

# EQUAL OPPORTUNITY POLICY

**DATE OF POLICY: January 2018**

Bi-annual Policy

Person Responsible:

Mr A J Knowles

Reviewed by SLT:

January 2018

Approved by Resources:

24 January 2018

Ratified by Full Governing Body:

Pending Approval

Previously Ratified by Full Governing Body:

15 June 2016



**Tupton Hall School**

Aspire • Learn • Achieve

# DERBYSHIRE LA

## EQUAL OPPORTUNITIES POLICY

**'This policy was reviewed on 6 July 2012 and has been impact assessed in the light of all other school policies including the Disability Equality Scheme.'**

**Please note that LEA has been changed to LA throughout.**

<b>Associated Policies:</b>	Child Protection (Safeguarding)
	Educational visits policy Inc Charging and Remissions
	Equality Policies Inc Accessibility Plan Disability Equality Scheme Gender Equality Scheme
	SEN Policy - Special Educational Needs
	Pay and Personnel
	Maternity Policy
	Continuing Professional Development
	Performance Management

### **1. Equal Opportunities Policy**

The Governing Body's policy is to provide education fairly to all pupils within the school and to give equal treatment to its employees, pupils and members of the community regardless of their age, disability, HIV status, marital status, ethnicity, religion, sex, sexual orientation, or national origin.

The Governing Body promotes the elimination of discrimination and complies with the Sex Discrimination Act 1986 (as amended), Race Relations Act 1976 (as amended), Human Rights Act 1998, Asylum and Immigration Act 1996, Disability Discrimination Act 1995, Employment Equality Regulation (Sexual Orientation) 2003 and Employment Equality Regulation (Religion or Belief) 2003 together with relevant Codes of Practice and European Directives.

## **1.1 The Governing Body's Commitment**

The Governing Body is committed to achieving the highest level of the Equality Standard for the school.

All Governors, employees and those acting on behalf of the Governing Body or school are responsible for implementing the policy and have a continuing duty to challenge all forms of discrimination.

### **The Governing Body (in collaboration with the headteacher) will:**

- Give advice and training to ensure that Governors and employees understand the implications of the policy and legislation and their responsibilities.
- Promote itself as an employer people are proud to work for and seek to achieve a balanced workforce which reflects the local labour market.
- Promote and support education and training to increase awareness and eliminate discrimination.
- Ensure that services and resources are appropriate to the pupils and members of the community it serves.
- Promote and support the principles of equal pay.

## **1.2 Monitoring and Evaluation**

- The Headteacher will report to the Governing Body annually providing information on employees within the school according to age, disability, gender, grade and ethnicity.
- The Governing Body will review the impact of the policy on a regular basis.
- The policy will be regularly reviewed to ensure that it reflects changes in legislation, directives and codes of practice.

### **1.3 Direct/Indirect Discrimination**

The Governing Body recognises that there are different types of discrimination and will work with pupils and employees of the school to ensure that all are eradicated.

#### **The Governing Body will:**

- Ensure no individual is discriminated against because of their age, disability, HIV status, marital status, ethnicity, religion, sex, sexual orientation or national origin. The only exception to this being if a genuine occupational requirement can be shown to apply.
- Ensure that no group within society is disadvantaged by a criterion, provision or practice, unless it can be objectively justified.
- Ensure that appropriate awareness training is provided in existing training courses to employees and where necessary make additional provision for such.

### **1.4 Genuine Occupational Requirement**

In law there may be instances when being of particular ethnic group, religion, sex or sexual orientation will be a specific requirement of a post and can be justified. This is known as a genuine occupational requirement or qualification. However, Derbyshire LA believes that there will be very few, if any, circumstances where this requirement will arise for educational appointments. If this circumstance arises the Governing Body will seek advice from its personnel service provider before proceeding with the advertising and filling of the post.

