

## Equality, Diversity and Inclusion Policy (Staff)

*This Policy includes policy detail relating to the following areas: Disability; Race Equality; Equal Opportunities; and Equality and Diversity*

### Legal Status:

- Prepared with regard to the Equality Act 2010 (inclusive of Schedule 10), the Public Sector Equality Duty 2011;
- The Children's Act 1989;
- The Human Rights Act 1998;
- The Sex Discrimination (Gender Reassignment) Regulations 1999;
- The Special Educational Needs and Disability Code of Practice: 0-25 years (Department for Education and Department for Health; January 2015), and the Education (Independent School Standards) (England) (Amendment) Regulations 2014.
- DfE Statutory Guidance 'Keeping Children Safe in Education 2023;
- The Data Protection Act 2018.

### Applies to:

- The whole school along with the out of school care including extra-curricular activities and all other activities provided by the school, inclusive of those outside of the normal school hours.
- All staff (teaching and support staff), pupils, visitors within the school, volunteers, the Proprietor and Directors, external contractors and providers hired by the school (e.g. school excursion providers).

### Related Documents:

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| <ul style="list-style-type: none"><li>• Accessibility Plan 2023 – 2026</li><li>• Admissions Policy</li><li>• Anti-Bullying Policy</li><li>• Behaviour Policy</li><li>• Curriculum, Teaching and Learning Policy</li><li>• Online Safety Policy</li><li>• First Aid Policy</li><li>• Health, Safety, Risk Assessment and Welfare Policy, and related Procedures</li></ul> | <ul style="list-style-type: none"><li>• Learning Differences including Special Education Needs and Disabilities (SEND) Policy</li><li>• Personal, Social, Health, Economic Education (PSHEE) Policy</li><li>• Reasonable Adjustments Policy</li><li>• Relationships and Sex Education Policy</li><li>• Safeguarding Policy</li><li>• Safer Recruitment Policy</li><li>• Spiritual, Moral, Social and Cultural (SMSC) Development</li></ul> |
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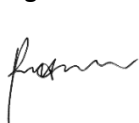
### Availability

This policy is made available to parents in the following ways: via the school website and on request a copy may be obtained from the school Reception. It is also available to staff on the staff shared drive,


### Monitoring and Review:

- This policy will be subject to continuous monitoring, refinement and audit by the Head to judge its effectiveness and will be updated in accordance with changes in the law.
- A particular focus will be given during the monitoring of the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion) and the number of people with disabilities within these groups, and the policy will be reviewed in accordance with the results shown by the monitoring. This information will be dealt with in accordance with the Data Protection Act 2018.

### Signed:



Fraser Halliwell  
Head  
September 2023



Dr Colin Diggory  
Chairman of the Board of Directors

## **Introduction**

The School educates girls and boys aged 2 to 18 years. It welcomes staff, workers, volunteers, pupils, parents, applicants and Directors from all different social and economic backgrounds, ethnicities and linguistic, religious and cultural traditions.

Individuals with different cultures, perspectives and experiences are an expectation of our School. Prejudice of any kind has no place in our school, and we will continue to work as hard as is needed to ensure that this is so. The School values a diverse and inclusive community for pupils and employees as we believe diversity and inclusion improve the learning environment for everyone.

We want to recruit, develop and retain the most talented people, regardless of their background (with reference the characteristics of sex, gender reassignment, race, disability, age, sexual orientation, religion or belief, marriage and civil partnership, pregnancy and maternity, which are protected in law), and make best use of their talents.

We seek to develop a work environment where we treat all staff as individuals, fairly and in a consistent way. We work within the spirit and the practice of the Equality Act 2010 by promoting a culture of respect and dignity and will actively challenge discrimination, should it ever arise. We will remove unnecessary barriers for individuals seeking opportunities through recruitment, training and development, promotion and career planning.

The Leadership Team, supported by the Board of Directors, has overall responsibility to manage the implementation of equality, good relations, diversity and inclusion in the School, and to comply with the relevant education and employment legislation and anti-discrimination, human rights and equality legislation that affect its statutory duties in relation to the School. Being a committed equal opportunities organisation, the School will take every possible step to promote inclusion, and to ensure that individuals are treated equally and fairly, and to pro-actively tackle and eliminate discrimination. All policies and practices will conform with the principle of equal opportunities in terms of recruitment, selection, training, promotion, career development, discipline, redundancy and dismissal.

