



## **EQUAL OPPORTUNITIES POLICY**

### **GUIDING PRINCIPLES**

The River School is a Christian school and we believe all human beings are created equal in the image of God and we are therefore committed to a policy of inclusion. We aim to be a School where everyone:

- is respected and respects others
- takes part in the life of the School
- realises their potential
- develops skills essential to life

We share the belief that no-one should face discrimination on the grounds of race, gender, disability, sexuality, age, income, religion, colour, ethnicity, marital status or nationality.

In our School, we recognise that it may include:

- people from a variety of backgrounds
- people from different faith backgrounds
- pupils who need support to learn English as an additional language (EAL)
- pupils with special educational needs
- children in care (LAC)
- other children, such as sick children and children from families under stress
- pupils who are at risk of disaffection and exclusion
- people with disadvantages and /or disabilities

This document sets out the school’s policy on equality and equal opportunities. This policy does not form part of the contract of employment but is a policy statement describing the way in which equal opportunities issues are dealt with in the school.

### **A. THE LEGAL FRAMEWORK AND OTHER SUPPORTING POLICIES**

The following legislation informs our School Equal Opportunities Policy:

- **The Equality Act 2010**, which provides for equality and makes unlawful discrimination in various forms, on the grounds of the following protected characteristics:
  - *age (or perceived age)*
  - *disability (past or present)*
  - *gender reassignment*
  - *marriage or civil partnership status*
  - *race, colour, nationality, ethnic or national origins*
  - *religion or belief*

- sex
  - *sexual orientation*
  - [*trade union membership (or non-membership)*]
  - [*part-time or fixed term status*]
- **The Special Needs and Disability Act 2001 and The Special Educational Needs and Disabilities Regulations (2014)**, which include requirements on schools to ensure there is no discrimination against disabled people, including staff and pupils.

There should be no discrimination, whether direct or indirect, because of any of the protected characteristics set out in section B above.

Discrimination may occur in the following forms:

**Direct discrimination**—this is treating someone less favourably because of a protected characteristic. An example of this is paying someone less because of their sex or because they belong to a particular racial group. ‘Because of’ is very wide and includes less favourable treatment based on a perception of another person, for example that the person is gay, or is disabled, whether or not this perception is correct and even if the perpetrator knows that their perception is, in fact, wrong. It also includes less favourable treatment because someone is associated with another person who has a protected characteristic.

**Indirect discrimination**—this is treating people in the same way but in a way which adversely affects those with a protected characteristic. An example of this is telling all employees that they have to work late at night—although applied to everyone, it will adversely affect those employees with childcare responsibilities and these tend to be women.

**Victimization**—this is treating someone less favourably because they have asserted their right not to be discriminated against because of a protected characteristic. An example of this would be an employee claiming that they had been discriminated on the grounds of their disability and then their manager deciding when they left not to give them a reference because they had claimed disability discrimination.

**Harassment**—this is unwanted conduct, related to a protected characteristic, which has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for someone or violating their dignity. Harassment may also be of a sexual nature or may occur because someone has harassed the victim and the victim either rejects or submits to it and, because of that rejection or submission, that person treats the victim less favourably.

## **B. POLICY AND PRACTICE**

To help our School in its equal opportunities work, it has the following policies:

- Special Educational Needs Policy
- Anti-Bullying Policy
- SMSC Policy
- The Staff Handbook

The principles set out in this policy apply:  
- in the workplace; and

- outside the workplace in a work-related context, such as on trips, or work-related social events, and at any time while a member of staff is representing the school.  
Special responsibility for the practical application of the Company's equality policy falls upon managers, and supervisors and the Headteacher, as involved in the recruitment, selection, appraisal, promotion and training of employees and the way their terms of employment are fixed.

The Company's Grievance Procedure is available to any employee who believes that they may have been unfairly discriminated against. Please contact the Headteacher for a copy of the Grievance Procedure. [The harassment complaints procedure set out in the Company's harassment and bullying policy is also available to any employee who believes that they may have been harassed or bullied.] Employees will not be victimised in any way for making such a complaint in good faith. Complaints of this nature will be dealt with seriously, in confidence and as soon as possible.

Disciplinary action will be taken against any employee who is found to have committed an act of unlawful discrimination. Serious breaches of this policy and serious incidents of harassment and bullying will be treated as gross misconduct. Unwarranted allegations that are not made in good faith may also be considered as a disciplinary matter. [Confidential records of [ongoing] matters dealt with in accordance with this policy will be kept.]

In the case of any doubt or concern about the application of this policy in any particular instance or situation, please consult the Headteacher as soon as possible.

The Company will keep its policy, procedures and practices on equality and equal opportunities under review.

### **C. EMPLOYMENT**

As an employer, our School is committed to every member of staff, including part-time, supply and ancillary staff. This involves equipping staff to perform their roles effectively as far as possible. We will ensure that all staff (including Governors) involved in recruitment are committed to our Safeguarding Policy and to this Equal Opportunities Policy and that our procedures are fair, honest and open. It is School policy to employ teachers who have a meaningful Christian faith.

### **D. RACE EQUALITY**

The School fully understands the need to promote racial harmony and to plan opportunities for combating racism in our procedures and curriculum. We believe that our School must be a safe place for everyone and we are committed to the principles of:

- tackling racial discrimination
- promoting equality of opportunity and good race relations

#### **Tackling racial discrimination**

We will tackle racial discrimination by monitoring the outcomes of opportunities at our School and by dealing with and reporting racist incidents.