### **1.5 Effect on Other Policies and Procedures**

The Governing Body will ensure that, where relevant, the school's policies and procedures will take into account fully the Sex Discrimination Act 1975 (as amended), Race Relations Act 1976 (as amended), Human Rights Act 1998, Asylum and Immigration Act 1996, Disability Discrimination Act 1995, Employment Equality Regulation (Sexual Orientation) 2003 and Employment Equality (Religion or Belief) 2003. These will include:

- Recruitment and Selection.
- Training/CPD
- Absence Control/III-Health Capability.
- Redundancy.
- Professional Competence of Teachers.

The Governing Body is aware that the above list is by no means exhaustive and that the Sex Discrimination Act 1975 (as amended), Race Relations Act 1976 (as amended), Human Rights Act 1998, Asylum and Immigration Act

1995, Disability Discrimination Act 1995, Employment Equality Regulation (Sexual Orientation) 2003 and Employment Equality (Religion or Belief) 2003 may have a direct impact on other personnel policies and procedures adopted by the Governing Body.

## **1.6 Changes to employees' circumstances**

The Governing Body encourages, and would like to emphasise the need for, employees to inform the Headteacher and Governors of any material change in their circumstances which could affect their working conditions and the application of this policy. The Governing Body also encourages employees to seek advice from their union before doing so.

## **1.7 Complaints and Resolution of Disputes**

If the school receives a complaint relating to any aspect of this Policy which cannot be resolved informally the complaint will be dealt through the school's Complaints Procedure.

All employees of the Governing Body have a contractual obligation to comply with this policy and the school's Equal Opportunities Policy statements set out in Section 2.

## **2. Equal Opportunities Policy Statements**

**The Governing Body is committed to the following policy statements:**

### **2.1 Disability**

The Governing Body is committed to eliminating unlawful discrimination and promoting equality of opportunity in the field of employment. It will, therefore, fulfil its legal obligations in accordance with the Disability Discrimination Act 1995 and any related or subsequent legislation including seeking to identify and remove all unjustified direct and indirect discrimination.

The Governing Body will not discriminate against candidates applying for vacancies within the school. Special consideration will, therefore, be given to the following:-

- Application forms.
- Interview arrangements.
- Terms and conditions of employment.
- Staff development opportunities.
- All other policies and procedures adopted by the Governing Body.

The Governing Body will seek to avoid direct and indirect discrimination by:-

- Not making assumptions about a person's disability.
- Promoting equal opportunities.
- Seeking professional advice on whether an impairment is covered by the Disability Discrimination Act 1995 and carrying out workplace risk assessments where appropriate.

The Governing Body, wherever possible and practicable, will agree to make reasonable adjustments which will assist a person with a disability including:-

- Adjustments to premises.
- Reallocation of a disabled person's duties.
- Consideration of suitable alternative employment.
- Consideration of more flexible working, including altering the person's working hours.
- Allowing time off for rehabilitation, assessment or treatment
- Training.
- Acquiring or modifying equipment.
- Modifying instructions or reference manuals.
- Modifying procedures in recruitment and selection for testing or assessment.

The LA's guidance on 'The Disability Discrimination Act 1995' in the Personnel Handbook will inform the Governing Body's consideration of any reasonable adjustments that may be required.

## **2.2 Race Equality**

The school recognises that people from ethnic minority groups face discrimination.

The school recognises its general duty to promote race equality as set out in the Race Relations Act 1976 (as amended), as follows:

- To eliminate unlawful discrimination
- To promote equality of opportunity
- To promote good relations between individuals of different racial groups.

### **The Governing Body will:**

- Give full and fair consideration to all applicants, regardless of their ethnic origin, based solely on their ability to do the job and give equal opportunity for training, career development and promotion for employees.
- Ensure that information provided by the school is accessible and, where necessary, targeted at ethnic minority or other identified groups.

- Ensure that the school considers, and where appropriate implements, recommendations from the LA as a result of their consultations with the Racial Equality Council, other minority community groups and trade unions on the implementation of this policy.
- Continue to respond to the recommendations arising from the Stephen Lawrence Inquiry.

