



# EQUAL OPPORTUNITIES AND DIVERSITY POLICY

Version	8
Reviewed By:	Director of HR and Bursar
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## **BLACK LIVES MATTER STATEMENT**

Dover College recognises we have a role to play in sending a message that racism in all its forms can never be tolerated. Overt and covert racism exists and persists in society and we intend to play our part as best we can in changing this. To stand against racism means that all members of our community must be confident and bold enough to challenge racism and that we also continue to reflect on our own actions and behaviours.

We:

- Do not tolerate racism
- Adopt and act on anti-racist policies that form part of our school rules
- Encourage all members of our community to discuss ways we can eradicate racism
- Promote listening, reasoned engagement, and positive action in response to injustice, while condemning aggression and violence in all its forms
- Are an Equal Opportunities employer and do not tolerate any form of discrimination or harassment in our workplace

We will:

- Consider ways in which we can further educate our community so that its members are empowered to act against racism

- Engage further with those inside and beyond our community to understand their views and those of others on this topic
- Consider how we can amend our approach to further reflect our support for eradicating racial injustice
- We ask all in our community to join us in challenging racism and holding ourselves and others to account.

The College's aim is to be a school where confidence is nurtured, inquisitiveness is encouraged, individual achievement is celebrated and creative learning is supported, empowering pupils to achieve the very best of their ability, regardless of background.

## **1. SCOPE**

Dover College is committed to treating people with equality and valuing diversity; to build a strong, cohesive College and to promote good community relations through listening and involvement. Dover College embraces equality and diversity, and this is reflected in our mission, aims and objectives.

The overall aim of this policy is to: -

- Eliminate unlawful discrimination;
- Promote equality of opportunity;
- Promote equality of access;
- Promote good relations between diverse communities;
- Promote equality within Dover College's employment policies and practices;
- Promote equality in the delivery of education and services in the wider community.

## **2. PHILOSOPHIES AND PRINCIPLES**

Discrimination is damaging to those who discriminate, as well as to those who are discriminated against, as they fail to benefit from the skills and talents which some people may have to offer. In order to reflect the diversity within our pupils and to promote an environment within which the College can call upon the widest possible range of knowledge, skill and experience, as well as ensuring compliance with the relevant legislation and codes of practice, we are committed to achieving and maintaining a workforce which represents the population within our recruitment area in terms of 'protected characteristics' through the Equality Act 2010:

- Race or colour;
- Nationality or national or ethnic origins;
- Religion or belief;
- Sex;
- Sexual orientation;
- Pregnancy or maternity;
- Marital or civil partnership status;
- Gender reassignment, age;
- Disability.

The Equality Act became law in 2010. It replaces previous legislation and ensures consistency in what Dover College needs to do to make the workplace a fair environment and to comply with the law. To this end, we shall regularly review the operation of our recruitment, promotion, training and development policies to ensure that no applicant for employment or member of staff is disadvantaged by conditions or requirements, which cannot be shown to be justifiable.

No employee or prospective employee will receive unfair or unlawful treatment on the grounds of a Protected Characteristic, because they are perceived to have a Protected Characteristic or because they are associated with someone who has a Protected Characteristic, in particular but not only, in relation to:

- Recruitment and selection;
- Promotion, transfer & training opportunities;
- Pay, benefits, terms and conditions of employment;
- Grievance and disciplinary procedures;
- Termination of employment including redundancies;
- Conduct at work;
- Procedures ensure fair and equitable treatment in relation to admission and assessment of students.

The principles of non-discrimination and equality of opportunity also apply to the way in which staff must treat visitors, pupils, parents, suppliers and former members of staff.

### **3. WHAT IS DISCRIMINATION?**

Discrimination occurs when a person or group of people are treated on certain grounds less favourably than another. When this treatment is carried out due to a person having one of the protected characteristics this is discrimination. It must be remembered that individuals can experience less favourable treatment by association e.g., due to caring for a disabled person or for more than one reason. Therefore, discrimination can be direct, indirect, associative, perceptible, intentional or unintentional, and can be caused by individuals, groups or institutions.

There are instances when the law allows for people to be treated differently. This is when a particular requirement or condition is objectively justifiable e.g., where the holder of the job provides individuals with personal services and those services can only be provided by a particular sex or the same racial group.

Further guidance on discrimination can be found at

<https://www.gov.uk/discrimination-your-rights/types-of-discrimination>

#### **4. ACHIEVING EQUALITY**

Dover College encourages equality to be integrated into the spirit of everything our College does. The College with the assistance of the staff aims to:

- Break down any barriers to equality of opportunity, which may prevent staff members realising their full potential or accessing benefit by incorporating an ethos of equality into every policy, procedure plan and strategy from the start;
- Seek to create a workforce profile that reflects our diverse community at all levels by advertising vacancies and by ensuring job selection criteria are appropriate for the job and that people are selected for a job based on their ability to perform that job;
- Challenge all forms of unfair discrimination, whether intentional, unintentional, institutional or otherwise and promptly and fully investigate all complaints of discrimination and harassment, taking appropriate action where necessary;
- Work to develop procedures to respond to and address all forms of harassment and victimisation;
- Ensure that all members of staff are fully informed and trained on this policy;
- Monitor the composition of the College and the effects of its recruitment practices by profiling the origin of our pupils, staff and volunteers to inform our policies and priorities;
- Establish clear targets for improvement within service areas and employment through an equalities plan by actively engaging with, involving and listening to the views of our staff, volunteers, pupils and community, to assist in the development of our equality agenda, through rigorous review, self-assessment, audit and reporting mechanisms to further progress on our equalities work;
- To develop the College and its services to be accessible to all;
- Undertake Equality Impact Assessments on major decisions, policies and procedures and take appropriate action;
- Existing procedures are reviewed and examined to ensure they are not discriminatory in their operation;
- Language used in official communication reflects the letter and spirit of the policy.