Allegations of harassment and discrimination based on ethnicity will be investigated as far as possible, using the School's usual disciplinary procedures and racism will be directly challenged. Action will be taken to prevent the likelihood of recurrence. In the event of a member of staff being implicated, the usual disciplinary procedures will apply.

## **E. GENDER**

We believe that girls and boys should have equal access to all aspects of School life, including the curriculum. It may be necessary for children to receive different treatment in order to ensure equality of opportunity and the School will pursue strategies to ensure that both girls and boys realise their full potential.

## **F. SEXUAL ORIENTATION AND GENDER IDENTITY**

This School is committed to combating discrimination and bullying on grounds of sexual orientation or gender identity. We will take all necessary measures to prevent and tackle discrimination and assist our pupils to live free from harassment and to feel safe throughout their time at our school.

## **H. DISABILITY**

The School is fully committed to the new duties placed on Schools in the Special Educational Needs and Disability Act 2001 and accepts its definition of a disabled person as someone who has "a physical or mental impairment which has a substantial and long-term effect on his or her ability to carry out normal day-to-day activities."

We will consider the needs of all people in School including:

- pupils who may be disabled but not have a statement of special educational needs
- teachers and other School staff;
- Governors;
- all visitors to School.

The School will ensure that reasonable and practical adjustments are made to working conditions for disabled pupils and staff and to the curriculum for disabled pupils.

In addition, the School will ensure that discrimination does not occur and that disabled people will not be placed at substantial disadvantage compared to others who are not disabled.

Teachers will take specific action to enable the effective participation of pupils with disabilities by:

- planning appropriate amounts of time to allow for satisfactory completion of tasks;
- planning opportunities, when necessary, for the development of skills in practical aspects of the curriculum;
- identifying aspects of their programmes of study and learning objectives that may present specific difficulties for individuals.

Due to the wide variety of potential disabilities and the likelihood of a disability affecting different people in different ways, it would be inappropriate to prescribe rigid rules on how issues concerning disabled people should be dealt with.

What is essential, however, is that all teachers, managers, supervisors, and staff take all reasonably practical steps to ensure that disabled people are not less favourably treated or disadvantaged by comparison to people who are not disabled in relation to their work, working environment, or by any provision, criterion or practice used by the Company. Managers and supervisors, in particular, need to be aware that an employee on long-term sick leave or with intermittent sickness absence may be disabled.

The School is particularly concerned that disabled workers are treated equally in the following areas:

- recruitment and selection
- promotion, transfer and training
- terms of employment
- benefits, facilities and services
- dismissals, resignations and redundancies

For the purpose of this policy, disabilities are either physical or mental impairments that have a substantial and long term effect upon a person's ability to carry out normal day-to-day activities. Particular conditions such as HIV and some forms of cancer are covered from the point of diagnosis and do not have to already be long term—please contact the Head Teacher for further information about what is covered by normal day-to-day activities and the status of particular illnesses.

Some disabilities are immediately obvious, for example use of a wheelchair, while other disabilities may not be apparent at all, for example HIV infection. Certain conditions are not considered to be disabilities, for example poor eyesight that is corrected simply by wearing prescription spectacles, or addiction to alcohol or other substances. If you would like further information about whether a particular condition is a disability you should contact the Head Teacher.

The general equality and equal opportunity principles set out earlier in this policy will apply in relation to disabled people whether they currently have a disability or have had a disability in the past.

The School will take all reasonably practicable steps to ensure that disabled people are able to participate in its business and activities on an equal basis with people who are not disabled. The School will not, for a reason relating to a person's disability, treat disabled people less favourably than it treats, or would treat, others to whom the same reason does not or would not apply, unless that treatment would be justified.

If any provision, criterion or practice used by or on behalf of the School, or any physical feature of premises occupied by the School, puts disabled people at a substantial disadvantage compared to people who are not disabled, the School will take such reasonably practicable steps as it can to prevent this disadvantage. This is known as the duty to make reasonable adjustments.

The following general steps should always be considered where issues concerning disabilities arise or may arise:

Be flexible. There may be many different ways to avoid discrimination or to minimise the effects of discrimination. A small adjustment may be all an employee needs.

Consider any performance or attendance problems in the context of the person's disability and its effect on their ability to meet performance and attendance targets.

Do not make assumptions. Whenever possible talk to the disabled person to find out how their disability affects them and what steps they think might help.

Do not discipline or dismiss a disabled employee for performance or attendance-based reasons without first establishing whether the employee's performance or attendance is affected by the disability and that appropriate adjustments to accommodate the disability have been made.

Seek expert advice. Disability issues can be complex and you may need expert medical advice about a person's disability, or expert technical advice about adjustments to technology or premises that might help the disabled person.

Think ahead. Try to anticipate the effects that practices, policies and procedures may have on disabled people, even if there are no disabled employees at the time, to prevent problems occurring in the future.

## **G. GRIEVANCES AND DISCIPLINARIES, DISMISSALS AND REDUNDANCIES**

Workers who, in good faith, bring a grievance (or assist another to do so) either under this policy or otherwise in relation to an equality or equal opportunities matter will not be disciplined, dismissed or otherwise suffer any adverse treatment for having done so.

No member of a particular group of workers will be disciplined or dismissed for performance or behaviour which would be overlooked or condoned in another group, unless there is genuine and lawful justification for different treatment.

Redundancy criteria and procedures will be carefully examined to ensure that they are not applied and do not operate in an unlawfully discriminatory manner.

## **H. ROLES AND RESPONSIBILITIES**

All staff and volunteers are responsible for ensuring that everyone is treated fairly and not discriminated against for any reason.

The Headteacher will be responsible for overseeing the effective implementation of this policy.