

RIVERSIDE SCHOOL



Equality, Diversity and Inclusion (EDI) Policy and Procedure for Staff

APPROVED BY GOVERNORS

RESPONSIBLE PERSON – HEADTEACHER

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Introduction

Riverside School is committed to creating a culture in which:

- equality, diversity and inclusion are actively promoted for the benefit of all staff, whether temporary, part-time, full time or prospective employees;
- provides equality, fairness and respect for all in our employment;
- unlawful discrimination in all aspects of employment is eliminated, this includes the areas of recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy;
- diversity and inclusion are embedded throughout the employment lifecycle. This includes recruitment practices, pay and benefits, terms and conditions of employment, dismissal, redundancy, leave for parents, requests for flexible working, decision making within formal procedures including but not limited to grievances, conduct, performance, attendance, absence, selection for employment, promotion, training or other developmental opportunities.

This policy is intended as a statement of our aims, commitments, and responsibilities in relation to equal opportunities in employment. These have been integrated into HR policies which provide the detail of operational practices and procedures. This policy complements our Bullying and Harassment (including Sexual Harassment) Policy.

Riverside School recognises that the experiences and needs of all staff and workers are unique and will respect and value the diversity of its employees, workers, suppliers, third-party contractors, parents and the public.

This policy is intended to complement our Equality Statement and Equality Policy which covers our broader commitments in relation to Riverside's pupils and the community it serves.

Riverside School believes that a culture of equality, diversity and inclusion not only benefits but actively supports wellbeing and enables people to work better because they can be themselves in the workplace and feel that they belong.

Riverside School is committed to promoting a working environment based on dignity, trust and respect and one that is free from all kinds of discrimination.

This policy covers all individuals working at all levels and grades, including leaders, teachers, teaching assistants, support staff, trainees, part-time and fixed-term employees, volunteers, casual workers and agency staff (collectively referred to as staff in this policy).

Statement of Intent

Riverside School is committed to promoting equality of opportunity for all staff and job applicants. We are committed to creating a working environment in which all individuals

feel safe and free from harassment, bullying and victimisation. Where all staff are treated with dignity and respect and are able to make best use of their skills.

The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat pupils, parents/ carers, governors, third-party organisations and former staff members.

At Riverside School, all staff are:

- encouraged to meet their full potential;
- treated without favouritism;
- spoken to with courtesy;
- accorded due professional trust;
- recognised for their achievements;
- consulted about any changes to their role and/ or responsibilities; and
- provided with appropriate training and development opportunities.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status.

It is the responsibility of all staff to maintain appropriate standards of behaviour (in line with the school's vision and ethos) and to ensure a positive working environment where conduct below expectations is not tolerated.

This policy does not form part of any employee's contract of employment and may be amended at any time.

1. The Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Human Rights Act 1998
- Equality Act 2010
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Protection from Harassment Act 1997
- Protection of Freedoms Act 2012
- The Worker Protection (Amendment of Equality Act 2010) Act 2023

This policy operates in conjunction with the following school policies:

- Grievance Policy and Procedure for Staff
- Disciplinary Policy and Procedure for Staff
- Appraisal Policy – Teaching Staff
- Appraisal Policy – Support Staff

- Capability Procedure for Support Staff
- Capability Procedure for Teaching Staff
- Anti-Bullying and Harassment Policy and Procedure for Staff
- Staff Code of Conduct

Public Sector Equality Duty (PSED)

The PSED requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations between people who share a protected characteristic and people who do not.

Types of Discrimination

No person or body must unlawfully discriminate against or harass other people, including current and former staff members, job applicants, pupils, parents, contractors, volunteers and visitors. This applies within the school, outside of school and on school-related trips or events including social events.

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

- Direct discrimination;
- Indirect discrimination;
- Harassment (including Sexual Harassment);
- Associative discrimination;
- Perceptive discrimination;
- Victimisation; and
- A failure to make reasonable adjustments.

See Appendix 1 and 2 for a list and explanation of the 9 protected characteristics as referenced within the equality act 2010 and full descriptions of the forms of discrimination.

2. Roles and Responsibilities

The governing board will be responsible for:

- Ensuring the effective operation of this policy.
- Ensuring compliance with discrimination law.
- Monitoring the composition of the workforce regarding age, sex, ethnic background, sexual orientation, religion or belief, and disability.
- Monitoring how the composition of the workforce encourages equality, equity,

diversity and inclusion, and meets the aims and commitments set out in this policy.

