



## Equal Opportunities Policy for Employees

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Approved by: Governors

**This Policy applies throughout the School from the EYFS to Year 6.**

### Aims

Promoting equal opportunities is fundamental to the aims and ethos of The Cavendish School. The School is committed to equal treatment for all employees regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation ('protected characteristics' under the Equality Act 2010)

The School aims to ensure equality of opportunity for all employees in a positive and productive environment in which all members of staff are respected, provided with development and progression opportunities and enabled to make the most of their abilities.

All employees have a responsibility for implementing this Policy in all their activities. All members of staff should set a good example to colleagues and others in promoting equal opportunities within the School.

To this end, we shall regularly review the operation of our recruitment, promotion, training and development procedures to ensure that no applicant for employment or member of staff is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

No employee or prospective employee will receive unfair or unlawful treatment on the grounds of a protected characteristic, because they are perceived to have a protected characteristic or because they are associated with someone who has a protected characteristic, in particular but not only, in relation to:

- Recruitment and selection
- Promotion, transfer & training opportunities
- Benefits, terms and conditions of employment
- Grievance and disciplinary procedures
- Termination of employment including redundancies
- Conduct at work

The principles of non-discrimination and equality of opportunity also apply to the way in which staff must treat visitors, pupils, parents, suppliers and former employees.

The School has a Catholic foundation and is registered with the Secretary of State as being of a designated religious character. This may be taken into account when recruiting teaching staff where it is appropriate to do so.

This Policy does not constitute a term of the employee's contract. It should be regarded as a guideline only and may be adapted in any particular case to suit the circumstances.

Furthermore, the Policy may be amended by the School from time to time as it considers appropriate.

## **Implementation**

The School, with the assistance of the staff, will:

- Work to break down any barriers to equality of opportunity which may prevent staff members realising their full potential
- Advertise vacancies and ensure job selection criteria are appropriate for the job
- Promptly and fully investigate all complaints of discrimination and harassment, taking appropriate action where necessary
- Ensure that all employees are fully aware of the contents and implications of this Policy
- Review and examine existing procedures to ensure they are not discriminatory in their operation
- Use language in communications which reflects the letter and spirit of this Policy

## **Recruitment and selection**

The recruitment process is governed by the School's principles of non-discrimination and is designed to achieve the best match between, on the one hand, the individual's knowledge and skills, experience and character and, on the other hand, the requirements of the vacant post, recognising the need for flexibility to respond to changing conditions.

- The School will consider candidates and volunteers solely on merit, against carefully considered, justifiable job/role requirements
- The main selection criterion will be the capability of the individual to perform in the position, but the ability both to work with others and to be trained, coupled with individual potential, will be taken into account
- The School will ensure that those involved in recruitment are trained appropriately
- Job advertisements will be welcoming to all types of applicant and will avoid stereotypes that suggest only certain groups of people are suitable for particular jobs or roles
- All applicants will be dealt with courteously and as expeditiously as possible
- Carefully selected and validated skills and/or psychometric tests may be used as part of the selection process and if they are used will be administered by an experienced tester
- Appointments will be confirmed on receipt of satisfactory references and DBS checks (and in the absence of prohibition orders) and/or medical report and/or satisfactory completion of a probationary period

## **Career development and training**

It is central to our Policy that we strive to get the best from our employees throughout their careers. We will:

- Provide the support necessary to help employees realise their potential
- Encourage employees to apply for jobs which suit their experience and skills

We will support volunteers in the roles that they are performing within the School. We will encourage them to:

- Develop their skills whilst serving with the School
- Assume responsibilities commensurate with their development

### **Terms and conditions of employment**

Fairness in how people are rewarded is fundamental. We will:

- Ensure terms and conditions, including pay, are fair and equitable, taking account of responsibility, performance and contribution
- Ensure that the benefits, facilities and services available to all our employees will be clearly defined and that people are aware of them

### **Flexible working**

The School recognises that patterns of work are changing as employees balance work and domestic commitments. We will:

- Consider requests for flexible working in a way that balances the needs of the individual and the School and in accordance with our Flexible Working Policy

### **Disability**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

A disability will not of itself justify not recruiting of an applicant for a position at the School. Such reasonable adjustments to the application procedures shall be made as are required to ensure that applicants are not disadvantaged because of their disability. For example, where written tests are used, alternative arrangements will be made for visually impaired applicants.

