



KENSINGTON
PARK SCHOOL

EQUAL OPPORTUNITIES POLICY

Part of Kensington Park School Staff
Handbook

August 2023

Next review: August 2024

EQUAL OPPORTUNITIES POLICY

EQUAL OPPORTUNITIES STATEMENT

1. KPS is committed to promoting equal opportunities in employment. You and any job applicants will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race religion or belief, sex or sexual orientation (**Protected Characteristics**) and part-time or fixed-term employment.

ABOUT THIS POLICY

2. 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 opportunities, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.
3. This policy does not form part of any employee's contract of employment and we may amend it at any time.

DISCRIMINATION

4. Discrimination is when someone is treated unfairly because of one or more of the Protected Characteristics.
5. You must not unlawfully discriminate against or harass other people including current and former employees, job applicants, current, former and prospective pupils, parents, carers, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts or when wearing a work uniform or other means of identification as our Staff), and on work-related trips or events including social events.
6. The following forms of discrimination and other unfair treatment are prohibited under this policy and are unlawful:

6.1 **Direct discrimination:** Direct discrimination occurs where:

- 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.
- Someone is treated less favourably because of their association with someone who has one or more Protected Characteristic. For example, an employee is treated less favourably because they have a disabled child.
- Someone is treated less favourably because they are perceived to have a Protected Characteristic. For example, an employee is treated less favourably because they are believed to be (but may not actually be) homosexual.

- 6.2 **Indirect discrimination:** Indirect discrimination occurs where a provision, criterion or practice is 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.
- 6.3 **Other forms of unfair treatment:**
- 6.3.1 **Harassment:** This includes sexual harassment and other unwanted conduct related to a Protected Characteristic. Harassment generally arises where an employee has made it clear that they find certain behaviour towards them unwelcome and that behaviour has continued unchanged. Harassment can also arise as a result of a single incident provided it is sufficiently serious. All staff should consider whether their actions could be offensive to others. Harassment is dealt with further in our *Anti-harassment and Bullying Policy*.
- 6.3.2 **Victimisation:** this refers to 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**)

RECRUITMENT AND SELECTION

7. 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 should be done by more than one person if possible.
8. Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.
9. Job applicants should 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.
10. Job applicants should 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 the 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.
11. Details of recruitment and selection process are set out in Safer Recruitment Policy available from the School website and by request from HR Department.

DISABILITIES

12. If you consider yourself disabled or become disabled, we encourage you to tell us about your condition so that we can consider what reasonable adjustments or support may be appropriate. You may wish to tell us about your condition by speaking with your Line Manager or by informing the HR Department.

PART-TIME AND FIXED-TERM WORK

13. 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

14. We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Rules and Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.
15. If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure or Anti-harassment and Bullying Policy. Complaints will be treated in confidence and investigated as appropriate.
16. You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Rules and Procedure.
17. These procedures apply during and after termination of your employment. Workers who make 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 Rules and Procedure.