- Assessing how this policy, and any supporting action plans, are working in practice, reviewing them annually, and considering and taking action to address any issues.

The leadership team will be responsible for:

- Setting an appropriate standard of behaviour and leading by example.
- Ensuring that those they manage adhere to this policy and promote the school's aims and objectives with regard to equal opportunities.
- Participating in appropriate training on equal opportunities awareness and equal opportunities recruitment and selection good practice.
- Taking appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities, in line with the school's Flexible Working Policy.
- Making opportunities for training, development and progress available to all staff.
- Ensuring staff are helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Making staff progression decisions based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act 2010).

The HR manager will be responsible for:

- The day-to-day operational responsibility of this policy.
- Reviewing this policy regularly.
- Organising equal opportunities training, including for those involved in management and recruitment.
- Answering questions about the content or application of this policy.
- Reviewing employment practices and procedures where necessary to ensure fairness.
- Updating employment practices and procedures, and this policy, to take account of changes in the law.

All staff will be responsible for:

- Participating in appropriate training on Equality, Diversity and Inclusion.
- Conducting themselves to help the school provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.
- Understanding that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against their colleagues, customers, suppliers, visitors and the public.

- Taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination by their colleagues, customers, suppliers, visitors, the public and any others in the course of the school's work activities.
- Encouraging equality, diversity and inclusion in the workplace;
- Creating a working environment free of bullying, harassment (including sexual harassment), victimisation, unlawful discrimination and promoting dignity and respect for all where individual differences and the contributions of all staff are recognised and valued;
- Conducting themselves to help the organisation provide equal opportunities in employment and prevent bullying, harassment (including sexual harassment), victimisation and unlawful discrimination;
- Reporting any instances of bullying, harassment (including sexual harassment), victimisation and unlawful discrimination by fellow employees, suppliers, visitors, the public and any other persons in the course of the Riverside School's work activities;
- Being mindful of their actions and behaviours whilst representing Riverside School both within and outside of their working time; and
- Being mindful of their actions and behaviours, including those on social media and similar where the employee/ worker has clearly associated themselves with Riverside School.

Employees can be held personally liable as well as or instead of the employer for any act of unlawful discrimination. Employees who commit serious acts of harassment (including sexual harassment) may be guilty of a criminal offence.

Acts of discrimination, harassment (including sexual harassment), bullying or victimisation against employees or other individuals are disciplinary offences and will be dealt with under the disciplinary procedure. Discrimination, harassment (including sexual harassment), bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

3. Recruitment, Selection and Termination

Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. When recruiting or promoting, we will aim to take steps to improve the diversity of our workforce and provide equality of opportunity.

The school will aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. The school's recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria will be regularly reviewed to ensure that it is relevant to the job and not disproportionate. The shortlisting of applicants will be done by more than one person wherever possible.

Job advertisements will avoid stereotyping or using wording that may discourage

groups with a particular protected characteristic from applying. The school will take steps to ensure that vacancies are advertised to a diverse labour market.

Job applicants will not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants will not be asked whether they are pregnant or planning to have children.

Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which will only be used with the head of HR's approval, such as:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- Positive action to recruit disabled persons.
- Equal opportunities monitoring (which will not form part of the decision-making process).

The school is required by law to ensure that all staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, will be expected to produce original documents, e.g., a passport, before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Visas and Immigration.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, the school will monitor applicants' ethnicity, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information will be voluntary and will not adversely affect an applicant's chances of recruitment, or any other decision related to their employment. The information will be removed from applications before the shortlisting process and will be kept in an anonymised format solely for the purposes stated in this policy and in accordance with data protection legislation. Analysing this data helps the school take appropriate steps to avoid discrimination and improve equality and diversity.

Staff Health Declarations

The school will encourage staff who are disabled or become disabled to inform the headteacher or their line manager about their condition so that the school can support them as appropriate.

Staff experiencing difficulties at work because of their disability (physical or otherwise) may wish to contact their line manager or the HR manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Their line manager or the HR manager may wish to consult with the staff member and the occupational health

provider about possible adjustments. We will consider the matter carefully and try to accommodate the staff members needs within reason. If the school consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

The governing board will monitor the physical environment of the school premises to consider whether certain features place physically disabled staff, job applicants, service users, or other stakeholders at a substantial disadvantage compared to others. Where reasonable, the school will take steps to improve access for disabled staff and service users.

