



Equal Opportunities Policy (Staff)

Scope of Policy

This policy covers the Senior School, Lancing College Preparatory School at Worthing and Hove, Little Lancing and Buxbrass Limited. For the purposes of the policy, these will collectively be referred to as 'the School'.

This policy does not form part of your contract of employment and may be amended by the School at any time.

Our commitment

The School is committed to the principle of equal opportunities in employment and in equal pay for work of the same or similar nature or work of equal value. The School declares its opposition to any form of less favourable treatment or financial reward, whether through direct or indirect discrimination, harassment, victimisation or segregation accorded to staff members or job applicants.

The School similarly declares its opposition to any form of less favourable treatment to staff members or applicants on the grounds of non-job related handicaps and unfair discrimination on the grounds of age.

This policy is intended to assist the School to put this commitment into practice. Compliance with this policy should also ensure that staff members do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. The School has a separate dignity at work policy, which deals with these issues.

Employment practice

The School states its whole hearted support for the principles and practices of equal opportunities and recognises that it is the duty of all members of staff to accept their personal responsibility for fostering a fully integrated community at work by adhering to the principles of equal opportunity.

The School will promote equal opportunities throughout the School through the application of employment policies which will ensure that individuals receive treatment that is fair and equitable and consistent with their relevant aptitudes, potential skills and abilities.

The School will ensure that individuals are recruited and selected, promoted and trained on objective criteria having regard to the relevant aptitudes, potential, skills and abilities. In particular, no applicant will be placed at a disadvantage by requirements or conditions which are not necessary for the performance of the job or which constitute indirect unfair discrimination.

The School recognises the problems that sexual, racial, and other forms of harassment may cause at work and is committed to ensure that such unacceptable behaviour does not take place. All forms of harassment are abhorrent and will not be tolerated by the School. Sexual or racial harassment is regarded as unlawful discrimination and along with other forms of harassment and all such cases will be dealt with under the disciplinary procedure.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex or sexual orientation, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected

characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity which are covered by direct discrimination provisions in the Equality Act 2010) that has the purpose or effect of violating a person's dignity; or is reasonably considered by that person to create an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Victimisation occurs where a staff member is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, a staff member is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint in bad faith. There is no need for a complainant to compare his/her treatment with someone who has not made or supported a complaint under the Equality Act 2010.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

The School will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability.

Dignity at work

The School has a separate Dignity at Work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

Your responsibilities

Every member of staff is required to assist the School to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Acts of discrimination, harassment, bullying or victimisation against members of staff or customers are disciplinary offences and will be dealt with under the School's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievances

The School will ensure that any individual or group of staff who believe that they have experienced direct or indirect discrimination are properly represented in any grievance proceedings. Any member of staff who feels that he/she has been treated unfairly in connection with his/her employment should raise his/her grievance through the Grievance Procedure. The School will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Data Protection

The School processes personal data in accordance with its data protection policy and other relevant policies. Inappropriate access or disclosure of personal data constitutes a data breach and should be reported in accordance with the School's data protection policy immediately. It may also constitute a disciplinary offense which will be dealt with under the School's disciplinary procedure.

Further Information

For any questions regarding this policy please contact Jennine Mailer, HR Manager.

Last reviewed: September 2021

Next Review: September 2022

Policy Owner: Human Resources

Other Relevant Policies

Equality, Diversity and Inclusion Policy (Staff)

Dignity at Work Policy

Disciplinary Policy

Capability Policy

Grievance Policy

Recruitment Policy

