



# **Fulbrook Middle School**

## **Equality and Diversity Policy for School Staff**

<b>Issue No.</b>	<b>Author or Reviewer</b>	<b>Date Written or Reviewed</b>	<b>Date Approved by FES/PEAP</b>	<b>Date Approved by FGB</b>	<b>Next Review Date</b>
V1	Lin Diaby	09/02/2017	10/03/2017		February 2019
V2	Lin Diaby	04/01/2020	17/01/2020	12/02/2020	February 2022

## **1 Policy**

- 1.1 The Governing Body of Fulbrook Middle School is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a supportive and inclusive working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit and ability.
- 1.2 Our aim is to ensure that no worker, either current or potential, is discriminated against either directly or indirectly on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race including ethnic origin, colour, nationality and national origin, religion or belief, sex, sexual orientation, family situation, caring responsibilities, socio-economic background, trade union activity or employment status, whether part-time, full-time, fixed-term or temporary (this is not an exhaustive list). (Equality Act 2010 protected characteristics). The principles of non-discrimination and equality of opportunity also apply to the way in which staff and Governors treat visitors, volunteers, contractors and former staff members.
- 1.3 All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. Your attention is drawn to our separate Bullying and Harassment policy.
- 1.4 This policy has been agreed following consultation with the trade unions and staff representatives.
- 1.5 Our Statement under Public Sector Equality Duty is attached as Appendix A.
- 1.6 This policy does not form part of any employee's contract of employment and may be amended at any time, following a review and consultation with trade unions.

## **2 Who is covered by the policy?**

- 2.1 This policy covers all individuals working at all levels and grades, including senior managers, employees, trainees, part-time and fixed-term employees, volunteers, casual workers, agency staff and governors (collectively referred to as **staff** in this policy).

## **3 Who is responsible for this policy?**

- 3.1 The Governing Body has ultimate responsibility for the effective implementation of this policy and the Senior Manager with responsibility for equalities issues has overall responsibility for the effective operation of this policy and for ensuring compliance with Equality Act 2010. The Finance, Estates and Staffing Committee is responsible for monitoring the implementation of this policy and reporting on the progress made in achieving targets set by the Governing Body. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Head Teacher.
- 3.2 All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.

The Deputy Head Teacher has overall responsibility for all training including equal opportunities. All members of staff are personally responsible for ensuring that they adhere to the policy and promote our aims and objectives with regard to equal opportunities. In certain circumstances the Governing Body could be held to be vicariously liable for actions of their staff. Staff should be aware that they may be personally liable if they are found to have discriminated against another person whilst in School or on School-related business.

- 3.2.1.1 Responsibilities: Every member of staff is responsible for their own compliance with this policy. Breaches of the Equality and Diversity Policy will be regarded as misconduct and could lead to disciplinary action against employees and termination of contracts for services of contractors or agency staff. Workers who feel they have been discriminated against should raise the matter with their line manager. Initially the worker and manager should aim to resolve the matter informally. It may be that discriminatory action is unwitting and easily resolved once the problem is clear. If the worker is dissatisfied with the outcome, the complaint is very serious, or their line manager is the cause of the complaint, the worker should raise the matter, in writing, as a formal grievance under (the employer's) Grievance Procedure. Employees may also the Bullying and Harassment Policy if appropriate.
- 3.3 If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Deputy Head Teacher to request training or further information.

#### **4. Scope and purpose of the policy**

- 4.1 This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 4.2 We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities. Please see the following for specific information on our approach to these issues:
- Recruitment and Selection Policy
  - Flexible Working Policy
  - Bullying and Harassment Policy and Procedure
  - Staff Code of Conduct

#### **5. Forms of discrimination**

- 5.1 Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 5.2 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.
- 5.3 Indirect discrimination is where there is a provision, criterion or practice that applies to everyone but adversely affects people with a particular protected characteristic more than others, and is not justified. For example, a

requirement to work full time adversely affects women because they generally have greater childcare commitments than men. Such a requirement will be discriminatory unless it is objectively justified.

- 5.4 Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Bullying and Harassment Policy and Procedure.
- 5.5 Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.
- 5.6 Disability discrimination; this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

## **6. Staff training and promotion and conditions of service**

- 6.1 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 and ability.
- 6.2 The head teacher will ensure that all new workers, supervisors and managers will receive induction on the policy. Contractors and agency staff will be fully informed about the policy and it will form part of any contract specification. It will also be brought to the attention of visitors, clients etc. Appropriate training and guidance will be provided to develop equality and diversity. Adequate resources will be made available to fulfil the aims of this policy. The policy will be widely promoted, and copies will be freely available in the staff room, website and shared drive.
- 6.3 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

## **7. Discipline and Termination of Employment**

- 7.1 We will ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.
- 7.2 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

## **8. Disability discrimination**

- 8.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 8.2 If you experience difficulties at work because of your disability, you should speak to your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

- 8.3 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff.

