reinforce the LAAT's commitment to equal opportunities in employment practice
 - b) Ensure the LAAT fulfils its legal obligations in accordance with relevant legislation
 - c) Promote a climate in which good equal opportunities practice exists
 - d) Create an environment in which individual differences and the contributions of all LAAT staff are recognised and valued
 - e) Ensure every employee is treated with dignity and respect
 - f) Ensure that any form of intimidation, victimisation, bullying or harassment will not be tolerated
 - g) Ensure training, development and progression opportunities are available to all
 - h) Challenge breaches of Equality Act 2010 and regard such breaches as potential misconduct which may lead to action being taken under the disciplinary policy.
- 4.4 Fair treatment at work and good job performance go hand in hand. Tackling discrimination helps to attract, motivate and retain staff and enhances the LAAT's reputation as an employer. Eliminating discrimination helps everyone to have an equal opportunity to work and to develop their skills.
- 4.5 All LAAT employees 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 LAAT employees will be helped and encouraged to develop their full potential and the talents and resources the LAAT's workforce will be fully utilised to maximise the efficiency of the organisation.

- 4.6 Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit. Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

5. Protected Characteristics

- 5.1 All LAAT employees will be treated fairly and equally and will not be discriminated against on the basis of any of the following protected characteristics:

5.2 Age - All LAAT employees will be treated fairly regardless of their age. Employees will not be harassed, victimised, directly or indirectly discriminated against because of their age. Employees will also not be compulsorily retired because of their age.

5.3 Disability - A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This covers all forms of physical, sensory, or mental impairments, including learning disabilities which have lasted more than 12 months.

5.4 LAAT employees will not be directly or indirectly discriminated against on the grounds of a disability or treated less favourably due to an issue relating to a disability. The LAAT is committed to supporting staff to help them overcome a disadvantage resulting from impairment, therefore where a manager knows, or could reasonably be expected to know, that a person has a disability, reasonable steps should be taken to support them in working to overcome their disability or anything in connection with their impairment; however, there may be some instances where adjustments are not reasonable.

5.5 The LAAT will give fair consideration to the selection of applicants with disabilities. Assumptions will not be made about the impact of an impairment on an employee's performance, or their ability to undertake more demanding work. Employees with a disability should also be given attention during the induction process in order to quickly overcome any problems over access or needs for special facilities. All health and safety procedures must take into account the needs of disabled employees. Where special steps need to be taken this should be discussed with the person with designated responsibility for health and safety within the school.

5.6 LAAT will make reasonable adjustments to ensure all employees are able to perform their duties. Where an employee's disability is impacting on their ability to carry out their duties, reasonable adjustments will be considered to help improve their performance.

5.7 Where an employee becomes disabled in the course of employment, steps would be taken to make adjustments to working conditions and/or the physical working environment wherever possible. When an employee becomes incapable of carrying

out their normal duties because of a disability then the management of the school, in consultation with the employee, should consider whether reasonable adjustments might enable the employee to continue in the same or similar job or whether redeployment options available. In the event that this is not possible then a decision to terminate the employee's contact may need to be taken under either the LAAT's Capability or Management of Sickness Absence Procedure.

- 5.8 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory
- 5.9 **Gender Reassignment** - LAAT employees or potential LAAT employees will not be discriminated against on the basis of gender reassignment. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. Transsexual people will not be treated less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be if they were absent because were ill or injured.
- 5.10 **Marriage and civil partnership** – LAAT employees or job applicants who are married or in a civil partnership will be treated fairly and equally to all others.
- 5.11 **Pregnancy and maternity** - The LAAT is committed to protecting a woman against discrimination on the grounds of pregnancy and Maternity during the period of her pregnancy and any statutory Maternity leave to which she is entitled. An employee's period of absence due to pregnancy-related illness will not be taken into account when making any decision about her employment.
- 5.12 **Race** - 'Race' includes colour, nationality and ethnic or national origins and employees of the LAAT and job applicants will not be treated less favourably on the grounds of these characteristics.
- 5.13 **Religion and Belief** – LAAT employees and job applicants will not be discriminated against on the basis their religion or beliefs. LAAT employees will be respectful of people with other religions and also of those of the same religion. Religion includes any religion and also a lack of religion, i.e. those who do not follow a religion. There may be some roles within the LAAT that have a genuine occupational requirement (GOR) and where this occurs this will be clearly stated at the point of recruitment advertising.
- 5.14 **Sex** - Both male and female employees and job applicants will not be treated less favourably on the basis of their gender.
- 5.15 **Sexual orientation** - LAAT employees and job applicants will be treated fairly regardless of their sexual orientation, whether they are bisexual, gay, heterosexual or lesbian.

