



# Northumberland County Council

## Wellbeing and Community Health Services

### EQUALITY IN EMPLOYMENT POLICY

#### 1 Scope

This policy is recommended for adoption by the governing bodies of all maintained schools.

#### 2 Purpose

The purpose of this policy is to set out the commitment of the County Council and its schools to tackle discrimination and promote equality and diversity in employment. It sits within the wider context of each school's Single Equalities Scheme and duty to promote community cohesion.

#### 3 Legal considerations

Employers must not discriminate against people on the basis of any of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, unless this can be objectively justified. There are some specific circumstances, known as "occupational requirements", where an employer is allowed to discriminate on the basis of a protected characteristic, which are set out in more detail in the Recruitment and Selection Code of Practice for Schools.

There are four types of treatment which can be unlawful:

**Direct discrimination:** less favourable treatment of a person compared with another person because they have a protected characteristic or are associated with someone with a protected characteristic (for example, the parent of a disabled child);

**Indirect discrimination:** The use of an apparently neutral practice, provision or criterion which puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic, and applying the practice, provision or criterion cannot be objectively justified;

**Harassment:** Unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment; and

**Victimisation:** Subjecting a person to a detriment because they have done a protected act or there is a belief that they have done a protected act i.e. bringing proceedings under the Act; giving evidence or information in connection with proceedings under the Act; doing any other thing for the purposes or in connection with the Act; making an allegation that a person has contravened the Act.

## 4 Roles and responsibilities

**Governing body:** The governing body has overall responsibility for this policy and monitoring its effective implementation.

**Headteacher:** The headteacher is responsible for ensuring that the policy is implemented and maintained within their school, including progressing any action plans developed as part of the school's Single Equalities Scheme.

**Employees:** Every employee is under a duty to behave appropriately at all times in accordance with this policy and we actively seek to prevent harassment, discrimination, bullying and all other forms of unwarranted or improper behaviour in the workplace. Failure to do so may result in disciplinary action.

## 5 Policy statement

All schools share Northumberland County Council's commitment to making their school a fully accessible and inclusive organisation that welcomes and respects the diversity of their pupils, staff, community and visitors to the school.

The County Council wishes to promote a society in Northumberland which embraces the diversity of the whole community, where unjustifiable discrimination or prejudice does not exist and where all individuals are treated with courtesy, dignity and fairness in all ways including the provision of services and employment.

The County Council, including its maintained schools, seeks a workforce which reflects the diversity of the communities we serve. We understand and value the added contribution that people can make when we recognise individual differences in age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

We recognise and understand the importance of delivering the maximum benefits to the community through the recruitment, development and retention of a diverse and highly effective workforce. We are determined to eliminate unfair discrimination in all its forms and to recognise and take account of equality and diversity through our employment policies and practices.

## 6 Policy in practice

This policy applies to every aspect of employment, from recruitment through pay, access to facilities and employment benefits, training, discipline and grievance procedures and so on up to the end of the contractual relationship and beyond, for example, when references are provided.

Each stage of the employment relationship is covered by an individual employment policy or procedure. The full suite of employment policies and procedures will be consistent with the aims and principles of this policy and will take into account the specific equalities considerations that arise in that particular context. Examples include:

- Recruitment and Selection Code of Practice
- Pay Policy
- Dignity at Work Policy (which sets out how we aim to prevent and deal with harassment)
- Leave Policy
- Flexible Working Policy
- Sickness and Disability Procedure

- Redundancy Procedure

All employment policies and procedures are available from the school office and electronically via the Northumberland Schools Network.

## **7 Publicising the policy**

All job applicants will receive a copy of this policy with the application form for the vacancy. All staff will have access to this policy in their school and electronically via the Northumberland Schools Network.

Schools will ensure that awareness and understanding of equality and diversity in both employment and service delivery is included in the induction of new staff and volunteers. Consideration of equality issues will be included in appropriate training courses, including all training provided by the local authority to support the effective implementation of its employment policies and procedures for schools.

## **8 Complaints or concerns**

Complaints from external job applicants under this policy should be sent to the chair of governors, who will consider how to proceed under the school's Complaints Procedure.

An employee who has a concern or complaint under this policy should raise the matter with their line manager in the first instance and may use the school's Grievance Procedure, or the Dignity at Work Policy in cases of harassment, if the matter is not dealt with to their satisfaction.

## **9 Breaches of this policy**

Every employee is under a duty to behave appropriately at all times and we actively seek to prevent harassment, discrimination, bullying and all other forms of unwarranted or improper behaviour in the workplace.

Any employee who commits an act of discrimination or personal harassment will be liable to disciplinary action, and ultimately the possibility of dismissal.