

## **STOPSLEY HIGH SCHOOL POLICY STATEMENT RELATING TO EQUAL OPPORTUNITIES**

The School is committed to promoting equality of opportunity and takes positive steps to make its workplace a fair environment and to ensure it meets legal requirements in accordance with the Equality Act 2010. There are nine protected characteristics are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religious Belief
- Sex
- Sexual Orientation

### **The purpose of this policy**

To encouraging the development of a diverse workforce which reflects the community it serves and its diversity profile; where employees understand and promote equality; and where equality is part of our culture.

The procedure applies to all employees.

The School recognises the unique contribution each employee can make and will promote a climate of respect for all, requiring colleagues to treat each other with fairness, dignity and respect.

The School will oppose any form of discrimination against job applicants or employees on the grounds of age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation, marriage or civil partnership status, trade union activity or responsibility for dependents

The School will ensure all employment policies and practices, including recruitment and selection, learning and development, promotion and pay, are non-discriminatory, in line with relevant employment legislation and best practice.

### **The principles of this procedure**

Managers are responsible for ensuring compliance with the procedure and will ensure employment decisions are based on job related, objective criteria, particularly when:

- recruiting employees;
- making decisions about work-related opportunities, promotion and pay issues;
- managing employee performance through Personal Performance Assessments;
- allocating training opportunities to employees;
- managing pregnant employees and employees with dependent care responsibilities;
- managing change, including reorganisations and restructures;
- managing requests for flexible working and paid or unpaid leave;

- managing attendance and/or absence issues.

Employees are responsible for ensuring compliance with this procedure and must not:

- unfairly discriminate against other colleagues, or job applicants;
- encourage colleagues to treat others unfairly or to practice discrimination;
- victimise people who have made allegations or complaints of discrimination or who have been witnesses in cases of discrimination

Employees have the right not to be victimised or treated less favourably because they have made a complaint about discrimination during either present or previous employment, or have assisted someone else's complaint by giving evidence.

An employee who feels he/she has been subject to unfair discrimination can raise the issue informally with his/her line manager, or formally under the School's Harassment and Bullying Procedure.

Employees who are alleged to have committed an act of unfair discrimination may be liable to disciplinary action in accordance with the School's Disciplinary Procedure.

Employees who commit an act of unjustified or unlawful discrimination, or allow discrimination to occur without taking appropriate action, may also be liable to a claim being brought against them by the victim in the Civil Court.

## **Supporting Employees with Disabilities**

### **Definitions**

The Equality Act 2010 has made it easier for a person to show that they are disabled and protected from disability discrimination. Under the Act, 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, which would include things like using a telephone, reading a book or using public transport.

A disability can arise from a wide range of impairments that can be:

- sensory impairments, such as those affecting sight or hearing;
- impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalomyelitis (ME)/chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy;
- progressive, such as motor neurone disease, muscular dystrophy, forms of dementia and lupus (SLE);
- organ system specific, including respiratory conditions, such as asthma, and cardiovascular diseases such as Angina and gastro intestinal conditions such as Crohn's disease;
- diabetes;
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;

- learning difficulties;
- mental health conditions and mental illnesses, such as depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive compulsive disorders, as well as some personality disorders and self-harming behaviour;
- produced by injury to the body or brain.

The following people are deemed to meet the definition of disability, without having to show that they have an impairment that has (or is likely to have) a substantial, adverse, long-term effect on their ability to carry out normal day-to-day activities:

- A person who has cancer, HIV infection or multiple sclerosis;
- A person who is certified as blind or partially sighted by a consultant ophthalmologist, or is registered as such with a local authority.

Occupational Health or Human Resources can advise further regarding definitions.

### **Reasonable adjustments**

Employees are encouraged to advise managers and colleagues of their disability to both raise awareness in their workplace and to ensure positive support. However, the School is also aware that the employee has a right to privacy.

The duty to make adjustments only applies if the employer knows, or should reasonably be expected to know, that the employee is disabled. Declarations made in confidence to the School's Occupational Health advisers do not constitute disclosure to the School as the employer.

Disabled employees are responsible for informing the School (usually via their line manager / supervisor) that they have a disability as defined by the Equality Act 2010, so as to trigger any appropriate processes for the assessment of need and any reasonable adjustment.

### **Managers' responsibilities**

To ensure managers create a culture that promotes equality of opportunity they should ensure that they:

ensure the use of discrimination-free language by promoting good practice;

discourage the use of stereotypical views and promote a realistic and positive image of disability and;

complete a Personal Emergency Exit Procedure (PEEP) as appropriate for disabled employees and review annually.

### **Process for adjustments requested by employees**

Managers may make reasonable adjustments which will not necessarily need a formal process, and which have been agreed with the employee. However, there will be other occasions when a manager is not able to authorise more extensive adjustments, in which case the procedure for assessing and agreeing adjustments is as follows:

- meet with the employee to discuss the adjustments they require.
- refer the employee to the School's Occupational Health advisers

- with the information supplied by the employee, Occupational Health advisers and possible external organisations such as Access to Work. The Headteacher must make a decision.

If no agreement can be reached, for example if the employee is not satisfied with the decisions made or the time taken to reach a decision, the employee may take action through the Grievance Resolution Procedure.

## **Policy of Recruitment of Ex-Offenders**

### **Introduction**

The School is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their skills, abilities, experience, knowledge and where appropriate, qualifications and training.

The School will consider ex-offenders for employment on their individual merits. The School's approach towards employing ex-offenders differs, however, depending on whether the job is or is not exempt from the provisions of the Rehabilitation of Offenders Act 1974.

### **Procedure**

The School will not automatically refuse to employ a particular individual just because he/she has a criminal record.

All School applicants are required to declare **all spent and unspent convictions**. Positions within Schools are exempt from the provisions of section 4(2) of the Act and are listed in the **Rehabilitation of Offenders 1974 (Exceptions) Order 1974** (as amended). Within Schools, posts in the following areas, which are exempt by virtue of the Exceptions Order, must declare all convictions, whether spent or unspent.

Regular contact with	Under 18 year olds Those with a mental impairment Those with a sight, hearing or speech impairment Chronically sick people Generally vulnerable people
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If an applicant has a conviction that is not spent and if the nature of the offence is relevant to the job for which he/she has applied, the School will review the individual circumstances of the case and may, at its discretion, decline to select the individual for employment.

If an employee is convicted during the course of their employment, it will be the responsibility of the employee to notify their Headteacher. If the nature of the offence is relevant to their job, the School will review the individual circumstances of the case and may terminate their employment through the appropriate disciplinary procedure. The individual may be suspended whilst the review is carried out.