## **Purpose**

This policy sets out School's approach to equality, diversity and inclusion with regards its' staff. The School is committed to promoting equality, diversity and inclusion, and promoting a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work.

## **Application**

This policy applies to the School's employees, whether permanent, temporary, casual, part- time or on fixed-term contracts, to Directors, to ex-employees, to job applicants and to individuals such as agency staff, consultants, volunteers who are not School employees, but who work, volunteer or attend at the School.

Every individual has personal responsibility for the application of this policy, and has a duty to act in accordance with this policy, to treat colleagues with dignity at all times, and not to discriminate against, harass or victimise other members of staff. In some situations, the School may be at risk of being held responsible for the acts of individual members of staff and will not tolerate any discriminatory practices or behaviour.

This policy applies to all conduct in the workplace and also to conduct outside of the workplace that is related to work (e.g. at meetings, social events and social interactions with colleagues) or which may impact on the School's reputation (e.g. the expression of views on social media, contrary to the commitments expressed in this policy, that could be linked to the School).

## **Recognising and Respecting Diversity.**

Treating people with respect and consideration does not necessarily mean that everyone should be treated identically. We aim to treat members of our school community with the utmost consideration and respect, and in doing so will approach their life situations, experiences and problems with a personalised and differentiated response in accordance with their particular needs. We will also recognise and respond to problems that people may face, and will recognise and work to eliminate discrimination, in relation to:

- Disability
- Ethnicity
- Religion, belief, or faith background
- Sexual Orientation

- Sex
- Gender
- Gender Identity / Reassignment
- And as relevant, pregnancy/maternity

And in relation to employment:

- Age
- Marriage/civil partnership

The Directors 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. Disability and personal or home commitments will not form the basis of employment decisions except where necessary. Under the Equality Act 2010, employees at Radnor House Sevenoaks are protected from age discrimination in all aspects of their employment including recruitment, employment terms & conditions, promotions & transfers, training & development opportunities, and dismissals.

Radnor House Sevenoaks fully acknowledges its moral duty (as related to the United Kingdom's Race Relations Act, 1976, Section 1) to promote equality of opportunity and good relations between members of different racial groups and it positively welcomes any communal or educational opportunities afforded by the school's cultural and religious diversity.

All members of the school (whether of the pupil body, teaching or support staff) deserve to be treated with dignity and respect and with a sensitive understanding of their religious, cultural and racial differences and of the consequences thereof. Racially abusive language by children and young people or staff will not be tolerated. If racial, religious or cultural elements are discovered to be present in incidents of bullying, these must be acknowledged and challenged. Racially abusive language by staff or children and young people will be a matter for disciplinary action.

Special leave for religious reasons will not be unreasonably refused by the school. Applications for such leave should be made in writing to the Head, giving at least a month's notice where possible. Any special leave granted will be treated as unpaid leave; part-time employees may be given the option of making up lost time if this would benefit the school.

### **Roles and Responsibilities**

All staff and stakeholders should recognise that they have a specific role and responsibility in their day-to-day work to:

- promote equality, inclusion and good community relations;
- challenge inappropriate language and behaviour;
- tackle bias and stereotyping;
- highlight to the senior leadership team any staff training or development that they require to carry out the above role and responsibilities;
- work to promote anti-bullying strategies;
- respond appropriately to incidents of discrimination and harassment and understand the action needed to report these.

Every employee is required to assist the Directors and the whole school to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees should be aware that they can be held personally liable as well as, or instead of, the Directors for any act of unlawful discrimination. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or parents and their families 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.

### **The Role of the Head**

- It is the Head's role to implement the school's equal opportunities and anti-racist policy.
- It is the Head's role to ensure that all staff are aware of the school policy on equal opportunities, and that teachers apply these guidelines fairly in all situations.

- The Head ensures that all recruitment and selection processes give due regard to this policy, so that no-one is discriminated against when it comes to employment or training opportunities.
- The Head promotes the principle of equal opportunity when developing the curriculum, and promotes respect for other people in all aspects of school life, for example, in the assembly, where respect for other people is a regular theme, and in displays shown around the school.
- The Head treats all incidents of unfair treatment and any racist incidents with due seriousness.