If you experience difficulties at work because of your disability, you may wish to contact your Head of Section, Subject Co-ordinator or other senior member of staff to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your Head of Section or Subject Co-ordinator may wish to consult with you and your medical adviser about possible adjustments and you may be required to give your consent to the School obtaining a report from a medical or occupational health professional about your state of health and ability to perform your duties. We will consider the matter carefully and try to accommodate your reasonable needs. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible. Once an adjustment has been made its operation may need to be reviewed at agreed intervals, to assess its continuing effectiveness.

The School will make such adjustments to work arrangements or School premises as are reasonable to enable a disabled staff member to carry out their duties. This will include, but is not limited to, consideration of the provision of specialist equipment, job redesign and flexible hours.

Where during the course of their employment a disabled member of staff develops a need for a reasonable adjustment to be made to work arrangements or School premises, they should discuss this requirement with the Bursar.

## **Dignity at work**

You should not engage in any behaviour or conduct which may amount to harassment of another person at work. Harassment of any kind is regarded as a disciplinary offence and in serious instances may lead to instant dismissal.

Harassment may take the form of unwanted conduct which is related to a relevant protected characteristic which is perceived as affecting an employee's dignity at work. It may also take the form of unwanted conduct towards someone based on their appearance or other personal characteristics which is perceived as affecting their dignity at work. It is not only unwanted physical contact, assault or propositions; it includes suggestive remarks or gestures, pin-ups, graffiti, offensive comments, jokes and banter. Harassment may include bullying, intimidating behaviour, persistent teasing or constant unfounded criticism of the performance of work tasks, unfair allocation of work and responsibilities, or exclusion from normal work place conversation. It may be directed towards one individual or a group. A single incident can amount to harassment if sufficiently grave. Please also see the School's Anti-bullying Policy for Staff.

## **Procedure**

- If you consider that you have been the recipient of unwanted conduct amounting to harassment, it is open to you to try to resolve the problem informally with the other person(s), either face to face or in writing. If this is not appropriate or has not been successful, you may raise a grievance in accordance with the School's Grievance Procedure, a copy of which is appended hereto. All such grievances will be dealt with sensitively and in confidence as far as reasonably practicable to progress the complaint. Both during the investigation of the complaint and afterwards (whatever the outcome), consideration will be given to ensuring that you and the alleged harasser are not required to work together against your wishes
- If you consider that you have been subject to discrimination of any form, you should inform the Headteacher or the Bursar
- The School will seek to ensure that you are not in any way penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped
- False or malicious allegations will be treated as a disciplinary offence. Retaliation against a member of staff who complains of harassment can be expected to lead to disciplinary action

## **Breaches of this Policy**

The School takes a strict approach to breaches of this policy, which will be dealt with in accordance with our Capability and Disciplinary Procedure. Serious cases of discrimination may amount to gross misconduct resulting in dismissal.

## **Recruitment of ex-offenders**

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, the School undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

Where a DBS check is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent or given under separate, confidential cover, to the Bursar and this information will only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows the School to ask questions about their entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, an open and measured discussion will take place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of a conditional offer of employment or termination.

We will discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

### **Linked Policies**

- Accessibility Policy
- Anti-bullying Policy for Staff
- Capability and Disciplinary Procedure
- Code of Conduct
- Computer Studies and Acceptable Use Policy
- Continuing Professional Development Policy
- Flexible Working Policy
- Grievance Procedure (appended hereto)
- Maternity Leave Policy
- Professional Review Policy
- Retirement Policy
- Shared Parental Leave Policy
- Staff Safer Recruitment Policy

## **APPENDIX: GRIEVANCE PROCEDURE**

### **Introduction**

A grievance is any concern, problem or complaint that an employee has in relation to their employment.

Should an employee at any time have a grievance connected with their employment it will be the School's intention to consider and resolve it at the earliest opportunity and to the satisfaction of all concerned wherever possible.

