



EQUAL OPPORTUNITIES POLICY

1. POLICY STATEMENT

- 1.1 Parkside Community College is committed to the principle and practice of equal opportunity. We aim to ensure that all employees are valued as individuals, and our diversity reflects the communities it serves.
- 1.2 Parkside Community College is also committed to enabling all employees to achieve their full potential in an environment characterised by dignity and mutual respect.
- 1.3 All individuals associated with Parkside Community College should be treated fairly and with respect, regardless of age, disability, employment status, gender, health, marital status, membership or non-membership of a trade union, nationality, race, religion, domestic circumstances, sexual orientation, ethnic or national origin, beliefs, social & employment status, HIV status, or gender re-assignment.
- 1.4 Parkside Community College has a duty to be proactive in promoting race equality and will be active in ensuring that it works to avoid unlawful discrimination, and promotes equality of opportunity and good relations between persons of different racial groups.
- 1.5 Parkside Community College's objective is to eliminate unfair discrimination and performance will be monitored on a regular basis. Failure by any member of staff to abide by this policy may be grounds for disciplinary action, under the School's agreed procedure, to be taken.

2. THE CASE FOR EQUAL OPPORTUNITIES

- 2.1 Equality of opportunity means that an individual's diversity is viewed positively and, in recognising that everyone is different, valuing equally the unique contribution that individual experience, knowledge and skills can make.
- 2.2 Parkside Community College believes equal opportunities are fundamental to the delivery of services - in an equal opportunities environment the Parkside Community College will be able to recruit the best candidates and enable them to realise their full potential by offering the appropriate training and development and flexible working patterns. The outcome is likely to be improved individual performance, a higher rate of retention, and reduced sickness absence and increased quality overall.
- 2.3 As a good employer, Parkside Community College wish to be just and equitable both to our staff and the wider community, with the outcome likely to be a better public image within the local community and increased public confidence in our services.



2.4 In addition, it is illegal to discriminate unfairly on grounds of race, sex, disability, sexual orientation, religion and belief within the legal framework listed below:

- Race Relations Act 1976 and the Race Relations (Amendment) Act 2000
- Sex Discrimination Acts 1975 & 1986
- Disability Discrimination Act 1995
- Human Rights Act 1999
- Employment Relations Act 1999
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Religion and Belief) Regulations 2003

3. **RESPONSIBILITY FOR IMPLEMENTATION**

3.1 Parkside Community College's Head teacher, Chair of Governors and Leadership Team are responsible for ensuring that this policy is implemented effectively and that all staff is aware of it. All staff who work for Parkside Community College are responsible for being familiar with this policy and to ensure they implement it effectively and fairly.

All staff have a personal responsibility to:

- treat people fairly and without prejudice;
- value and respect others;
- ensure that no one is harassed, victimised or bullied in the workplace in line with this policy;
- promote a work environment where everyone feels confident to report incidents, which are unfair or personally offensive, and to report such incidents to a senior member of staff when it is believed they have taken place;
- ensure that no racist incidents take place within the School*.

* A racist incident is any incident, which is perceived to be racist by the victim, or any other person.

3.2 External contractors and agencies providing services on behalf of the school, on school premises will be expected to make their staff aware of this policy and to comply with it.

3.3 Monitoring and review of progress will take place regularly within the School's Personnel Committee.

4. **POLICY FRAMEWORK**

4.1 This Equal Opportunities Policy has been developed within the framework of both relevant UK and European legislation and our employment policies and procedures.



- 4.2 This policy also helps to protect the organisation against liability for the behaviour of individuals if they have taken all reasonable steps to prevent hostile conduct. This policy helps to ensure that the statutory responsibilities and obligations are met for equal opportunities under the following legislation:

The Sex Discrimination Act 1975	Sex Discrimination Gender Reassignment Regulations 1999
The Equal Pay Act 1970	The Asylum and Immigration Act 1996
The Race Relations Act 1976	The Health and Safety at Work Act 1974
The Disability Discrimination Act 1995	Management of Health & Safety at Work Regulations 1999
The Working Time Regulations 1998	The Rehabilitation of Offenders Act 1974
Part time workers Regulations 2000	Human Rights Act 1998
Protection from Harassment Act 1997	Maternity and Parental Leave Regulations 1999
Employment Rights Act 1996	Employment Equality (Religion or Belief) Regulations 2003
Employment Relations Act 1999	
Employment Equality (Sexual Orientation) Regulations 2003	

5. POLICIES AND PROCEDURES SUPPORTING THIS POLICY

Other policies which support Equal Opportunities at Parkside Community College include:

- Harassment Policy
- Grievance Resolution Procedure
- Whistle blowing Policy
- Disciplinary Procedure

All school activities will be linked back to this policy to ensure that our culture, policies and procedures endorse this policy and that it becomes an essential part of everything that we do.

