

# EQUAL OPPORTUNITIES POLICY - STAFF

August 2013

## Summary

Westminster Academy celebrates diversity and is proud of its multi-racial, multi-cultural, multi-lingual staff and students. We therefore adopt a positive and proactive approach to equal opportunities and use positive strategies to ensure all staff and students are supported and enabled to maximise their potential and achievement.

The Governing Body of the Academy is committed to support the creation of an environment that will:

- eliminate unlawful, direct and indirect discrimination and promote equality of opportunity;
- ensure no employee or job applicant receives less favourable treatment on the grounds of a “protected characteristic” as defined in the Equality Act 2010 i.e. race, colour, nationality, ethnic or national origin, religion or belief, sex, pregnancy or maternity, marriage or civil partnership, sexual orientation, gender reassignment, age, disability, nor on the grounds of political opinion or affiliation, trade union membership or health & safety representation;
- have regard to the provisions of the Equality Act 2010 as they impact upon employment
- adhere to the requirements of the Public Sector Equality Duty specifically with due regard to the need to:
  - a) Eliminate unlawful discrimination, harassment and victimisation
  - b) Promote equality of opportunity between different groups
  - c) Foster good relationship between different groups
- make all effort to eradicate racial, religious or sexual harassment or discrimination; and
- value, celebrate and learn from the cultural diversity of its staff.
- ensure that all employment decisions are taken without reference to irrelevant or discriminatory criteria

The Academy has adopted the Equal Opportunities Policy as a means of helping to achieve these aims. This policy should be read in the context of the other relevant Academy policies listed at the end of this document.

## **Discrimination**

Direct discriminatory behaviour occurs where an existing or potential employee is put at a disadvantage because of a relevant characteristic as listed above in relation to their employment. Even if not intentional the outcome of such behaviour may still be directly discriminatory.

Indirect discrimination occurs where employment is subject to an unjustified condition which puts those sharing one of the characteristics listed above at a particular disadvantage albeit that on the face of it the condition or requirement is 'neutral'.

The Academy will maintain a neutral working environment in which no employee or worker feels under threat or intimidated.

## **The Workforce**

The Academy will ensure no employee receives less favourable treatment than others and that appropriate support is provided so that all employees attain their full potential to the benefit of the Academy and themselves.

The Academy wishes to achieve an ability-based workforce which is in line with the working population mix in the relevant labour market.

The cooperation of all employees is essential for the success of this policy. However, the Governing Body has lead responsibility for achieving the aims of this policy and for ensuring compliance with the relevant Acts of Parliament and Codes of Practice. Behaviour or action against the spirit or the letter of the aims on which this policy is based will be considered a serious disciplinary matter and may lead to dismissal.

## **Positive Action**

Underrepresented groups should be encouraged to apply for training and employment opportunities within the Academy. Recruitment to all advertised jobs will be strictly on merit.

Wherever necessary, use should be made of lawful exemption to recruit suitably qualified people to cater for the special needs of particular groups or those comparatively underrepresented in certain positions across the Academy.

Efforts should be made to identify and remove unnecessary and unjustifiable barriers and to provide appropriate facilities and conditions of service to meet the needs of underrepresented groups.

## **Recruitment & Selection**

### *Principles-*

1. The recruitment and selection process is crucially important to any Equal Opportunities Policy. We will, through appropriate training, ensure employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making appointment decisions.
2. Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.
3. Job descriptions will be drafted in such a way so as to ensure they are in line with our Equal Opportunities Policy. Job requirements will be reflected accurately in any person specifications and be limited to only those necessary for the effective performance of the job.
4. We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.
5. We will not confine our recruitment to areas or media sources which provide only, or mainly, applicants of a particular group.
6. All applicants who apply for jobs with the Academy will receive fair treatment and will be considered solely on their ability to do the job.
7. All employees involved in the recruitment process will periodically review their selection criteria to ensure they are related to the job requirements and do not unlawfully discriminate.
8. Shortlisting and interviewing will be carried out by more than one person where possible.
9. Interview questions will be related to the requirements of the job, conducted on an objective basis and will not be of a discriminatory nature.
10. We will not disqualify any applicant because he or she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.
11. Selection decisions will not be influenced by any perceived prejudices of other staff.

