



**THE COMPLETE  
EDUCATION SOLUTION**

CREATING UNIQUE JOURNEYS FOR LIFE AND LEARNING

# Diversity and Equal Opportunities Policy

Approved by TCES Operational Board on behalf of

Thomas Keaney, CEO and Schools' Proprietor

**Date of next formal review, September 2024**

This policy applies to all The Complete Education Solution  
(TCES) schools and services

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The policy is rooted in the philosophy and ethos of TCES and follows the 'Every Child Matters' (2003) agenda that every child should be helped to: *be healthy; stay safe; enjoy and achieve; make a positive contribution; achieve economic well-being.*

## **Diversity and Equal Opportunities Policy**

Our mission within TCES is to educate, inspire and support children and young people through a creative process that promotes positive growth and change.

We strive to remove barriers to learning in order that children and young people can enjoy school and are encouraged towards lifelong learning.

Our work specifically targets social, emotional and behavioural skills and educational progress in order that all our children and young people may achieve their full potential.

### **Policy**

It is the policy within TCES to promote diversity, celebrate difference and practice equality of opportunity in all aspects of our education services for children and young people and in all recruitment and employment practices. We will take active steps to reflect the diversity of the wider population within our staff teams, to promote diversity and equality issues within the 'whole school' curriculum and to challenge discrimination and redress inequality wherever and in whatever form they occur. This reflects the ethos of the company that all individuals have a right to be treated fairly and in an equal manner and an equal right to develop and achieve their full potential.

### **Scope of the policy**

This policy covers all areas of staff and pupil life within the remit of TCES and has been produced in the light of current national legislation and guidance, ensuring that the requirements of all equalities legislation are met in full. This includes:

### **Equality Act 2010**

Disability Discrimination Acts 1995 and 2005 and Equality Act 2006

Special Educational Needs and Disability Act 2001

Race Relations Act 1976 and Race Relations Amendment Acts 2000 and 2003

Employment Equality (Sexual Orientation) Regulations 2003

Employment Equality (Religion or Belief) Regulations 2003

Employment Equality (Sex discrimination Regulations) 2005

Employment Equality (Age) Regulations 2006

Sex Discrimination Act 1975

Equal Pay Act 1970

Sex Discrimination Amendment Act 2005

Sex Discrimination (Gender Reassignment) Regulations 1999

Human Rights Act 1998

Human Rights Act 2000

And is mindful of the following:

- Framework Directive for Equal Treatment in Employment and Occupation.
- Evaluating Educational Inclusion - OFSTED 2000.
- Codes of Practice from Equality Commissions - Commission for Race Equality, Disability Rights Commission, and the Equal Opportunities Commission.
- DfES Circular 10/99 on Social Inclusion.

### **Aims of the Policy**

At TCES we are committed to promoting diversity and to achieving equality of opportunity both as an employer and as provider of a specialist education service to young people.

This commitment to diversity and equality of opportunity underpins and informs all aspects of our work and therefore applies to all recruitment and employment practices, management and decision-making processes, staff development and training opportunities, pupil experience and behaviour within the education environment, staff and pupil involvement in group processes and development, curriculum content and the resources used to deliver it.

We will maintain a resolute commitment to tackling discrimination and promoting equality of opportunity and good relations between individuals and groups that reflect and celebrate difference while emphasising common values, goals and expectations.

### **Our aim is to:**

- Create a culture and environment for pupils, staff, family members and all others with whom we come into contact, such as colleagues from partnership organisations, to be treated fairly, sensitively and in an equal manner regardless of race, ethnic origin, nationality, gender, disability, age, religion, sexual orientation, identity, or transgender issues, marital or parental status, political belief, or social/economic group.
- Be aware of the needs of children and young people that may arise from the above and to respond appropriately.
- Ensure that all those with whom we work are treated with equal care and respect; we will not tolerate, within or on behalf of the company, any remarks or actions that would be offensive or discriminatory on these grounds.
- Create a curriculum that explicitly addresses issues of diversity and discrimination, inequality, disadvantage, opportunity, tolerance, and inclusion through appropriate schemes of work, lesson plans, education trips, work experience and contact with representatives of a range of cultural, ethnic, and religious backgrounds, to enhance pupils' knowledge of equal opportunities, enrich their understanding of diversity and encourage them to value diversity, equal opportunity, and respect for all.
- Build an education community and working environment that appreciates and values the diversity of each individual and incorporates measures that make people feel valued and able to participate and achieve their full potential.
- We see diversity as a strength and believe that pupils' development, their spiritual, moral, social, and cultural development, cannot be properly promoted unless it is built on foundations which respect and value diversity.
- Create company and whole school/project plans that assess and influence the practice and policies and provide for effective monitoring, evaluation, and review.
- Meet and where possible, exceed the legislative requirements set out for organisations and education.