6. EQUALITY OF OPPORTUNITY

Equal opportunities issues arise throughout employment, particularly in the following areas:

6.1 Recruitment, Promotion and Development

Parkside Community College recognises that employers should have a fair and non-discriminatory system for recruiting, developing and promoting people. Fair and open recruitment procedures will be in place and staff with a responsibility for recruitment will be trained for their roles.



Recruitment and promotion procedures will be monitored regularly to identify where and how they can be improved and to enable the planning of potential positive action initiatives for under-represented groups.

Recruitment

No job applicant will receive less favourable treatment than another on the grounds mentioned in Section 1 of this document.

All vacancies will be published internally and externally (when necessary) except those:

- which are 'ringfenced' for staff at risk of their post being made redundant;
- where a member of staff is being redeployed to accommodate their disability, health needs, training or other similar reason.

We will not discriminate directly or indirectly when advertising a post by including any requirements or criteria, which are unnecessary to the post and may, unintentionally, exclude certain groups of potential applicants from applying. Advertising for certain category of (male/female) staff would be exceptional and based within current legislation. Advertisements will be expressed in clear language and available in a variety of formats (when required) e.g. large print or via an audio cassette.

No discriminatory language should be included in advertisements.

Positive action measures are permitted where the conditions set down in legislation are met, and statements in advertisements, and the appropriate placement of advertisements, can encourage people from under-represented groups to apply.

Selection

Parkside Community College recognises that it is unlawful to use recruitment methods that exclude or disproportionately reduce the number of applicants from a minority group. Each individual should be assessed according to his or her personal capability to do the job.

Selection will be applied consistently, and based upon clear criteria in accordance with the job description and person specification. It should be noted that the use of selection tests and selection criteria in recruitment procedures shall be related only to the job being filled, and will not include any requirements or criteria, which are unnecessary to the post.

Short-listed candidates will be asked if they require any particular arrangements to be made in the selection process to enable ease of participation.

All selection decisions should be carried out by more than one person, and where a



panel is appropriate, this should reflect the diversity of the workforce.

A written record of all decisions will be kept for a minimum of 1 year.

Promotion

Promotion is a competitive selection process for internal candidates, and opportunities for promotion will be widely published within Parkside Community College, and open to any employee with either the skills, or potential after training to meet the requirements of the job description.

Selection process will apply as above.

All unsuccessful applicants will be entitled to written reasons why their promotion was not successful, upon request.

Training and Development

Employees should have a personal training and development plan, which is reviewed annually.

Information on opportunities available for support, supervision, training, promotion and career development should be made available to all employees, and the take up of such opportunities monitored as part of the audit process.

6.2 Managing Performance

Managers must ensure that performance management processes e.g Appraisal and Development scheme, and disciplinary procedures are applied fairly, objectively and within the spirit of this policy. Every member of staff should have a development plan that is designed to meet their specific needs.

6.3 Working Environment

As part of it's commitment to equality for a diverse workforce, <<School Name>> will aim to create a culture in which all staff have the right to be treated with dignity and respect.

Managers shall ensure that employees are provided with an environment where they are able to work free from harassment or intimidation, and where regard is paid to their individual needs. They have a responsibility to set the standards of acceptable behaviour of staff, and shall ensure that their own behaviour cannot be construed as personal harassment by acting with fairness and equity.

All staff carry responsibility for their own behaviour.



Parkside Community College will also make reasonable adjustments to the workplace to ensure that disabled staff are not at any substantial disadvantage compared to non-disabled staff, for example managers may purchase new equipment or make changes to the current equipment.

7. TERMS AND CONDITIONS OF EMPLOYMENT

Parkside Community College will ensure that policies covering pay, benefits, grading, and other terms and conditions are formulated and implemented to be free from bias against any group likely to experience discrimination regardless of age, disability, employment status, gender, health, marital status, membership or non-membership of a trade union, nationality, race, religion, domestic circumstances or sexual orientation, ethnic or national origin, beliefs, social and employment status, HIV status, or gender re-assignment.

Equality of access to opportunities for the development of skills, promotion etc. will apply regardless of hours worked or any other non-standard term in the contract of employment.

