Equality, Diversity and Inclusion Policy (EDI)

Human Resources Policy and

Guidance

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1. Policy

1.1 Ambleside Nursery is committed to providing equal opportunities throughout employment and achieving a diverse workforce that reflects our community. The School recognises the contribution of every employee and values individual differences and is committed to eliminating discrimination in the workplace

1.2 The School will ensure that all job applicants, employees (part-time or full-time), contractors and temporary workers are treated fairly, and we are willing to make reasonable adjustments for applicants and employees, where appropriate. We also seek to provide an environment that fosters a climate of respect for all employees, contractors and temporary workers where they are free from discrimination, harassment, bullying, intimidation and victimisation. See Appendix 1.

2. Purpose

2.1 The purpose of this policy is to ensure that unlawful discrimination and other undesirable behaviour does not occur and that adequate procedures are readily available to resolve complaints of discrimination and to prevent them happening again. It also sets out the procedures which you must follow in circumstances of harassment by third parties or from service users.

2.2 Equal opportunity is fundamental to all the School's policies, plans and practices. To ensure the School's objectives are met we will:

- Ensure all new employees are informed as part of their Induction training of the School's equality, diversity and inclusion policy.
- Monitor training and promotion to ensure there is equal access
- Monitor recruitment of minority groups to ensure fair and open competition is being practised
- Monitor all policies and procedures and their implementation in order to analyse progress and implement corrective action as appropriate.
- Monitor retention to ensure there are alternative ways of retaining employees through development, flexible working or part-time working.

3. Scope

3.1 This policy applies to all employees of the School, contractors and temporary/casual workers. Everyone who works for the School, whether employed or not, has a responsibility to ensure that our equality, diversity and inclusion policy is properly observed, promoted and fully complied with. The School views very seriously any act by any worker (no matter what level) of unlawful/unacceptable discrimination. It is a disciplinary offence, which may, in appropriate circumstances, lead to dismissal.

3.2 Managers at every level are responsible for ensuring that all those who work for them are fully aware of our equality, diversity and inclusion policy, of the seriousness with which we regard a breach of that policy, and of each individual's responsibilities under the equality, diversity and inclusion policy.

3.3 We will strive to avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

4. The Equality Act 2010 (the Act)

4.1 The Equality Act 2010 consolidates and replaces most of the previous discrimination legislation for England, Scotland and Wales. The Act covers discrimination because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These categories are known in the Act as 'protected characteristics'

4.2 Public Sector Equality Duty **-** The Equality Act 2010 introduced a single Public Sector Equality Duty (PSED) (sometimes also referred to as the 'general duty') that applies to public bodies, including maintained schools and Academies, and which extends to all protected characteristics. This combined equality duty came into effect in April 2011.

5. Complaints

5.1. All employees have a right to challenge any decision or action which they believe to be in breach of the policy. All complaints relating to employment must be made at first informally and if necessary, the next step should be through the formal Grievance procedure. Any member of staff who deliberately or knowingly contravenes the policy will be liable to formal disciplinary action. All complaints are assumed to be made in good faith unless there is evidence to the contrary. If, however, an accusation is found to have been made maliciously, disciplinary action may be taken against the person making the false complaint.

6. Recording/monitoring data

6.1. To ensure that this policy is operating effectively (and for no other purpose) the School maintains records of employees' and applicants' racial origins, gender, disability, age and religion. Ongoing monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote equality of opportunity. Where necessary, employees will be able to check/correct their own record of these details. Otherwise, access to this information will be strictly restricted. Data will be analysed regularly and appropriate follow-up action taken.

Guidance

7. Equality in Employment – Overview

7.1. Definition - Types of discrimination:

7.1.1. Direct Discrimination – this occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic in any aspect of employment:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

For example: where an employee aged 21 and an employee aged 42 are both breaching policy by sending and receiving personal emails at work and in working hours. Their manager gives the 21-year-old a written warning because they think that ‘a younger person needs a firmer telling off’, while the 42-year-old is informally told to be more careful. This is likely to be direct age discrimination against the younger worker unless the manager can **objectively justify** it, which is unlikely.

7.1.2. Indirect Discrimination – this can occur when you have a condition, policy or practice that applies to everyone but causes a disadvantage to people with a protected characteristic. **Some examples are**:

- Making it a condition for all staff to work on Sunday and not trying to accommodate a request to be excused from a practicing Christian.