## Definitions

### Equal Opportunities/ Inclusion

The term '**equal opportunities**' is taken here to include valuing diversity and promoting equality of opportunity for all, with the understanding and recognition that people are different and equal opportunities does not just mean treating everyone the same.

'**Inclusion**' refers to pupil needs being met, with full access to a broad, balanced, and relevant education, though not necessarily always in the same setting as others. "Raising Standards and inclusion go hand in hand. In particular schools have a critical role in raising the educational achievement of children in care, and other groups that have consistently underachieved." (*from 'Every Child Matters: Next Steps' (DFES) 2004*).

### Diversity

refers to valuing the contributions of all citizens irrespective of disability, gender, race, ethnic origin, language, religion, sexual orientation, or age and requires that the needs of all groups are effectively addressed. This includes a commitment to prevent discrimination of both groups and individuals and to ensure that schools prepare pupils for the opportunities, responsibilities, and experiences of adult life.

### Discrimination

**Direct Discrimination** is when you treat someone less favourably than others for unlawful means, for example not employing them because of their gender or disability.

**Indirect Discrimination** is when an employer has a policy, practice or procedure that applies to everyone but might disadvantage a particular group, and which cannot be justified in relation to the job.

**Victimisation** in this context means treating someone less favourably or discriminating against them because they have pursued or intend to pursue their rights relating to alleged discrimination.

**Positive discrimination** is unlawful. **Positive action** to address imbalances in the workforce is allowed in some particular circumstances. Examples would include setting equality targets (but *not* quotas which are unlawful); encouraging people from particular groups to apply where they are under-represented; training for promotion or skill training for employees from under-represented groups who show potential.

### Harassment/Bullying

Harassment or bullying is defined as unwanted behaviour (verbal, physical or written (e.g., cyber-bullying) that may be personally humiliating, offensive, abusive, intimidating and can occur between any groups or individuals i.e., from pupil to pupil, staff to pupils, pupils to staff, managers to staff, staff to managers, staff to staff, etc. It can occur in areas of race, ethnic origin, nationality, gender, sexuality, religious or political convictions, age, appearance, or disabilities. It can also be linked to inequalities of status and position.

**NOTE:** See '*Bullying and Harassment*' page 6.

### Whole School

A 'whole school' approach requires that all aspects of school life are included; all subjects of the curriculum, extra-curricular activities, policies, and procedures such as admissions process and attendance, behaviour, organisation, staffing and management. A 'whole school' approach to equal opportunities includes all staff and pupils in its monitoring and development, ensures that

equal opportunities are intrinsic to all policies and processes and enables children and young people to develop into active and responsible citizens who can take care of themselves and relate effectively and considerately to others.

## Standards

The Education (Independent School Standards) (England) Regulations 2019 says:

**PART 2** *The purpose of this Part is to ensure that pupils' development in non-academic terms will enable them to play a confident, informed role in society, have a fully developed value system, and be able to interact with other people in a positive way*

**PART 5** *although the production of an accessibility plan is not part of the requirements of the independent school standards, it should be noted that there is a requirement for such a plan to be prepared, published, reviewed, revised, and implemented by the proprietor of an independent school under paragraph 3 of Schedule 10 to the Equality Act 2010 and inspections may report on the performance of the duties here. Accessibility plans should include intentions for improving the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education, benefits, facilities, and services provided or offered by a school. Plans must also cover matters other than premises relating to participation in curriculum by, and delivery of information to, disabled pupils, for instance by appropriate provision of equipment*

Our belief in equality of opportunity and the celebration of diversity informs everything we do, from the way in which we provide our education services to young people to the way we treat the staff who work for TCES. We place considerable emphasis on the acceptance, understanding and appreciation of individual differences while discouraging the potential for negative images of diversity to develop by actively focusing on the common beliefs and values that unite and bind us together.

Our policies for recruitment, selection, training, development, and promotion are designed to ensure that all staff understand and accept our commitment to a quality service and our expectation that all staff work to the high standards that we set ourselves.

We are committed to ensuring that no job applicant or employee receives less favourable treatment than any other on the grounds of race, religion, colour, ethnicity or national origin, disability, age, sexual identity or orientation, marital status, social status, or political persuasion or in any other way that could be considered objectively to be unfairly discriminatory.

The objective of this policy is to ensure that staff are selected, promoted and in every way treated fairly and solely on the basis of their relevant aptitudes, skills, and abilities.

The objective also is that pupils are encouraged by personal experience, curriculum focus, and good role-modelling by staff to take on the values of fairness, respect and mutual tolerance and the right to equal opportunities for all.

Everyone has the right to feel comfortable, safe, secure, equally valued, and equally respected. All have the right to grow and develop free from prejudice, stereotyping, harassment, bullying or victimization, and any form of negative discrimination.

