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# EQUALITY & DIVERSITY RECRUITMENT AND EMPLOYMENT

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## PREFACE

Chiltern Hills Academy is a learning environment at the heart of its community. We encourage every person in our community to:

### **Create, Aspire and Excel to 'Live life in all its fullness' (John 10:10)**

We achieve this through our dedication to the seven Christian values of love, hope, self-discipline, compassion, forgiveness, respect and honesty.

We are a community in which staff, students and parents work collaboratively to develop a learning environment and organisation which is spiritual, safe, innovative, creative and exciting. All members of the Academy are motivated and inspired by the vision to give their best and to play a full part in the life of the school and in their own developing lives.

The Governors at Chiltern Hills Academy are committed to achieving the vision and values. They oversee and monitor this policy to ensure that this is being achieved.

## 1. INTRODUCTION

The Governing Board of the Academy recognises its responsibilities in the employment of staff in the Academy. In accordance with those responsibilities, it wishes to ensure the fair and equal treatment of all its staff, all those who are applicants to work in the Academy and those individuals who undertake work on Academy premises. This policy sets out the principles under which the Governing Board of the Academy will operate to meet these aims.

The policy has been discussed and agreed with all staff representatives and with the trade unions and professional associations. It is available to all staff in the Academy and to any prospective applicant. The Governing Board welcomes any comments or contributions to the policy document. This policy reflects the current equality legislation: Equality Act 2010.

This policy relates only to the employment aspects of the activities of the Academy. The principles outlined here by the Governing Board of fair and equal treatment apply equally to our approach to students and parents of the Academy and to our dealings with members of the local community and all outside agencies. The Academy's policy on equality and diversity in the curriculum and the treatment of students is set out in a separate policy document.

## 2. STATEMENT OF INTENT

The Governing Board of the Academy is committed to equality and diversity for all in the appointment, development, training and promotion of staff and in all dealings with students and parents of the Academy. This policy focuses specifically on the employment of staff in the Academy.

The Governing Board recognises the value of a diverse and inclusive workforce. The Governing Board and the leadership team of the Academy will operate at all times within the requirements of anti-discrimination legislation and will promote equality and diversity positively in its staffing decisions. All decisions, including advertising of vacancies, shortlisting, selection, induction, appraisal, training, development, promotion, terms and conditions of employment, dismissal and pay will be based on an objective and fair assessment of Academy requirements. The only

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# EQUALITY & DIVERSITY RECRUITMENT AND EMPLOYMENT

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personal characteristics, which will be taken into account, will be those which are necessary for the requirements and proper performance of the work involved. There will be no generalised concepts or assumptions about the characteristics of groups. All staff will have a right, through the agreed procedures, to challenge any decision or action which they believe to be in breach of these principles. Any member of staff who deliberately and knowingly contravenes the policy will be liable to formal disciplinary action.

### 3. STATUTORY REQUIREMENTS

The Governing Board is bound by law not to discriminate on certain grounds. The Equalities Act 2010 has brought together all the current discrimination laws into one and sets out the “protected characteristics” that qualify for protection from discrimination as:

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

There are some exemptions from this legislation in situations where the essential nature of a job calls for a man, woman, or a person from a particular religion or racial group. The governing Board will not normally seek to use exemptions from the above Acts. This Academy, as a Church of England school, may seek to appoint staff who are members of the Church of England faith for the purposes of sustaining the ethos of the Academy.

The Governing Board will give sympathetic consideration to requests for time off or for religious observance from staff who are active members of particular religions or beliefs, although such time off will be unpaid and will be considered only subject to the operational requirements of the Academy.

The Governing Board will, wherever possible, make reasonable adjustments to recruitment processes, working conditions or the working environment, including terms and conditions of employment, to help overcome practical difficulties created by applicants or members of staff who have a disability.

The Governing Board acknowledges these areas of regulation and confirms its commitment to enforce these statutory requirements in the Academy.

The over-riding premise that will be adhered to in matters of equality and diversity, by all governors and staff in the Academy, is that everyone has the right to be treated with dignity and respect whatever their age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

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# EQUALITY & DIVERSITY RECRUITMENT AND EMPLOYMENT

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## 4. ADVERTISING OF VACANCIES

Vacancies will be advertised openly and will normally be available for members of staff in the Academy to apply. In most cases, vacancies will be advertised externally unless there are exceptional reasons why this should not occur, for example in situations of potential redundancy.

## 5. SELECTION FOR APPOINTMENT OR PROMOTION

All decisions relating to appointments or promotions will be conducted in accordance with the following principles:

- i) A detailed role profile will be drawn up which accurately describes the duties of the post
- ii) An objective and sufficiently detailed person specification will be defined from the role profile
- iii) From these documents, a list of objectively assessed selection criteria will be drawn up
- iv) Role profiles, person specifications and selection criteria will be available to all candidates
- v) Shortlisting will be carried out against the selection criteria and a written record retained of the assessment of each candidate
- vi) At least one interview panel member will be trained in selection techniques
- vii) At least one person each panel will be trained in equality and diversity and the requirements of anti-discrimination legislations
- viii) Selection decisions will be made against the agreed criteria and no other criteria will be used
- ix) A written record of the selection decision relating to the agreed criteria will be retained
- x) Reasonable adjustments will be made to the recruitment and selection process where necessary to ensure that people with disabilities are enabled to compete for appointments in the Academy.

## 6. SPECIFIC ISSUES

### Age

The Governing Board is opposed to any direct or indirect discrimination based on age.

