



# LOUGHBOROUGH ENDOWED SCHOOLS

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Policy Title: Equality and Diversity Policy

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Approved By: Finance, Audit & Risk Committee

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Point of Contact (Reviewer): Kate James – HR Manager

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Equality & Diversity is the current term used for Equal Opportunities.

## **1. Introduction**

- 1.1 Loughborough Endowed Schools is committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment.
- 1.2 We welcome applications from candidates from as diverse a range of backgrounds as possible. This enriches our community and promotes a positive image to our pupils.
- 1.3 As part of the recruitment process we ask all candidates applying for a vacancy to complete and return an anonymous Equal Opportunities Monitoring form. This data is logged onto a computer spreadsheet and the individual forms are then shredded. The data is reviewed and reports produced as required.
- 1.4 It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as “protected characteristics”.
- 1.5 Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.
- 1.6 To this end, we shall regularly review the operation of our recruitment, promotion, training and development policies to ensure that no applicant for employment or member of staff is disadvantaged by conditions or requirements, which cannot be shown to be justified.
- 1.7 The principles of non-discrimination and equality of opportunity also apply to the way in which staff must treat visitors, pupils, parents, suppliers and former members of staff.

## **2. Implementation**

- 2.1 The Schools, with the assistance of HR staff, will:
  - Promptly and fully investigate all complaints of discrimination and harassment, taking appropriate action where necessary.
  - Ensure that existing procedures are reviewed and examined periodically to ensure they are up-dated in line with changes in employment legislation and regulations.

## **3. Dignity at Work**

- 3.1 The Schools are committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.
- 3.2 **Harassment** is unwanted conduct related to relevant protected characteristics, which are age, disability, sex, gender reassignment, pregnancy, maternity, race (which

includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership that :

3.2.1 Has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or

3.2.2 Is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

3.2.3 Examples of harassment would include: physical conduct ranging from unwelcome touching to serious assault; unwelcome sexual advances; demeaning comments about a person's appearance; unwelcome jokes or comments of a sexual or racial nature or about an individual's age; excluding an individual because they are associated or connected with someone with a protected characteristic, e.g. their child is gay, spouse is black or parent is disabled; repeated name calling related to an individual's religion or belief; ignoring an individual because they are perceived to have a protected characteristic (whether or not they do in fact have that protected characteristic), e.g. an employee is thought to be Jewish, or is perceived to be a transsexual; the use of obscene gestures; and the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person e.g. magazine, calendars or pin-ups.

3.2.4 Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. Behaviour that any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them e.g. sexual touching.

3.2.5 It may not be so clear in advance that some other forms of behaviour would be unwelcome to, or could offend, a particular person e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases, first-time conduct that unintentionally causes offence will not usually be considered to be harassment but it will become harassment if the conduct continues after the recipient has made it clear by words or conduct that such behaviour is unacceptable to them.

3.2.6 A single incident can be harassment if it is sufficiently serious.

3.3 **Bullying** is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end. Examples of bullying would include picking on someone or setting them up to fail, or making threats or comments about someone's job security without good reason.

#### **4. Procedure**

- 4.1 If you consider that you have been the recipient of unwanted conduct amounting to harassment or bullying, it is open to you to try to resolve the problem informally with the other person, either face to face or in writing. If this is not appropriate or has not been successful, you may raise a grievance in accordance with the Foundation's Grievance Policy. All such grievances will be dealt with sensitively and in confidence as far as reasonably practicable to progress the complaint.
- 4.2 If appropriate, disciplinary proceedings will be brought against the alleged harasser; as detailed in the Foundation's Grievance Policy.
- 4.3 If you consider that you have been subject to discrimination of any form, you should inform the relevant Head or the Foundation Secretary & Treasurer.
- 4.4 The Schools will seek to ensure that you are not in any way penalised whether directly or indirectly for bringing a genuine complaint and the situation will be monitored to ensure that the discrimination has stopped.
- 4.5 False or malicious allegations will be treated as a disciplinary offence.

## Loughborough Endowed Schools Support for Transgender Staff

- LES aim to be safe and inclusive learning environments for all students, family members, and school staff, including those who are transgender or gender fluid. We respect the right of all individuals in our community to express their own gender identity. LES is committed to a policy of non-discrimination and the promotion of equal opportunity, fairness, justice, and respect for all persons, in accordance with the Equality Act (2010)
- LES understands that the expression of gender is an important aspect of an individual's sense of self and wellbeing and we aim to support community members in their own expression of gender.
- The Foundation recognise that each individual's circumstances are different and the support and any necessary accommodations made will therefore very much depend upon the person. Community members are therefore encouraged to enter into an open dialogue with the schools about their individual needs, (as is the case with all issues which may affect an individual's wellbeing and ability to learn).
- The Foundation will aim to follow the models of good practice and applicable statutory guidance when issued, such as "The recruitment and retention of transgender staff; guidance for employers" (Government Equalities Office).
- The Foundation will make every effort to accommodate the needs of the individual, whilst taking into account the needs of the whole community. Accommodations may include (This list is not exhaustive, nor exclusive):
  - Changes to uniform
  - Amendments to changing and toilet facilities
  - Changes to 'known as' name and personal pronoun usage
  - Decisions about if/who/how to talk to the school community

- It is important to stress that all adjustments will be agreed with the individual themselves and decisions impacting upon their gender expression will not be taken unilaterally by the Foundation.
- Similarly, support for staff and their families who are peripherally affected by the situation will be available and adapted to meet the circumstances of the individuals involved.
- LES schools reserve the right to seek advice from external agencies in support of the individual. Advice may include information on legal matters, medical and/or psychological advice and information from support groups.

**Resources:**

<http://beaumontsociety.org.uk>

[www.gires.org.uk](http://www.gires.org.uk)