

Policy Name: Staff Equal Opportunities Policy

Policy Number: 9.1

Date: 1 September 2026

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1. Statement of Intent

1.1 Sidcot School is committed to ensuring that all employees are treated with dignity and respect while at work, irrespective of age, disability, sex, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. The Equality Act 2010 defines these as “protected characteristics”. This policy is intended to fully meet the school’s legal requirements in respect of equality at work. The School will also take reasonable and proportionate steps to prevent sexual harassment in the workplace.

1.2 The Board of Governors and senior management are committed to creating an environment of positive working relationships. To create and protect such an environment, the Board of Governors have policies and procedures (e.g. on grievance) which enable staff to raise concerns and for these to be addressed.

1.3 This policy is concerned with the prevention of discrimination (direct or indirect), harassment or victimisation in the workplace and aims to provide a remedy for unreasonable or unjustifiable behaviour. A summary of the definitions for these terms is provided in an Appendix to the policy. It is not intended to inhibit reasonable and effective management of staff.

1.4 Acts of discrimination, harassment or victimisation will not be permitted or condoned by the Board of Governors and will be treated as a disciplinary offence.

1.5 The Board of Governors will promote and publicise this policy amongst school staff. This includes ensuring that new entrants are made aware of the policy and their obligations as regards acceptable conduct and behaviour.

2. Equal Opportunities Statement of Commitment

2.1 The Board of Governors believes firmly in equality of opportunity. It therefore commits itself to developing policies, practices and procedures which promote equality of opportunity and anti discriminatory practices. To this end, the Board of Governors is committed to ensuring that individuals receive equality of treatment in all employment matters i.e. prior to employment, during employment or when ending employment. No applicant or employee will receive less favourable treatment on the grounds of age, disability, sex, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief nor be disadvantaged by conditions or requirements which cannot be shown to be justifiable. Selection criteria and procedures will be regularly reviewed to ensure that individuals are selected, promoted and treated on the basis of their relevant merits and abilities. All employees will therefore be given equality of opportunity. The Board of Governors will continue to review its personnel policies and practices generally and to undertake appropriate action to make the policy fully effective.

3. Scope

3.1 The policy is intended to apply to all employees, agency workers, contractors or volunteers engaged by the school.

3.2 All Governors and employees have a responsibility to comply with the policy. Management have a particular responsibility for implementing this policy by creating a positive working environment and by managing people in a professional and fair manner.

4. Procedures for Discrimination, Harassment and Victimisation

4.1 The School is committed to taking proactive and preventative measures to reduce the risk of sexual harassment occurring. The Board of Governors requires that any allegations of discrimination, harassment or victimisation will be considered seriously and confidentially. Lack of confidentiality can harm both the complainant and also the person accused. The Board of Governors recognises that employees may fear victimisation for making or being involved in a complaint and so is committed to ensure complainants do not suffer. In some circumstances, confidential informal advice from persons nominated for this purpose by the Board of Governors (e.g. a Deputy Head or member of the Board of Governors) and their trade union or professional association might help an employee who is unsure of how best to proceed.

4.2 Complaints of discrimination, harassment or victimisation should be pursued in the following way:

- Employees are encouraged to make clear to the person who is discriminating, harassing, or victimising them that the behaviour is unwelcome and must be stopped. However, it may not be possible to resolve this matter informally.

- Employees may find it helpful to keep records of incidents of behaviour which they consider to be discrimination, harassment or victimisation noting the date and time of the incident and details of any witnesses. Such records can be helpful in describing the problem and may also be used if any formal action is subsequently taken. It is not expected, however, that such records would be kept for extended periods without the complainant's concerns being raised through the process described below.

- Should the behaviour continue, the individual should approach his/her line manager, or if not appropriate (e.g. if that person is the one causing the concerns) then another senior manager in writing requesting an investigation under this policy.

- If these approaches fail, or the person causing the concerns is the Head, staff should seek advice from persons nominated for this purpose by the Chair of Governors, (normally at least one male and one female) and their trade union or professional association.

- A manager handling the complaint should discuss the complaint informally in the first instance with the offender. This should take place without delay, after the complaint has been made.

- If the matter is not resolved informally, the manager will initiate an investigation. This should be undertaken by someone other than the individual's immediate manager.