### **The Role of the Class Teacher**

The Class Teacher ensures that all pupils are treated fairly, equally and with respect. We do not discriminate against any child. When selecting classroom material, the Class Teacher should pay due regard to the sensitivities of all members of the class and not provide material that is racist or sexist in nature. Teachers strive to provide material that gives positive images of ethnic minorities and that challenges stereotypical images of minority groups.

When designing schemes of work, we use this policy to guide us, both in our choice of topics to study, and in how to approach sensitive issues. So, for example, History topics in our school include examples of the significant contributions women have made to developments in this country's history. In Geography topics the teacher attempts to counter stereotypical images of Africa and Asia and to show the true diversity of development in different parts of the world.

All our teachers challenge any incidents of prejudice or racism. We record any serious incidents in the school Behaviour Book, and draw them to the attention of the Head.

### **Equality of Opportunity: Employment Code of Practice**

Radnor House School is an equal opportunities employer, and aims to implement best practice in this area.

#### **Radnor House Sevenoaks follows best practice in staff recruitment, retention, Continuing Professional Development (CPD), and cessation of employment.**

All policies and practices adopted by Radnor House Sevenoaks should be of benefit to employees and potential employees, in all areas of recruitment, promotion, retention, CPD, discipline, dismissal and redundancy. Employees and potential employees should receive equal opportunities in these areas, regardless of age, gender identity/reassignment, social or ethnic background, nationality, colour, religious affiliation, physical disability or sexual orientation. As relevant, employees and potential employees should be given equal opportunities regardless of pregnancy, maternity, marriage/civil partnerships.

Being a committed equal opportunities employer, the school will take every possible step to ensure that employees are treated equally and fairly in respect of these matters, be they staff or pupil, and the school challenges stereotyping and prejudice whenever it occurs.

The school provides support to staff and pupils to help them through their transition/gender reassignment (social transition is choosing to live your life as your preferred gender; medical transition is the process by which a transgender person takes steps to physically alter their body) or gender identity questioning; enable staff development and support; and liaises with other agencies as necessary.

All policies and practices will conform to the principle of equal opportunities in terms of recruitment, selection, training, promotion, career development, discipline and dismissal, and redundancy.

### **Equality in Recruitment**

All newly created posts will normally be advertised externally in the national press, and/or in local press, and/or in specialist journals as appropriate to the position in question. Our aim in doing this is to encourage suitable applicants from a broad range of backgrounds. In observing equal opportunities practice, Radnor House Sevenoaks will also make clear in employment advertisements and application packs our exemption under the Rehabilitation of Offenders Act as part of our safeguarding commitments. Medical information will only be requested following an offer of employment.

## **Selection of Candidates**

We will clearly define requirements for selection in the job descriptions sent to candidates as part of the employment application process. Selection criteria for employment will be objective, job-specific and carefully assessed as necessary to the fulfilment of the position.

Interviewing and short-listing will be carried out in a consistent and fair manner across all positions and departments within the school, in order to ensure an equitable and non-discriminatory practice. Selection methods for interviewing and shortlisting will be objective and directly relevant to the nature of the vacant position. Interviewing must only be carried out by suitably qualified and prepared panels of staff.

## **Employee Training and Development**

Radnor House Sevenoaks is committed to equality of opportunity in terms of access to Continuous Professional Development (CPD) and training to increase employees' knowledge, skills and professional awareness in order that they are more readily able to fulfil their full professional potential.

## **Personnel responsible**

Those in leadership have a specific responsibility to set appropriate standards of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the School with regard to equality and diversity. To facilitate this process, line managers may be given training on equality, diversity and inclusivity awareness and corresponding recruitment and selection best practice.

All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives. If any member of staff has any questions about the content or application of this policy, they should contact the HR Manager.

This policy is of particular relevance to the leadership, line managers and other staff concerned with recruitment, training and promotion procedures and employment/management decisions which affect others.

## **Forms of discrimination**

Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

- a. Direct discrimination. Direct discrimination occurs where:
  - i. Someone is treated less favourably because of one or more Protected Characteristics. For example, rejecting an applicant because they would not "fit in" because of their race or sexual orientation would be direct discrimination.
  - ii. Someone is less favourably treated because of their association with someone who has a Protected Characteristic. For example, an employee may be treated less favourably because they have a disabled child.
  - iii. Someone is treated less favourably because they are perceived to have a Protected Characteristic. For example, an employee may be treated less favourably because they are believed to be (but may not actually be) homosexual.
- b. Indirect discrimination. Indirect discrimination occurs where an individual is subject to a provision, criterion or practice, applied to a group of people, which puts them at a particular disadvantage because of a Protected Characteristic, and it cannot be objectively justified. An example might be a minimum height requirement for a job. This is likely to eliminate proportionately more women than men. If this criterion cannot be objectively justified, because it is not a proportionate means of achieving a legitimate aim, then it will be indirectly discriminatory on the ground of sex.
- c. Victimisation and harassment. Discrimination also includes victimisation (suffering a detriment because of action the employee has taken or may take to assert legal rights against discrimination or to assist a colleague in that regard (called a Protected Act)) and harassment.

