



Northstar
New School

Equality and Diversity Policy 2021-2022

This policy was reviewed on:

Date: 20 August 2021

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Policy will be reviewed on: August 2023

This policy was ratified/reviewed by Governors on:

Date: 8 September 2021

Frequency of review: Every 2 year(s)

Note: This document uses the most current Government information and guidance at the time of writing. It may change according to Government policy.

1 | Policy Summary and Guiding Principles

Northstar New School is committed to preventing discrimination, valuing diversity, promoting equality and dignity at work and achieving equality of opportunity for all staff, governors, volunteers, trainees, job applicants and contractors.

2 | Introduction

Valuing diversity means creating a work-place where everyone's skills, talents and background are recognised, respected and valued, and can be used to their full potential. Diverse teams are more effective in helping us to meet the needs of diverse service-users. Providing equal opportunities means providing equal access to jobs, training, promotion, and development opportunities through fair employment practices and a work environment free from harassment and victimisation.

- All staff employed by the school have a responsibility to uphold the principles of this policy. We expect everybody to promote equality and diversity in the workplace and in the service we deliver. The school will ensure that all employees have a fair and equal chance of developing their abilities and realising their own expectations and those of the School. Governors, staff holding honorary contracts, volunteers, contractors and trainees are all expected to uphold the principles of this policy in their dealings with others in the workplace.
- All staff employed by the school and anyone working at the school, should be treated fairly and valued equally. All conditions of service and job requirements should fit with the needs of the service and those who work in it with due regard to the duty to promote equality and value diversity, regardless of age, disability, race, nationality, ethnic or national origin, gender, religion, beliefs, sexual orientation, domestic circumstances, social and employment status, HIV status, gender reassignment, political affiliation or trade union membership or any other personal factors unrelated to the ability to do the job. All decisions relating to employment must be objectively justifiable and compliant with legislation.
- The Race Relations (Amendment) Act 2000 introduced a requirement that public sector bodies should monitor, analyse, act on and publish information by ethnicity about their workforce and the outcomes of important employment practices such as recruitment, promotion, access to training opportunities, professional development,

grievance, disciplinary and redundancies. Schools have a duty to provide Education Leeds with this information in order that they can publish the results. Noncompliance could leave councils, schools and governing bodies open to legal challenge.

- The Equal Pay Act 1970 makes it unlawful for employers to discriminate between men and women in terms of their pay and conditions where they are doing the same or similar work; work rated as equivalent; or work of equal value. The 1997 Single Status Agreement requires that all authorities review and implement a new pay and grading structure which is transparent and fair. The school will ensure that their pay policy is equal pay proof and that any newly created posts are properly evaluated to ensure that staff receive a fair and equitable wage for the work they do.

3 | Scope

The policy will apply to all staff employed by Northstar New School.

The policy will also apply to all governors, volunteers, contractors, job applicants, student placements, trainees and people holding honorary contracts with the school.

4 | Objectives

To prevent discrimination and to encourage equality and diversity in all areas of employment.

The school believes that unfair discrimination on any grounds, either defined by law or not, is unacceptable and will be addressed under the appropriate policies and procedures. This policy will be regularly updated to take account of any changes in the law.

The following areas of employment practice will be specifically targeted:

- Recruitment and selection
- Training and development

- Promotion opportunities
- Working hours or practices
- The application of policies, procedures and benefits
- Relationships with colleagues

Discrimination under current legislation can be on the basis of:

- Disability
- Race
- Gender
- Sexual orientation
- Religion / Belief
- Age
- Membership of a Trade Union
- Victimisation / whistle-blowing
- Contractual arrangements

To prevent both direct and indirect discrimination.

Direct Discrimination

Direct Discrimination occurs when an individual receives less favourable treatment than another person in similar circumstances. This includes discrimination based on factual information, or the perception or assumptions relating to any of the above categories.

Examples of direct discrimination include:

- Failure to short-list any black applicants even though they meet the relevant criteria.
- Refusing a woman a promotion because you are concerned that she might want to take time off to start a family in the future.
- Unfavourable treatment because a person has homosexual friends or relations or because a person is married to someone of a particular religion.
- Unfavourable treatment of an individual because they are suffering from cancer or are HIV positive.

Indirect Discrimination

Indirect discrimination occurs when an unjustifiable requirement or condition is applied equally to everybody but has a disproportionately adverse effect on one group, because the proportion of the group which can comply with it is much smaller than for the other group. Examples of indirect discrimination include:

- Placing height restrictions on a job which does not require height to perform the work.
- Stipulating that people must speak clear fluent English where the job does not require verbal communication.
- Refusal to consider part time working hours.