- Following receipt of the investigation report the manager will confirm a decision in writing to the complainant and the person against whom the allegation has been made.

- If the manager concludes that discrimination, harassment or victimisation may have taken place, the school's disciplinary procedure will be initiated.

- Relocation within the school may be considered and if it is feasible, every effort will be made to relocate the perpetrator and not the victim, subject to consultation with all parties.
- Employees who have been subjected to discrimination, harassment or victimisation, will be given access to appropriate support eg. counselling, if appropriate.

- If, after an investigation (which may include medical enquiries) a period of absence is attributed to proven harassment, bullying or discrimination at work, no absence shall be recorded against the entitlement to occupational sick pay but will be treated separately.

5. Responsibilities of Governors, School Leaders, Managers and Staff

5.1 The Board of Governors continues to require all Governors and staff to maintain a high standard of conduct in relationships with colleagues and those who are under direct authority.

5.2 The Board of Governors will not tolerate discrimination, harassment, intimidation, victimisation or any other form of retaliation against an individual for raising a complaint or assisting in an investigation – whether or not the complaint is upheld. Where such action is alleged, the matter will be dealt with in the same way as an allegation of discrimination, harassment, or victimisation.

5.3 Malicious complaints of discrimination, harassment or victimisation will not be condoned and will be regarded as a disciplinary offence and will be dealt with in accordance with the school's disciplinary procedure.

5.4 This policy must not be used as a defence against reasonable management behaviour, e.g. action under capability or disciplinary procedures. Such procedures will not be automatically suspended where a complaint of harassment or bullying is made.

5.5 The policy further requires all Governors and staff to act in eliminating any discrimination, harassment, or victimisation in the workplace of which they are aware. Failure to do so will be considered a failure to fulfil all the responsibilities of their position. Such complaints will not be dismissed either by Governors or staff as trivial or insignificant, as a matter of interest only to a minority or dismissed as action that can be excused as fun or as a joke.

5.6 Managers are expected to promote a respectful working environment, identify potential risks of harassment, and take reasonable steps to prevent inappropriate conduct.

6. Sexual Harassment

6.1 The School operates a separate Sexual Harassment Policy (Policy 9.33). The School recognises its duty to take reasonable steps to prevent sexual harassment and will investigate concerns promptly and appropriately.

7. Review and document change history

This policy will be reviewed by the Director of Operations every three years or sooner if changes in legislation or policy make it necessary.

Date of change	**Detail significant changes and any new legislation / guidance taken into account.**
16/08/2023	Reviewed by Director of Operations, minor formatting changes only
31 August 2024	Reviewed by Director of Operations. No changes made.
31 August 2025	New paragraph 6 inserted referring readers to the Sexual Harassment Policy 9.33
31 August 2026	Reviewed by Director of Operations. No changes made.
1 October 2026	Reviewed against Equality Act 2010 and Worker Protection (Amendment of Equality Act 2010) Act 2023

APPENDIX 1

Definitions given below are summary definitions based on the Equality Act 2010.

Direct discrimination: this occurs when the reason for a person being treated less favourably than another is a 'protected characteristic' i.e. age, disability, sex, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. This may also occur where the individual is treated less favourably because of their association with someone else who possesses that characteristic. Direct discrimination will only be permissible when it involves a clear occupational requirement and when the application of this requirement is a 'proportionate means of achieving a legitimate aim'.

Indirect discrimination: this will occur when a condition, criterion or practice whilst applicable to the whole workforce or all job applicants, disadvantage people who possess a particular protected characteristic, and where the employer is unable to justify that condition. E.g. a requirement for all employees to work flexible hours which may disadvantage women with childcare responsibilities.

Harassment is unwanted conduct related to a 'protected characteristic' which has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Whether harassment has occurred will depend on the perception of the person, the circumstances involved, and whether it is reasonable for the conduct to have that effect. Harassment may include unwanted conduct of a sexual nature as defined by the Equality Act 2010.

Victimisation occurs if an individual is subjected to a detriment (i.e. is treated unfairly) by another because the individual has raised a complaint concerning discrimination or harassment, or has given evidence or information in connection with such a complaint. These are regarded as 'protected acts' within the Equality Act (2010).

Sexual Harassment: Unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.