## **Vacancy Advertising**

The Governing Body shall put in place arrangements to determine which vacancies must be advertised both internally and externally simultaneously. It is anticipated that senior posts would always be advertised externally.

Steps should be taken to ensure knowledge of vacancies reaches under-represented groups internally and, where appropriate, externally.

Wherever appropriate, vacancies should be notified to job centres, careers offices and colleges as well as to minority press, media and organisations.

All vacancy advertisements should include a short statement on equal opportunities.

We will ensure this policy is circulated to any agencies responsible for our recruitment and a copy of the policy will be made available for all employees and made known to all applicants for employment.

## **Selection**

Selection criteria, including job descriptions and person specifications, should be kept under review to ensure they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

Wherever possible, more than one person should be involved in the shortlisting and the selection interview. All staff involved in the recruitment process should receive training in equal opportunities.

Reasons for selection and rejection of applicants for vacancies must be recorded.

## **Training & Promotion**

Senior staff and middle leaders will receive training in the application of this policy to ensure they are aware of its contents and provisions and are capable of implementing the provisions contained therein to eliminate discrimination or harassment and actively promote equality of opportunity. .

All promotion will be in line with this policy.

## **Personnel Records**

Access to personal records is restricted in accordance with the provisions of the Academy's Data Protection Policy as detailed in the section "Subject Access Request".

## **Enforcement**

All employees have a right to equality of opportunity and a duty to implement this policy. Breach of the Equal Opportunity Policy is potentially a serious disciplinary matter. Anyone who believes that he or she may have been disadvantaged on discriminatory grounds is entitled to raise the matter through the Academy's grievance procedure except in cases of harassment where employees shall have recourse to the Academy's Harassment and Bullying Procedure.

This policy will be communicated to all private contractors reminding them of their responsibilities towards the equality of opportunity.

This policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and in particular any relevant Codes of Practice.

## **Equality Impact Statement**

The Academy will do all it can to ensure that this policy does not discriminate, directly or indirectly. The Academy is subject to the provisions of the Public Sector Equality Duty as introduced in April 2011 including the "general equality duty". Prior to this public bodies were bound by three sets of duties to promote disability, race and gender equality.

The general equality duty sets out the equality matters that the Academy needs to consider when making decisions that affect staff with different protected characteristics. This duty has three elements. In carrying out its functions the Academy is required to have 'due regard' when developing policies and making decisions to the need to:

1. Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010.
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
3. Foster good relations across all protected characteristics – between people who share a protected characteristic and people who do not share it.

The advancement and promotion of equality of opportunity is further defined in the Equality Act 2010 as having due regard to the need to:

1. Remove or minimise disadvantages
2. Take steps to meet different needs
3. Encourage participation when it is disproportionately low.

On review the Academy will assess the likely impact of its policies on the promotion and advancement of equality and opportunity and cohesion.

## MONITORING, EVALUATION AND REVIEW

We will maintain and review the employment records of all our employees in order to monitor the progress of this policy.

Monitoring may involve:-

- a. the collection and classification of information regarding race in terms of ethnic/national origin, sex and age of all applicants and current employees;
- b. the examination by ethnic/national origin and sex of the distribution of employees and the success rate of the applicants; and
- c. recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions.

The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all applicants and staff.

The Governing Body will review this policy at least every two years and assess its implementation and effectiveness giving due consideration to any legislative changes across this timeframe. The policy will be promoted and published throughout the Academy.

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### Other Relevant Policy Documents

- Student Policies: Equal Opportunities and Race Relations Policy
- Inclusion and Achievement for All
- Race Equality Impact Assessment