### **2.3 Religion or Belief**

The Governing Body is opposed to all forms of religion or belief based discrimination. It recognises that decisions and practices relating to employment and vocational training should not be based on an individual's religious beliefs or lack of them.

The school's policy is to protect the right of individuals, regardless of their religion or belief, and will work for the eradication of all forms of discrimination on these grounds through training, awareness raising and implementation of anti-harassment procedures.

#### **The Governing Body will:**

- Respect an individual's right to follow and practice a particular religion, religious or similar philosophical belief and respect those individuals who do not do so.
- Encourage a culture within the school which allows individuals to be open about their religious beliefs or otherwise.

### **2.4 Sex Equality**

The Governing Body is opposed to all forms of sex based discrimination and will respect the right to dignity of all women and men.

It will continue to strive to achieve equality of opportunity, while attempting to recognise and address historical and gender-specific discrimination.

#### **The Governing Body will:**

- Recognise family and caring responsibilities through the continued development of family friendly and carer support policies and provisions. Examples of these include reference to the LA's 'Authorised Leave of Absence Policy' and 'Contracts of Employment', with particular reference to job sharing, in the Personnel Handbook.
- Recognise that career patterns are often disrupted because of caring responsibilities and provide appropriate training and career development opportunities.

- Challenge sexist attitudes and practices both within the school and external organisations with which the school may deal.
- Give full and fair consideration to applications for employment from individuals, based solely on their ability to do the job and give equal opportunity to training, career development and promotion for employees regardless of gender.
- Develop specific initiatives, where required, to address gender imbalances within the school.
- Ensure that information, publicity and advertising over which the school has control or influence is non-sexist and uses positive images and language.

## **2.5 Sexuality**

The Governing Body recognises its general duty to protect people at work and in vocational training from discrimination on grounds of sexual orientation in accordance with the Employment Equality (Sexual Orientation) Regulation 2003.

The Governing Body is opposed to all forms of discrimination against lesbian women, gay men, transsexual, bisexual or heterosexual men and women. It recognises that decisions and practices relating to employment should not be based on the assumption that everyone is, or should be, heterosexual.

The school's policy is to protect the rights of individuals, regardless of their sexuality, and will work for the eradication of all forms of discrimination on these grounds through training, awareness raising and implementation of anti-harassment procedures.

### **The Governing Body will:**

- Respect an individual's right to define their sexual identity.
- Protect the dignity of women and men at work.
- Work towards enabling employees to feel safe in being open about their sexual identity.

## **2.6 Age Equality**

Ageism is discrimination based on preconceived ideas of an individual's capabilities at certain stages in their lives and is often targeted at younger and older people. The school is opposed to discrimination on the grounds of age.



**The Governing Body will:**

- Ensure that age is not a barrier to recruitment, selection, promotion, training or personal development.
- Ensure that age will not be considered adversely where redundancy and retirement may apply.
- Seek to eliminate age discrimination through education and training.

**2.7 Harassment**

The Governing Body recognises that harassment, discrimination, victimisation or bullying of any nature is unacceptable. A culture will be promoted within the school where employees and pupils can bring a complaint without fear of ridicule or reprisal.

It is also recognised that harassment or victimisation may occur when an individual has or intends to make a complaint, or give evidence about discrimination or harassment. Specific procedures are in place to enable an individual to pursue a complaint and for appropriate action to be taken.

The aim is to prevent harassment occurring and to enable individuals to confront unacceptable action or behaviour.

Employees have an obligation to promote an atmosphere free from harassment and to challenge instances of harassment.

**The Governing Body will:**

- Ensure that employees are aware of harassment procedures.
- Ensure that complaints are dealt with in a sensitive manner.
- Provide support for any individual within the school who is experiencing harassment, victimisation or discrimination.
- Monitor complaints.

The LA's guidance 'Dealing with Complaints of Harassment' in the Personnel Handbook will inform the Governing Body's consideration of this aspect of Equal Opportunities.

