

The PLACE Independent School Equality and Diversity Policy

The PLACE Independent school are aware that quality service delivery is paramount and that The PLACE Independent school must ensure equality and diversity is reflected within its culture.

In addition to fulfilling our statutory responsibilities to promote equality and diversity in all our activities, we are committed to developing a culture that values employees, workers and applicants from all sections of the community and the contribution they can make.

The PLACE Independent school is committed to:

- Ensuring all employees and applicants are treated fairly and without discrimination
- Treating employees with dignity and respect
- Having a workforce that reflects the population we serve
- Providing employees with the training and development to meet the organizations goals
- Promoting a prejudice-free and supportive working environment.
- Employing a workforce which reflects the diversity of the local population, ensuring that people from all sections of the local community have equality of opportunity to obtain employment in all areas and levels of The PLACE Independent school
- Fostering good relationships¹

The PLACE Independent school will do this by:

- Giving full consideration to all job applicants
- Maintain records of recruitment to identify any areas of inequality
- Review recruitment and selection processes regularly
- Ensuring that quality training is available to all employees to enhance their skill base
- Ensure all employees realise their potential for growth through support and appraisal
- Wherever possible, modify employment practice and procedures to reduce barriers to members of disadvantaged social groups within their employment
- Enforce and monitor our internal harassment policy to ensure employees work in a safe environment
- Creating an environment which is free from racial harassment and racist behaviour
- Recognising and respecting individuals' religious beliefs and that they are free from discrimination
- Creating an environment free from sexual harassment and sexist language and

¹ <http://www.legislation.gov.uk/ukpga/2010/15/contents>

behaviour

- Creating a flexible working environment where work and home life balance requirements are recognized and supported in all areas and levels
- Ensuring that our policies and procedures do not discriminate against employees or their sexuality
- Within business constraints, to modify equipment or facilities to make full use of a person's ability
- Continue employment, whenever practicable, for those who become disabled during their employment
- To ensure that all people with a disability are interviewed for any employment vacancy for which they meet the essential criteria of that position
- To follow the government's voluntary code of practice for age diversity in employment
- Create an environment whereby the needs of employees with HIV are understood and free from ignorance and harassment

Responsibility for ensuring Equality in the workplace

All The PLACE Independent school employees have a responsibility to ensure the principles of this policy are put into practice, for which The PLACE Independent school expect a personal commitment from all in making this policy effective. Any employee not following this policy or deliberately discriminating any other will be seen as a disciplinary offence where summary dismissal may ensue.

Application Responsibilities and Duties:

This policy applies to all employees of The PLACE Independent school, to volunteer workers, agency and stand-by workers, students on placement and contracted workers. All of these have a duty to comply with and uphold this policy, and to report any occurrences of discrimination which they encounter. If a complaint of discrimination is proven against any employee, disciplinary action will be taken.

Examples of unacceptable behaviour or actions which would be contrary to this policy and may be unlawful:

This list of examples is purely illustrative and is not exhaustive. More detailed guidance can be found on the Equal Opportunities Commission website at <http://www.eoc.org.uk/>

- Using racist or sexist language in the workplace.
- Assuming without evidence that a particular employee will be less able to carry out a specific task because of their gender, race or age (or any other category highlighted above) rather than because of their physical or professional ability.
- Failing to promote or initiate further training for an employee because of family circumstances – e.g. a woman with young children.
- Using nationality or family circumstances as a consideration in judging the

- suitability of job applicants.
- Pressurising an employee to carry out tasks, which might conflict with their religious beliefs – e.g. requiring a Moslem care worker to cook bacon and eggs for a child/young person's breakfast.
- Making persistent comments about an employee's appearance, which cause them to feel harassed.
- Treating an employee who has made allegations of discrimination as a troublemaker and so judging their work performance and potential for promotion less favorably.
- Assuming that an employee is not suitable for a particular task because of their sexual orientation. – e.g. not allowing a gay male care worker to supervise boys at bath-time.

Other Equality and Diversity Guidance

The PLACE Independent school organisation requires all staff to carry out their duties and responsibilities with regard to the following principles taken from the DFE guidance on equal opportunities in schools:

"It is unlawful to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom the pupil is associated²

In all aspects of our work with children and young people, and in all the services we provide, we must ensure that none of the children/young people are disadvantaged through discriminatory practice, harassment or victimisation, either by staff or by other children. The National Minimum Standards require us to keep a record of any racist incidents, and all staff should be vigilant in reporting such incidents and in supporting children and young people in using the complaints procedure appropriately.