Termination of Employment

The school will ensure that all decisions regarding the termination of employment are undertaken in a fair and objective way and are not directly or indirectly discriminatory. In all cases the school will act in accordance with this policy and all related policies, examples being the school's Disciplinary Policy and Procedure and the school's specific Capability Policies.

4. Staff Training

Managers will be given appropriate training on recognising and avoiding discrimination, harassment, victimisation, unconscious bias and promoting equality of opportunity and diversity in the areas of recruitment, development and promotion.

The school will provide all staff with regular training to ensure that everyone is aware of and understands the contents of this policy and the Staff Bullying and Harassment Policy. Following the training, you will be required to confirm that you have read, understand and will comply with this policy and the Staff Bullying and Harassment Policy.

5. Breaches of this Policy

Initial Raising of Concerns

There are a number of informal ways that concerns relating to discrimination can be brought to the attention of Riverside School. These include:

- An employee raising the matter directly with the person if they feel comfortable to do so;
- An employee raising the matter directly with their line manager or any member of the senior leadership team;
- An employee raising the matter directly through another contact such as their Union Representative or a work colleague;
- A member of staff observing behaviour of an employee or worker that concerns them and telling a member of the senior leadership team; or

- A line manager or member of the senior leadership team observing behaviour of an employee or worker that concerns them taking the appropriate action (e.g., talking with the employee concerned or ensuring the correct procedure is followed).

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Riverside Policies in which have direct correlation with this policy are:

- Anti-Bullying and Harassment (including sexual harassment) Policy
- Grievance Policy and Procedure for Staff
- Disciplinary Policy and Procedure for Staff

Details of Riverside School policies and procedures can be found on the school website, the staff area on the school website and on the training database (National College).

Complaints about Discrimination

The school takes a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Policy and Procedure. Serious cases of deliberate discrimination and victimisation may amount to gross misconduct resulting in dismissal.

If a staff member believes they have suffered harassment, bullying or discrimination, or witnessed it happening to someone else in the workplace, please raise the matter with the appropriate senior employee or under the Grievance Procedure as appropriate.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. The school encourages the reporting of all types of potential discrimination, as this assists with ensuring that diversity, equity and inclusion principles are adhered to in the school. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Policy and Procedure.

Any member of staff who is found to have committed an act of discrimination or harassment may be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The school takes a strict approach to serious breaches of this policy.

Information and Support

Guidance and support will be offered to employees throughout any informal or formal process. This may take the form of signposting to available support as well as offering pastoral support and regular updates on timescales.

- Trade Union representative – If you are a union member, you can contact your staff representative for advice and support.
- Riverside School's Health and Wellbeing Services Offer – An independent, free and

- confidential advice service, Education Mutual's health and wellbeing services.
- Occupational Health – Our occupational health service and wellbeing programme promotes physical and psychological wellbeing.

6. Status of Policy and Review

This policy will be reviewed annually by the HR manager in conjunction with the governing board. The next scheduled review for this policy is Spring 2027.

The school will continue to review the effectiveness of this policy to ensure it is achieving its objectives and identify areas in which further resources or support are required to achieve equality of experience. We will also monitor the treatment and outcomes of any complaints of discrimination, harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved, and workforce training is targeted where needed. Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the HR manager.

Appendix 1 – Protected Characteristics

The Equality Act 2010 introduced the term “protected characteristics”. This appendix describes the 9 protected characteristics and gives examples of what is meant by them.

Characteristic	Example
Age	Where you may be referred to as belonging to a particular age group, e.g., 49-55-year-olds, and treated differently as a result of belonging to this group e.g., using ageist language.
Disability	If you have a disability this may be physical, mental or a long-term disabling health condition which has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities. For example, Cancer, HIV and Multiple Sclerosis would be considered a disability, and therefore a protected characteristic at the point of diagnosis. If you have a disability your manager will work with you to establish reasonable adjustments to help you perform your role to your full potential.
Gender Reassignment	The process of transitioning from one gender to another i.e., from a female to a male, or a male to a female.
Marriage or Civil Partnership	If you are married or in a civil partnership, you cannot be treated differently to a colleague who is single or divorced.
Pregnancy and Maternity	Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after having given birth to a child, which reflects the period of ordinary maternity leave entitlement in the employment context.
Race	Race is defined as Nationality, National Origin, Ethnicity, Race and Colour. It can mean your ethnic or national origins, which may not be the same as your current nationality. For example, you may be of Chinese national origins and be living in the UK with a UK Passport. Race also includes ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race. A racial group can be made up of two or more distinct racial groups, for example Black British, British Asians, British Sikhs, British Jews, Roma and Irish Travellers. You may be discriminated against because of your race, for example, people born in Britain to parents of Jewish heritage could be discriminated against because of this.
Religion and Beliefs	Religion means any religion and a reference to religion includes a reference to a lack of religion. Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief. In relation to the protected characteristic of religion or belief – a) a reference to a person who has a particular protected characteristic is a reference to a person of a particular religion or belief; b) a reference to persons who share a protected characteristic is a reference to persons who are of the same religion or belief
Sex	Under the Equality Act 2010, you are defined by law as being either a man or woman. This is determined at birth; however, gender is broadly used to denote a range of identities that do not correspond to established ideas of what male and female are.
Sexual Orientation	Whether a person’s sexual attraction is towards their own sex, the other sex or to both sexes, or not to any at all (asexual, lesbian, gay, bisexual, heterosexual etc.).

