



EQUAL OPPORTUNITIES

(Adopted by Derwent Primary and Southill Lower School)

- 1.1 All employees are afforded equal opportunities in employment, irrespective of any protected characteristics within the [Equality Act 2010](#). The Council and all schools must ensure that discriminatory practices are identified and removed and that non-discriminatory practices are applied in all areas of employment, including recruitment, training and promotion.

Equal Opportunities Policy Statement

- 1.2 We are committed to and fully accept our legal obligations under the Equality Act 2010 to:
- Treat people with dignity and respect and accept people as individuals.
 - Understand and address the needs of individuals or groups relating to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity (including breast feeding), race, religion and belief, sex, or sexual orientation.
 - Engage with service users, local communities, staff, stakeholders and contractors to identify and implement improvements.
 - Tackle barriers which restrict access to services and employment opportunities.
 - Knowing who uses (or should use) different services.
 - Ensuring our recruitment, selection, training and promotion processes support us to appoint the best candidate for the role and to develop and maintain the highest standards of skills and expertise.

- 1.3 Our statement complies with the Equality Act 2010 which makes it unlawful to discriminate either directly or indirectly on the grounds of any of these protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race, ethnicity or national origin
- Religion and belief
- Sex
- Sexual Orientation

Direct discrimination

Occurs when someone is treated less favourably than another person because they have a protected characteristic

Associative discrimination:

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perceptive discrimination:

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic

Indirect discrimination

May occur if certain rules, conditions or practices apply to everyone, but place a particular disadvantage to those with a protected characteristic, unless these are objectively justified (i.e. if it can be shown that it is 'a proportionate means of achieving a legitimate aim'. Being proportionate means being fair and reasonable, including showing that 'less discriminatory' alternatives have been considered as part of the decision making process).

Harassment:

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”

Unwanted conduct covers a wide range of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person’s surroundings or other physical behaviour.

The word ‘unwanted’ means essentially the same as ‘unwelcome’ or ‘uninvited’. ‘Unwanted’ does not mean that express objection must be made to the conduct before it is deemed to be unwanted. A serious one-off incident can also amount to harassment.

Unwanted conduct ‘related to’ a protected characteristic has a broad meaning in that the conduct does not have to be because of the protected characteristic. It includes the following situations:

- a) Where conduct is related to the worker’s own protected characteristic.
- b) Where there is **any** connection with a protected characteristic

Regardless of the intended purpose, unwanted conduct will also amount to harassment if it has the effect of creating any of the circumstances defined in paragraph one.

Victimisation:

Victimisation occurs when someone is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.

The Act also includes a new and additional protection relating to disability.

Discrimination Arising from Disability:

Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the unfavourable treatment cannot be justified.

1.4 We also undertake not to discriminate unfairly on the grounds of:

- Trade Union membership and activity
- Non Trade Union membership
- Being a part time or fixed term worker
- Political belief
- Unrelated criminal convictions

1.5 We are committed to implementing Equality of Opportunity in carrying out all our various functions. We are committed to developing effective policy, strategy and standards, through the use of monitoring and information systems to review and evaluate progress towards achieving Equality of Opportunity. Where it is appropriate and within the law to do so, we will take positive action to achieve equality of opportunity.

- 1.6 Policies, practices and procedures to eliminate unlawful and unfair discrimination can achieve much but we also recognise that Equality of Opportunity requires a programme of action that all employees are committed to taking responsibility for and implementing within their remit.

We are required under the Public Sector Equality Duty to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

Advance equality of opportunity between people who share a protected characteristic and people who do not share it. This involves considering the need to remove or minimise disadvantages suffered by people because of their protected characteristics; meet the needs of people with protected characteristics; and encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Foster good relations between people who share a protected characteristic and people who do not share it. This involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed in discrimination law. This could mean making use of an exception or positive action provisions in order to provide a service in a way that is appropriate for people who share a protected characteristic – e.g. providing computer training for older people to help them to access information and services.

Code of Practice for Handling Complaints of Unfair Treatment

- 1.7 The Code of Practice on Handling Unfair Discrimination, Harassment, Bullying and Victimisation (Chapter 3, Section 12 of the Personnel Handbook).

- 1.8 The Council seeks to increase employee contribution and productivity through valuing and investing in our workforce and by being a good, yet demanding employer.

- 1.9 We are therefore committed to eliminating bullying in the workplace, unfair discrimination, harassment and victimisation on the grounds of any protected characteristics listed within the [Equality Act 2010](#).

- 1.10 The Code of Practice for Handling Complaints of Unfair Treatment seeks to develop an equality culture that respects the human rights and dignity of employees from diverse backgrounds at work, as customers and as job applicants.

- 1.11 Management may instigate an investigation under this code of practice and then move to other procedures, such as the Disciplinary, Grievance, and Capability Procedures, using the same investigation and its results.

A Strategy for the Recruitment, Retention and Development of Disabled People

- 1.12 The Council is committed to improving employment opportunities for disabled people. As part of this commitment, the Council will:

- Interview all applicants with a disability who meet the essential criteria for a job vacancy and consider them on their abilities
- Ensure disabled employees are smoothly and effectively inducted into the organisation

- Identify and provide any 'reasonable adjustments' to working arrangements or the working environment necessary for the effective performance of the job
- Ask disabled employees at least once a year during the employees annual review what the Council can do to make sure they develop and use their abilities at work
- Make every effort to retain employees who become disabled while employed by the Council
- Take action to ensure all employees develop the awareness of disability needed to make these commitments work, including the provision of disability awareness training
- Each year review these commitments and what has been achieved, plan ways to improve on them and let employees know about progress.

What equality law means for you as an education provider

Good education and skills are crucial for opening up opportunities and increasing the chance of a successful life. In addition, in England, equality and diversity are specified factors that must be taken into account in Ofsted inspections. This means that if equality measures are not implemented effectively this may restrict the overall inspection grade.

The Equality and Human Rights Commission has published guidance which deals with the schools provisions of the Equality Act 2010 which prohibit schools from discriminating against, harassing or victimising:

- Prospective pupils
- Pupils at the school
- In some limited circumstances, former pupils

Further information can be found by clicking [here](#).