When people feel equal, included, and respected their confidence and sense of well being increases and they are more likely to achieve personal satisfaction and emotional growth, economic and social integration, and success.

Everyone within TCES has the right to be treated with respect and the responsibility to treat others with respect. We have the right to object to and reject language or behaviour which we find offensive or intimidating and the responsibility to challenge and report any incidents of offensive language, behaviour, or disrespect by others, in the full knowledge and understanding that the company will support our actions and take the issue seriously.

At TCES we aim to make this an organisation where everyone is valued and of which all members, staff, and pupils, can be proud.

Policies on behaviour, anti-racism, anti-bullying, complaints and whistleblowing and the involvement of staff and pupils in group processes such as class meetings and whole school/project planning and development, where these apply, support these principles, and help to ensure that the focus on respect and mutual tolerance are maintained, and problems are addressed swiftly, fairly, and effectively.

This policy is a statement of the values, aims and intentions for everyone in TCES and it is intended that the values instilled in the pupils are theirs to carry with them elsewhere, with regular and routine monitoring and evaluation to ensure its validity and effectiveness.

**NOTE:** for detail, see the TCES Behaviour policy, Anti-Racism and Anti-Bullying policies and procedures and Complaints and Whistleblowing policies and procedures. See also policies on Recruitment, Vetting and Selection and on Human Resources: Employment Issues.

## Specific Diversity and Equality issues

All diversity and equality issues have a common basis, which is the belief in individual human worth and the need to treat others with respect and to value their individual identity, abilities, and contributions. It is not enough to be concerned about disability or gender, for example, and to be unconcerned about sexual identity or race, linguistic or cultural background. In line with legislation and to help people recognise and address the issues as they can affect specific groups of people, we have addressed some of them separately, as follows:

### Age

We recognise that it is unlawful to discriminate against employees or job applicants because of their age. This includes refusing to provide someone with training, denying them promotion or retiring them before the default retirement age of 65 without an objective justification.

The legislation covers both direct and indirect discrimination, where selection criteria, policies, benefits, employment rules or any other practices, though applied to all employees, have the effect of disadvantaging people of a particular age - unless the practice can be justified. Indirect discrimination is unlawful whether it is intentional or not.

The only exceptions to this are where there are genuine occupational requirements or legitimate and objectively justifiable aims which cannot be achieved by other, non-discriminatory means, such as the health, welfare and safety of the individual concerned or particular training requirements of the job.

TCES will not discriminate against job applicants on the basis of their age. We do however require a level of knowledge, experience, and skill, when working with children and young people, that will preclude school leavers and others without the relevant experience and skills. We will not discriminate against people employed within TCES when considering training, promotion opportunities or retirement.

## Disability

The term 'disabilities' covers a wide range of conditions including physical and mobility difficulties, deafness and partial hearing, blindness and partial sight, specific learning difficulties including dyslexia and autistic spectrum disorders, medical conditions, and mental health problems. Some disabilities may be long-term, others temporary. The formal definition now includes people with progressive conditions including HIV, multiple sclerosis, and cancer.

For the purposes of this policy, we employ the following definition:

- *A person is disabled if they have a mental or physical impairment that has a substantial and adverse effect on their ability to carry out day-to-day activities.*

TCES offers a supportive environment for any pupil or employee with a disability and is committed to taking positive action to welcome persons with disabilities and to enable them to reach their full potential, in accordance with the Disability Rights Commission Code of Practice.

**[NOTE: For the purposes of this policy, the term 'employee' refers to anyone working for TCES, including temporary and supply staff, specialist tutors and consultants.]**

We will endeavour to challenge the myths and stereotypes that are often focused on people with disabilities and the expectations that arise based on those images. We will, in all policies, procedures and activities, including strategic planning and resource allocation, consider the means of enabling disabled pupils' participation in all aspects of the academic and social life of the education environment.

We will also make all reasonable adjustments to ensure that staff, pupils, and visitors to TCES sites are enabled to enter and leave the buildings "in safety and comfort" and, where it is safe and reasonable to do so, will endeavour to see that any special requirements are catered for.

Where there are difficulties that cannot readily be overcome, such as wheelchair access for parents/carers to meet with education staff, alternative arrangements will be made such as meeting at an appropriate alternative venue.



We will meet our statutory requirements under the Equality Act 2010 not to discriminate against persons with a disability either in the process of recruitment or whilst employed with us and will have a well-formulated DDA action plan, embedded within the company and whole school/project plans, to meet our equality objectives.

### **Disability Equality Scheme**

In reviewing this policy, we have taken into account consideration of any potential implications of the Disability Equality Scheme.

### **Gender/Transgender**

Indirect sex discrimination occurs when a condition or requirement is applied equally to both males and females, but, in fact, affects a significantly greater proportion of one gender than the other and is not justifiable on objective grounds unrelated to gender.

