



# Equal Opportunities Policy

## **POLICY STATEMENT**

Clifton College supports the principle of equal opportunities and aims to create an environment that respects diversity and which enables all to contribute fully, achieve their full potential, and derive maximum benefit and enjoyment from their involvement in the life of the College. In the provision of equal opportunities, the College recognises and accepts its responsibilities under the law and opposes discrimination on the basis of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

These are called the *protected characteristics*. The College also opposes all discrimination on the basis that a person has a special educational need (SEN) or learning difficulty, or has English as an additional language (EAL).

## **SCOPE**

This is a cross-College policy, and all members of College staff, including Council members, contractors and volunteers, are required to abide by its provisions.

The College commits to apply the principles of equal opportunities to all members of the College community, including all staff, Council members and governors, contractors, pupils (including prospective and former pupils) and their parents, visitors and volunteers.

## **AIMS AND OBJECTIVES**

The aim of this policy is:

- To demonstrate the College's commitment to and promotion of the principles of equal opportunities.
- To raise awareness of the principles of equal opportunities amongst all members of the College community.
- To prevent occurrences of unlawful discrimination, whether direct or indirect, harassment or victimisation against any member of the College community.
- To provide an inclusive, supportive environment which values diversity and maintains a working, learning and social environment in which the rights and dignity of all pupils and staff are respected to assist them in reaching their full potential.



- To remove any barriers which might deter potential pupils and/or their parents from applying for a place at the College, or job applicants from applying for advertised positions.

## **LEGISLATION AND GUIDANCE**

- Equality Act 2010
- Human Rights Act 1998
- The Equality Act 2010 and schools; Departmental advice for school leaders, school staff, governing bodies and local authorities (Department for Education - as updated June 2018)
- What equality law means for you as an education provider: schools (Equality and Human Rights Commission - April 2014)
- Technical Guidance for Schools in England (Equality and Human Rights Commission - July 2014)

## **ROLES AND RESPONSIBILITIES**

All members of College staff, including Council members, contractors and volunteers are expected to lead by example in embodying the principles of equal opportunities set out in this policy; treating others with dignity and respect and fostering an inclusive environment for the wider College community.

The Council has overall responsibility for the effective operation of the College's Equal Opportunities Policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Council has delegated to the Bursar day-to-day responsibility for operating the policy and ensuring its accessibility, availability, maintenance and review.

## **RELATED COLLEGE POLICIES**

Anti-bullying Policy  
Accessibility Policy and Plan  
Admissions Policy  
Complaints Procedure  
Employment Manual  
Pupils from different cultures policy  
Recruitment, selection and disclosure policy  
Behaviour Policy  
Rewards and Sanctions Policy  
Special Educational Needs Policy (US)  
SEND Policy (Preparatory)

## **MONITOR AND REVIEW**

This policy will be reviewed annually and at other times in the intervening period as necessary.



## Equal Opportunities Procedures

### **DEFINITIONS**

The Equality Act 2010 defines four kinds of unlawful behaviour; direct discrimination, indirect discrimination, harassment and victimisation.

#### *Direct Discrimination*

Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic. For example, refusing to allow a pupil to be a Praeposter because it is considered they would not "fit in" on the grounds of their race would be direct discrimination.

#### *Indirect Discrimination*

Indirect discrimination occurs where a provision, criterion or practice is applied generally, but which puts people with a particular protected characteristic at disadvantage compared to those without that characteristic. For example, a minimum height requirement for job applicants would be likely to eliminate proportionately more female than male applicants. If the provision, criterion or practice cannot be objectively justified as a proportionate means of achieving a legitimate aim, it would be indirectly discriminatory.

#### *Harassment*

Harassment occurs when unwanted conducted, related to a relevant protected characteristic, has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading humiliating or offensive environment for that person. This includes unpleasant and bullying behaviour, but also includes actions which, intentionally or unintentionally, cause offence to a person because of a protected characteristic.

Sexual harassment occurs when unwanted behaviour of a sexual nature has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. This includes verbal, non-verbal or physical conduct including unwelcome sexual advances, inappropriate touching, sexual assault, sexual jokes, displaying pornographic images, or sending emails with material of a sexual nature.

It is also harassment to treat someone less favourably because they either submit to, or reject, sexual harassment or harassment related to their sex.

#### *Victimisation*

Victimisation occurs when a person is treated less favourably than they otherwise would be because they have;

- a) made a claim or complaint of discrimination, or;



- b) helped someone else to make such a claim by giving evidence or information, or;
- c) made an allegation that the College or someone else has breached the Equality Act 2010, or;
- d) done anything else in connection with the Equality Act 2010.

These are described as *protected acts*. Note that protected acts undertaken in bad faith, such as making deliberately false allegations, are not covered by the definition of victimisation, and staff or pupils acting in such a way would be liable to be dealt with in accordance with the College's disciplinary policies.

#### *Association and Perception*

It is unlawful to discriminate because of the protected characteristic of someone with whom the individual concerned is associated. For example, it would be discrimination to refuse to admit a pupil to the College because of their parent's disability.

It is also unlawful to discriminate because of a protected characteristic which the individual concerned is perceived to have, even if that perception is mistaken. For example, a teacher who singles out a pupil for being gay would be discriminating on grounds of sexual orientation, regardless of whether the pupil is, in fact, gay.

### **ADMISSIONS**

The College will treat every application in a fair and open-minded way, and accepts and considers applications from pupils irrespective of their protected characteristics.

Every application will be considered on its merits, within the College's criteria for selection on grounds of the pupil's ability and aptitude, but this will not be done as a way of excluding pupils with a disability or special educational needs, nor will a successful applicant's protected characteristics be used to determine the terms on which they are offered a place at the College.

