



Staff Equal Opportunities and Diversity Policy

To be read in conjunction with:

- The Equal Opportunities Act 2010
- Safeguarding and Child Protection Policy
- Behaviour Management Policy
- Special Educational Needs And Disabilities (SEND) Policy
- Supporting Students with Medical Needs
- Anti-Bullying Policy
- Admissions Policy
- Recruitment Policy
- Accessibility Plan
- The Statutory Framework of the Early Years Foundation Stage
- Children and Families Act 2014
- Independent School Standards 2019

Our Policy

Atelier 21, otherwise referred to as the school, embraces diversity and aims to promote the benefits of diversity in all of our school activities. We seek to develop a culture that reflects that belief. We will expand the media in which we recruit to in order to ensure that we have a diverse employee and candidate base. We will also strive to ensure that our school meets its own diversity targets.

The school is committed to diversity and will promote diversity for all employees, candidates and applicants. We will continuously review all aspects of recruitment to avoid unlawful discrimination.

The school will treat everyone equally and will not discriminate on the grounds of an individual's "protected characteristic" under the Equality Act 2010 (the Act) which are age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We will not discriminate on the grounds of an individual's membership or non-membership of a Trade Union. All staff have an obligation to respect and comply with this policy.

The school is committed to providing training for its entire staff in equal opportunities and diversity.

The school will avoid stipulating unnecessary requirements which will exclude a higher proportion of a particular group of people and will not prescribe discriminatory requirements for a role.

The school will not discriminate unlawfully when deciding which candidate/contract worker/consultant is submitted for a vacancy or role, or in any terms of employment.

The school will ensure that each candidate is assessed in accordance with the candidate's merits, qualifications and ability to perform the relevant duties for the role.

Discrimination

Under the Act, unlawful discrimination occurs in the following circumstances:

Direct discrimination

Direct discrimination occurs when an individual is treated less favourably because of a protected characteristic.

Treating someone less favourably means treating them badly in comparison to others that do not have that protected characteristic.

It is unlawful for the School to discriminate against a person on the grounds of a protected characteristic:

- in the terms on which the school offers to provide any of its services;
- by refusing or deliberately omitting to provide any of its services;
- in the way it provides any of its services.

Direct discrimination can take place even if the individual does not have the protected characteristic but is treated less favourably because it is assumed he or she has the protected characteristic or is associated with someone that has the protected characteristic.

Direct discrimination would also occur if the School accepted and acted upon instructions from a previous employer which states that certain persons are unacceptable due to a protected characteristic, unless an exception applies. The Act contains provisions that permit specifying a requirement that an individual must have with regards to a particular protected characteristic in order to undertake a job. These provisions are referred to as occupational requirements.

Where there is an occupational requirement then the school must show that applying the requirement is a proportionate means of achieving a legitimate aim, i.e. the candidate must be able to objectively justify applying the requirement. An occupational requirement does not allow the School to employ someone on less favourable terms or to subject a person to any other detriment. Neither does an occupational requirement provide an excuse against harassment or victimisation of someone who does not have the occupational requirement.

Indirect discrimination

Indirect discrimination occurs when a provision, criterion or practice (PCP) is applied but this results in people who share a protected characteristic being placed at a disadvantage in comparison to those who do not have the protected characteristic. If the PCP can be objectively justified it will not amount to discrimination.

Indirect discrimination would also occur if the School accepted and acted upon an indirectly discriminatory instruction from a previous employer.

If the vacancy requires characteristics which amount to an occupational requirement or the instruction is discriminatory but there is an objective justification, the school will not proceed with the

vacancy unless the candidate provides written confirmation of the occupational requirement, exception or justification.

Harassment

Under the Act, harassment is defined as unwanted conduct that relates to a protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. This includes unwanted conduct of a sexual nature.

The school is committed to providing a work environment free from unlawful harassment.

Examples of prohibited harassment are:

- verbal or written conduct containing derogatory jokes or comments;
- slurs or unwanted sexual advances;
- visual conduct such as derogatory or sexually orientated posters;
- photographs, cartoons, drawings or gestures which some may find offensive;
- physical conduct such as assault, unwanted touching, or any interference because of sex, race or any other protected characteristic basis;
- threats and demands to submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment benefits in return for sexual favours;
- retaliation for having reported or threatened to report harassment.

If an individual believes that they have been unlawfully harassed, they should make an immediate report to

- The Head of School followed by a written complaint as soon as possible after the incident. The details of the complaint should include:
 - Details of the incident
 - Name(s) of the individual(s) involved
 - Name(s) of any witness(es)

The school will undertake a thorough investigation of the allegations. If it is concluded that harassment has occurred, remedial action will be taken.

