

## Equality and Diversity Policy for Staff

Last Review	April 2020
Approved by Governors	May 2020
Next Review	April 2022

### Vision

Loreto College is centred in God, rooted in Christ and animated by the spirit of Mary Ward, the founder of the Institute of the Blessed Virgin Mary. Our vision is that it will be an educational community where each person has the experience of being loved and valued as a sacred individual created by a loving God; a community where students enjoy an enriching and liberating education that helps them grow into the fullness of life and empowers them to be men and women of courage who are alive to the needs of humanity and committed to making a better world. We are committed to building a healthy and vibrant college that treats people with respect and creates the opportunity for students to fulfil their potential. We believe that bringing together students with different backgrounds, experiences and perspectives allows us to become more innovative and successful.

### Introduction

The College aims to be an educational community which gives expression to the core values of Mary Ward – freedom, justice, sincerity, truth, joy, excellence and internationality. Loreto College has the highest expectations of personal, academic and professional excellence. This document sets out the College's policy and guidance on the procedures it will follow to ensure and promote equality of opportunity for its entire staff. In doing so the College will be mindful not only of its legal responsibilities but of its Mission and core values. As the College exercises its duty of care for all its staff and students, it will endeavour to treat each individual with justice, compassion and respect for their dignity, irrespective of difference. When developing and implementing Loreto policies and procedures, we will ensure that we do not discriminate against employees based on their protected characteristics as set out under the Equality Act 2010:

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

## **1. Policy Statement**

Loreto College is a designated Catholic Sixth Form College established to serve the needs of 16 to 19-year-old students in Manchester and the surrounding areas. Its Mission Statement encourages both staff and students to be “...doers of justice” and it is therefore committed to having an Equality and Diversity policy which respects the view that no employee should experience less favorable treatment. This assumes a commitment on the part of the employee to the ethos of the College.

- This policy has been formulated to promote, implement and monitor the equality of opportunity for present and potential future staff at Loreto College.
- The College will ensure that, through this policy, it fulfils its obligations under the Equality Act (2010)
- The College will co-operate/consult with such national/local Advisory Bodies in order to monitor/implement the Equality Act (2010) in resolving any disputes which may arise through the implementation of this policy and in amending or amplifying this policy.

## **2. Scope of the Policy**

This policy applies to the following groups:

- Staff
- Agency Workers
- Casual Workers
- Volunteers
- Contractors
- Governors
- Applicants for employment

## **3. Exclusions from the Policy**

In schools and colleges with a religious character, it is permitted within existing statutory legislation for certain key posts, necessary to the objectives and activities of a particular religious ethos, to carry with them an “occupational requirement”. Due to the Catholic foundation of Loreto College, there are a number of ‘Reserved Posts’ whose post holders must always be practicing Catholics. This is an occupational requirement for the Principal, the Deputy Principal, Chaplain of the College and those teaching General RE. This requirement ensures these key post holders can continue to preserve and develop the Catholic religious ethos of the College.

All positions within the College are exempt from the provisions of the Rehabilitation of Offenders Act 1974. It is unlawful for the College to employ anyone who is barred from working with children or vulnerable adults. It is a criminal offence for any person who is barred from working with children and vulnerable adults to apply for a position at the College. The College does not unfairly discriminate any applicant for employment based on conviction or other offending details they disclose. We use Disclosure and Barring Services (DBS) checks as part of our assessment of all applicants’ suitability for appointment at the College. Having a criminal record will not necessarily bar an ex-offender from working at Loreto College, this will depend on the offence in relation to the position applied for. We will always evaluate relevant information fairly, using a risk assessment process before making a decision.

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<sup>1</sup> *The Bishops’ Memorandum sets out the Catholic Bishops’ Conference of England and Wales’ expectations about the appointment of staff in Catholic schools.*

#### **4. Statutory Guidance and Legislation**

The following statutory guidance has been taken into consideration when drafting this policy:

- The Equality Act (2010)
- General Data Protection Regulation

Definitions and examples are set out in Appendix A and B

#### **5. Retention and Data Protection**

When monitoring equality and diversity within the remit of this policy, the College processes personal data collected in accordance with its Data Protection Policy. Data collected is held securely and assessed by, and disclosed to, individuals only for the purpose of monitoring equality and diversity. We will comply with the requirements of the Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018).

Records will be kept in accordance with our Workforce Privacy Notice, our Retention and Destruction Policy and in line with the requirements of Data Protection Legislation.

#### **6. Recruitment**

The College will strive to ensure that all stages of the recruitment and selection process are without discrimination. Job descriptions and person specifications will be limited to those requirements that are necessary to carry out the role effectively. Candidates should meet the minimum criteria required by the College including its ethos.

Applications for shortlisting will be anonymised and any information required for monitoring purposes will be removed and applicants will be systematically benchmarked against the specifications of the role.

