

WEXHAM COURT PRIMARY SCHOOL
Equality, Diversity and Inclusion Policy
2021 -2026



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WEXHAM COURT PRIMARY SCHOOL
VALUING EQUALITY AND DIVERSITY AT WORK POLICY

CONTENT

1.	Introduction	3
2.	Purpose	4
3.	Scope	4
4.	Definitions and Examples	4
5.	Procedure for Equal Opportunities	7
6.	Dignity at Work	8
7.	Victimisation	9
8.	Key Actions	9
9.	Employee Responsibilities	10
10.	Line Manager Responsibilities	10
11.	Making a Complaint	11
12.	Malicious Allegations	11
13.	Confidentiality	p11

Preparing every child to become a successful individual in an ever evolving world.

Build belonging, Strive for excellence and Do the right thing.

At Wexham Court, we believe that any form of discrimination or prejudice is unacceptable, unwelcome and will be challenged. We are brave advocates for our pupils and have an obligation to educate them without stereotypes, bias and ignorance. We acknowledge that this is hard to do and as such train our staff to think and reflect on their views often. Our vision is about being a global citizen in an ever-evolving world. As such we value the people around us and try our best to understand them better, in the hope that we can live together and treat each other fairly.

Through our values we aim to:

- Build belonging,
- Do the right thing
- Strive for excellence

1. INTRODUCTION

1.1 The School is committed to valuing and embracing diversity and seeks to provide all employees with the opportunity for employment, career and personal development on the basis of ability, qualifications and suitability for the work as well as their potential to be developed into the job.

1.2 The School is keen to promote an environment within which the widest possible range of knowledge, skills and experience can be called upon and therefore achieve and maintain a workforce that represents the population. The School is committed to providing equal opportunities in employment and to avoiding unlawful discrimination in employment or to pupils.

1.3 The School believes that people from different backgrounds can bring fresh ideas, thinking and approaches which make the way work is undertaken more effective and efficient.

1.4 Direct or indirect discrimination against any person on the grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex or sexual orientation, the LGBTQ+ community, whether in the field of recruitment, terms and conditions of employment, career progression, training, transfer or dismissal will not be tolerated. These are known as 'protected characteristics.'

1.5 Discrimination after employment may also be unlawful, e.g. refusing to provide a reference for a reason related to one of the protected characteristics.

1.6 It is the responsibility of all employees in their daily actions, decisions and behaviour to endeavour to promote these concepts, to comply with all relevant legislation and to ensure that they do not discriminate against pupils, colleagues, suppliers or any other person associated with the School.

2. PURPOSE

2.1 This policy aims to outline the rights of all employees and the procedure adopted by the School to deal with any complaints relating to equal opportunities and dignity at work. Bullying and harassment is unlawful and such behaviour at the School will not be tolerated.

2.2 All complaints will be thoroughly investigated and will be dealt with fairly, confidentially, sensitively and in line with our Complaints Procedure, Grievance and Managing Allegations policies.

3. SCOPE

This policy outlines the School's stance relating to equality of opportunity, valuing diversity, bullying and harassment, and dignity at work. It applies to all employees including agency or supply staff and complies with the Equality Act 2010.

3.1 WEXHAM STATEMENT

At Wexham Court Primary School we are proud of the diversity of our students and staff and are committed to promoting a positive and inclusive culture in which all are valued and supported to fulfil their potential irrespective of their age, disability, race, religion, beliefs, sex or sexual orientation. We acknowledge that we are all influenced by implicit bias, or the stereotypes that unconsciously affect our decisions and that this can negatively impact traditionally marginalised and disenfranchised students. In all areas of our school, we strive to understand and appreciate all aspects of diversity, equality and inclusion and proactively adapt our school policies and procedures accordingly.

4. DEFINITIONS AND EXAMPLES

4.1 Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant. In limited circumstances, the School can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

4.2 Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly

include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

4.3 Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

4.4 Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact have that protected characteristic (other than marriage and civil relationship, pregnancy and maternity).

4.5 Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the School has failed to make reasonable adjustments to enable the disabled person to overcome this disadvantage.

4.6 Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they have made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. E.g. if a blind employee raises a grievance that the School is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behaviour could amount to victimisation. However, an employee is not protected from victimisation if s/he acts maliciously or makes or supported an untrue complaint. There is no longer a need for a complainant to compare his or her treatment with someone who has not made or supported a complaint under the Equality Act 2010.

4.7 Bullying is offensive, intimidating, malicious or insulting direct or indirect behaviour, involving an abuse or misuse of power that is meant to undermine, humiliate denigrate or injure the recipient.

4.8 Sexual harassment is defined under the Equality Act 2010 as: 'Any form of unwanted verbal or physical conduct of a sexual nature 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.

It may consist of a single incident or repeated inappropriate behaviour. Examples of sexual harassment may include (but are not limited to):

- Sexual jokes, stories, comments, use of land line or mobile phone, fax or radio systems for inappropriate suggestive comments.
- Display of offensive pictures, slogans, graffiti, written suggestive materials, offensive objects etc through mail or otherwise.
- The spreading of untruths or rumours about a colleague's sex life.
- Unwanted physical contact ranging from touching to assault.