- Applying an unjustifiable height, age or fitness barrier that may exclude women/men, some ethnic groups, applicants with disabilities and an older or younger worker.

- Strictly applying certain educational qualifications, which may not be essential to the performance of the job.

7.1.3. Associative Discrimination – This is direct discrimination against someone because they associate with another person who has a protected characteristic

For example – by not promoting an employee because they have a disabled dependant and you believe they will be unable to carry out their role you are discriminating against the employee because of their association with a disabled employee.

7.1.4. Perceptive Discrimination – This is direct discrimination against an individual because you think they have a protected characteristic. It applies even if the individual does not have that characteristic,

For example – a manager incorrectly thinks one of their employees is gay. The manager tells the employee they must change their clothes in a dusty stock room rather than in the communal changing area. This is likely to be discrimination because of sexual orientation based on the employer's perception, even though the worker is not gay (if the worker is gay, it would almost certainly be direct discrimination).

7.1.5.. Harassment – is 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.

For example - A disabled employee is claiming harassment against the manager after frequently being teased and humiliated about their disability. Another employee within the team is also claiming harassment even though they do not have a disability as the manager's behaviour has created an offensive environment.

7.1.6. Third Party Harassment – The School may be liable for harassment of employees by a third party who are not School employees where it is known they have harassed an employee on at least two previous occasions. Managers must ensure that all reasonable steps have been taken to prevent it from happening again.

7.1.7. Victimisation – This occurs when an employee is treated badly because they have made or supported a complaint or grievance under the Equality Act or suspected of doing so.

For example - An employee makes a formal complaint of discrimination and although the complaint is resolved through the grievance procedure they are subsequently ostracised by their colleagues including their manager.

7.1.8. Pregnancy and Maternity - Different treatment is allowed under health and safety law; these laws are designed to protect women who are pregnant or who have recently given birth or to guard against risks specific to women.

For example - A night-shift worker who is pregnant is certified by her GP as unable to work nights. Her manager must not dismiss her (this would be direct discrimination because of pregnancy). Instead, the manager needs to manage the situation by either finding her daytime work or, if they cannot do this, putting her on leave with full pay.

8. Discrimination in Recruitment, Selection and Employment Recruitment, Selection and Employment processes must be fair to internal and external applicants. All applicants should be treated in an impartial and consistent manner. The School should encourage all relevant applicants for posts to demonstrate that it truly represents the community and promotes diversity.

8.1.1. The School has a commitment to achieving and maintaining, as far as is practicable, the composition of the population in the recruitment area, including under-represented groups, e.g. black, Asian and other ethnic minorities or people with disabilities.

8.2. Advertisements should appeal to as wide an audience as possible in order to drive equality, diversity and inclusion within the school.

8.2.1. Managers should ensure that:

- Age limits are not contained in advertisements.
- Mobility requirements, qualifications and number of years of experience that cannot be justified are not included in the advertisement to ensure any particular group is not discriminated against.
- Advertisements do not use discriminatory words such as “mature” or “young” in job adverts.
- They consider part-time/job sharing for applicants with dependants.

8.2.2. **Selection tests** if these are used they should be specifically related to the job with the purpose of measuring the applicants’ skills/behaviours to do the job or to train to achieve the level required as outlined in the person specification.

8.2.3. **When shortlisting applicants** against job criteria, managers must ensure that all decisions and reasons for those decisions are recorded and retained for six months, and in accordance with Data Protection legislation. This will enable the School to answer any allegations of discrimination.

8.2.4. **Positive action** – Managers may use voluntary positive action to increase the number of employees from minority groups in areas of work where they are currently under-represented. Positive action is about putting measures in place to encourage employees and potential employees and providing training for employees from particular groups who have been under-represented in particular areas of work. The following are examples of measures that should be taken wherever it is appropriate and reasonably practicable to do so:

- Job advertisements designed to attract members of particular groups and to encourage their applications;
- Encouraging applications from people with disabilities
- Introducing and advertising flexible working patterns and part-time/job share to encourage applications from individuals with family or other responsibilities and people with disabilities
- Use of job centres in areas where under-represented groups are concentrated. Job centres also assist people with disabilities to find employment.
- Taking steps to encourage individuals to take advantage of the opportunity to do a particular type of work where they are under-represented.
- Taking positive action in training and encouraging individuals from particular groups to apply for jobs or promotion must be made solely on the basis of the candidate's suitability.

