



DEAN CLOSE FOUNDATION

The Dean Close Foundation

**Independent, Co-educational, Day and Boarding Schools,
Nurseries and Administrative Support Functions**

Equal Opportunities Policy (W012)

Registered Charity No: 1086829

THE DEAN CLOSE FOUNDATION

EQUAL OPPORTUNITIES POLICY

- This policy has been authorised by the Board of Trustees of the Dean Close Foundation (the Foundation”) for all of its schools, nurseries and anyone in an administrative or support function. This policy excludes the Dean Close Airthrie School which has its own Terms and Conditions.
- This policy will be reviewed periodically by the HR Team on behalf of the Board of Trustees.

The Dean Close Foundation is an equal opportunities employer. This means it is our policy that there should be no discrimination, harassment or victimisation of any team member, former employee, job applicant, customer, service provider or member of the public because of their any of the following protected characteristics: age, disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation These are known as ‘protected characteristics’. The foundation will oppose and avoid all forms of unlawful discrimination in all areas of employment, such as, pay and benefits, terms and conditions of employment, grievances and disciplines, dismissal and redundancy.

We are fully committed to providing, so far as practicable, a good and harmonious working environment that offers equal treatment and opportunities for all our team members, and where every team member is treated with appropriate respect and dignity.

1. Purpose and scope

In issuing this policy we have three main objectives:

1. to encourage team members to take an active role in combating all forms of unlawful discrimination, harassment and victimisation;
2. to deter team members from participating in any such unlawful behaviour; and
3. to demonstrate to all team members and others who engage with us, that they can rely upon our support in cases of unlawful discrimination, harassment or victimisation.

Whilst we recognise that overall responsibility for the effective operation of this policy lies with the Executive Team , all team members, whatever their position within the Foundation, have some measure of responsibility for ensuring its effective implementation. All team members should also understand they, as well as the Foundation, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination in the course of their employment against fellow team members, customers, suppliers and the public.

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In this respect they should ensure that they:

- co-operate with any measure introduced to develop equal opportunities;
- refrain from taking discriminatory actions or decisions which are contrary to either the letter or the spirit of this policy;
- do not treat, harass, abuse or intimidate other team members, former employees, job applicants, customers, service providers or members of the public in a manner contrary to the letter or the spirit of this policy;
- do not instruct, induce or attempt to induce or pressurise other team members to act in breach of this policy;
- advise the charity if they are aware of any discriminatory conduct, either against themselves or any third party, so that the Foundation can take steps to deal with it at an early stage.

2. Types of discrimination

Various actions, omissions or behaviours will amount to unlawful discrimination if they relate to someone's protected characteristic:

- **direct discrimination** - treating someone less favourably because of a protected characteristic, e.g. rejecting a job applicant because of their race, or failing to give someone promotion because of their gender.
- **indirect discrimination** - applying a provision, criterion or practice which applies to everyone but adversely affects people with a particular protected characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.
- **harassment** - unwanted conduct related to a protected characteristic (including sexual harassment), which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
- **victimisation** - retaliating against someone who has complained or has supported someone else's complaint about discrimination or harassment – e.g. refusing to give them a reference after they have left our employment.
- **disability discrimination**: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make

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reasonable adjustments to alleviate disadvantages caused by a disability.

It is possible to discriminate against someone even if they do not actually possess the protected characteristic in question. For instance, it is unlawful to discriminate against someone because they are associated with another person who has a protected characteristic – e.g. they are married to someone of a different race. Similarly, what counts is your perception of their protected characteristic, even if that perception is incorrect. So, it is still unlawful to discriminate against someone because you believe they are gay, even if they are not.

3. Reasonable adjustments for disability

Disability is defined in the Equality Act 2010 as a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

If a team member believes they may be disabled within this meaning, please let your line manager know so that reasonable adjustments can be made and support provided to overcome any disadvantage encountered.

4. Part-time and fixed-term team members

The Foundation policy is to treat part-time and fixed-term team members the same as comparable full-time or permanent workers, and to afford them no less favourable terms and conditions (on a pro-rata basis where appropriate).

5. Breaches of this policy

Breaches of this policy are taken very seriously, and will be dealt with using The Foundation Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

If a team member believes they are being harassed, victimised or otherwise discriminated against, they should raise a grievance in accordance with the company's Grievance Procedure. However, team members are reminded that this policy does not protect them from ordinary incidents of working life, in particular reasonable guidance or reprimand in the course of performance management or disciplinary procedures, or generally where their concerns arise from treatment which is not because of any protected characteristic.

The Foundation takes complaints seriously and seek to deal with them promptly and confidentially. If a complaint is upheld then the team member will be notified of this. The details

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of any action taken against the perpetrator as a result are usually confidential as between that person and the Foundation.

The Foundation recognises that some complainants may prefer not to have their names used in the course of any formal process. The Foundation will seek to accommodate such requests as far as practicable but team members will appreciate that if names are not disclosed, this may limit the ability to investigate the complaint with the alleged perpetrator. Similarly, it may be found impracticable to investigate complaints made long after the events in question, and in this case, team members are encouraged to raise complaints at an early stage.

Every effort will be made to ensure that any team member who makes a complaint in good faith will not suffer any further detriment or be victimised because of making such a complaint. Any complaint of victimisation will be dealt with seriously, promptly and (so far as practicable) confidentially. By contrast, making a malicious allegation will be treated as misconduct and dealt with under the Disciplinary Policy.

6. Review and Monitoring

This policy will be monitored from time to time to ensure it is achieving its objectives.

Team members are invited to comment on this policy and suggest ways in which it might be improved, by contacting the HR Team (Hr@deanclose.org.uk).