Disability and personal or home commitments will not form the basis for employment decisions except where absolutely necessary (as permitted under the Equality Act 2010) where a role might require specific attendance patterns or physical fitness criteria to be met. Applicants will not be asked about health or disability before a job offer is made, other than where it is necessary to (a) establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments); (b) establish if any reasonable adjustments need to be made to enable an applicant to have a fair interview or assessment and (c) carry out equal opportunities monitoring (which will not form part of the decision-making process).

All staff involved in the selection process will be trained in the provision of the Equality Act 2010. Our recruitment processes are set out in our Recruitment and Selection Policy.

#### **Job Advertisements**

Job advertisements should avoid stereotyping or wording that may discourage groups with a particular protected characteristic from applying.

We will take reasonable steps, where appropriate depending on the situation, to ensure that our vacancies are advertised to a diverse labour market (and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in our College).

## **Interview Process**

All candidates will be assessed in the same manner using set questions and assessment criteria. Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic.

The College will meet, as far as possible, any special requirements requested prior to the interview which will assist a candidate in participating in the interview.

## **Appointment Process**

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance, name or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original specified documents before employment starts to satisfy current immigration legislation.

### **7. In Employment**

No member of staff will experience discrimination in terms of access to promotion, training or any other benefits or facilities provided that they meet the minimum criteria required.

The College will consider any possible indirectly discriminatory effect of its working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done when considering any requests for flexible working. The College will comply with its obligations in relation to statutory requests for flexible working and will decline such requests only in accordance with the statutory procedure.

No member of staff will be subject to any form of detriment including derogatory comments, bullying, harassment, victimisation or unfair discrimination. Staff are encouraged to report any instances of behavior of this nature immediately.

The College will ensure that a working environment is provided which does not prevent disabled individuals from taking up positions for which they are suitably qualified.

If any member of staff feels that they have a legitimate grievance on the basis of the criteria outlined in this policy, they are entitled to lodge this via the procedure outlined in the College Grievance Policy.

Staff will respect and treat sensitively cultural and religious differences, they will work to actively promote equality and diversity in the classroom and within their interactions with both fellow staff and students.

### **Applying our policy when terminating employment**

We will ensure that 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.

### **8. Roles and Responsibilities**

Our Governing Body has overall responsibility for the effective operation of this policy and for ensuring compliance with equality legislation. Day-to-day operational responsibility [including regular review of this policy] has been delegated to the Principal.

All senior leaders must set an appropriate standard of behaviour and lead by example to ensure that those they manage adhere to the policy and promote our aims and objectives with regards to equal opportunities. [Senior

leaders will be given appropriate training on equal opportunities awareness, and recruitment and selection best practice.]

Every member of staff is required to complete Equality and Diversity training. This is included within the initial induction for all new members of staff. This is to ensure that staff can support the College in actively seeking to prevent bullying, harassment, victimisation and unlawful discrimination and to meet its commitment to provide equal opportunities in employment. *Employees will treat everyone with respect and dignity.*

Employees can be held personally liable as well as, or instead of, the College for any act of unlawful discrimination.

Acts of discrimination against fellow staff or students are disciplinary offences and will be dealt with under the College's disciplinary procedure. Discrimination may constitute gross misconduct and could lead to dismissal without notice.

#### **9. Related Policies**

- Data Protection Policy GDPR
- Grievance Policy
- Staff Recruitment & Selection Policy
- Equality and Diversity Policy for Students

## Appendix A

### Definitions in Relation to Protected Characteristics (Equality Act 2010)

- **Disability** – a person has a disability if they have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on the person's ability to carry out normal day-to-day activities.
- **Gender Reassignment** – a person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of the process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. A reference to a transsexual person is a reference to a person who has the protected characteristic of gender reassignment.
- **Marriage and Civil Partnership**– A person has the protected characteristic of marriage and civil partnership if the person is married or has a civil partner.
- **Race** – Race includes colour, nationality, ethnic or national origins.
- **Religion or Belief** – Religion means any religion and a reference to religion includes a reference to a lack of religion. Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.
- **Sexual Orientation** – Sexual orientation means a person's sexual orientation towards persons of the same sex, persons of the opposite sex or persons of either sex.

## Appendix B

Staff must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with parents, suppliers or other work related contacts), and on work related trips or events including social events.

### Forms of Discrimination

The following are forms of discrimination that this policy aims to avoid:

- **Direct discrimination** means treating someone less favourably than someone else because of a protected characteristic.
- **Direct discrimination by perception** means treating one person less favourably than someone else, because you incorrectly think that they have a protected characteristic.
- **Indirect discrimination** means putting in place a rule or policy, or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- **Discrimination arising from disability** means treating a disabled person unfavourably because of something connected with their disability when this cannot be objectively justified.
- **Direct discrimination by association** means treating someone less favourably than another person because that are associated with a person who has a protected characteristic.
- **Harassment** is unwanted behavior related to a protected characteristic which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment.
- **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act, e.g. Made a complaint under the Act or supported somebody who is doing so, such as appearing as a witness.