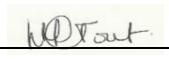
Policy Name	Equality & Diversity
Review and Approval by	Full Board of Governors
Date Ratified	14/07/14
Signed By	
Position	Chair of Board of Governors
Review Period for this Policy	3 Yearly
Date for Future Review	May 2017

Implementation of this policy supports the duties to promote equality of opportunity and positive attitudes in relation to disability, gender and race and to eliminate discrimination on the grounds of age, disability, gender, race, religion or belief and sexual orientation.

Date	Changes
1st March 2003	Policy Implemented
June 2010	Styling revised in line with corporate guidelines
December 2011	Policy updated
14/07/14	Policy reviewed and ratified
30/01/16	Amend Governing Body to Board of Governors

1 POLICY STATEMENT

Montpelier Primary School recognises the schools responsibilities as an employer for setting standards of fair treatment. The school will provide equal opportunities to any employee or job applicant and will not discriminate either directly or indirectly. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential.

2 OUR COMMITMENT

This Equality and Diversity Policy is our formal commitment to fairness and reducing inequalities. We will work hard to keep this promise even when we face challenges. If we do not do this, we will respond to concerns or complaints, and do our best to put things right and learn from this.

The Board of Governors has overall responsibility to ensure this policy is consistently applied and the Senior Management Team has responsibility for the implementation of the policy.

3 APPLICATION

All employees have personal responsibility for the practical application of the policy and those with responsibility for staff are reminded that they may be held individually accountable for ensuring that no form of discrimination occurs in the recruitment, selection, promotion and training of employees.

Enquiries will be made into suspected cases of direct discrimination or acts of commission or omission which lead to indirect discrimination. Any such practices will be stopped and disciplinary action may be taken against the individual(s) concerned.

3.1 Recruitment and Selection

The selection process is of crucial importance and must be carried out according to objective job-related criteria which must be subject to regular review. The school will endeavour through appropriate training to ensure that employees making selection decisions will not discriminate whether consciously or unconsciously in making these decisions. The school will ensure:

- That the selection criteria relate to job requirements and are not discriminatory by asking for inappropriate qualifications or experience.
- Job advertisements are not without proper reason confined to publications or worded in such a way as to exclude applicants either individually or of a particular group.
- Advertisements will carry a statement that the school is an equal opportunity employer.
- Every job is open equally to all applicants with the required qualifications except where conditions of privacy, and decency or authenticity apply or in cases where the job involved the provision of personal services.
- Applications will be dealt with in accordance with the Board of Governors's recruitment and selection policy.

- Where selection tests are used they are validated to ensure they relate directly to the job requirements and/or career requirements and measure an individual's ability to do or train for the particular work or career. Such tests are reviewed regularly to check that they remain relevant and free from bias either in content or scoring.

3.2 Training

Equal opportunities must be integrated into all training concerned with selection skills, staff assessment, counselling, staff development and the management or supervision of staff. The importance of equal opportunities in the field of customer care initiatives is also recognised. The school will ensure:

- Transfer, promotion and training are open equally to all eligible employees and selection criteria do not exclude applicants from any group.

- Specific training on recruitment and selection will be undertaken by governors and staff as appropriate, to ensure awareness of the wider implications of discrimination.

3.3 Promotion

It is in the schools interest to provide equal opportunities for promotion to all employees. Headteachers must continually assess the promotion potential of all employees and all promotion decisions must be made in accordance with objective selection criteria.

3.4 Grievance and Discipline

Employees who believe that they have experienced unfair or unlawful discrimination or racist or sexist abuse or harassment should raise their concern through the applicable grievance procedure.

It is important to understand that employees who consider they have failed to secure adequate redress, within the procedure of the Board of Governors, may choose to take their case to an industrial tribunal. External applicants who feel they have been unfairly discriminated against may also take their case to an industrial tribunal. In these circumstances complaints can be brought against individual employees as well as the Board of Governors and the employing authority.

