
Queen Elizabeth's School

EQUAL OPPORTUNITIES POLICY

POLICY STATEMENT

Queen Elizabeth's School believes that excellence will be achieved through recognising the value of every individual. We aim to create an environment that respects the diversity of staff and pupils from all different backgrounds and enables them to achieve their full potential: to contribute fully, and to derive maximum benefit and enjoyment from their involvement in the life of the School. We oppose all forms of unlawful and unfair discrimination and aim to provide a supportive environment for all.

To this end, the School acknowledges the following basic principles for all members and prospective members of its community:

- to be treated with respect and dignity;
- to be welcomed and valued;
- to be treated fairly with regard to all procedures, assessments and choices; and
- to receive encouragement to reach their full potential.

These values carry with them responsibilities and the School requires all members of the community to act in accordance with them in all their dealings.

RESPONSIBILITY AND MONITORING

The Governing Body have overall responsibility for the operation of this Policy throughout the School and for ensuring compliance with the legal framework for equality. However, each member of the School community is expected to be responsible for preventing unfair discrimination which is within their control to prevent.

This Policy is reviewed periodically by the School who will continue to review the effectiveness of the Policy to ensure it is achieving its objectives and report back to the Governing Body.

PURPOSE

On 1 October 2010, the Equality Act 2010 replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. There is now a general duty of equality which extends to all of the protected characteristics under the Act. This Policy therefore covers all protected characteristics – disability, race, religion and belief, age, gender, sexual orientation, gender re-assignment, marriage and civil partnership, and pregnancy and maternity.

The purpose of this Equal Opportunities Policy is to:

- create an environment of mutual respect and tolerance;
- offer everyone the same opportunities and support to appreciate and fulfil their potential;
- educate pupils to value the rich diversity of the world and society; and
- educate against all forms of prejudice and discrimination based on disability, race, colour, ethnic origin, nationality, citizenship, age, gender, sexual orientation, marital status, religion, creed, socio-economic status, political persuasion, spent criminal convictions or other inappropriate ground.

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OUR METHODS

We will:

- work towards explicit standards of equal opportunities in practice;
- attend both to the formal, readily measurable dimensions of the policy (structures, systems, strategies) and to more subtle and intangible dimensions (such as organisational culture and staff confidence); and
- undertake prompt and structured audit of all critical incidents and where possible help overcome any discriminatory barriers.

GUIDELINES

Our Environment:

- The School is committed to securing equality of opportunity through an environment in which individuals, both staff and pupils, are treated on the sole basis of their relevant merits and abilities.
- Queen Elizabeth's School is academically selective and we believe that the educational experience can only be enhanced if pupils are exposed to as wide a range of enrichment experiences as possible whilst they are developing both within School and the wider community.

Management and Coordination:

- Policy making is informed by our commitment to equal opportunities for all.
- The School is committed to developing and maintaining a working environment which encourages all members of staff to contribute fully to the life and work of the School, and which is supportive of the dignity and the self-esteem of individuals.
- The School will handle any complaints under this Policy in a consistent and constructive manner.
- The School will respond to any incidents of discrimination or bullying in relation to an individual's protected characteristic in accordance with the Staff Disciplinary Procedure or Pupil Discipline Policy.

An Equal Opportunities Employer:

Queen Elizabeth's School aims to ensure that equality of opportunity underpins all aspects of employment policy and practice. We aim to:

- be an equal opportunities employer committed to a policy of equal access to employment opportunities, training and development, at all levels of the organisation;
- recruit and retain a workforce that reflects the expertise and demands of our community and ensure that recruitment and selection procedures are in place to attract the best applicants to the School; and
- subject to operational requirements, give reasonable consideration and support to members of staff whose personal circumstances change and will attempt to accommodate these in accordance with the law, for example, by varying working arrangements, retraining or redeployment where possible.

Recruitment and Selection:

- Recruitment, promotion and other selection exercises, such as redundancy selection, will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person (and with the involvement of the Governing Body for the appointment of the Deputy and Headship).
- Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

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- Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
- Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the Headmaster. For example:
 - Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments); or
 - Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment; or
 - Positive action to recruit disabled persons; or
 - For the purposes of equal opportunities monitoring (although this will not form part of the selection or decision-making process).
- Where necessary, job offers can be made conditional on a satisfactory medical check.
- The School is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy the Prevention of Illegal Working Regulations. The list of acceptable documents is available online.
- To ensure that this Policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the School, we collect applicants' ethnic group, gender and disability as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment.