6. Discrimination, Victimisation and Harassment

- 6.1 **Direct discrimination** - LAAT employees will not be directly discriminated against. Direct discrimination occurs when someone is treated less favourably because of a protected characteristic, or perceived characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.
- 6.2 **Discrimination by association** - LAAT employees will not be discriminated against by association. Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- 6.3 **Indirect discrimination** - LAAT employees will not suffer indirect discrimination. LAAT policies, practises, rules and procedures will be fair and will not disadvantage people who share a protected characteristic.
- 6.4 **Harassment** - Harassment 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. The LAAT will ensure that employees are not harassed and that they do not find behaviours offensive even if it is not directed at them. LAAT employees should also not suffer from harassment because of perception or association. Managers should appropriately deal with instances of harassment and discuss them with Human Resources if needed. Please also refer to the Dignity at Work (Anti-Bullying and Harassment) Policies.
- 6.5 **Third party harassment** - As far as reasonably possible, the LAAT will ensure its employees do not suffer any form of harassment from third parties who are not employees of the organisation, i.e. customers or clients. If an employee is known to have received or has reported receiving harassment from a third party, the employee's manager will need to ensure reasonable steps are taken to prevent it from happening again.
- 6.6 **Victimisation** - LAAT employees will not suffer victimisation. Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.

7. Positive action

- 7.1 Where possible the LAAT will take positive action if it is believed that employees or job applicants who share a particular protected characteristic suffer a disadvantage relating to that characteristic, or if their participation in an activity is disproportionately low.
- 7.2 In some circumstances protected characteristics may be taken into consideration when deciding who to recruit or promote. However, this can only be done when candidates

are “as qualified as each other” for a particular vacancy, meaning that selection assessment on a range of criteria rates them as equally capable of doing the job.

8. Recruitment

8.1 In recruiting staff, the LAAT will ensure that its practices do not discriminate against candidates or job applicants in ways which are unconnected to their ability to perform the duties of the post. All staff will be given opportunities to develop their skills and expertise in their chosen career.

8.2 **Pre-employment health-related checks** - Up to the point of an individual being offered a job, health-related questions can only be asked to:

- a) Decide whether any reasonable adjustments need to be made for the person to participate in the selection process
- b) Decide whether an applicant can carry out a function that is essential (‘intrinsic’) to the job
- c) Monitor diversity among people making applications for jobs
- d) Take positive action to assist disabled people

9. Pay

9.1 **Equal pay** – The pay of staff should be set based on their skills and abilities and not based on a particular characteristic. The LAAT will ensure as far as possible that pay is equal between employees.

9.2 **Pay secrecy** - The LAAT will not prevent or restrict employees from seeking clarification to establish if differences in pay exist that are related to protected characteristics.

10. Breaches of this policy

10.1 If any employee believes that they may have been discriminated against then they are encouraged to raise the matter through our Grievance Procedure. If an employee believes that they may have been subject to harassment or bullying, they are encouraged to raise the matter through our Harassment and Bullying Policy.

10.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, may be dealt with under our Disciplinary Procedure.

10.3 Any member of staff who is found to have committed an act of discrimination or harassment may be subject to disciplinary action. Serious breaches of this policy may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

11 Monitoring and review of the policy

11.1 We will continue to review the effectiveness of this policy to ensure it is achieving its objectives. We will do this in consultation with the recognised trade unions.