All employees and candidates will be expected to comply with the school's policy on harassment in the workplace. Any breach of such a policy will lead to the appropriate disciplinary action. Any individual who the school finds to be responsible for harassment will be subject to the disciplinary procedure and the sanction may include termination.

Victimisation

Under the Act victimisation occurs when an individual is treated unfavourably because the he/she has either done or is about to do, a 'protected act' which is bringing a claim for unlawful discrimination or raising a grievance about discrimination or giving evidence in respect of a complaint about discrimination.

Disabled Persons

Discrimination occurs when a person is treated unfavourably as a result of their disability. Indirect discrimination occurs where a provision, criterion or practice is applied by or on behalf of an employer,

or any physical feature of the employer's premises, places a disabled person at a substantial disadvantage in comparison with persons who are not disabled.

In recruitment and selection there may be a requirement to make reasonable adjustments. For example, it might be necessary to have different application procedures for partially sighted or blind applicants that enable them to use Braille. With application procedures and assessment methods, these can only be justified if they are directly related to the skills and competencies required for the job. Even then, it might be appropriate to have different levels of acceptable results, depending on the disability. For example, an applicant with a learning disability might need more time to complete a test, or not be expected to reach the same standard as other non-disabled applicants.

Reasonable adjustments in recruiting could include:

- modifying testing and assessment procedures;
- meeting the candidate at alternative premises which are more easily accessible;
- having flexibility in the timing of interviews;
- modifying application procedures and application forms;
- providing a reader or interpreter.

Wherever possible the school will make reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers. However, this may not always be feasible, due to circumstances creating such difficulties as to render such adjustments as being beyond what is reasonable in all the circumstances.

The school will not discriminate against a disabled person:

- in the arrangements i.e. application form, interview or arrangements for selection for determining
- whom a job should be offered; or
- in the terms on which employment or engagement of contract workers is offered; or
- by refusing to offer, or deliberately not offering the disabled person a job for reasons connected with their disability; or
- in the opportunities afforded to the person for receiving any benefit, or by refusing to afford, or deliberately not affording him or her any such opportunity; or
- by subjecting the individual to any other detriment (detriment will include refusal of training or transfer, demotion, reduction of wage, or harassment).
- the school will make career opportunities available to all people with disabilities and every practical effort will be made to provide for the needs of staff, candidates and schools.

Age Discrimination

Under the Act, it is unlawful to directly or indirectly discriminate against or to harass or victimise a person because of age. Age discrimination does not just provide protection for people who are older or younger.

People of all ages are protected.

A reference to age is a reference to a person's age group. People who share the protected characteristic of age are people who are in the same age group.

Age group can have various references:

- Under 21s
- People in their 40s
- Adults

The school will not discriminate directly or indirectly, harass or victimise any person on the grounds of their age and will recruit on the basis of competence and skills and not age.

The school is committed to recruiting and retaining employees whose skills, experience, and attitude are suitable for the requirements of the various positions regardless of age. No age requirements will be stated in any job advertisements on behalf of the school.

If the school requests age as part of its recruitment process such information will not be used as selection, training or promotion criteria or in any detrimental way and is only for compilation of personal data, which the school holds on all employees and candidates and as part of its equal opportunities monitoring process.

Part-Time Workers

This policy also covers the treatment of those employees and candidates who work on a part-time basis,

The school recognises that it is an essential part of this policy that part time employees are treated on the same terms, with no detriment, as full time employees (albeit on a pro rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to our pension scheme. The school also recognises that part time employees must be treated the same as full time employees in relation to training and redundancy situations.

Gender Reassignment Policy

The school recognises that any employee or candidate may wish to change their gender during the course of their employment with the School.

The school will support any employee or candidate through the reassignment.

The school will make every effort to try to protect an employee or candidate who has undergone, is undergoing or intends to undergo gender reassignment, from discrimination or harassment within the workplace.

Where an employee is engaged in work where the gender change imposes genuine problems the school will make every effort to reassign the employee or candidate to an alternative role in the school, if so desired by the employee.

Any employee or candidate suffering discrimination on the grounds of gender reassignment should have recourse to the School's grievance procedure.

Complaints and Monitoring Procedures

The school has in place procedures for monitoring compliance with this policy and for dealing with complaints of discrimination. These are available from the Head of School and the School Business Manager and will be made available immediately upon request. Any discrimination complaint will be investigated fully.

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