### Disability

The Governing Board is opposed to any discrimination against people with disabilities based on assumptions of their ability or otherwise to carry out the duties of a post in the Academy. All candidates with disabilities who meet the basic essential criteria for a post will be interviewed. Where a candidate who has a disability is appointed to a post in the Academy, reasonable provision will be made for adjustments to the working conditions or environment where this is practicable.

### Gender Reassignment

The Governing Board is opposed to any discrimination as a result of a person proposing to undergo, undergoing or having undergone a process (or part of a process) for the purpose of reassigning the person's sex

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# EQUALITY & DIVERSITY RECRUITMENT AND EMPLOYMENT

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## **Marital Status or Civil Partnership**

The Governing Board is opposed to any discrimination against employees who are married or in a civil partnership.

## **Pregnancy and Maternity**

The Governing Board is opposed to any discrimination against a woman because of her pregnancy and/or maternity leave.

## **Race**

The Governing Board is opposed to any direct or indirect discrimination based on race, colour, ethnic or national origin. There may be situations in the Academy which require special consideration and where an occupational requirement may apply to justify the employment of 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.

## **Religion or Belief**

The Governing Board is opposed to any direct or indirect discrimination based on religion or belief. (However, as a church Academy – subject to the statement in Section 3 above.)

## **Gender**

The Governing Board is opposed to any direct or indirect discrimination based on gender. There may be situations in the Academy which require special consideration and where a genuine and determining occupational requirement may apply to justify the employment of someone of a particular sex. However, these situations will be unusual and exceptional, and will be discussed with the staff in advance.

## **Sexual Orientation**

The Governing Board is opposed to any direct or indirect discrimination based on perceived or actual sexual orientation.

## **7. HARASSMENT OR BULLYING**

The Governing Board is opposed to any unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. The Governing Board is further opposed to any act of victimisation, harassment or bullying against any member of staff either by an employee or third party based on assumptions about their status in the above categories or any other grounds. Such action will be investigated in accordance with the Academy's procedure and may lead to formal disciplinary action.

## **Non-statutory Aspects**

Although there is no statutory requirement not to discriminate against other groups, or characteristics of staff, the Governing Board wishes to state that it will not in any way discriminate against members of staff or applicants for posts on the grounds of their political affiliation.

## **8. POSITIVE ACTION**

The Governing Board recognises that the avoidance of discrimination is not sufficient to ensure that equality and diversity exists in the Academy. The Governing Board will therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy.

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# EQUALITY & DIVERSITY RECRUITMENT AND EMPLOYMENT

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This is action designed to encourage or facilitate the employment or training of minority or disadvantaged groups.

The Governing Board will not discriminate in favour of individuals from specific groups (positive discrimination), but it will take positive action which enables members of those groups to compete on an equal basis.

Positive action measures may include:

- encouraging applications from specific groups which are under-represented in the Academy
- encouraging people with disabilities to apply for posts
- advertisements which encourage applications from individuals of a particular sexual orientation, or religion or belief, but make it clear that selection will be on merit
- flexible working – promoting the use of job shares and flexible working where operational factors make this possible
- language/literacy training
- supporting training measure for under-represented groups
- assistance with applications for candidates with language problems
- provision of childcare facilities or support with the costs of childcare facilities for staff
- exploring the possibility of career breaks for women to assist with family commitments
- commitments to interviewing disabled people who meet the basic criteria for the post
- encouraging staff to become representatives of trade unions/associations

## 9. HARASSMENT AND GRIEVANCE PROCEDURES

Harassment has the effect of destroying dignity and undermining the confidence of employees. It can take many forms including physical contact, bullying, threatening or ignoring someone. It can be a series of offensive remarks or a single incident. It can be behaviour that staff find offensive even if not directed at them or harassment because of perception or association.

The Governing Board is committed to the principles of dignity at work for its entire staff in the Academy. This includes the right to be treated with respect by all managers and colleagues.

The Governing Board will consider any acts of harassment including those on the grounds of age, disability, gender, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, as totally unacceptable and outside the ethos and culture of the Academy. Any such act by a member of staff against any adult or child will be treated as a disciplinary offence, and action taken accordingly.

The Academy has procedures to resolve grievances and for the handling of complaints of harassment and bullying at work. The Governing Board is committed to investigate any such complaint. These procedures will be followed carefully and promptly in response to any such complaint. The first point of contact for any such complaint should be The Principal. In addition, staff have the right to approach their professional association or trade union representative for support.

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# EQUALITY & DIVERSITY RECRUITMENT AND EMPLOYMENT

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## **10. MONITORING THE POLICY**

An Equality and Diversity policy can only be shown to be effective if its implementation is properly monitored. Given the scope of our policy, this means monitoring both the existing staff of the Academy and all applications from outside of the Academy. The Academy will therefore keep records of existing staff and new applicants which can be analysed to provide data to assess whether this policy is working in practice.

The principles outlined in this policy will be reviewed against compliance with current legislation and GDPR best practice.

## **11. TRAINING**

The principles outlined above in relation to fair and equal treatment will also apply to selection for training. Requests for training will be considered in accordance with the Academy's operational priorities, based on the Academy's overall development plan and budget allocations.

Similarly, the training of the Academy managers and governors in issues of equality and diversity and discrimination, is an essential part of our Equality & Diversity policy. Where training is scheduled to take place on site, the Academy will, where possible, adapt the methods of training delivery if current arrangements disadvantage particular individuals or groups of staff.

## **MONITORING, EVALUATION AND REVIEW**

This policy will be reviewed when there are changes in the law or annually to assess implementation and effectiveness. This policy will be promoted and implemented throughout the Academy.