8.2.5. **Occupational requirements – covers all of the Protected Characteristics** If you can show that a particular protected characteristic is central to a particular job, you can insist that only someone who has that particular protected characteristic is suitable for the job. This would be an 'occupational requirement'.

For example - A women's refuge may want to say that it should be able to employ only women as counsellors. Its client base is only women who are experiencing domestic violence committed by men. This would probably be a genuine occupational requirement.

8.3. Questions about health or disability – Except in very restricted circumstances or for very restricted purposes, you are not allowed to ask any job applicant about their

health or any disability until the person has been:

- Offered a job either outright or a conditional offer, or
- Included in a pool of successful candidates to be offered a job when a position becomes available.

8.3.1. This includes asking such a question as part of the application process or during an interview. Questions relating to previous sickness absence count as questions that relate to health or disability.

8.3.2. No-one else can ask these questions on your behalf either. So you cannot refer an applicant to **occupational health** or ask an applicant to fill in a pre-employment questionnaire provided by occupational health **before** the offer of a job is made (or before inclusion in a pool of successful applicants) except in very limited circumstances.

8.3.3 Most of the time, whether on an application form or during an interview, you can ask a question about whether someone has the relevant skills, qualities or experience to do the job, not about their health or about any disability they may have.

8.4. Training - Employees shall not be discriminated against or barred from participating in appropriate training courses. Selection criteria for training courses and promotion must not directly or indirectly discriminate on the basis of a protected characteristic.

8.4.1. Part-time employees must not be excluded from training and promotion opportunities or receive lesser terms and conditions (pro-rata) than full-time employees. Training needs should be assessed - you should actively encourage all employees including under-represented groups to assess their own training and development needs. You should recognise potential and be supportive in providing training opportunities for all employees.

8.4.2. All employees will be trained in equal opportunities practices.

8.5. Dismissals relating to the protected characteristics are unlawful. You should ensure that the reasons for dismissal are non-discriminatory and that the appropriate procedure has been followed.

For example - where an individual has not been performing for reasons such as family commitments, disability or lack of understanding due to a language barrier, you should try to improve the performance of the individual by looking at how the position could be adjusted. Consideration should be given to changing the role to take into account the individual's disability or obtaining further training. The Capability Procedure should be followed where there has been a failure to improve before considering dismissal.

8.5.1. When selecting for redundancy, you must be certain that the criteria for selection are not discriminatory, either directly or indirectly.

9 Discrimination

9.1. Race/racial group - It is unlawful to discriminate against, or harass, applicants for employment, employees and former employees, because of race. This is defined as including **race, colour, nationality (including citizenship) or ethnic or national origins.**

9.1.1. Managers should:

- Ensure that no applicant for a post or any existing employees are treated less favourably than other applicants or employees because of race, nationality, ethnic or national origin.

- Ensure that regardless of racial, cultural or ethnic origin employees receive the same opportunities to develop their skills and potential and have equal access to training, development and promotion opportunities.

9.2. Disability

9.2.1. The definition of disability is “a physical or mental impairment which has a substantial and long-term adverse effect on an individual’s ability to carry out normal day-to-day activities”. The impairment must have lasted or is expected to last at least 12 months or for the rest of an individual’s life. This does not mean that people with “disabilities” do not have “abilities” that are valuable within a working environment.

Examples of a serious impairment could include:

- mobility
- manual dexterity
- physical co-ordination
- continence
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand
- understanding of the risk of physical danger.

People with HIV, cancer and multiple sclerosis are covered by the Equality Act effectively from the point of diagnosis, rather than from the point when the condition has some adverse effect on their ability to carry out normal day-to-day activities.

9.3. Religion or Belief - It is unlawful on the grounds of religion or belief to discrimination on the grounds of:

- religion or belief or the absence of a particular religion or belief in employment.

9.3.1. Religion or belief is defined as:

- Religion
- Religious belief
- Or similar philosophical belief

Applicants for jobs must not receive less favourable treatment than other individuals based on the protected characteristics.

9.3.2. Many religions or beliefs have special festival or spiritual observance days. An employee may request annual leave or unpaid leave in order to celebrate festivals or attend ceremonies. A manager should sympathetically consider such a request where it is reasonable and practical for the employee to be away from work, and, if appropriate, that they have sufficient holiday entitlement in hand. See Leave of Absence policy for more information.

9.3.3. The School is not required to provide a prayer room. However, employees may be granted access to a quiet place in which to meet their religious obligations if such a place is available without it having any adverse impact on the business or other staff.

