

St Joseph's Catholic Primary School
'Following Jesus in all we do'



Equality and Diversity Policy

2022 - 2023

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This policy has been drawn up in accordance with the Equality Act 2010, the Equality Act 2010 (Specific Duties) Regulations 2011, Department of Education (DfE) guidance “The Equality Act 2010 and Schools” and “Public sector equality duty guidance for schools in England”- Equality and Human Rights Commission.

This policy sets out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.

The Headteacher at St Joseph’s Catholic Primary School is responsible for the implementation of this policy and any necessary training on equal opportunities.

This policy does not form part of any employee’s contract of employment.

Date reviewed: May 2022

Status: Statutory

Responsibility: The Headteacher has overall responsibility for policy implementation. It is the responsibility of the school’s Governing body to review the policy, agree the principles, monitor its implementation and ensure appropriate levels of insurance are in place.

Commitment to Equality:

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

Contents

1. Equal Opportunities Statement
2. Discrimination
3. Recruitment and Selection
4. Disabilities
5. Part time and Fixed Term work
6. Breaches of this Policy

1. Equal Opportunities Statement

“We believe that each human being is created in the image and likeness of God; has a dignity and value that must be respected, promoted, safeguarded and defended; that we are all equal in the eyes of God; and that we are all bound together by our common humanity.” (Charter, Catholic Racial Justice Congress, 2003)

St Joseph’s Catholic Primary School seeks to express the dignity and equality of all human beings in every aspect of community life and is therefore committed to achieving equality of opportunity both as an employer of staff and as a provider of education.

You and any job applicants will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race (colour, nationality, ethnic or national origin), religion or belief, sex or sexual orientation (Protected Characteristics) subject to section 4 of this policy.

We recognise that personal harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating, and unpleasant working environment.

Personal harassment takes many forms ranging from tasteless jokes and abusive remarks to pestering for sexual favours, threatening behaviour and actual physical abuse. For the purposes of this policy, it also includes bullying. Bullying is understood to be targeted and persistent offensive, intimidating, malicious or insulting behaviour and can include the abuse or misuse of power to undermine, humiliate, denigrate or injure the recipient.

Some harassment is unlawful discrimination and serious harassment may be a criminal offence. We deplore all forms of personal harassment and seek to ensure that the working environment is sympathetic to all our employees. The aim of this policy is to inform employees of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.

St Joseph’s Catholic Primary School is committed to identifying and addressing inequality and under representation throughout the organisation wherever that might occur. It will review, by the school’s Governing level, an annual gender pay gap analysis and will from time to time be conducted by an equality audit in conjunction with recognised trade unions.

Discrimination

It is unlawful to discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers, and visitors. This applies in the workplace, outside the work place, and on work-related trips including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant for a role because of their race or sex.
- Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, a job advert says applicants must have at least 5 years' experience. By doing this, this could be discriminating indirectly based on age. This is because the advert excludes younger people who may have the skills and qualifications needed.
- Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment can include a one off incident. Harassment is still unlawful even if the person being harassed does not ask for it to stop.
- Victimisation: retaliation or punishment against someone who has complained or has supported someone else's complaint about discrimination or harassment.
- Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment or being put at a disadvantage for a reason that relates to, or is because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Recruitment and Selection

- Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit against objective criteria that avoid discrimination. Shortlisting must be done by more than one person.
- Vacancies must generally be advertised to a diverse section of the labour market. Advertisements must avoid stereotyping or using wording that may discourage particular groups from applying. They must include a short policy statement on equal opportunities and a copy of this policy will be made available on request.
- Job applicants must not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
- Job applicants must not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law; for example, to check that an applicant could perform an intrinsic part of the job (taking

account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability.

- Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.
- St Joseph's Catholic Primary School recognises the challenge to remain true to the Catholic faith and traditions. In order ensure that the faith is communicated to all those involved in the community there will be instances where a particular job carries with it a 'genuine' occupational requirement to be a practising Catholic e.g. Headteacher, Deputy Headteacher and the Coordinator of Religious Education.

Memorandum on Appointment of Teachers to Catholic Schools can be found at www.catholiceducation.org.uk/employment-documents/bishops-memorandum/item/1000049-memorandum-on-appointment-of-teachers-to-catholic-schools

In all cases, it is appropriate to require that job applicants are broadly in sympathy with the vision, mission and values of St Joseph's Catholic Primary School as expressed in our mission statement.

Whilst every employee has a right to their private life, at the same time, they will, on appointment, sign the CESEW (Catholic Education Service of England and Wales) contract which requires them to preserve and develop the Catholic character of the school; have regard to the Catholic character of the School and not to do anything in any way detrimental or prejudicial to the interest of the same.

Disabilities

Employees who are, or become, disabled, are encouraged to raise this with their line manager, so the School can ensure the appropriate support is provided. Reasonable adjustments can be put into place to assist employees.

Part-time and Fixed-Term Work

Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.

Breaches of this Policy

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of discrimination may amount to gross misconduct resulting in dismissal.

If a person believes that they have suffered discrimination, they may be able to sort out matters informally. The individual believed to have discriminated may not know that their behaviour is unwelcome or upsetting. The person may feel able to

approach the individual themselves or with the help of someone else within St Joseph's Catholic Primary School. The individual should be told what behaviour is found offensive and unwelcome, and told that it should stop immediately.

If an informal approach does not resolve matters, or if a situation is thought to be too serious to be dealt with informally, you can raise the matter through our formal St Joseph's Catholic School's Grievance Procedure. If behaviour is observed that causes concern and a person does not feel able to intervene or raise the matter through the Grievance Procedure, then St Joseph's Catholic School's Whistleblowing procedures may be used.

St Joseph's Catholic School will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. A person must not be victimised or retaliated against for complaining about discrimination. However, malicious reporting will be treated as a disciplinary matter, which will be dealt with under the St Joseph's Catholic School's Disciplinary Procedure.

Every employee is required to assist St Joseph's Catholic School to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, St Joseph's Catholic School, for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

St Joseph's Catholic School requires all of its employees to behave appropriately and professionally at all times during the working day, and this may also extend to events outside of working hours which are classed as work-related such as social events. Employees should not engage in discriminatory, harassing, or aggressive behaviour towards any other person at any time.