Being mindful of the difficulties that some groups can face and ensuring that any obstacles to them are removed

The children and young people we work with, who come from a range of ethnic and cultural backgrounds, have a wide range of social, emotional and behavioral difficulties, learning difficulties and physical difficulties. The school must work proactively to compensate for and overcome the disadvantages, which these factors impose on the children and young people, ensuring that they have equal opportunities to achieve their potential for learning and social development.

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

Being aware of personal prejudices and stereotypical views and avoiding labels related to these.

Staff act as role-models for children and young people, and therefore need to be constantly aware of their own personal prejudices and stereotypical views. Research has shown that children/young people are particularly prone to stereotypical views of the world, and often attribute gender-role stereotypes to particular tasks – e.g. household chores are a female responsibility. Staff therefore need to work consciously and proactively to challenge these stereotypical labels, both in their interactions with children and young people and in their own behaviour.

Valuing each individual's worth.

Children and young people who work with The PLACE Independent school frequently have very low self-esteem. Feelings of failure, worthlessness, frustration and inadequacy are commonly associated with social, emotional and behavioural difficulties. Our children and young people frequently act in ways to confirm their negative view of themselves and can powerfully engender similar views in those who work with them. For example, a child/young person who has caused extensive damage due to feelings of anger and despair can produce similar feelings in the maintenance worker who is faced with repairing the damage.

All of us must strive to overcome any negative feelings that the children and young people may generate in us and provide them with positive feedback about themselves and their achievements. Only through valuing each individual child and young person can we help them to learn to value themselves and eventually to be able to value others.

Monitoring and Review:

This policy will be reviewed annually and the standards of performance in relation to this policy will be monitored.

Reviewer: Cate Tumman

Reviewed: Aug 2020

Next Update Due: Aug 2021

APPENDIX A

Protected Characteristics

The law defines nine.

1. Age
2. Disability
3. Gender reassignment.
4. Marriage and civil partnership.
5. Pregnancy and maternity.
6. Race
7. Religion or belief.
8. Sex
9. Sexual orientation.

Age

You can't discriminate against employees, no matter what their generation is.

Age discrimination is either direct or indirect. It involves unfair or unfavourable treatment of staff members due to how old they are, or the peer they're associated with.

It's important to remember that in situations where people fall into the same age range, they share the "age" protected characteristic.

Disability

The Equality Act 2010 defines a disabled person as someone with a physical or mental injury.

It must be substantial or long-term (likely to last more than 12 months) and affect their ability to conduct day-to-day activities.

Although the regulation provides a definition of disability, the issue is more complex than the Act initially clarifies.

While some impairments are immediate and identifiable, it can be difficult to work out if some disabilities qualify.

For example, is autism a protected characteristic? In this instance yes, it fits the criteria as it's a mental impairment. It's the same for other issues such as dyslexia and depression.

However, the level of support or adjustments an affected employee needs depends on where they sit on the spectrum.

Examples of impairments considered as disabilities from diagnoses include:

- Cancer.
- Multiple sclerosis (MS).
- Any HIV infection.

The Equality Act 2010 highlights your duty of care towards disabled employees.

Under the legislation, you must make reasonable adjustments to remove barriers caused by a disability.

There's also a special provision for disability under section 15 of the Equality Act. It protects employees against discrimination for something arising as a consequence of their disability.

Gender reassignment

This is the process of changing from one sexual category to another.

According to the Equality Act 2010, you mustn't discriminate against a member of staff if you think they're transsexual (or know someone who is).

It's important to remember individuals aren't required to undergo surgery or treatment to change their gender. They'll still receive discrimination protection if they've reassigned their identity without any medical processes.

However, keep in mind that treating a transsexual employee differently isn't necessarily unlawful. For example, taking constructive steps to include your transsexual employees in organisational activities in which they aren't represented.

However, the key is they don't experience a detriment because of your decision to treat them differently.

Examples of gender reassignment discrimination include:

- Reassigning an employee to an alternate role to remove them from public view.
- Unfair treatment of sick days compared to other employees.
- Having policies in place that put your transsexual employees at a disadvantage.
- Comments that offend or degrade.