All employees have the right not to be treated less favourably than comparable employees within Parkside Community College, in terms of pay, benefits and employment status, and this policy complies with the following legislation:

- Equal Pay Act 1970 (Amendment) Regulations 2003
- Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Part time Workers (Prevention of Less Favourable Treatment) Regulations 2000

For example, the right to equal pay arises if an employee is employed on equal work with somebody of the opposite sex - equal work is defined as the same or broadly similar; rated as equal under an analytical job evaluation scheme; or of equal value

8. MONITORING, EVALUATION & REVIEW

Parkside Community College will maintain adequate personnel records to enable effective monitoring of compliance with this policy. This will include:

- monitoring data on the diversity of the workforce – by race, sex, age, disability and status (i.e. part time) - in comparison with the local, working population;
- review and evaluation of equality policies and procedures
- pay, grading, career development and promotion
- effectiveness of current monitoring processes.

Based upon the findings of the monitoring process, the school will develop an annual plan addressing any issues raised during the process. Where under-representation of a



particular racial group or sex is identified, <<School Name>> will take advantage of positive action provision in the discrimination legislation, assuming that the conditions of the legislation are met.

9. DEALING WITH COMPLAINTS

All staff should be aware that direct or indirect discrimination, victimisation and instances of harassment or abuse, which are in contravention of this policy and/or the law, will be treated as disciplinary offences and will be dealt with under the school's agreed Disciplinary Procedures.

If you believe that the Equal Opportunities Policy has not been applied to you, you should advise your manager of the complaint, in the first instance. If the complaint is against your manager or they are not available, or you wish to speak in confidence, you should contact:

Andrew Hutchinson

The Manager will ensure that the complaint is dealt with quickly, effectively and confidentially and fully investigated by an appropriate person, and that the appropriate action is taken in accordance with the policy.

If you are not happy that your complaint has been investigated fully or dealt with properly, it will be referred for further investigation to the Chair of Governors

If you feel that you require further independent help you may also call the Equal Opportunities Help line on 08456015901.

10. DEFINITION OF PRINCIPAL TERMS

DIRECT DISCRIMINATION for the purposes of this policy is where any employee is treated less favourably than any other employee on grounds of racial origin, gender, age, disability, marital status, religious beliefs or sexual orientation.

INDIRECT DISCRIMINATION occurs where a provision, criterion or practice is such that it would be to the detriment of a considerably larger proportion of e.g. women than men or racial group etc.

- which cannot be justified;
- which is detrimental to that person(s), because they cannot comply.

HARASSMENT occurs if the purpose or effect is to create an intimidating, hostile, offensive or disturbing environment. Harassment includes any unwanted verbal or physical abuse and/or advances and/or behaviour, which an employee finds offensive and



which causes them to feel threatened, humiliated, patronised, distressed or harassed. Such action may also be considered harassment if it impairs an individual's job performance, undermines their job security or creates a threatening or intimidating environment. Harassment may be deliberate or unconscious, an isolated incident or repeated action. It will not necessarily be a defense that such incidents or action consist of words or behaviour, which might be claimed to be 'commonplace'.

VICTIMISATION, which is a further form of harassment, occurs when a person is treated less favourably than another person, because they have referred to or have asserted their rights under the Sex Discrimination Act, Race Relations Act, Disability Discrimination Act or the Company's Equal Opportunities Policy. This would cover both those bringing cases under this legislation/policy or those witnesses in any investigation of a complaint.

For the purposes of this policy, **BULLYING** is defined as the persistent and deliberate misuse of power or position to intimidate, humiliate or undermine.

The Public Order Act identifies a range of activities (intentionally causing another individual to be harassed, alarmed or distressed by the use of threatening, abusive or insulting words or behaviour), which can be regarded as criminal offences.

Bullying can arise through intentional misuse of power or position to criticise unreasonably or unjustifiably, condemn and humiliate or undermine an individual's skills and ability such that they become fearful, lose confidence and belief in themselves.

Bullying can take many forms e.g.:

- Physical (at worst assault),
- Verbal (shouting, swearing, public reprimands, personal insults and name calling, spreading rumours, making threats, persistent criticism),
- Non-verbal (ostracising, setting impossible objectives, persistent intrusion, withholding information, unreasonable allocation of duties, removing responsibility, allocating menial tasks, constantly changing working guidelines or even inappropriate eye-contact).

A person who is subject to bullying may suffer from physical and/or emotional symptoms, e.g. disturbed sleep, feeling sick, sweating, shaking and/or loss of confidence, lack of motivation and depression. Additionally they may suffer in other ways, e.g. loss of training and development opportunities, missed promotion.

II. RESPONSIBILITY

Overall responsibility for this policy rests with the Governing Body of Parkside Community College. It is the joint responsibility of managers and staff representatives to



ensure that this policy is implemented correctly.

If you have any queries or would like further discussion on any of the issues raised, please speak to the Principal, in the first instance. This policy belongs to everyone associated with Parkside Community College and therefore we welcome comments with regard to improvements to the policy or areas which you feel are currently missing or not working.