## **9. Fixed-term employees, Casual and Agency Workers**

- 9.1 We monitor our use of fixed-term employees, casual and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

## **10. Part-time work**

- 10.1 We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

## **11. Breaches of this policy**

- 11.1 If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment or bullying you are encouraged to raise the matter through our Bullying and Harassment Policy and Procedure.
- 11.2 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, be dealt with under our Disciplinary Procedure.
- 11.3 Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

## **12. Monitoring and review of the policy**

- 12.1 This policy is reviewed periodically by the Finance, Estates and Staffing Committee and Trade Union Representatives.
- 12.2 We will continue to review the effectiveness of this policy to ensure it is achieving its objectives.
- 12.3 Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Head Teacher.



# **Fulbrook Middle School**

## **Public Sector Equality Duty**

### **Statement**

#### **(under 150 Employees)**

<b>Issue No.</b>	<b>Author/ Reviewer</b>	<b>Date Written/ Reviewed</b>	<b>Approved by FES</b>	<b>Approved by FGB</b>	<b>Review Date</b>
V1	EPM – Adapted by Lin Diaby	27/10/2015	27/11/2015		October 2016
V2	Lin Diaby	09/02/2017	10/03/2017		February 2019
V3	Lin Diaby	04/01/2020	17/01/2020	12/02/2020	February 2021

# 1 Introduction

1.1 This document describes how the Governing Body of Fulbrook Middle School intends to fulfill its responsibilities under the Public Sector Equality Duty with regard to its workforce. The Equality Objectives will be part of the School Improvement Plan and information will be published on the Equalities page of the school website.

1.2 We will have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and those who do not share it.

1.3 We will collect and use equality information to help us to:

## Identify key issues

- Understand the impact of our policies, practices and decisions on people with different protected characteristics, and thereby plan them more effectively.
- Assess whether we are discriminating unlawfully when carrying out any of our functions.
- Identify what the key equality issues are for our organisation.

## Assess performance

- Benchmark our performance and processes against those of similar organisations, nationally or locally.

## Take action

- Consider taking steps to meet the needs of staff who share relevant protected characteristics.
- Identify if there are any actions we can take to avoid discrimination and harassment, advance equality of opportunity or foster good relations.
- Make informed decisions about policies and practices which are based on evidence about the impact of our activities on equality.
- Develop equality objectives to meet the specific duties.
- Have due regard to the aims of the general equality duty by ensuring that staff have appropriate information for decision-making.

1.4 We will work towards developing an equality profile of staff to help us to understand key equality issues in our workforce, including any evidence of pay gaps or 'occupational segregation' i.e. staff with certain protected characteristics being over-represented in particular roles, for example, women as cleaners, or at certain grades. In addition, we note that it is likely to be useful to collect and consider information, appropriately disaggregated, about:

- recruitment and promotion
- numbers of part-time and full-time staff
- pay and remuneration
- training
- return to work of women on maternity leave
- return to work of disabled employees following sick leave relating to their disability
- appraisals
- grievances (including about harassment)
- disciplinary action (including for harassment)
- dismissals and other reasons for leaving.

## **2. Publication of Equality Information**

2.1 We will collect and use enough workforce information to effectively meet the general equality duty. Where relevant and proportionate we will publish on our website some information about the impact of our employment functions on people with the different protected characteristics in order to demonstrate compliance with the general equality duty.

## Appendix 1

This is intended to be a basic outline pro-forma to use as a starting point to develop the school's staffing information analysis and objective setting.

### Staffing information Analysis and Draft Objectives

The analysis could be separated into specific categories of staff e.g. teaching and non-teaching staff

#### 1 Staffing Complement of the School for the year 200x-200y

Full Time	Race	Disability
Men		
Women		
Part Time		
Men		
Women		

#### 2 Recruitment, Promotion, Performance Pay and Training by Gender, Race and Disability

	Total	Male	Female	Race	Disabled
Promoted internally					
Recruited					
Performance Pay Awarded					
Training courses					

#### 3 Salary by Gender Race and Disability

This should be recorded as full time equivalent salary

< £19k		£20k -£29k		£30k -£39k		£40k - £49k		£50k - £59k		>£60k	
M	F	M	F	M	F	M	F	M	F	M	F

#### 4 Grievances and disciplinary action and complaints of harassment

Number of cases in the last 3 years:

Analysis by Gender Race and Disability

#### 5 Pregnancy Maternity and Paternity Leave and Family Issues

Number of disputes arising in the last 3 years

#### 6 Based on the information gathering exercise the issues identified are:

#### 7 Draft objectives for 2012 -201x are:

#### 8 The progress towards the objectives will be reviewed by SLT and reported to the Headteacher and to Finance, Estates and Staffing Committee of the Governing Body.