- Persisting in unwelcome attempts to form a relationship or continue non-consensually with a previous relationship.

4.9 Harassment is ongoing unwanted conduct, relating to sex, race or ethnic or national origins, disability, sexual orientation, religion or belief, age , gender reassignment or any other personal characteristic which:

- Has the purpose of violating a persons dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- 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 the person responsible for the conduct did not intend this effect.

It does not matter whether or not this effect was intended by the person responsible for the conduct.

4.10 For the School to be liable:

- The harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- It must be aware that the previous harassment has taken place, and;
- It must have failed to take reasonable steps to prevent harassment from happening again

4.11 Bullying or harassment may be physical, verbal or non-verbal, e.g., by letter, or email (so called 'flame-mail'). Unacceptable behaviour covered by this policy includes (but is not limited to) the following:

- Physical conduct ranging from unwelcome touching, up to and including serious assault;
- Personal insults, demeaning remarks, regular humiliation often in front of others, nicknames, ridicule, threats;
- Deliberate isolation or non co-operation and exclusion from normal social or professional contact in the workplace with negative consequences, hostile attitudes, spreading malicious rumours, gossip or innuendo;
- Regular excessive and inappropriate criticism, deliberate and malicious withholding of work-related information in order to undermine a colleague, repeatedly manipulating a person's job content and targets without due cause;
- Preventing individuals from progressing by intentionally blocking promotion or training opportunities;
- Making threats or comments about someone's job security without good reason;
- Ridiculing someone;
- Insulting texts, emails, derogatory comments on social media;
- Cyber bullying of any kind which is carried by any child, young person or individual, no matter their age;
- Targeting individuals who have disabilities, sensory impairments or learning difficulties;

- Issues related to status such as ex-offenders;
- Issues related to age;
- Issues related to a real or suspected infection or blood borne virus (e.g. AIDS / HIV), and;
- Membership of a trade union or activities associated with membership.

5. PROCEDURE FOR EQUAL OPPORTUNITIES

5.1 The School will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

5.2 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 of 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.

5.3 The School will consider any possible indirectly discriminatory effect of its standard working practices including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the School considers it has good reasons, unrelated to any protected characteristic, for doing so. The School will comply with its obligations in relation to statutory requests for contract variations and will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

5.4 The School will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

5.5 The School cannot lawfully discriminate in the selection of employees for recruitment or promotion, but may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group that the School identifies as being under-represented in particular types of job.

5.6 Advertisements, interview questions, person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the GDPR 2018.

5.7 The School and its employees will ensure that references provided for past employees are limited to information of a factual nature and do not include any information which might lead to discrimination within the grounds of this policy.

5.8 The School will provide training in equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities are likely to arise.

5.9 The School will provide training to all existing and new employees and others engaged to work at the School to help them understand their rights and responsibilities and what they can do to help create a working environment that promotes equal opportunities and dignity at work which is free from bullying and harassment. The School will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

6. DIGNITY AT WORK

6.1 The School is committed to creating an environment free of harassment and, where everyone is treated with dignity and respect so that people can work in an environment free from intimidating, hostile, degrading, humiliating or offensive treatment.

6.2 Bullying and harassment can have very serious consequences for individuals and the School. The School will not tolerate bullying or harassment of any kind. Employees found guilty of harassment or bullying may face disciplinary penalties, up to and including dismissal and could be personally liable to pay compensation in legal claims. Serious harassment may be a criminal offence.

6.3 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. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to him or her and to have his or her feelings respected by others.

6.4 Behaviour that any reasonable person realises 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 him or her, e.g., sexual touching.

6.5 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 which unintentionally causes offence, will not 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 him or her.

6.6 A single incident can be harassment if sufficiently serious.

6.7 The School will also not tolerate victimisation of a person for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint. The School will deal with victimisation as a disciplinary offence.

6.8 This policy covers bullying and harassment of, and by, line managers, employees, contractors, clients, agency employees and anyone else engaged to work at the School, whether by direct contract with the School or otherwise. If the complainant or alleged harasser is not employed by the School, e.g.,

if the worker's contract is with an Agency, this policy will apply with any necessary modifications such as that the School could not dismiss the worker but would instead require the Agency to remove the worker, if appropriate, after investigation and disciplinary proceedings.

6.9 The policy covers bullying and harassment in the School and in any work-related setting outside the School, e.g., trips and work-related social events.

6.10 All employees are responsible for their individual compliance with the terms of this policy and for development of a working environment in which the dignity of all employees is respected. Disciplinary action, up to and including dismissal, will be taken against those failing to fulfil their responsibilities under this policy.

6.11 The School will not tolerate unfounded allegations of bullying and/or harassment for malicious reasons. These cases will be investigated and dealt with fairly and objectively under the Disciplinary Policy and Procedure.

6.12 The policy does not cover bullying or harassment experienced by employees from suppliers, vendors or visitors, and in these cases, employees should report any such behaviour to their line manager who will take appropriate action. Bullying or harassment of suppliers, vendors or visitors or others will be dealt with under the disciplinary procedure.

