

Equality Policy

Benenden School is committed to securing equality of opportunity through the creation of an environment in which individuals are treated solely on the basis of their relevant merits and abilities.

We do not tolerate any form of unlawful or unfair discrimination which could include but is not limited to age, race (which includes colour, nationality, ethnic or national origin), gender, marital status, sexual orientation, gender reassignment, trade union membership, disability, pregnancy or maternity, political views, religious or similar philosophical beliefs or because someone is married or in a civil partnership. Benenden School aims to ensure equal treatment for all.

In all areas described below it is possible for discrimination to be direct, indirect, or to take the form of harassment, bullying or victimisation, including third party harassment and which may also include the use of electronic technology. (For further information please see B.2.4 Harassment and Bullying in the Work Place)

The following examples would constitute unacceptable behaviour – the list is not exhaustive:

- a. Physical assault against a person or group because of a protected characteristic (under the Equality Act 2010);
- b. Verbal abuse, derogatory name-calling, insults, threats and jokes any of which may be based on a protected characteristic;
- c. Graffiti relating to a protected characteristic;
- d. Issuing/wearing materials relating to a protected characteristic, eg leaflets, magazines, insignia;
- e. Inciting others to behave in inappropriately towards others on the basis of a protected characteristic;
- f. Making derogatory or stereotypical remarks, comments or suggestions about a particular ethnic or religious group or gender in the course of discussions or lessons;
- g. Refusing to co-operate with others because of a protected characteristic;
- h. The use of electronic technology to further any of the above abuses.

Disability Discrimination

A person is disabled if he or she has “a physical or mental impairment which has substantial or long-term adverse effect on their ability to carry out normal day-to-day activities.” (“Mental impairment” includes those with learning difficulties and mental illness – providing that the illness is clinically well recognised - and “long term” means at least one year).

The school is committed to facilitating the employment of people with disabilities wherever practical.

If you experience difficulties at work due to a disability you can contact your Line Manager or Head of HR to discuss.

In order to meet the needs of disabled members of the community in the best way, we welcome and encourage the open and frank exchange of information between all parties. The good practice already in place helps us care for pupils with medical concerns in the school.

Race

We regard as racism any attitude held by a person or group of one ethnic origin towards an individual or group of different ethnic origin which is offensive, discriminatory or hostile towards the individual or group.

We also consider racism to be behaviour, acts or expressions that reflect such attitudes, or any incitement to behaviour of that kind.

Gender

We consider sexism to be any attitude held by a person or group of one sex towards an individual or group of the other sex which is offensive, discriminatory or hostile towards the individual or group.

We consider sexual harassment to be behaviour, acts or expressions that reflect such attitudes, or an incitement to behaviour of that kind.

Sexual Orientation

We consider it unacceptable to hold or express any attitude towards an individual which is offensive, discriminatory or hostile on the basis of that individual's or group's orientation towards persons of the same sex or opposite sex (namely homosexuals, heterosexuals and bisexuals).

It is also unacceptable to discriminate on the grounds of perceived sexual orientation (that is, assuming – correctly or incorrectly – that someone is homosexual, heterosexual or bisexual), and association (that is, being discriminated against on the grounds of the sexual orientation of those with whom you associate).

Religion or Belief

We consider it unacceptable to hold or express any attitude towards an individual which is offensive, discriminatory or hostile on the basis of that individual's or group's religious belief or similar philosophical belief.

It is also unacceptable to discriminate on the grounds of perceived as well as actual religion or belief.

Further, it is unacceptable to discriminate against individuals or groups on the grounds of the religion or belief of those with whom an employee associates.

Age

We consider it unacceptable to hold or express any attitude towards an individual which is offensive, discriminatory or hostile on the basis of that individual's age.

It is also unacceptable to discriminate on the grounds of perceived as well as actual age.

The procedure for dealing with allegations of Discrimination or Harassment is outlined below and incidents are recorded in a distinct electronic file, held by the Deputy Head.

What to do when an incident occurs

An individual or group who has been subjected to any form of discrimination may wish to try and resolve the problem informally before or instead of invoking the formal procedure. Where practical, this approach is often very effective and it is recommended as the first step in resolving the problem.

If such an approach is impractical or unsuccessful the incident should be discussed with the Deputy Head, the Director of Finance and Operations or Head of Human Resources as appropriate. They will seek to help the individual or group and consider how the problem may best be resolved on an informal basis. A simple record of this will be kept on file. Wherever possible confidentiality will be maintained.

The formal route is likely to make use of the Grievance Policy (see B.2.5 Grievance Policy)

If the source of the perceived discrimination is anyone other than an employee (such as a parent or contractor) please refer the matter to your Line Manager, Head of HR, Director of Finance and Operations or Deputy Head as appropriate.

What could happen next?

At any time during such process and/or if any informal approach proves unsuccessful in resolving the issue, the individual or group may invoke the formal procedure whereby:

- Any such incident is reported to the Head;
- A member of the Senior Management Team (SMT), to be known as the investigating officer, will interview the individual or group against whom any such incident was committed, ideally within 72 hours of the complaint. Written signed statements will be taken at the interview;
- The investigating officer will then interview the individual(s) who is (are) alleged to have committed the alleged offence (including members of staff if appropriate). Written signed statements will be taken at the interview;
- Whenever pupils are involved in an incident, the respective Housemaster/mistress is to be informed and invited to attend the interview involving any child from their House. It is likely that the parents of any pupils involved will be informed at this stage;
- The investigating officer will prepare a report for consideration by the Head or Director of Finance and Operations who will decide on the suitable sanction, if any, to be imposed and on any further action which may be necessary;
- Victims or witnesses of harassment/discrimination will receive appropriate support, counselling and protection from any retaliation.

Sanctions

If a pupil or group of pupils is considered to have committed a breach of this policy then the Headmistress will apply an appropriate sanction which will be recorded in the appropriate file and in the pupil's personal file. Parents and Hm's will be informed. Disciplinary procedures for members of staff are referred to in staff contracts of employment and this Staff Handbook.

Training

The Headmistress will regularly remind staff of their responsibilities in respect of the Equality Act 2010. Appropriate training is available to all members of staff. Similarly the Headmistress will ensure that pupils are aware of the school's attitude to equality discrimination, and the conduct expected of all members of the school community.

Monitoring/Evaluation

This policy will be kept under review and will be evaluated at least annually by SMT. SMT will review any incidents with a view to informing or amending practices or procedures. Where discrimination has been found to have taken place those involved will be monitored to ensure there is no repetition.

SMT will also complete an annual review of the Accessibility Plans in respect of both Buildings and Grounds and Admissions and Curriculum. The Accessibility Plans are held by the Deputy Head. The Deputy Head Academic is responsible for the Accessibility Plan relating to Admissions and Curriculum. The Director of Finance and Operations and Deputy Head Boarding and Pastoral Care are responsible for the Accessibility Plan for Buildings and Grounds.

This policy is based on the provisions of the Equality Act 2010, to which the School will refer in any relevant situation.

All staff must comply with this policy. Any breach will be regarded as a disciplinary matter.

(JCC: Reviewd September 2016)