9.3.4. Managers should try to be flexible about when meal breaks or annual holidays are taken. There may be a few jobs where it is not possible to be flexible but explanation and discussion may enable a compromise to be achieved. Managers are not expected to accept unreasonable disruption to their service provision. Managers may wish to consider that the time taken for prayer is rarely longer than that of a tea or coffee break. Employees need to understand that they have a responsibility to be reasonable to both their manager and their colleagues when asking for time off.

9.3.5. Not all members of each religion follow all the practices and observances. Neither will every member of each religion request time off for each and every festival. In some instances, an adjustment to the working day to allow time to attend a prayer meeting before or after work may be all that is requested. In many instances nothing will be requested. Whilst managers are encouraged to be flexible where reasonable and appropriate, employees should recognise that they also have a responsibility to be reasonable and to consider the needs of the school.

9.4. Discrimination because of:

- **Gender**
- **Sexual Orientation**
- **Gender Reassignment**

Requirements relating to the elimination of sex discrimination in employment

Under the Equality Act the School is responsible for eliminating sex discrimination in recruitment and employment, the

The School will:

- Ensure that no applicant for a post or any existing employee receives less favourable treatment on the grounds of their gender, marital status or sexual orientation.

- Monitor recruitment, selection and promotion procedures and investigate any evidence of adverse impact on individuals to ensure that all applicants are receiving equal treatment

- Utilise facilities and terms and conditions in a flexible way, so as to encourage any individual to secure employment and to progress within the School, and to return to appropriate employment with the School.

- Ensure that regardless of an employee's gender, they receive the same opportunity to develop their skills and potential and have equal access to training, development and promotion opportunities available according to their abilities.

Exceptionally a person's gender may be a genuine occupational qualification for a job. See 8.2.5 for example.

9.4.1. Sexual Orientation – The School must not discriminate on the grounds of sexual orientation. Employees must not discriminate:

- directly against anyone - treat them less favourably than others because of their actual or perceived sexual orientation:
- in employment i.e. during the recruitment process,
- during employment (including terms and conditions of employment, promotions, transfers, training)
- on leaving the School's employment (including reasons for leaving such as dismissal or redundancy) and
- in vocational training.
- indirectly against anyone – to apply a criterion, provision or practice which disadvantages people of a particular sexual orientation unless it can be objectively justified
- or subject someone to harassment.

- or victimise someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of sexual orientation
- against someone, in certain circumstances, after the working relationship has ended.

9.4.2. Sexual orientation is defined as:

- Orientation towards persons of the same sex (lesbians and gay men)
- Orientation towards persons of the opposite sex (heterosexual)
- Orientation towards persons of the same sex and the opposite sex (bisexual)

It includes perceived as well as actual sexual orientation.

9.4.3. Social gatherings – Managers/employees should not assume that everyone is heterosexual. If a department or team offers the opportunity for a social gathering which is extended to the partners of staff, care should be taken with the wording of invitations, posters, etc to ensure inclusion of those with same sex partners. Where opposite sex partners are invited, the exclusion of same sex partners may constitute discrimination.

9.4.4. Gender reassignment - is the personal, social and medical process by which a person's gender identity is changed. The Equality Act provides individuals with the right to legally change gender by means of a Gender Recognition Certificate. This certificate automatically leads to a new birth certificate in the acquired gender. An individual must meet certain conditions:

- They have been diagnosed as having gender dysphoria (discontent with the biological sex an individual is born with). or
- They have had gender reassignment surgery, and
- They have lived in their acquired gender role for two years, and
- They intend to do so permanently for the remainder of their life.

9.4.5. Individuals have the right not to be discriminated against because they are proposing to undergo, are undergoing or have undergone gender reassignment. Protection begins from the date the individual informs a medical practitioner or their manager that they intend to undergo gender reassignment.

9.4.6. Confidentiality – A date should be agreed with the individual to change personal records to reflect the acquired name and gender. Access to personal records which indicate a person's previous gender should be restricted to Human Resources and the line manager who have specific requirements and are informed of their legal duty to confidentiality. All information will be treated in accordance with Data Protection legislation.

9.4.7. The line manager will provide support when an employee announces that they are about to make a gender transition. They can also establish from talking with the individual how they would prefer information about their transition to be communicated to colleagues.

9.4.8. **In recruitment -** Interviewers should not ask personal questions which may be perceived as intrusive and imply potential discrimination. Where the candidate volunteers such information, interviewers should take care not to allow themselves to be influenced by that information. Assumptions should not be made about who will, and who will not, "fit in". Selection for recruitment (and promotion) must be on merit, irrespective of sexual orientation.