7. VICTIMISATION

7.1 Provided that employees act in good faith they have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment. The School will take appropriate action to deal with any alleged victimisation, which may include disciplinary action against anyone where the allegation is substantiated.

7.2 Making a complaint that an employee knows to be untrue, or giving evidence known to be untrue, may lead to disciplinary action.

8. KEY ACTIONS

8.1 In adopting these principles the School fully recognises its legal obligations under all relevant legislation and relevant Codes of Practice, and will:

- Talk to staff about bias, prejudice and ignorance;
- Not tolerate acts that breach this policy and all such breaches or alleged breaches will be taken seriously, be fully investigated and may be subject to disciplinary action where appropriate. Allow employees to pursue any matter through the School's Grievance Procedure, which they believe has exposed them to unfavourable treatment within the scope of this policy;
- Ensure that all managers understand and maintain their responsibilities and those of their team under this policy;

- Offer opportunities for flexible working patterns, wherever operationally feasible, to help employees to combine a career with their domestic responsibilities;
- Provide equal opportunity to all who apply for vacancies through open competition;
- Select candidates only on the basis of their ability to carry out the job, using a clear and open process;
- Provide all employees with the training and development that they need to carry out their job effectively;
- Provide all reasonable assistance to employees who are, or who become disabled, making reasonable necessary adjustments wherever possible to provide continued employment. The School will ensure an appropriate risk assessment is carried out and that appropriate specialist advice is obtained when necessary, and;
- Distribute and publicise this policy statement throughout the School.

9. EMPLOYEE RESPONSIBILITIES

9.1 All employees have an individual responsibility to help to create and maintain a work environment free of bullying and harassment. As part of this responsibility, employees must comply with this policy and should:

- Be aware of how their behaviour may affect others and then change it, if necessary. Offence can still be caused even if you are 'only joking';
- Understand that some comments and behaviours can be deeply offensive, even if they do not fully understand why;
- Treat colleagues with dignity and respect;
- Take a stand if inappropriate jokes or comment are being made;
- Make it clear to others if it is thought that their behaviour is unacceptable, unless it should be obvious in advance that this would be the case;
- Intervene, if possible, to stop harassment or bullying and give support to recipients;
- Make it clear that harassment and bullying is unacceptable;
- Report harassment or bullying to your line manager and support the School in the investigation of complaints, and;
- If a complaint or harassment or bullying is made, not prejudge or victimise the complainant or alleged harasser.

10. LINE MANAGER RESPONSIBILITIES

10.1 Line managers have a particular responsibility to:

- Explain the School's policy to their employees and to take steps to positively promote the policy;
- Set a good example by their own behaviour;

- Ensure, so far as is reasonably practicable, that there is a supportive working environment;
- Make sure that employees know what standards of behaviour are expected of them;
- Intervene to stop bullying or harassment;
- Be responsive and supportive to any employee who complains about harassment, provide advice on the procedure to be adopted, maintain confidentiality, and;
- Deal promptly with any complaint of bullying or harassment, or any incident of bullying or harassment Whether they receive a report or observe it at first hand, and whether or not a formal complaint has been made;
- They must record any complaint and the outcomes of any action/investigations;
- They should treat all cases sensitively and with appropriate confidentiality.

11. MAKING A COMPLAINT

11.1 All complaints should be raised using the Complaints Procedure. If an employee feels that they are being subject to unfavourable treatment, or bullying or harassment, they are strongly encouraged to seek early advice/support from their manager. If this is inappropriate, then they should contact their manager's manager.

11.2 Where possible, matters will be resolved informally and often an informal discussion can gain greater understanding and unwanted behaviour ceases. The employee may feel they can do this, if not, support will be offered. Other options may involve counselling, mediation or training, where appropriate.

11.3 If none of the above is either effective or appropriate, a formal investigation will take place under the Complaints Procedure.

11.4 The School may decide that the situation is a disciplinary issue and in this case any allegations will be investigated and considered using the Disciplinary Policy and Procedure.

11.5 The School will not tolerate an employee being subjected to victimisation for raising or supporting a complaint, and all instances of this will be taken very seriously.

12. MALICIOUS ALLEGATIONS

It may transpire that the complaint made was malicious. If there is evidence to suggest this, then a further investigation will be carried out to try to establish the true facts. If the allegation is proven malicious, then in the case of an employee, the school disciplinary procedures will be used. Where the individual is not covered by the school procedures, other agencies will be involved to help decide on appropriate action.

13. CONFIDENTIALITY

The school will respect confidentiality of all parties involved. Details of the investigation will only be disclosed if necessary. Information about a complaint by or about an employee may be placed on the

employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

If the perpetrator is a pupil, the complaint may be stored on their educational record.

All information will be processed in accordance with current data protection law.

This is a true version signed by

Mr J. Reekie, Chair of Governors

Signed:

Date:

Miss N Mehat Headteacher

Signed:

Date:

Review date: Autumn 2026