Further information can be found in the College's Admissions Policy.

### **EDUCATION AND ASSOCIATED SERVICES**

The College will afford all pupils equal access to all benefits, services, facilities, classes and subjects including all sports, irrespective of their protected characteristics, subject to safety and welfare considerations.

The College may afford pupils with a particular protected characteristic, or pupils with a special educational need, access to additional education or training to meet their needs or alleviate disadvantage, for example, special language tuition for groups whose first language is not English. Such measures will be proportionate in achieving the relevant aim, and not to the detriment of other pupils.



Efforts are made to recognise and raise awareness of the possibility of bias in teaching materials so that this can be eliminated. Materials are carefully selected for all areas of the curriculum so as to avoid stereotypes and bias.

### **BEHAVIOUR, DISCIPLINE AND SANCTIONS**

All pupils are encouraged to interact freely with, and have respect for, all other pupils, irrespective of protected characteristics. Positive attitudes are fostered towards all groups in society through the curriculum and values of the College, and pupils will be encouraged to question assumptions and stereotypes.

The College will not discriminate against any pupil by expelling, rustivating or subjecting him or her to any other sanction, on the grounds of a protected characteristic.

The College will not tolerate bullying in any form for any reason whatsoever. Further information on anti-bullying procedures and practice can be found in the College's Anti-bullying Policy.

### **SCHOOL UNIFORM**

The requirement for pupils to wear school uniform applies equally to all, irrespective of protected characteristics. However, the College will consider reasonable requests to alter the school uniform, for example, for genuine religious requirements and reasonable adjustments for disabled pupils.

Certain items of jewellery or headwear may be worn by pupils when doing so is genuinely based on manifesting religious beliefs or identity. This is subject to considerations of safety and welfare and the College's existing school uniform principles (in regards to, for example, the College colours). Where there is uncertainty as to whether an item may be worn, the issue must be referred by the pupil or his or her parents to the Head of College, whose decision will be final, subject to the Complaints procedure.

Reasonable adjustments to the school uniform may be required for disabled pupils who require them. The pupil or his or her parents should refer the matter to the Head of College to ensure all reasonable adjustments are made to accommodate the pupil.

### **RELIGIOUS BELIEF**

The College's religious ethos is set in accordance with the Anglican tradition, but the College is proud of its long history of religious diversity, and respects the right and freedom of individuals to worship in accordance with other faiths, or no faith.

### **DISABILITY AND SPECIAL EDUCATIONAL NEEDS**

We are an inclusive College which welcomes members of the College community with disabilities and special educational needs. We maintain and drive a positive culture towards inclusion of those with disabilities or special educational needs in all the activities of the College and we will not treat a member of the College community less favourably on these



grounds. We will make all reasonable adjustments to ensure that the College's curriculum, culture, policies, procedures and premises are accessible to everyone.

Whether an adjustment is considered reasonable is context specific, depending on the circumstances of each case. The factors which the College will consider when determining whether an adjustment is reasonable will include, but are not limited to: the effect of the disability on the individual; the practicability of the adjustment; the extent to which the adjustment would be effective in overcoming the substantial disadvantage suffered; the financial and other costs of making the adjustment; the resources of the College and the availability of financial or other assistance; health and safety requirements; the need to maintain academic, musical, sporting and other standards; and the interests of other members of the College community.

Further information can be found in the College's Accessibility Policy, Special Educational Needs Policy (for the Upper School) and SEND Policy (for the Preparatory School).

## **RECRUITMENT AND EMPLOYMENT**

The College aims to ensure that no job applicant receives less favourable treatment compared to others on grounds of a protected characteristic. Selection criteria and recruitment procedures are kept under review to ensure that job applicants are judged on their individual merits. Job selection criteria are reviewed periodically to ensure that they are justifiable on non-discriminatory grounds as essential for the effective performance of the role.

Staff training needs are identified through regular staff appraisals. All members of staff are given an equal opportunity to access training to enable them to progress within the College. All promotion decisions shall be made on the basis of merit.

Our conditions of service, benefits and facilities will be reviewed periodically to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to their access.

If a member of staff is disabled, or becomes disabled in the course of their employment, they are encouraged to inform the College about their disability. This is to enable us to provide as much support as possible and to ensure that they are not treated less favourably because of something related to their disability. Staff may also wish to advise HR/the Bursar of any reasonable adjustments to working conditions or to the duties of their role which they consider to be necessary, or which would assist in the performance of their duties. Please see the section 'Disability and Special Education Needs', above, for further information on requesting reasonable adjustments.

No member of staff will be subject to the College's disciplinary procedures on grounds of a protected characteristic. Similarly, each disciplinary matter will be dealt with on its merits, with procedures applied uniformly regardless of the protected characteristics of staff members involved.

## **REPORTING AND RECORDING INCIDENTS OF DISCRIMINATION**

*Reviewed Summer Term 2018  
Next review Summer Term 2019*



If you believe that you have received less favourable treatment on any of the unlawful grounds listed above, or if you feel that this policy has been breached in any way you are encouraged to raise the matter through the College's formal Complaints Procedure. Allegations regarding potential breaches of this policy will be treated in confidence. For a copy of the Complaints Procedure, and for questions about its content or application, please contact the Bursar.

We will treat seriously and urgently investigate every complaint and report. Disciplinary action may be taken against any member of the College community who is found to have acted in contravention of this policy.

All reported breaches of this policy will be recorded and this record will be reviewed annually by the Bursar as part of the College's annual review of complaints.