This grievance procedure is not contractual but applies to all employees who should familiarise themselves with its provisions. It should be regarded as a guideline only and may be adapted in any particular case to suit the circumstances. In particular, while all stages of this grievance procedure will be dealt with without unreasonable delay, the time limits and processes referred to may be varied. Furthermore, this grievance procedure may be amended by the School from time to time as it considers appropriate.

Where possible, an employee should try to settle any grievance informally with a senior member of staff at the earliest opportunity. Where any grievance cannot be resolved informally, the steps contained in the formal procedure set out below should be followed.

### **Employee responsibilities**

Employees have a responsibility to raise any grievances promptly and reasonably, to assist the School, if required, in any investigation of the matters raised in a grievance, to follow this Grievance Procedure and to attend all meetings arranged under it.

Employees may raise grievances either informally or formally. If a grievance is raised informally first, the grievance may still be raised formally subsequently if it is not resolved to the employee's satisfaction.

The School aims to deal with all grievances promptly and impartially, and to make all reasonable efforts to achieve a satisfactory outcome.

Employees have the right to appeal against a decision the School makes in respect of a grievance raised. In these cases, the grievance appeal will be dealt with by representatives of the Governing Body.

The decision at the appeal stage is final and there is no further right of appeal.

### **Procedure**

#### **1. Dealing with grievances informally**

If an employee has any grievance, they should discuss this with a senior member of staff in the first instance, who will then attempt to resolve the situation on an informal basis.

If attempts to resolve the matter informally do not work, it may be appropriate for an employee to raise a formal grievance under the following formal procedure.

## **2. Right to be accompanied at grievance meetings and appeal meetings**

At all formal stages of this procedure, an employee is entitled to be accompanied by a fellow employee or by a trade union official.

Should you wish to be accompanied, you must advise the name of your chosen companion to the Bursar as soon as possible and in advance of any meeting.

## **3. Formal procedure**

The School will make all reasonable efforts to deal with formal grievances in a fair and consistent manner. While the School will make every effort to settle any grievance within the time limits detailed in this procedure, this may not be possible on some occasions.

Employees must set out the nature of the grievance, and the full particulars of it, in writing. The written grievance should be submitted to a senior member of staff in the first instance. If the grievance is against the employee's line manager, the employee should submit it to another manager or a more senior member of the School.

## **4. Attending the grievance meeting**

The employee will be invited to a meeting to discuss the grievance, normally within five working days of the School receiving their grievance. All reasonable steps must be taken to attend this meeting.

Prior to the meeting, the employee should ensure that they are fully prepared to present their grievance, share any supporting evidence and answer any questions relating to the incident/circumstances in question.

## **5. Notification of the outcome**

After the grievance meeting, an appropriate period of time may be taken to allow for any further investigation and/or the consideration of all the facts before a decision is reached. The School will then, normally, inform the employee in writing of its decision regarding the raised grievance without unreasonable delay. The letter will also explain their right to appeal against any decision taken.

## **6. Appeals against grievance outcomes**

If the employee is dissatisfied with a decision made regarding a grievance they have raised, they have the right of appeal. The appeal must be made in writing addressed to the Bursar, stating the reasons for the appeal, to the individual identified in the decision letter.

This should be submitted no later than the end of the fifth working day after the employee received written notification. The first of these five working days is the day on which the employee received written confirmation of the decision.

The appeal will be heard by a panel of three Governors to be appointed by the Chair of Governors (the Grievance Panel).

## **7. The appeal meeting**

The Grievance Panel will send a written invitation to the employee to attend an appeal meeting. This will be arranged and held as quickly as possible, normally within five days. The employee will be given an opportunity to state their case.

The employee must take all reasonable steps to attend this meeting. If the employee feels that they have a legitimate reason as to why they cannot attend the meeting on the proposed date, they must contact the person named on the invitation letter to inform them of this fact immediately. The meeting may then be delayed to facilitate their attendance, if this is considered reasonable.

The Grievance Panel will advise the employee of the decision after the appeal meeting which will be final and binding.