TCES will take proactive action to monitor and improve the gender balance within any under-represented areas of employment and to ensure that no one is unfairly treated based on gender issues, including pregnancy and maternity and transgender identity or reassignment.

We will not discriminate directly or indirectly on grounds of gender in the way we treat pupils and will be mindful of the needs of either gender as a minority group within our education settings, where adjustments may need to be made to the curriculum to ensure that their specific needs and interests are met.

### **Transgender issues:**

If a person has had or is about to have 'gender reassignment' (often called a sex change), we would expect them to be treated with the same respect and sensitivity as others. They also have some legal protection against discrimination. The Equality Act protects transgender people against discrimination in employment and work training and TCES will not discriminate in any way when choosing people for a job, training, or promotion. We will also view any request for time off work for necessary medical treatment in the same way as we would for any other kinds of necessary medical treatment.

The regulations do not cover housing, education, or services. Nevertheless, we would wish to approach any transgender issues amongst pupils with sensitivity and respect and to ensure that they are not discriminated against or bullied in any way on these grounds.

### **Race**

It is unlawful to discriminate against any person on the grounds of race. Education has a crucial role to play in bringing about a fair and just society. It is important that people learn to respect themselves and each other as citizens, so that we can build a society that is based on mutual respect and understanding.

TCES recognises its general duty under the Equality Act to promote racial equality. In all areas of our work, we will have due regard to eliminating unlawful discrimination and promoting good race relations between persons of different racial groups. We will create a positive, inclusive atmosphere, based on respect for people's differences, and show commitment to challenging and preventing racism and discrimination.

TCES will take specific and proactive action to tackle any differences between racial groups in the following:

- For staff - recruitment and selection, promotion, progression, and retention.
- For pupils - achievement levels, progress, and assessment.
- For all groups – by the encouragement of anti-discriminatory practice and the use of disciplinary measures, when required.

We will aim to make our workforce more representative of the communities we serve, by considering how and where we advertise vacancies to attract more ethnic minority staff including those in senior positions and will make full use of the skills and knowledge of people from different groups (for example, in the classroom and on education trips, with visiting tutors and in staff training).

We will not discriminate directly or indirectly on grounds of race or ethnicity in the way we treat pupils, staff, parents/carers, and all others with whom we come into contact and will aim to challenge the stereotypes and prejudices that occur between members of different racial and ethnic groups.

We will take steps to assess the impact of policies, practices and procedures on pupils, staff and others within different racial groups and incorporate the findings into company planning and whole school/project planning and development.

**NOTE:** See also TCES policy on Anti-Racism

## Religion and Belief

People are protected against discrimination on grounds of religion or belief under the Equality Act 2010.

It is not necessary for the religion or belief to be a well-known major world religion. The Regulations outlaw discrimination on grounds of “any religion, religious belief or similar philosophical belief” that is held by the complainant. Political beliefs are excluded, although the dividing line may be blurred in some cases. The scope of the Regulations in relation to those who do not hold any religious beliefs is also unclear. The explanatory notes to the Regulations suggest that factors to be considered in terms of deciding whether there is a religion or belief may include whether there is collective worship, a clear belief system or a profound belief affecting a person’s way of life or view of the world.

Direct discrimination, indirect discrimination, harassment, and victimisation are all covered. People are protected from discrimination on the grounds of their perceived religion or belief as well as their actual religion or belief for example, if a person is discriminated against because s/he is believed to be Muslim, but is in fact Christian, s/he is still protected under the law.

## Sexual Orientation

It is unlawful to discriminate on the grounds of sexual orientation in all areas of employment, including recruitment, pay, working conditions, training, promotion, dismissal, and references.

The law covers orientations towards people of the same sex, people of the opposite sex or people of both sexes. Direct discrimination may occur when an employer treat, people less favourably because of their sexual orientation. Indirect discrimination may occur if a provision or practice is applied which disadvantages people of a particular sexual orientation. The legislation also protects against harassment; unwanted conduct that violates people's dignity or creates an intimidating or degrading environment and victimisation; treating people less favourably because of action they have taken in connection with the new legislation.

The term sexual orientation refers to an individual's orientation towards persons of the same sex, opposite sex, or same and opposite sex. The term does not just refer to lesbian, gay or bisexual people; heterosexual people are also included.

### **Bullying and Harassment (NOTE: for definition, see page 3)**

TCES aims to achieve a culture that is free from harassment and to foster this by:

- Addressing equalities issues together through the education curriculum, codes of practice and good role-modelling.
- Staff and pupils challenging all forms of harassment.
- Incidents being dealt with quickly and effectively.
- Individuals having the confidence and support to bring complaints without fear of ridicule or reprisal.
- Individuals taking personal responsibility to ensure that the dignity of staff, pupils and others is not abused or demeaned.

