



**BROCKHURST & MARLSTON HOUSE SCHOOLS**  
Including all of the Pre-Prep Department and Early Years  
Foundation Stage



## **EQUAL OPPORTUNITIES AND VALUING DIVERSITY POLICY**

**Brockhurst & Marlston House Schools (the School) is committed to providing the best possible care and education to its pupils, and to safeguarding and promoting the welfare of children and young people. This policy is written with that commitment in mind, and in accordance with KCSIE and the Equality Act 2010 (including the Public Sector Equality Duty).**

**Reviewed: September 2024**

**Next Review: September 2025**

Brockhurst and Marlston House School is a co-educational school, committed to the policy of Equal Opportunities and Valuing Diversity in relation to its pupils and its employees.

### **RACE, RELIGION AND BELIEF**

The definition of race includes colour, nationality and ethnic or national origins. Religion and belief include lack of religion or belief. Segregation by race or ethnicity is always unlawful. Racial 'banter' is considered a serious issue and is not tolerated in the school on any level.

### **PUPILS**

Pupils are not discriminated against, paying particular attention to the protected characteristics set out in the Equality Act 2010 or of their cultural background, linguistic background, special educational need, sexual orientation, gender reassignment or academic or sporting ability. These factors are taken into account in the care of all pupils, including boarders, so that care is sensitive to different needs.

Brockhurst and Marlston House School is not able to provide for severely disabled pupils requiring specialist support. However, we are very willing to consider entry to the school for individuals who would be able to develop their potential in our environment. Each potential pupil would be considered individually and, if it is practicable, given sufficient support for their particular disability. They would then be welcome to join the school subject to assessment processes that would look at the individual child's needs.

### **STAFF**

Staff at Brockhurst and Marlston House are expected to set an example and promote equality of opportunity for all pupils and staff, both current and prospective, and to support an environment that values diversity.

The School is committed to promoting equality of opportunity for all staff and job applicants. This policy applies to all aspects of our relationship with staff, to relations between staff members at all levels, and to the way in which staff treat pupils, visitors, parents, suppliers and former staff members. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts), and on School-related trips or events including social events.

Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:

- treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions

This standard, being limited to 'teaching', does not include matters such as admissions, exclusions and fee structures. Discrimination in these contexts is covered by the Equality Act. The Equality Act expressly excludes the content of the school curriculum and related guidance about teaching controversial topics.

We do not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, part time status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation ("protected characteristics").

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff because of their protected characteristics. All managers/Heads of Department must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Staff will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.

This policy does not form part of any employee's contract of employment and will be amended from time to time.

This policy covers all individuals working at all levels in the School.

- You must not unlawfully discriminate against or harass other people including current and former staff, job applicants, parents, including those of prospective pupils, pupils/prospective pupils, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with parents, pupils, suppliers or other work-related contacts), and on work-related trips or events including social events.
- Discrimination may be direct or indirect and it may occur intentionally and unintentionally/unconsciously.

The following forms of discrimination are prohibited under this policy and are unlawful:

**Direct discrimination** occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their

race because they would not "fit in" would be direct discrimination. Direct discrimination on the basis of a person's protected characteristics is always unlawful.

**Indirect discrimination** is unlawful unless it is a proportionate means of achieving a legitimate aim. Positive action is lawful to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Staff Handbook under "Dignity at Work".

**Victimisation** is also prohibited. This is retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.

**Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

#### Recruitment and selection

- We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above.
- Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. The School adopts a best practice approach to applications for flexible working. Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. It is a requirement for HR to review all advertisements for compliance with current legislation and best practice.

Applicants should not be asked about:

- health or disability before a job offer is made;
- past or current pregnancy or future intentions related to pregnancy or plans to have children;
- matters concerning age, race, religion or belief, sexual orientation, or gender reassignment; **without** the approval of the HR Department (who will first consider whether such matters are relevant and may lawfully be taken into account).

We are required by law to ensure that all employees are entitled to work in the UK. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation.

To ensure that this policy is operating effectively and to identify groups that may be disadvantaged or underrepresented, we may monitor applicants' protected characteristics as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

## Current staff

- All promotion decisions will be made on the basis of merit.
- We will ensure that any redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.
- We monitor our use of fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities.
- We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately.
- If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate. If you experience difficulties at work because of your disability, you may wish to contact your Line Manager and/or the HR Department to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The School may wish to consult with you and your medical adviser about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

## **BREACHES OF THIS POLICY**

If you believe that you may have been discriminated against or that you may have been subject to harassment you are encouraged to raise the matter with your Line Manager or the HR Department either informally or in accordance with our Grievance Procedure.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.

Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal.

Any member of staff who witnesses anything which causes them to be concerned about discrimination under this policy even if it does not relate to their own treatment should approach HR with a view to discussing the matter further.

## Appendix 1

### Equity, Diversity & Inclusion Staff Checklist

- Ensure your classroom is a welcoming place for all children.
- Avoid stereotypes.
- Build rapport with your pupils: learn their names properly, share your own interests etc.
- Do not make assumptions about pupils. Get to know them.
- Do not single out or ignore pupils during lessons.
- Ensure you accept, value, include and encourage all pupils.
- Ensure any inappropriate comments or challenging behaviour is dealt with fittingly and quickly. Address them head on and use them as teachable moments.
- Ensure you are aware of your EDI responsibilities.