Appendix 2 – Definitions

Term	Definition
Equality	Equality is the legal framework that in the workplace means equal job opportunities and fairness for employees and job applicants. You must not treat people unfairly because of reasons protected by The Equality Act 2010 ('protected characteristics') e.g., because of a person's sex, age or race.
Diversity	Diversity is the range of people in the workplace. This might mean people with different ages, religions, ethnicities, people with disabilities and gender/s. It also means valuing those differences.
Inclusion	An inclusive workplace means that you feel valued at work. It lets you feel safe to: • come up with different ideas; • raise issues and suggestions to managers, knowing this is encouraged; • try doing things differently to how they have been done before, with management approval; and • ability to feel safe and comfortable in your working environment, free from discrimination.
Discrimination	This can be described as the unjust or prejudicial treatment of different categories of people, on the grounds of one of the protected characteristics.
Direct Discrimination	Direct discrimination is the legal term that applies if you treat someone less favourably than someone else has been treated (or would be treated) because the person belongs to one of the protected groups.
Indirect Discrimination	Indirect discrimination is when there is a practice, policy or rule which applies to everyone in the same way, however, a disproportionate and adverse effect on one group with a relevant protected characteristic under the Equality Act 2010.
Associative Discrimination	This occurs where an individual is directly discriminated against or harassed for associating with another individual who has a protected characteristic. This might occur, for example, where a mother of a disabled child is treated less favourably as a result of her child's disability.
Perceptive Discrimination	This occurs where an individual is directly discriminated against or harassed based on a perception that s/he has a particular protected characteristic when they in fact do not have that protected characteristic. This might occur, for example, where an employee is subjected to homophobic bullying based on a perception that s/he is homosexual.
Bullying and Harassment	These terms are often used interchangeably, however, legally, harassment usually has a specific meaning. Under the Equality Act 2010 harassment is defined as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. Harassment which does not relate to a protected characteristic is not covered by the Equality Act 2010. Bullying is not specifically defined in UK law, however ACAS guidance on bullying states that it may be characterised as 'offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient'. It does not matter whether or not this effect was intended by the person responsible for the conduct.
Sexual Harassment	Harassment may be sexual in nature. Under the Worker Protection (Amendment of Equality Act 2010) Act 2023, employers are legally obliged to take reasonable steps to prevent sexual harassment of their workers in the course of their employment and by third parties. The law defines sexual harassment as: • conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment; and • less favourable treatment related to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.
Victimisation	Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion, because s/he made or supported a

	complaint or raised a grievance under the Equality Act 2010, or because s/he is suspected of doing so. An employee is not, however, protected from victimisation if s/he acted maliciously or made or supported an untrue complaint.
Reasonable Adjustments	A failure to make reasonable adjustments may occur where a physical feature or a requirement, condition or practice puts a disabled person, as defined under the Equality Act 2010, at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage. If you have a disability as defined under the Equality Act 2010, you are entitled to have reasonable adjustments made in your workplace. Occupational Health referrals may suggest reasonable adjustments as advised from a Health and Care Professional. Examples of reasonable adjustments may include: • Adaptions to the recruitment process e.g., the right to a guaranteed interview if you meet essential criteria on the job description, virtual interview, interpreter, support for accessibility if deaf or blind; • Making physical changes to the workplace, like installing a ramp for you if you are a wheelchair user or an audio-visual fire alarm for you if you are a deaf person; • Letting a disabled person work somewhere else, such as on the ground floor if you are a wheelchair user; • Providing specialist equipment e.g., a special keyboard if you have arthritis; or • If you become disabled, allowing you to make a phased return to work, including flexible hours or part-time working.