Genuine Occupational Requirement

Indirect discrimination may on rare occasions be justifiable by law if it relates to a specific requirement of a job where race, sexual orientation, religion, belief or gender is a genuine occupational requirement for the job. For example, an advertisement for the post of Head Teacher at a Catholic school could reasonably state that candidates must be practicing Catholics.

If such a requirement cannot be justified by an organisation, it may be deemed unlawful. An employment tribunal may deem a finding of unlawful discrimination even though an employer has no intention to discriminate.

To prevent harassment and victimisation

Harassment

Discrimination law covers harassment on a variety of grounds including disability, colour, ethnic or national origin, race, religious belief or other similar philosophical belief, and sexuality. The Equal Treatment Amendment Directive means the Sex Discrimination Act contains a specific prohibition against harassment and sexual harassment. The Employment Equality (Age) Regulations 2006 have outlawed harassment on the grounds of age. Harassment and bullying comes in many forms including: cyber and electronic forms (e.g. emails, texts, blogs etc), physical contact which is unwanted, unwelcome remarks about a persons dress, appearance, race or marital status, jokes, offensive language, gossip, slander, sectarian songs and letters, posters, graffiti, obscene gestures, flags, bunting and emblems, isolation or non-cooperation and exclusion from social activities, coercion for sexual favours and pressure to participate in political/religious groups. Harassment can also exist as a result of the general prevailing culture, for example one in which it is acceptable to tell homophobic/ageist jokes.

Victimisation

Victimisation is where an employee is singled out for using their workplace complaints procedures or exercising their legal rights. For example, bringing a complaint of discrimination or giving evidence or information on behalf of another employee who has brought proceedings for discrimination

Victimisation may present itself in many ways. It may be that individuals are refused requests for time off, denied promotion or training, ignored by their manager or colleagues, criticised continually for their work, 'messed around' with respect to their work allocation or shift arrangement/days off and so on.

To achieve a workforce that reflects the diversity and composition of the community the school is seeking to serve, and to value that diversity.

In order to achieve this, the school may take positive action to ensure the inclusion of under-represented groups. This could involve encouragement and/or training to support certain groups by enabling them to compete from an equal starting point. The school must reasonably believe that there is under-representation in that specific area of work. Positive action may be appropriate in all elements of employment and could involve the following examples:

- Actively stating that job applications are welcome from under-represented groups.
- Providing support and training to complete application forms or participate in an interview.
- Providing unpaid training to under-represented groups to enable them to compete from an equal starting point.

Positive action does not mean positive discrimination.

There must still be equality of opportunity at the point of implementation and all decisions must be objectively justifiable and comply with legislation.

5 | Main Legislative and National Guidance

Within the framework of this policy, the school will comply with all statutory requirements and codes of practice.

6 | Procedures

Monitoring And Evaluation

The equal opportunities information which is compiled can be used to provide information to stakeholders, Ofsted and other interested parties in accordance with appropriate legislation.

Right Of Complaint

Where an individual feels that any member of the school has not treated them in accordance with this policy, they have the right of complaint through the appropriate procedure:

- Where an individual employed by the school feels they have been discriminated against by an employee, manager or governor of the school, they should refer to the school's Complaints Procedure.

7 | Roles and Responsibilities

Responsibilities

Everybody has a responsibility for working together to promote a harmonious environment which eliminates discrimination and harassment. An Equality and Diversity Policy becomes successful and credible when it is 'owned' by the people who can make it happen.

Role of the Head Teacher

- To promote equality and diversity throughout the school and ensure that colleagues are aware of their responsibilities and expectations with regard to their conduct. They will recognise the need for continuous professional development on issues of equality and diversity.
- To ensure that all customs and practices within the school adhere to the principles stated within this policy.
- To ensure that this policy is implemented effectively and that any contravention will be dealt with under the school's bullying and harassment policy, grievance policy, complaints policy or disciplinary policy as appropriate.
- To give unbiased and justifiable consideration to requests from staff for employment benefits in line with the school's procedures, e.g. flexible working, annual leave, training etc.

Role of the Line Managers

- To ensure they understand their responsibilities under this Policy and in accordance with equality and diversity legislation.

- To be responsible for delivering equality of opportunity to all the staff they manage including access to information, resources, training, support and application of policies and procedures.
- To encourage respect for diversity within their team and provide staff with any support or guidance to help achieve this objective.

Role of the Employees

- Every employee, irrespective of their job or position within the school, has an individual responsibility not to unfairly discriminate and to treat others in a fair and non-judgmental manner and to promote positive attitudes and relationships.
- Individual employees will be held accountable for their actions if they contravene the school's commitment to act as an equal opportunities employer and service provider.