# Tupton Hall School

## Equal Opportunities Policy - Derbyshire County Council

### Policy Statement

Derbyshire County Council's policy to provide services fairly to all sections of the community and to give equal treatment to its employees and service users regardless of their age, disability, HIV status, marital status, race, religion, sex, sexuality or national origin.

All councillors, employees and those acting on behalf of the Council are responsible for implementing the policy and have a continuing duty to challenge all forms of discrimination.

#### The Council will:

- ◆ Give advice and training to ensure that councillors and employees understand the implications of the policy and legislation and their responsibilities.
- ◆ Promote itself as an employer people are proud to work for and seek to achieve a balanced workforce, which reflects the local labour market.
- ◆ Promote and support education and training to increase awareness and eliminate discrimination.
- ◆ Monitor service usage to identify groups within the community whose needs are less well met.
- ◆ Ensure that services and resources are appropriate to the community it serves.
- ◆ Take action to widen service take-up across all sections of the community and ensure equality of access to services.
- ◆ Consult both service users and people who do not use our service.
- ◆ Every council service will have an action plan setting out how they will put this policy into practice.

#### Monitoring and Evaluation

- ◆ Equality Action Plans will be agreed by the relevant service committees and monitored annually.
- ◆ A systematic programme of departmental audits of employment and service usage will be undertaken. These will support the development of

service specific targets and initiatives for inclusion in the Equity Action Plan.

- ◆ Quarterly reports will be made to the Personnel and Equality Subcommittee on the results of statistical monitoring of employees, providing information according to age, disability, gender, grade and race.
- ◆ Yearly monitoring reports will be made to the Community and Public Protection Committee as part of a planned programme to monitor service usage by women, disabled people and the people from ethnic minority groups.
- ◆ The policy will be regularly reviewed to ensure that it reflects changes in legislation, directives and codes of practice.

The Council promotes the elimination of discrimination and complies with the Sex Discrimination Act 1975 (as amended), Race Relations Act 1976, Disability Discrimination Act 1995, together with the relevant Codes of Practice and European Directives.

# Tupton Hall School

## Equal Opportunities Policy: School Specific

'All staff at Tupton Hall School are expected to familiarise themselves with the implications of the Equal Opportunities policies of both the school and the LA for their subject teaching, personal tutoring, and all other aspects of their work.'

### 1. Policy Context:

In determining an Equal Opportunities policy Tupton Hall is keen to embrace the needs of both the immediate and broader school community. This community includes all who work on the site, in whatever capacity, or who visit it at any time.

### 2. A Whole School Community

Increasingly, the school is being visited and used by a broader cross section of people and to this end the school is committed to give equal esteem to all irrespective of their ability, gender, sexual orientation, class, cultural background, ethnics' origins, and physical/mental disability.

2.1 To achieve full equality of esteem it is essential to:

- ◆ Cherish and respect individuality within socially accepted parameters;
  - ◆ Challenge all forms of arbitrary discrimination which may be inherent in our daily practice, such as stereotyping or pre-conceived expectations;
- ◆ Act with awareness of and sensitivity to the particular needs of all individuals;
- ◆ Monitor, review and evaluate curriculum strategies and professional practice.

### 3. Guidelines

All staff have a responsibility for contributing to the development and implementation of EO policies. This can be achieved through recognising the significance of the ideas set out below:

- ◆ Course planning, content, methodology, assessment should take cognizance of special needs, the appropriateness of positive discrimination strategies, the development of differentiated learning to ensure entitlement, progression and continuity.
- ◆ Classroom organisation and teaching/learning styles and strategies should recognise individual needs and promote Equal Opportunities.
- ◆ The need to review existing and new materials: books, posters, videos, software etc.
- ◆ The tone of publications and other school communications.

- ◆ Language and visual images used in all contexts of school life.
- ◆ Staffing policies.
- ◆ Appropriate reference to and use of positive role models.
- ◆ Stratagems for dealing with discriminatory behaviour.

These ideas are in no way intended to be exhaustive or exclusive.