9.4.9. In very limited circumstances there may be a Genuine Occupational Requirement (GOR) for the employee to be of a particular sexual orientation in order to do their job. This might apply for example where the job involves counselling or other support services related to sexual matters.

9.4.10.The School is committed to tackling all forms of harassment, including sexual harassment. Sexual harassment is not tolerated by the School and specific procedures are in place to deal with such allegations. The Policy and Guidance for Dignity at Work ensures that it reflects best practice and that all employees are aware of the support and advice available if they experience harassment. The School also has a 'whistle blowing 'procedure, which extends the protection for employees who want to report bad practice without fear of being victimised as a result.

9.5. Civil Partnerships – Under the Act same-sex couples are a protected characteristic. The status of a civil partner is comparable to that of a spouse. In particular, civil partners have the same rights to:

- parental leave;
- emergency time off for dependants;
- maternity, paternity;
- adoption leave and pay;
- request flexible working.

They also have the right not to be discriminated against or victimised on the grounds that they are in a civil partnership. In addition, an employee in a civil partnership is entitled to both formal and informal benefits allowed to married employees

9.6. Part-Time Workers- it is unlawful to treat part-time staff less favourably than comparable full-time staff. Part-time staff will receive pro-rata annual leave/public holiday entitlement calculated on the basis of the proportion of a full-time contract worked, rather than on the days normally worked. The School will:

- Ensure that regardless of hours worked, employees receive the same opportunity to develop their skills and potential and have equal access to training, development and promotion opportunities available according to their abilities.
- Agree that when they attend a training course outside of their contracted hours, e.g. on a day when they are not expected to work, the day attending the training will be classed as a working day and they will be entitled to time off in lieu or overtime pay as and when appropriate, for the additional hours spent at the training event
- Ensure that part-time employees receive the correct pro rata benefits and leave allocation, and suffer no detriment.

9.7. **Age -** It is unlawful to discriminate in the following:

- Recruitment and Selection - It is unlawful to discriminate in the recruitment process on the grounds of age.
- It is discriminatory to use age related criteria in advertisements or person specifications by:
    - refusing, or deliberately omitting, an offer of employment e.g. the deliberate omission from a shortlist on grounds of being too young or too old, or
    - offering terms of employment based on age (e.g. putting an older employee with the same length of experience on a higher pay scale point than a younger employee)

- Job evaluation - Job descriptions must not ask for a minimum length of experience.
- Bullying and Harassment - the use of offensive remarks or the exclusion of employees related to age.
- Redundancy – selection based on age
- Appraisal - age related comments/requirements must not be included.
- Training - employees must not be discriminated against on grounds of age
- Benefits - cannot be related to age or a qualifying period of more than 5 years of service.

9.8. Discrimination/Harassment by third parties against employees and job applicants

9.8.1. The School may be liable for harassment of job applicants and employees by third parties. A third party is anyone who is not the employer or another employee. The duty on the School to prevent third party harassment arises when the employee or job applicant has been harassed by a third party on at least two previous occasions, and the School is aware of the harassment but fails to take 'reasonably practical steps' to prevent it happening again. If a manager does nothing to stop it happening again, the School would be liable for any further harassment perpetrated

9.8.2. The School will be able to avoid liability for third party harassment of employees if it can be shown that reasonably practical steps were taken to prevent it happening.

9.8.3. During the course of work, all employees may experience 'difficult' or hostile people, and are encouraged to discuss ways of managing and identifying the need for support with their manager. In addition to this, employees may also experience racist abuse. It is the manager's responsibility to highlight to all employees that there are no circumstances where this is acceptable in the workplace. They must also ensure that, should an incident of this nature occur, that the employee is informed of what support is available.

9.8.4. Where the School uses external providers, they will, as part of their contract with the School, adhere to this guidance in respect of harassment and the service user.

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10. The Public Sector Equality Duty

10.1. The Equality Act 2010 introduced a single Public Sector Equality Duty (PSED) (sometimes also referred to as the 'general duty') that applies to public bodies, including maintained schools and Academies, and which extends to all protected characteristics - race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment. This combined equality duty came into effect in April 2011.

Please see the separate Equality Act Guidance for Schools which includes more information about the Public Sector Equality Duty (PSED).