**NOTE:** for more detail, see TCES policies on Anti-Bullying/Anti-Harassment.

### **Responsibilities within TCES for the promotion of diversity and equal opportunities.**

The management of TCES has the primary responsibility for the successful implementation of this policy by: devising and implementing an annual action plan, led by the Proprietor and HR and contributed to by school and project managers, that sets out how the company will ensure the policy is adhered to, including the Continual Professional Development (CPD) of staff, review and updating of policies and procedures, evaluating records of the previous year and continuously monitoring and reviewing the effectiveness of the policy:

Head Teachers are responsible for; ensuring that all school policies and procedures incorporate the principles and ethos of diversity and equal opportunities, maintaining good records of all equal opportunities issues, reviewing and developing the policies with the support and involvement of staff and pupils, and ensuring that diversity and equal opportunities issues are incorporated into whole school plans; ensuring a fair selection process which does not discriminate against any employees or job applicants and applies equally to the recruitment and appointment of consultants and other advisers see appendix A:

- Not inducing or attempting to induce others to practice unlawful discrimination.
- Bringing to the attention to all managers and employees that they may be subject to disciplinary action for any failure to adhere to the policy.

- Encouraging a culture and awareness that is anti-discriminatory in practice, engenders equal respect for all people and will challenge and address any discriminatory attitudes, statements or behaviors' that occur.
- Insuring, that any employee who considers him/herself to be a victim of unlawful discrimination or mistreatment is encouraged to raise the issue in supervision and through the company's Grievance Procedure.

**NOTE:** See separate *Disciplinary and Grievance Policy*.

Monitoring all policies and procedures, such as school admission process and attendance, to ensure that they are administered fairly and equitably to all pupils; ensuring that appropriate mechanisms exist for pupils, parents and others to make complaints on the grounds of perceived unfair treatment or discrimination, that parents and pupils are made fully aware of the complaints procedures and how to use them and that all complaints are dealt with as speedily and effectively as possible, within reasonable timescales.

**NOTE:** See *TCES Complaints policy and procedure for details*.

Ensuring that provision is made for leave of absence for religious observance, keeping diversity and equal opportunities issues as a standing item in staff meetings, supervisions, and all aspects of CPD, including training, encouraging staff teams to discuss issues such as gender bias, race and cultural difference, and ways in which to promote diversity, equal opportunities, and respect for others.

HR is responsible for the implementation of the policy in all employment areas, including advertising, recruitment, interviewing and selection; and in the development of training schedules and CPD structures for all staff. See appendix B.

Employees of TCES have a responsibility to ensure that they support and comply with the policy by: not discriminating in the course of their employment against anyone with whom they come into contact during the course of their work; not inducing or attempting to induce others to practice unlawful discrimination; contributing to the debate in staff meetings and elsewhere on how to promote awareness and understanding of equal opportunities issues; attending and contributing to CPD, considering the issues in supervision, helping to create a culture of openness and good practice, being willing to learn and to draw from others' knowledge and experience; being willing to challenge and be challenged on discriminatory attitudes or behaviour and to report any discriminatory action to a senior manager; meeting monitoring and evaluation requirements – see *MONITORING [below]*.

When working directly with pupils:

- Taking appropriate account of their individual needs and circumstances relating to age, gender issues, ability, ethnic and linguistic background, and special educational needs.
- Being aware of the cultural backgrounds and particular needs of pupils from minority ethnic groups, including travelers.
- Informing them about diversity and equal opportunities issues.
- Promoting positive images in displays, where this applies, and promoting multi-cultural experience through their invitations to visitors and choice of places and events to visit.
- Encouraging them to value diversity and understand how injustice and inequality affect people, including the lives of people with disabilities.

- Incorporating materials into curriculum and lesson plans that support the above.
- Challenging prejudice and stereotype and promoting an attitude and ethos of equal respect and fairness for all.
- Encouraging them to take personal responsibility in respecting themselves and others and not abusing or demeaning anyone on grounds of perceived difference.
- Encouraging them to accept challenge and learn how to challenge others on all forms of harassment or bullying that they witness or experience.
- Helping them build the confidence to bring complaints when they feel they have been treated unfairly or their concerns have not been dealt with.

**NOTE:** See *Complaints Policy and Procedure* for details

## Monitoring and Reporting

### Responsibility and Accountability

The Proprietor, Senior Management Team and Head Teachers have the ultimate responsibility for the development and implementation of this diversity and equal opportunities policy and its ethos. Head Teachers are expected to develop individual procedures for their own school or project requirements that work within the overall company policy. All activities within the remit of TCES are covered by this central policy.

Each member of staff and every pupil has responsibility to support the implementation of this policy, with the support of good management processes, the CPD process for staff and good role-modelling and the inclusion of equal opportunities issues in whole school/project planning and the curriculum.