## **Recruitment and selection**

The School aims to ensure that no job applicant receives less favourable treatment because of a Protected Characteristic. Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities and that sufficiently diverse sectors of the community are reached. Job selection criteria are reviewed from time to time to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

## **Staff training and promotion and conditions of service**

Staff training needs shall be identified through regular staff appraisals. All members of staff will be given an equal opportunity regarding access to training to enable them to progress within the organisation.

All promotion decisions shall be made on the basis of merit, and promotion opportunities will be offered reflecting equality of opportunity at all levels.

Our conditions of service, benefits and facilities will be reviewed on a regular basis to ensure that they are available to all workers who should have access to them and that there are no unlawful obstacles to accessing them.

## **Disability discrimination**

Informing the School. If a member of staff is disabled, or becomes disabled in the course of their employment, they are encouraged to tell the School about their condition. This is to enable the School to support the member of staff as much as possible and to ensure that they are not treated less favourably because of something related to their disability.

Reasonable adjustments. A member of staff may also wish to advise their Line Manager or the HR Manager of any reasonable adjustments to their working conditions or the duties of their job which they consider to be necessary, or which would assist them in the performance of their duties. This may involve the provision of an additional piece of equipment or assistance in helping the member of staff to perform their work. Their Line Manager or HR Manager may wish to consult with the member of staff and with their medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of the job. Nevertheless, there may be circumstances where it will not be reasonable for the School to accommodate the suggested adjustments and the School will ensure that it provides the member of staff with information as to the basis of its decision not to make any adjustments.

Physical features. The School will monitor the physical features of its premises to consider whether it can make any changes to help remove disadvantages which these may create for disabled users. Where possible and proportionate, the School will take steps to improve access for disabled users of the premises. Further detail can be found in the School Accessibility Plan.

## **Fixed-term employees**

The School will monitor its use of fixed-term employees and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. It will, where relevant, monitor their progress within the School to ensure that they are accessing permanent vacancies.

## **Part-time workers**

The School will monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. It will also ensure requests to alter working hours are dealt with appropriately under the School's Flexible Working Policy.

## **Agency Workers**

The School will monitor agency workers to ensure that they are treated no less favourably than a comparable worker in relation to accessing collective facilities and amenities at the School. The School will also monitor the use of temporary work agencies and, subject to the exceptions set out in the Agency Workers Regulations 2010, will ensure that all agency workers have the

same basic working conditions they would have been entitled to had they been recruited by the School directly into a comparable role.

### **Breaches of the policy**

**Please be aware of the importance of the contents of this Policy, and adhere to the measures and responsibilities contained within it at all times. Discrimination and/or unacceptable behaviour relating to any of the characteristics protected under law will not be tolerated by the school.**

Complaints. If a member of staff believes that they may have been disadvantaged because of a Protected Characteristic, they are encouraged to raise the matter through the School's grievance procedure. If they believe that they may have been harassed because of a Protected Characteristic, they are encouraged to raise the matter with their Line Manager, Head or HR Manager immediately. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure.

False allegations. These procedures apply during and after termination of a member of staff's employment. Workers who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach in this policy which are found to have been made in bad faith will, however, be dealt with under the disciplinary procedure.

Disciplinary action: If, after investigation, a member of staff is proven to have engaged in any unwanted conduct because of a Protected Characteristic, or otherwise acted in breach of this policy, they will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The School will always take a strict approach to serious breaches of this policy.

Failure to report witnessing, or becoming aware of, an incident of serious discrimination as described in this Policy, can also be treated as a matter of gross misconduct by the School against any staff member who does not report it as soon as possible, or upon investigation into an allegation is found not to have reported it.

### **Review**

This Policy shall be reviewed every two years, or sooner if circumstances or changes to the law arise.