



Reviewed September 2019
Next review: November 2021
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This policy also provides for all children at Herries including those children in the EYFS.

This policy should be read in conjunction with the school's following policies:

- 17b Accessibility Plan
- 18a Safer Recruitment Policy
- Staff Handbook

1.1 The School is an equal opportunity employer. We are committed to ensuring within the framework of the law that our workplaces are free from unlawful or unfair discrimination because of Protected Characteristics as defined by the Equality Act 2010.

We have adopted this policy as a means of helping to achieve these aims.

1.2 The Protected Characteristics are –

- Age
- Disability
- Gender Reassignment
- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Marriage and Civil Partnership
- Pregnancy and Maternity

1.3 We aim to ensure that our employees achieve their full potential and that all employment decisions are taken without reference to irrelevant or discriminatory criteria.

WHAT IS DISCRIMINATION?

1.4 Direct discrimination – when someone is treated less favourably than another person because of a Protected Characteristic.

1.5 Associative discrimination or discrimination by association – direct discrimination against someone because they associate with another person who possesses a Protected Characteristic.

1.6 Discrimination by perception – direct discrimination against someone because it is thought that they possess a particular Protected Characteristic even if they do not actually possess it.

1.7 Indirect discrimination - occurs where an individual's employment is subject to an unjustified provision criterion or practice which, for example, one sex or race or nationality or age group finds more difficult to meet, although on the face of it the provision, criterion or practice is 'neutral'.

1.8 Harassment – 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. Employees may complain of such offensive behaviour even if it is not directed towards them personally.

1.9 Harassment by a third party – harassment of employees by third parties.

1.10 Victimization – when an employee is treated less favourably because they have made or supported a complaint or raised a grievance under the Equality Act 2010 or are suspected of doing so.

COMMITMENT

1.11 We are committed to ensuring that all of our employees and applicants for employment are protected from unlawful discrimination in employment.

1.12 Recruitment and employment decisions will be made on the basis of fair and objective criteria.

1.13 Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job.

1.14 Interviews will be conducted on an objective basis and personal or home commitments will not form the basis of employment decisions except where necessary and relevant.

1.15 All employees have a right to equality of opportunity and a duty to implement this policy. Discrimination is a serious disciplinary matter that will normally be treated as gross misconduct.

1.16 Anyone who believes that he or she may have been disadvantaged on discriminatory grounds should raise the matter through the school's grievance procedure.

2 HARASSMENT POLICY

2.1 Harassment pollutes the working environment and can have a devastating effect on the health, confidence, morale and performance of those affected by it. It may also have a damaging effect on other employees not themselves the object of unwanted behaviour who are witness to it or who have knowledge of the behaviour. All employees are entitled to a working environment that respects their personal dignity and that is free from such objectionable conduct. Harassment is a disciplinary offence and it will normally be treated as gross misconduct.

2.2 Harassment is either:

- Unwanted conduct related to a relevant Protected Characteristic that affects the dignity of employees at work; or
- Bullying of colleagues by intimidatory behaviour; or
- Unfavourable conduct, whether verbal or non-verbal, towards someone at work, based on a Protected Characteristic, that could affect his/her dignity at work.

2.3 A single incident can amount to harassment if sufficiently grave.

2.4 Examples of harassment include:

- Insensitive jokes and pranks.
- Repeated instances of minor harassment acts.
- Speculation about a person's private life and or sexual activities.

- Threatened or actual violence.
- Jokes about a person being either too old or too young to do a job properly.
- Age-related jokes.

2.5 Bullying is defined as any form of physical or verbal attack and/or threat of such, or the abuse of position, in order to attack or undermine the confidence or ability of another, or to place another employee under unreasonable pressure or subjecting another to detrimental treatment, by either act or omission.

2.6 Employees may complain of behaviour that they find offensive even if it is not directed at them personally and they do not personally possess the relevant Protected Characteristic.

2.7 Employees are also protected from harassment related to Discrimination by Perception and Associative Discrimination.

2.8 Where harassment arises from people not directly employed by the School eg customers or clients, such complaints will be taken seriously and will be pursued with the third party concerned, exercising whatever sanctions are available.

2.9 Anyone who believes that he or she may have been the victim of harassment should raise the matter through the School's grievance procedure.