



**Chigwell School**

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Staff champion	AFS
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## **Equal Opportunities Policy**

### **Introduction**

Chigwell School is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. This Policy aims to remove unfair and discriminatory practices within the School and to encourage full contribution from its diverse community. The School is committed to actively opposing all forms of discrimination.

We believe that every person has the same rights and should be entitled to the same opportunities regardless of gender, pregnancy or maternity, disability, race, religion or belief, cultural background, linguistic background, special education need, sexual orientation or gender reassignment. Chigwell School does not discriminate on the grounds of gender, disability, age, sexual orientation, mental status or racial, ethnic or national origin.

### **Expectation**

Staff (for the purposes of this policy this includes all employees, workers, contractors and visitors), volunteers and pupils of Chigwell School are expected to:

- Promote and respect equal opportunities for all
- Recognise and oppose discrimination and prejudice
- Work to counter overt and hidden discrimination
- Value difference and promote inclusion across the community

By striving to ensure that all are treated with dignity and respect and that the work environment is free from bullying and harassment, we ensure equal opportunities for all. Please see the Anti-harassment / Dignity at Work Policy.

### **Protected Characteristics**

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as *protected characteristics*. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services.

### **Types of Unlawful Discrimination**

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect and includes discrimination by perception and association.

Under the Equality Act 2010, there are four main types of discrimination: direct discrimination, indirect discrimination, harassment and victimisation.

**Direct Discrimination** – Direct discrimination is where somebody has been treated differently or worse than another employee due to an underlying reason. These underlying reasons may be someone's age, race, religion or beliefs and may be split into three separate categories:

- Ordinary direct discrimination. Where somebody is treated differently because of a protected characteristic. It's the only type of direct discrimination which may be lawful, but only if it is 'objectively justifiable'.
- Direct discrimination by association. Where somebody is treated differently because of a protected characteristic possessed by someone with whom they are associated.
- Direct discrimination by perception. People are treated differently because of a protected characteristic, other people think they possess, regardless of whether the perception is correct.

**Indirect Discrimination** – Indirect discrimination is a less obvious type of discrimination than direct discrimination and is usually unintentional. It occurs when a plan or rule is put in place, which isn't discriminatory but puts people with specific characteristics at a disadvantage.

**Harassment**– Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of:

- violating someone else's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for someone else.

It can happen on its own or alongside other forms of discrimination. The unwanted behaviour could be:

- spoken or written words or abuse
- offensive emails, tweets or comments on social networking sites
- images and graffiti
- physical gestures
- Jokes

**Sexual harassment** – Sexual harassment is:

- conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.

**Victimisation** – Victimisation is where somebody becomes a victim of harmful behaviour because they have (or because it's suspected that they have / may do) one of the following in good faith:

- Made an allegation of discrimination
- Supported a complaint of discrimination
- Gave evidence relating to a complaint about discrimination
- Raised a grievance concerning equality or discrimination

## **Bullying**

There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating or injuring the recipient.

Bullying can be physical, verbal or non-verbal conduct. It is not necessarily face to face and can be done by email, phone calls, online or on social media. Bullying may occur at work or outside work.

If the bullying relates to a person's protected characteristic, it may also constitute harassment and, therefore, will be unlawful (see Harassment above).

### **Staff**

All members of staff, volunteers, contractors and visitors are required to abide by the legislation and values set out in this policy and the School is committed to ensuring that all are treated fairly. The School will abide by anti-discrimination legislation in all aspects of employment, including opportunities for training, pay and other benefits, discipline and redundancy selection, promotion and recruitment.

Job descriptions and person specifications will be limited to those requirements that are necessary for the effective performance of the role. Candidates for employment or promotion will be assessed objectively against the requirements, taking account of any reasonable adjustments that may be required for candidates with a disability. Unless necessary, disability and personal / home commitments will not form the basis of employment decisions.

The School will comply with its obligations in relation to statutory requests for variations to contracts and reasonable adjustment duties.

### **Pupils**

The School accepts applications from, and admits pupils irrespective of their sex, gender reassignment, disability, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or special educational needs, subject to the Admissions and Learning Support Policies. The School will treat every application fairly and each application will be considered on its merits within the School's criteria for selection on grounds of the pupil's ability and aptitude.

The School affords all pupils access to educational provision including all benefits, services and facilities, irrespective of any protective characteristic (subject to our reasonable adjustments duties and consideration to safety and welfare)

The School will not discriminate against a pupil on the grounds of any protected characteristic by excluding them or subjecting them to any detriment.

### **Religious belief**

Although the School's religious ethos is based on Christian values and traditions Chigwell is inclusive and welcomes and respects the rights and freedoms of individuals from other religions and faiths (or those with no religion or faith) subject to considerations of safety and welfare and the rights and freedoms of other members of the School community.

The, School actively promotes the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

### **Responsibilities**

All members of staff have a duty to support and uphold the School's principles of equal opportunities as set out in this and related policies. The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, pupils, parents, suppliers and former members of staff.

Staff can be held personally liable, as well as the School, for any act of unlawful discrimination. Acts of harassment, discrimination, bullying or victimisation will be dealt with through the School's disciplinary procedure.

### **Training**

The School provides training to all existing and new employees to help them understand their rights and responsibilities under this Policy.

### **Breaches of this Policy**

The School takes a strict approach to breaches of this Policy, which will be dealt with in accordance with the School's Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

An employee believing that they have suffered discrimination should raise the matter through the School's Grievance Procedure. Complaints will be treated in confidence and investigated as appropriate.

An employee must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under the School's Disciplinary Procedure.

Pupils who are in breach of this policy may be sanctioned in accordance with the School's Behaviour Policy

### **Monitor and review**

We will periodically monitor this policy to judge its effectiveness and we will update it if there are any changes in the law.

Any and all personal data used in connection with this Policy shall be collected, held and processed in accordance with the School's Data Protection Policy.

**For and on behalf of the Governors  
D.A.P. King**