Every encouragement will be given for people to embrace the ethos and principles of equal opportunities and diversity issues. We also recognise that there will be times for all of us when we make mistakes and get things wrong. At those times, we would look first to the processes of discussion, supervision, training, and review to establish where things have gone wrong and endeavour to put them right.

When issues arise however that cannot otherwise be addressed constructively and effectively, the TCES grievance and disciplinary policies for staff and pupils will be used to ensure that the policy is adhered to and our commitment to the ethos of diversity and equal opportunities is maintained.

In addition, the Senior Management of TCES will monitor the implementation of the policy through a monthly written report submitted by Head Teachers which will specify any issues arising of discrimination, harassment, or bullying. Equal Opportunities will be a standing item on the agenda at all staff meetings, MDG meetings and SMT meetings. The SMT will review all individual cases of discrimination, harassment or bullying that arise and collate information across the Company for analysis and action.

### Policy Review

The dissemination and development of this diversity and equal opportunities policy needs to be as democratic as possible, allowing all shades of opinion to be actively listened to and taken seriously

and to contribute directly to the policy development and review. Individuals will only take ownership of the policy if this occurs.

The reviewing of the policy must be an ongoing process that allows for rethinking and rewriting as appropriate and responds dynamically to the changing needs and circumstances of the education setting and its wider community.

It is essential that group processes are used to facilitate this dissemination and review and that pupils are supported by the curriculum and good role-modelling in their understanding of the ethos and implementation of the policy.

## **Appendix A - Code of Practice on Staff Recruitment and Selection**

TCES welcomes diversity amongst its staff and seeks to ensure that all applicants for employment and candidates for consultancy are treated fairly, with selection based solely on the individual merits of candidates and on selection criteria relevant to the post. In this way, we seek both to reflect and to extend the diverse range of our pupils' backgrounds and experiences and the wider community in which we live and work.

In pursuance of this aim and of its statutory duties, TCES, as an employer committed to the principles of equality of opportunity, will adhere to the following procedures in the conduct of the recruitment and selection process for all advertised posts. The lead role for all matters relating to recruitment and selection in TCES is with the Proprietor and Director of People and it is the policy of the company that no appointment can be made without their written agreement.

### **Advertising**

Job advertisements will be publicised to encourage applications from a broad range of suitable candidates from all backgrounds.

All job advertisements placed on behalf of TCES will state the company's commitment to equality of opportunity by including a footnote or final note indicating this. Further particulars for posts will quote the following summary of the company's Equality Policy:

### **Summary of the company's Equal Opportunities Policy**

The policy and practice of TCES require that all staff are afforded equal opportunities within employment. Entry into employment with TCES and progression within employment will be determined only by personal merit and the application of criteria which are related to the duties of each particular post and the relevant salary structure. In all cases, ability to perform the job will be the primary consideration. Subject to statutory provisions, no applicant or member of staff will be treated less favourably than another because of his or her gender, marital or civil partnership status, sexual orientation or identity or gender reassignment, religion or belief, racial group, age or disability.

### **Selection criteria**

Selection criteria will be clearly defined and reflected in the further particulars sent to candidates, which will also include details of our commitment to equality of opportunity.

Job qualifications or requirements which would have the effect of inhibiting applications from members of particular groups, such as those of one gender, religion or belief, persons of a particular age or marital status, civil partnership status, or sexual orientation, persons of a particular racial group, nationality or ethnicity, or those with a disability, will not be demanded or imposed except where they are justifiable in terms of the job to be done, and wherever possible, this will be made clear in the advertisement and/or further particulars.

## Selection of candidates

A candidate's ability to perform the job description will be compared objectively against the selection criteria for that job, and all applications for a post will be processed in the same way. Information sought from candidates and passed to those responsible for appointments will relate only to the qualifications for or requirements of the job. The company recognises its statutory obligation to make such adjustments to the workplace and to working arrangements as are reasonable to accommodate suitably qualified disabled applicants.

Wherever suitably qualified persons are available, there will be at least one member of each gender on the selection committee. All members of the selection committee will be aware of this code and training and advice will be available in furtherance of its principles. Interview questions will relate to the selection criteria.

No questions will be based on assumptions, for example about roles in the home and the family. Questions about private personal relationships, children, or domestic obligations will not be asked at interview. Candidates may however request information on relevant staff benefits and policies. Where it is necessary to obtain information on personal circumstances (e.g., in relation to a selection criterion such as flexibility to work irregular hours), such questions will be asked equally of all candidates and, like other questions, will relate only to the job requirements.

In the case of disabled applicants who identify themselves at the application stage, appropriate interview arrangements such as accessible interview rooms will be offered to enable such candidates to compete on an equal basis.