Disabilities:

- If a member of staff [or pupil] is disabled or becomes disabled during their employment or studies at the School, we encourage them to tell us about their condition so that we can support them as appropriate.
- If they experience difficulties because of their disability, they may wish to speak to the Headmaster to discuss any reasonable adjustments that would help overcome or minimise the difficulty. We may wish to consult with them and their doctor about possible adjustments. We will consider the matter carefully and try to accommodate their needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

Teaching and Learning:

- All staff create an environment where all pupils can contribute fully and feel valued.
- Teaching takes account of pupils' cultural background, linguistic needs and different learning styles.
- Cultural traditions are valued and made meaningful to pupils.
- Learning experiences are structured to enable pupils to make connections with their own lives.
- Pupils are encouraged to challenge stereotypes and to develop the skills necessary to detect bias and challenge discrimination.

Curriculum and Planning:

- All pupils have equal access to a broad range and balanced curriculum. If on rare occasions pupils are disapplied from aspects of the National Curriculum, this is as a result of careful consideration of the pupil's educational needs, and is the result of consultation with the pupil and his parents.
- All pupils have equal access to resources and activities. We will attempt to address any inequalities likely to be the result of financial disadvantage through our efforts to provide extra funding for trips and activities for pupils in financial need.
- All Departments consider the issue of avoiding stereotypes when purchasing resources.
- When creating our own resources to use with pupils, we use inclusive language, and avoid language and images which might reinforce stereotypes.

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- The curriculum is planned to incorporate the principles of equality and to encourage thoughtful responses to and positive attitudes towards diversity. Pupils are given opportunities to explore concepts and issues relating to identity and equality.
- There is a diverse school curriculum, providing encounters with other cultures and contributing to the spiritual, moral, social and cultural development of all pupils. Extra-curricular activities and events cater for the interests and capabilities of all pupils.
- We encourage pupils to deal assertively with discrimination wherever they encounter it. These themes are covered within their learning at the School.

Pupil's Personal Development and Pastoral Care:

- The aim of the pastoral system is to support boys as they progress through the School, helping them develop socially, morally and academically. It aims to promote socially responsible behaviour, emotional well-being, respect for others and mutual tolerance, maintaining the standards of a civilised community.
- Pastoral support takes account of religious and ethnic diversity and the experiences and needs of particular groups.

Behaviour, Discipline and Exclusions:

- Procedures for disciplining pupils and managing behaviour are fair and equitable to all pupils.
- All staff operate consistent systems of rewards and sanctions.
- Exclusions are monitored to ensure consistency of treatment.

Anti-harassment and Bullying

The Equality Act 2010 prohibits harassment relating to protected characteristics and therefore the School encourages its staff to report any incidents of bullying or harassment. The School will respond to any such incidents in accordance with the Staff Disciplinary Procedure or Pupil Discipline Policy and will seek to support the individuals affected by such behaviour.

What is harassment?

Harassment is any unwanted physical, sexual, verbal or non-verbal conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.

It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

What is bullying?

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal and non-verbal conduct.

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EQUAL OPPORTUNITIES AND THE LAW

The Equality Act 2010 (the "Act") harmonised all of the discrimination laws into one piece of legislation. The Act defines four kinds of unlawful behaviour – direct discrimination; indirect discrimination; harassment and victimisation:

Direct discrimination – is where someone is treated less favourably because of one or more of the protected characteristics described below.

Indirect discrimination - occurs when a "provision, criterion or practice" is applied generally but has the effect of putting people with a particular characteristic at a disadvantage when compared to people without that characteristic.

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.

Victimisation - is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint under the Equality Act 2010. Also, a pupil must not be victimised because of something done by their parent or a sibling in relation to the Act.

Protected characteristics

Disability

- A person is considered disabled under the Act if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Those who have HIV, cancer or multiple sclerosis are covered by the disability provisions in the Equality Act from the moment they are diagnosed.
- It is against the law to discriminate against a disabled person because of their disability. This applies to all employment matters (including recruitment, training, promotion and dismissal). In order to help a disabled person compete on equal terms with an able bodied person, employers must look at what reasonable adjustments they could make to the workplace or to the way the work is done as a means of negating or limiting the effect of the disability. Employers are able to take into account how much the changes will cost and how much they will help, when considering what is reasonable.

Race

- Race is defined as including colour, nationality and ethnic or national origins. The School will not unlawfully discriminate against a job applicant or employee or treat them less favourably because of their race. The School ensures that pupils of all races are not singled out for different and less favourable treatment from that given to other pupils and has good practices in place to protect unfair or less favourable treatment of such pupils.