4 MONITORING

The school will establish appropriate information and monitoring systems to assist the effective implementation of the policy. Information will only be collected which will be used and will be held confidentially.

Most organisations will collect information based on current UK legislation. This protects people against discrimination because of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The table below sets out the legal position regarding monitoring:

	Legal position
Race and Ethnicity	A requirement for public bodies to monitor ethnicity. Use the ethnic groupings set out in the 2001 Census standards as a minimum
Gender	A requirement for public bodies to monitor gender – male and female.
Gender reassignment	Covered by the public equality duty, however but any monitoring will require careful consideration.
Disability	A requirement for public bodies to monitor disability. You are required to make reasonable adjustments to help a disabled person give their best.
Sexual orientation	A requirement to monitor in public sector from April 2011.
Religion and belief	A requirement to monitor in public sector from April 2011.
Age	A requirement to monitor in public sector from April 2011.

The Board of Governors will review implementation and the need for monitoring.

5 COMPLAINTS

Employees who believe that they have suffered any form of discrimination, harassment or victimisation are entitled to raise the matter through the agreed procedures. All complaints of discrimination will be dealt with seriously, promptly and confidentially.

6 POSITIVE ACTION

The Equality Act allows employers to take positive action if you think that employees or job applicants who share a protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

The Equality Act 2010 from April 2011 allows you, if you want to, to take a protected characteristic into consideration when deciding who to recruit or promote. However, you can only do this when you have candidates who are "as qualified as" each other for a particular vacancy. This does not mean they have to have exactly the same qualifications as each other, it means that your selection assessment on a range of criteria rates them as equally capable of doing the job.

You would also need some evidence to show that people with that characteristic face particular difficulties in the workplace or are disproportionately under-represented in your workforce or in the particular job for which there is a vacancy. In these circumstances, you can choose to use the fact that a candidate has a protected characteristic as a 'tie-breaker' when determining which one to appoint. You must not have a policy of automatically treating job applicants who share a protected characteristic more favourably in recruitment and promotion. This means you must always consider the abilities, merits, and qualifications of all of the candidates in each recruitment or promotion exercise. Otherwise, your actions would be unlawful and discriminatory.

7 FREQUENTLY ASKED QUESTIONS

1 What kinds of words won't be permissible in job adverts?

Employers should ensure that their job advertisements do not imply or suggest that a person of a particular age should not apply for the job being advertised, unless that job has a genuine occupational requirement

In order to attract job applicants of a particular age, employers may wish to extend the publication of their job vacancies, for example, to magazines or newspapers aimed at persons of a particular age or within a certain age group.

The Government has suggested the following examples:

"An employer places a job advertisement only in a magazine for young people, because this age group is underrepresented in his business. This may in practice encourage applications mainly from younger people, so it may be indirectly discriminatory. If so, it would fall under the positive action provision. It will be lawful if it reasonably appears to the employer that this helps to compensate for a disadvantage suffered by this age group.

"The same applies if the employer asks a headhunting firm to search particularly for candidates ina certain age group (because that age group is underrepresented in its workforce). As long as applications from people in other age groups are not excluded, this is covered by the positive action provision."

A criterion in a job advertisement for a successful job applicant to have ten years' work experience may amount to unlawful indirect age discrimination against younger job applicants (it is unlikely that such job applicants will have ten years' work experience) unless the employer can objectively justify that criterion. The employer would have to justify why a successful job applicant should have ten years' work experience rather than, for example, requiring them to demonstrate their suitability against a clearly drawn up person specification based on the required competencies.

Examples of the kind of "ageist" job advertisements employers should seek to avoid are available on the Employers Forum on Age (EFA) website at www.efa.org.uk.There is also an example of an advertisement created by the EFA that avoids reference to the "culture" of an organisation (e.g. “young, vibrant company"), the ideal age range for the job and years of work experience required.

2 Should all job descriptions and person specifications (Should we be using words job profile?) be amended and reference to minimum experience removed?

Yes. Prioritise JDs and PS for those roles being recruited against.