**NOTE:** TCES requires all employees and job candidates to undertake disclosure and barring checks as the nature of the work within the company is with children. As part of the required code of practice for registered persons (those receiving this disclosure information), we have a written policy on the **recruitment of ex-offenders**, as job applicants will be asked to reveal all past offences whether spent or unspent under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (see [www.disclosure.gov.uk](http://www.disclosure.gov.uk)).

## Record-keeping

Details of candidates and of selection decisions (including the rationale for selection or rejection) will be kept for six months after an appointment has been made. The company will supply reasonable written feedback to unsuccessful candidates on request during that period.

TCES will request details of the gender, ethnicity, and any disability of its staff and of all candidates and of those shortlisted and appointed, to enable the company to monitor the effectiveness of its practice and fulfilment of the aims of the policy.

The gender and ethnic composition of selection panels will also be monitored.

Records may be used to determine whether members of one gender or persons of a certain racial group or those with a disability do not apply for employment, or apply in smaller numbers than might be expected, or are shortlisted or appointed in a lower proportion than their application rate, or are concentrated for example in certain areas. Where under-representation is identified, positive action initiatives will be developed in accordance with the provisions of the Equality Act



2010 and all other relevant national legislation and amendments. Possible actions will include the following:

- Job advertisements designed to reach members of these groups and to encourage their applications for example using the ethnic minority press as well as other newspapers.
- Use of specialist employment agencies and careers offices in areas where these groups are concentrated.

Training for promotion or skill training for employees from these groups who lack a particular expertise but show potential.

### **Review of recruitment practice**

Recruitment and selection procedures and practice will be kept under review to ensure that this code is operating effectively.

## **Appendix B Procedures**

### **Attracting suitable applicants**

Human Resources, SMT, Head Teachers and Managers will:

- Review Job Descriptions to ensure they do not contain any potentially discriminatory criteria that are not essential for the role.
- Advertise vacancies so that they are likely to reach all potential applicants.
- Encourage the participation of relevant staff in drafting suitably open advertisements.
- Ensure that recruitment literature and advertisements make it clear that applications are welcome from all suitably qualified candidates and that they avoid stereotypical images.
- Include in any advertising details of flexibilities such as school holidays, job share and flexi working arrangements where they are available.
- Advise any agencies, job centres, career offices etc. of our equal opportunities policy and practices and ask them to convey these to potential applicants.
- Ensure that agencies assisting in recruitment operate appropriate diversity policies and procedures when acting on behalf of TCES.
- Ensure that copies of the Equal Opportunities Policy are sent out to applicants together with job specifications.
- Incorporate a welcome statement in any adverts.
- Monitor returns of application forms to identify any concerns in failing to attract a broad range of individuals.
- Operate the Guaranteed Interview Scheme for disabled applicants.

### **Learning & Development**

Human Resources will:

- Ensure equal opportunity of access to, and benefit from, all forms of learning and development activity.
- Train all those in delivering learning and development, and responsible for recruitment and selection across TCES in equal opportunities and diversity issues.
- Ensure that all staff receive induction training which covers their rights and responsibilities under the Equal Opportunity and other relevant Policies and Procedures.
- Ensure that diversity and equal opportunities issues are addressed fairly and equitable in all management-related courses such as performance management, selection interviewing, managing attendance and conduct and efficiency, as well as customer care training.
- Provide flexibilities to accommodate the needs of staff on flexible working patterns.
- Provide flexibilities to accommodate cultural or religious needs of staff e.g., days of worship, diet etc.
- Provide flexibilities to accommodate any special arrangements e.g., wheelchair access, signing etc.
- Monitor who takes part in training in terms of age, gender, ethnic origin, and disability.
- Ensure external training providers are provided with a copy of TCES Diversity Statement.
- Monitor learning activities across departments to ensure staff are not excluded.

## **Recruitment and Selection (including promotion)**

Human Resources will:

- Ensure that selection decisions are based on objective, non-discriminatory, job-related criteria, consistently applied to all candidates.
- Ensure that nationality requirements are applied correctly.
- Invite applicants to identify any special arrangements they may need at interview.
- Ensure that all those involved in recruitment and selection have had appropriate training in recruitment interviewing, diversity and equal opportunities or receive the appropriate guidance from Human Resources.
- Ensure that selection decisions for any post are taken by more than one person.
- Ensure that membership of recruitment boards takes into account, so far as possible, the range of candidates being seen.
- Ensure that selection criteria and reasons for the selection or rejection of individual candidates are recorded.
- Ensure that decisions in relation to promotion opportunities including temporary promotion are non-exclusive and that extended use of temporary promotion is discouraged where it will give one individual an unfair advantage over others.
- Monitor the results of recruitment processes with regard for decisions which appear to be inconsistent.