Religion or Belief

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- It is unlawful to discriminate against a job applicant or employee or treat them less favourably because they follow, or are perceived to follow, a particular or no religion, religious belief or similar philosophical belief.
- It is also unlawful to treat a job applicant or employee less favourably because of the religion or belief of someone with whom the job applicant or employee associates.

Age

- The provisions concerning age apply to all parts of the employment relationship, including recruitment, terms and conditions, promotions, transfers, dismissals and training. This means that it is essential for organisations not to recruit, select, promote, develop, nor make individuals redundant on the basis of age. The default retirement age of 65 has also been abolished so it is unlawful to terminate those over the age of 65 unless it is objectively justified.
- The age provisions do not apply to pupils in the School. The School therefore remains free to admit and organise pupils in age groups and to treat pupils in ways appropriate to their age and stage of development.

Gender and Equal Pay

- Employers must not discriminate, either directly or indirectly, between men and women during the employment relationship, including recruitment, training, promotions, transfers and dismissals.
- Equal treatment, in respect of pay, terms of contract and employment, must be given to men and women for doing equal work.

Sexual Orientation

- It is unlawful to discriminate against a job applicant or employee or treat them less favourably in the workplace because of their sexual orientation, their perceived sexual orientation or because they associate with someone of a particular sexual orientation. Sexual orientation is defined as a person's sexual orientation towards persons of the same sex, persons of the opposite sex or persons of both sexes.

Gender Reassignment

- A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.
- Employers must not unlawfully discriminate against persons because of gender reassignment or treat them less favourably because of absences relating to gender reassignment.

Marriage and Civil Partnership

- It is unlawful to discriminate against a job applicant or employee or treat them less favourably than others because of marriage or civil partnership.

Pregnancy and maternity

- It is unlawful for an employer to discriminate against a job applicant or employee by treating her unfavourably because of her pregnancy or because of an illness she has suffered as a result of her pregnancy during the relevant protected period or by treating an employee unfavourably because she is on compulsory maternity leave or because she is exercising or seeking to exercise, or has exercised or sought to exercise, the right to ordinary or additional maternity leave.

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Human Rights Act (1998)

- The Human Rights Act came into force on 2nd October 2000, and covers sixteen basic human rights. The Act covers, inter alia, the right not to be treated differently because of your race, religion, sex, political views or any other status, unless it can be objectively and reasonably justified.

Rehabilitation of Offenders Acts (1974)

- The Rehabilitation of Offenders Act 1974 and associated Regulations set out when previous convictions must be disclosed to employers.
- All posts that involve contact with children or vulnerable adults are exempt from this Act, which includes all posts within the School. Therefore spent convictions must be disclosed to the School in all cases. There are no exceptions to this rule.
- If any convictions are disclosed they are not necessarily a bar to employing that person and the relevance of the offence to the duties of the job will be considered at the short-listing stage.

The Health and Safety at Work Act 1974

- The School recognises and accepts responsibility as an employer for providing, so far as is reasonably practicable, a safe and healthy environment for its employees, pupils and visitors.

Please refer to the School's Health and Safety Policy for further details.

LINKED DOCUMENTS AND POLICIES

*LINKED
POLICIES*

- The School's Strategic Development Plan
- Admissions Policy
- Assessment for Learning Policy
- Complaints Policy
- Governors' Statement of Education
- Health and Safety Policy
- Home-School Agreement
- Information and Communication Technology Policy
- INSET Policy
- Pupil Discipline Policy
- Sex and Relationships Education Policy
- Special Educational Needs and Disability Policy
- Spiritual, Moral, Social and Cultural Development Policy
- Staff Disciplinary Procedure
- Staff Grievance Procedure
- Whistleblowing Policy

*LINKED
LEGISLATION
AND*

- Equality Act 2010
- Human Rights Act 1998
- Rehabilitation of Offenders Act 1974
- Health and Safety at Work Act 1974

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REFERENCES

- ❑ <https://www.gov.uk/government/publications/right-to-work-checklist>
 - ❑ Department for Education: Equality Act 2010 – advice for schools (2013)
 - ❑ Department for Education: Personal, Social, Health and Economic Education (2013)
 - ❑ Department for Education: Preventing bullying (2013)
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Approved by the Governing Body on 15 June 2017

Signed

B.R. Martin, Chairman of the Governing Body