#### **5. RECRUITMENT AND SELECTION**

The staffing process is governed by the College's principles of non-discrimination and is designed to achieve the best match between, on the one hand, the individual's knowledge and skills, experience and character and, on the other hand, the requirements of the vacant post, recognising the need for flexibility to respond to changing conditions.

- The capability of the individual to perform in the position will be the major selection criterion but the ability both to work with others and to be trained, coupled with individual potential will be taken into account;
- All applicants will be dealt with courteously and as expeditiously as possible;
- Carefully selected and validated skills and/or psychometric tests may be used as part of the selection process and will be administered by a trained tester;
- Appointments will be confirmed on receipt of satisfactory references and DBS checks (and in the absence of prohibition orders) and/or medical report and/or satisfactory completion of a probationary period;
- Candidates will not be disadvantaged by conditions or requirements which are not justified or relevant to the role;
- If used during the application stage, monitoring forms will not be used to discriminate against any applicant. They will be kept separate from the applications and the person or people shortlisting and appointing should not see the information before deciding whom to interview or appoint. They will only be used to test whether our practices are effective in preventing the exclusion of groups in the recruitment process.

Full details of Dover College's recruitment process are contained in the Safer Recruitment Policy located on the College's website and network shared area.

## **6. DISABILITY**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

A disability will not of itself justify the non-recruitment of an applicant for a position at the College. Such reasonable adjustments to the application procedures shall be made as are required to ensure that applicants are not disadvantaged because of their disability. For example, where written tests are used, alternative arrangements will be made for visually impaired applicants. We guarantee to interview all applicants with a disability who meet the essential criteria for a job vacancy and to consider them on their abilities.

If you experience difficulties at work because of you have disability or develop one, you may wish to contact your Head of Department to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your Head of Department may wish to consult with you and your medical adviser about possible adjustments and you may be required to give your consent to a report being produced about your state of health and ability to perform your duties. We will consider the matter carefully and try to accommodate your needs within reason and as far as is practicable. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find

an alternative solution where possible. Once an adjustment has been made its operation may need to be reviewed at agreed intervals, to assess its continuing effectiveness.

The College will make such adjustments to work arrangements or College premises as are reasonable to enable a disabled staff member to carry out his or her duties. This will include, but is not limited to, consideration of the provision of specialist equipment, job redesign, flexible hours.

Where during the course of their employment a disabled member of staff recognises their need for a reasonable adjustment to be made to work arrangements or College premises, he or she is encouraged to discuss this requirement with the Bursar.

The College would appreciate if a member of staff suffers from a long-term medical condition or disability where medical assistance may be necessary, to inform the medical centre in confidence accordingly.

## **7. DIGNITY AT WORK (VICTIMISATION AND HARASSMENT)**

Dover College recognises that staff have the right to work and pupils have a right to study in a supportive, safe and harassment-free environment. You should not engage in any behaviour or conduct which may amount to harassment of another person at work. Harassment of any kind is regarded as a disciplinary offence and in serious instances may lead to instant dismissal. Dover College is aware that third party harassment can potentially occur and will endeavour to protect our staff and pupils from such behaviour.

Harassment may take the form of unwanted conduct, which is related to a relevant Protected Characteristic which is perceived as affecting an employee's dignity at work. It may also take the form of unwanted conduct towards someone based on their appearance or other personal characteristics, which is perceived as affecting their dignity at work. It is not only unwanted physical contact, assault or propositions; it includes suggestive remarks or gestures, pin-ups, graffiti, offensive comments, jokes and banter. Harassment may include bullying, intimidating behaviour, persistent teasing or constant unfounded criticism of the performance of work tasks, unfair allocation of work and responsibilities, or exclusion from normal work place conversation. It may be directed towards one individual or a group. A single incident can amount to harassment if sufficiently grave.

Dover College will also ensure that where a staff member or pupil is suspected of or has supported or raised a complaint or grievance about discrimination, that they are not treated badly because of it. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

## **8. WHAT DO YOU DO IF YOU THINK YOU HAVE BEEN VICTIMISED OR HARASSED?**

- If you consider that you have been the recipient of unwanted conduct amounting to harassment, it is open to you to try to resolve the problem informally with the other person, either face to face or in writing. If this is not appropriate or has not been successful, you may raise a grievance in accordance with the procedure in this handbook. All such grievances will be dealt with sensitively and in confidence as far as reasonably practicable to progress the complaint. Both during the investigation of the complaint and afterwards (whatever the outcome), consideration will be given to ensuring that you and the alleged harasser are not required to work together against your wishes:
- If you consider that you have been subject to discrimination of any form, you should inform the Headmaster or the Bursar:
- The College will seek to ensure that you are not in any way penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped;
- False or malicious allegations will be treated as a disciplinary offence. Retaliation against a member of staff who complains of harassment can be expected to lead to disciplinary action;
- Any applicant for employment, volunteering or study with Dover College may invoke the complaints procedure if they believe they have been unfairly treated on equal opportunity grounds.