Marriage or civil partnership

This is treating an employee differently on account of their relationship status. This can be either between a man and a woman or between members of the same sex.

Employees aren't protected under this characteristic if they're:

- Living with their partner but not married or in a civil relationship.
- Engaged but not married yet.

- Divorced or if they've dissolved their civil partnership.

Examples of discrimination under this characteristic include:

- Having policies in place that put married employees (or those in a civil relationship) at a disadvantage—this may be different if you can show a good reason otherwise.
- Dismissing or reducing the working hours of an employee after marriage as you think they'll need to spend more time with their family (unless requested).
- Treating an employee differently for supporting a colleague facing discrimination for their marriage or civil partnership. This particular type of discrimination is 'victimisation'.

Pregnancy and maternity

In a work setting, this spans from the period of pregnancy through to birth and the period of maternity leave (the protected period).

Discrimination in this regard involves treating a woman differently for being pregnant or on maternity leave. The Act defines two types of pregnancy and maternity discrimination:

- Unfavourable treatment: This is putting employees or job applicants at a disadvantage because of pregnancy or maternity. For example, you can't subject them to unfair treatment. Your policies and procedures shouldn't put them at a disadvantage, and they shouldn't experience unwanted behaviour because of their pregnancy or maternity leave requirements.
- Victimisation: This involves treating an employee unfairly because they've made, or supported, an allegation (or complaint) of discrimination. It also relates to employees giving evidence relating to a complaint from another staff member.

It's worth noting, when making a decision on an employee's position in your company, it's unlawful to take into account periods where they were off sick due to pregnancy-related illnesses.

Race

The legislation protects groups of employees defined by their race, colour or nationality. Discrimination occurs when they're treated differently because of this. Examples include:

- Direct: For example, rejecting a job application from a candidate of a different nationality not based on skills but because you think they won't fit in with your staff.
- Indirect: Having policies or procedures that while it applies to all workers, only puts a person or group of people of the same race at a disadvantage. For example, during the recruitment process, it's unlawful to require all applicants to have a certain qualification that's only available to people in the UK. That discriminates against applicants from other countries.

In some cases, you can justify indirect discrimination providing you give a justifiable business reason.

Religion or belief

Covers individuals or groups with certain religious or philosophical beliefs.

Your employees have a legal protection from discrimination because of their religion or belief (or the lack thereof).

According to the Act, a religion must have a clear structure and belief system. And for the purpose of the Act, a belief must be a genuine belief and not an opinion. To consider a belief genuine, it has to be a weighty and substantial aspect of human life.

Examples of religion or belief discrimination include:

- Refusing to hire an individual or a particular group of people because of their religion or philosophical beliefs.
- Dismissing a member of staff because of their belief or religion.
- A form of indirect discrimination could be enforcing inconvenient working hours. For example, setting a meeting at 3 pm on Fridays when you know some of your employees go to the mosque. You can avoid discrimination claims by objectively justifying your reason for scheduling the meeting for that time.

It's important to be consistent when dealing with religious holiday requests to avoid allegations of discrimination.

Sex

This involves the unfair treatment of an employee on the basis of being either a man or woman.

The Equality Act 2010 protects individuals from prejudice based on their sex. According to the law, you mustn't discriminate against an employee:

- Of a particular sex.
- That you think may be of the opposite sex (discrimination by perception).
- Or that's associated with someone of a specific sex.

It's also worth noting that the law doesn't allow for positive discrimination in favour of either sex as it does in other instances such as disability.

Examples of prejudice at work include:

- Asking female job applicants questions you wouldn't ask male applicants.
- Promoting only women (or men) for specific roles due to previous discrimination when applying for that role.
- Rejecting a male candidate's application for a sales role within a cosmetic company because you think he wouldn't fit in with your all female staff.
- Not promoting women due to concerns about their plans for motherhood.

Sexual orientation

The act protects individuals from discrimination on the grounds of their sexual preferences. That includes any employee who is:

- Bisexual.
- Gay.
- Heterosexual.
- Asexual.

Examples of sexual orientation discrimination include:

- Not promoting a staff member solely based on their sexual preference.
- Maintaining policies or business practices that put an employee of the same sexual identity at a disadvantage.
- Harassing, degrading, intimidating, offending or general unwanted conduct relating to their sexual identity.