## **Performance Management**

Human Resources will:

- Quality-assure completed performance agreements, interim reviews, and main reviews to ensure that performance targets are fairly set, and progress fairly assessed and there is no indication of the use of stereotypical assumptions.
- Monitor annual main review assessments in relation to age, gender, ethnic origin, and disability and take action to remedy practice which contravenes TCES policy on Diversity and Equal Opportunities.
- Act on learning and development needs identified in personal development plans.

## **TCES Processes**

Human Resources will:

- Ensure that any written communications are produced in a clear and accessible format minimum size 12 typeface. This will include producing documents which can be increased in size by the reader if necessary.
- Ensure that oral communications are produced in a form which is supported for those with hearing impairments. This may include subtitles for videos and sign language interpreters for meetings.
- Ensure that access to work requirements for those with any form of disability are considered in a fair and open manner.
- Ensure that, where possible, information is available in respect of age, gender, ethnic origin, and disability across pay bands. (This may not be possible where there is only a very small number of people in the band so that confidentiality would be broken by providing specific statistics).

## **Acknowledgements and useful sources of further advice**

'Every Child Matters' (DfES) 2003

'Every Child Matters: Next Steps' (DFES) 2004

ACAS: Age and the Workplace 2006

ACAS: Religion or Belief and the Workplace 2005

ACAS: Sexual Orientation and the Workplace 2005

Equal Opportunities and Diversity in the School Curriculum in Wales 2001

Equal Opportunities Policies on Out-Law.com

[www.disclosure.gov.uk](http://www.disclosure.gov.uk)

### **Equal Opportunities Commission (EOC)**

Website: [www.eoc.org.uk](http://www.eoc.org.uk)

*Different but Equal: guidance on achieving sex equality in schools*, EOC, 1999

*Women and Men in Britain: Sex stereotyping: from school to work*, EOC, 2001

*Women and Men in Britain: The Lifecycle of Inequality*, EOC, 2001

[www.womenandequalityunit.gov.uk](http://www.womenandequalityunit.gov.uk)

*Gender role development of young children*, Christine Skelton, EOC, 2001

*Sex Equality and Transsexualism*, deals in detail with this kind of discrimination, including examples of case decisions

### **Race, language, and culture**

[www.globaldimension.org.uk](http://www.globaldimension.org.uk) – Department for International Development's Global Dimension website, a database of nearly 500 high quality teaching resources that assist teachers to include a global dimension in their teaching, also [www.dfid.gov.uk](http://www.dfid.gov.uk)

[www.actionaid.org.uk](http://www.actionaid.org.uk) – Action Aid website

[www.oxfam.org.uk](http://www.oxfam.org.uk) – Oxfam website, including [www.oxfam.org.uk/coolplanet](http://www.oxfam.org.uk/coolplanet) publications for schools including packs on development issues

[www.cilt.org.uk](http://www.cilt.org.uk) – Centre for Information on Language Teaching and Research

[www.linguanet.org.uk/websites/websites.htm](http://www.linguanet.org.uk/websites/websites.htm) – link to other language websites

[www.culture.coe.int](http://www.culture.coe.int) – Council of Europe for Cultural Co-operation

### **Disability**

[www.rnib.org.uk](http://www.rnib.org.uk) – Royal National Institute for the Blind website

[www.rnid.org.uk](http://www.rnid.org.uk) – Royal National Institute for Deaf People website

[www.ncb.org.uk/cdc.htm](http://www.ncb.org.uk/cdc.htm) – Council for Disabled Children – information on legislation and publications

[www.nasen.org.uk](http://www.nasen.org.uk) – National Association for Special Educational Needs

[www.becta.org.uk](http://www.becta.org.uk) – becta website – inclusion section and links to a range of SEN organisations

[www.dwp.gov.uk](http://www.dwp.gov.uk) - the Disability Discrimination Act and You

### **Disability Rights Commission (DRC)**

DRC Helpline Telephone: 08457 622 633, Textphone: 08457 622 644

E-mail: [enquiry@drc-gb.org](mailto:enquiry@drc-gb.org)

Website: [www.drc-gb.org](http://www.drc-gb.org)

The Disability Discrimination Act 1995: (as amended by the Special Education Needs and Disability Act 2001) Draft Code of Practice (Schools)

### **Teachernet.co.uk: Implementing the DDA in schools and early years settings**

Age

**www.agepositive.gov.uk – a campaign to promote the benefits of employing a mixed-age workforce that includes older and younger people.**

Word association test - Equal Opportunities, prejudice, and diversity.

<https://implicit.harvard.edu/implicit/> is an interesting website which offers a confidential online test created by a Harvard social ethics professor, Mahzarin Banaji. Based on implicit associations (words and concepts strongly paired in people's minds, such as salt and pepper, night, and day) it tests a range of issues from gender and politics to race and age and suggests that the most well-meaning among us will find that we have hidden prejudices that affect our attitudes, if not our behaviour.