Appendix1

The School as an Employer

1. The aim is to create an environment where Governors and Employees:

   - Apply equality and fairness in employment practices. All decisions including advertising of vacancies, shortlisting, selection, induction, appraisal, training, development, promotion, and pay will be based on an objective and fair assessment of need.
   - Draw the attention of management or the appropriate trade union to suspected acts or practices which affect equal opportunities

1.1. The following policies will help the School in its development of equal opportunities:

   - Pay Policy
   - Recruitment and Selection Policy
   - Grievance Policy
   - Dignity at Work Policy
   - *(add any additional, relevant policies adopted by the school, e.g. Professional Development Policy)*

1.1.2. The School must ensure that all staff (including Governors) involved in recruitment are aware of equal opportunities practices and that procedures are fair, honest and open. The School will monitor staff recruitment, retention and career development by ethnicity, gender, disability and age.

1.1.3. All staff will have the right to challenge any decision or action which they believe to be in breach of these principles. All complaints relating to employment must be made at first informally and if necessary the next step should be through the formal Grievance procedure. Any member of staff who deliberately or knowingly contravenes the policy will be liable to formal disciplinary action. All complaints are assumed to be made in good faith unless there is evidence to the contrary. If however, an accusation is found to have been made maliciously, disciplinary action may be taken against the person making the false complaint.

2. Specific employment issues

2.1. Gender

2.1.1. The school is opposed to any direct or indirect discrimination based on gender, including gender change, sexual orientation or marital status. This will include any

unequal treatment based on pregnancy.

2.2. Race/Religion

2.2.1. The School is opposed to any direct or indirect discrimination based on race, colour, religion, ethnic or national origin

2.2.2. There may be situations in the school which require special consideration and where a genuine occupational qualification may apply, for example to justify the employment of a particular sex or someone of one particular race or ethnic origin. However these situations will be unusual and exceptional and will be discussed with the staff in advance.

2.2.3. The school is further opposed to any act of victimisation or sexual harassment against any member of staff on the grounds of their gender or change of gender, colour, ethnic or national origins or religion. Such action will be investigated in accordance with the school's procedure and may lead to formal disciplinary action.

2.3. Disability

2.3.1. The School is opposed to any discrimination against people with disabilities based on assumptions on their ability or otherwise to carry out the duties of a post in the school. All candidates with disabilities who meet the basic essential criteria for a post will be interviewed. Provision will be made for adjustments to the working conditions or environment where this is practicable.

2.3.2. *The definition of disability is "a physical or mental impairment which has a substantial and long-term adverse effect on an individual's ability to carry out normal day-to-day activities". The impairment must have lasted or will last at least 12 months or the rest of an individual's life. This does not mean that people with "disabilities" do not have "abilities" that are valuable within a working environment.*

2.4. Age

2.4.1. The School is opposed to any direct or indirect discrimination, based on age towards any employee before, during or after employment.

2.4.2. All employees have the right to be treated fairly whatever age, and not be subjected to any practice, which may disadvantage because of being a particular age, unless objectively justified. The school must not subject any employee to harassment that violates an employee's dignity, nor victimisation because they have made or intend to make a complaint of discrimination on the grounds of age. This right continues after the working relationship ends.

2.4.3. The school also recognises its statutory obligation not to discriminate on the grounds of:

- Trade Union
- Political Affiliation

3. Positive Action

3.1. The School recognises that the avoidance of discrimination is not sufficient to ensure that equality of opportunity exists in the school. It will therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy. These measures may include:

- Encouraging applications from specific groups which are under-represented in the school
- Supporting training measures for under-represented groups
- The use of job-sharing arrangements wherever practicable
- Exploring the possibility of career breaks for women to assist with family commitments

4. Dignity at work

4.1. The school is committed to the principles of dignity at work for its entire staff. This includes the right to be treated with respect by all managers and colleagues. Any person who fails to act in accordance with this principle may be the subject of formal disciplinary action.

5. Training

5.1. The principle outlined in relation to fair and equal treatment will also apply to selection for training. Details of training opportunities will be made available to all staff that will be given the opportunity to request training on courses which they believe to be relevant to their role and personal development. There can, of course, be no guarantee that all such requests will be met. Priorities for training allocation will be based on the school's overall development plan and budget allocations.

6. Monitoring and review

6.1 This policy will be monitored periodically by the school to judge its effectiveness and will be updated in accordance with changes in the law. In particular, the school will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the school will implement them.

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 Data Protection Legislation.