



**AVON HOUSE
PREPARATORY SCHOOL**



**CELEBRATING & SUPPORTING
EVERY CHILD**

Avon House School

**Equality & Diversity Policy
(including Sexual Harassment policy)**

Equality & Diversity Policy (Including Sexual Harassment policy)

Purpose

The School is committed to embracing equality and valuing diversity within its work force and in the work place. The School recognises that differences in backgrounds and experiences can bring valuable insights to the workplace and believes this can be achieved by providing equal opportunities for all.

Equality is about managing differences so that everyone has equality of opportunity through a fair and consistent approach to the application of rules, policies and procedures. We recognise that sometimes this will mean treating people differently. This commitment is relevant to all we do, how we manage ourselves and how we deliver our services.

Diversity is about understanding, recognising, respecting and valuing differences.

The School is an Equal Opportunities Employer and is dedicated to treating all employees and job applicants equally. The School will avoid all unlawful discrimination in all aspects of employment including recruitment and selection, promotion, transfer, opportunities for training, pay and benefits, all other terms of employment for example when dealing with disciplinary issues, and selection for redundancy and dismissal.

Scope

The School will take all reasonable steps to provide a work environment in which all employees are treated with respect and dignity, and that is free from harassment and bullying.

This policy aims to provide a culture of respect, where each employee/worker feels respected and valued and is able to do their best at work. The policy applies to all employees, agency staff, contractors, third party providers and job applicants.

The School will **not** tolerate unfair or unlawful treatment between any employees.

The School will not condone or tolerate any form of harassment, whether engaged in by employees or by outside third parties who do business with the School, such as clients, customers, contractors and suppliers.

Employees have a duty to cooperate with the School to make sure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. All employees are responsible and obliged to abide by this policy during day-to-day conduct with internal and external colleagues and customers, and during out of office hours School events and gatherings.

Failure to follow this policy by any employee may be considered an act of gross misconduct and could result in summary dismissal under the School's disciplinary procedure. Employees should also bear in mind that they can be held personally liable for any act of unlawful

discrimination or harassment. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

Information gathered for any purpose relating to this Policy will be checked for accuracy and recorded or deleted as required under the General Data Protection Regulations 2018.

Types of Discrimination

The Equality Act 2010 makes it unlawful to discriminate, harass or victimise someone because they have or are perceived to have a “protected characteristic” or are associated with someone who has a protected characteristic. The 'protected characteristics' under the Act are:

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

There are a number of different types of discrimination and being unfairly disadvantaged could take one or more of the following forms and may take place outside the workplace, for example during business trips and at work related social events. It also includes situations where an individual is discriminated against because of association (the individual is associated with someone falling under any of the above protected characteristics) or perception (the individual is thought or perceived to fall under one of the above protected characteristics).

- **Direct discrimination** – This is when someone is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be if a female job applicant was passed over for a job in favour of a male applicant who was less suited for the role.
- **Indirect discrimination** – This is when a policy or working condition puts someone with a protected characteristic at a disadvantage. An example of indirect discrimination would be to request that all employees are clean shaven, effectively putting members of some religious groups at a disadvantage.
- **Harassment** – This is offensive or intimidating behaviour which may cause humiliation, hostility, intimidation or offence. Even where harassment was not intended on the employee, he / she can still complain of harassment on grounds of the conduct creating an offensive environment.

Third party harassment - This is offensive or intimidating behaviour by a third party (customer / client).

- **Victimisation** – This is when an individual has made a complaint, or an individual has supported another who has made a complaint, and is then treated less favourably for doing so.
- **Failure to make reasonable adjustments** – This is when reasonable adjustments may be required to support an individual who is disadvantaged, for example, due to a disability, and the reasonable adjustments are not made or considered.

The School will not tolerate any unlawful discrimination, harassment or victimisation towards any customers, suppliers or third parties by anyone either working for or representing the school. This includes processes, attitudes and behaviour that amounts to direct discrimination, discrimination by association, discrimination by perception, indirect discrimination including harassment (harassment by a third party), victimisation and bullying through prejudice, ignorance and stereotyping.

All incidents of harassment or bullying experienced by Employees from customers, suppliers or third parties related to the School must be reported to the Head Teacher immediately so that appropriate action can be taken.

Leadership and Management

Commitments

Our school will be proactive in promoting racial equality, good race relations and tackling racial discrimination through our curriculum and assemblies etc.

The School Management will work in partnership with others to promote equality of opportunity and to oppose all forms of oppressive behaviour, prejudice and discrimination.

All staff have a duty to cooperate with the School to make sure that this policy is effective in ensuring equal opportunities and in preventing discrimination, harassment or bullying. Staff are responsible and obliged to abide by this policy during day-to-day conduct with internal and external colleagues and customers, and during out of office hours School events and gatherings.

The School Governors will ensure our environment continues to respect and value cultural, linguistic and religious differences.

Responsibilities

The School Governors and Senior Leadership Team are responsible for ensuring that the school fulfils its legal responsibilities and that this policy and its related procedures and strategies are implemented.

The Head Teacher and the Deputy Head are responsible for implementing the policy and for ensuring that all staff are aware of their responsibilities and are given appropriate training and support for taking the correct action in cases of racial harassment. They are responsible for

co-ordinating racial equality work and dealing with reported incidents of racism and racial harassment.

All staff are expected to deal with racist incidents that may occur, to know how to identify and challenge racial and cultural bias and stereotyping. They should have training so they know how to support pupils in their class for whom English is an additional language and to incorporate the principles of equality and diversity into all aspects of their work.

Failure to follow this policy by any staff may be considered an act of gross misconduct and could result in summary dismissal under the School's disciplinary procedure. Staff should also bear in mind that they can be held personally liable for any act of unlawful discrimination or harassment. Staff who commit serious acts of harassment may also be guilty of a criminal offence.

Aims and Objectives

In our school we aim to tackle discrimination and promote equality of opportunity and good race relations across all aspects of school life. We do this by:

- Creating an ethos in which pupils and staff feel valued and secure and to make our school a place where everyone, irrespective of their race, colour, ethnic or national origin or their citizenship, feels welcome
- Ensuring that an inclusive ethos is established and maintained
- Building self-esteem and confidence in our pupils, so that all pupils can then use these qualities to influence their own relationships with others
- Having consistent expectations of pupils and their learning. To ensure that all pupils are encouraged and able to achieve to their full potential
- Preparing pupils for life in a diverse society and world
- Removing or minimizing barriers to learning, so that all pupils can achieve
- Encouraging pupils to respect and value linguistic, cultural and religious diversity in the wider community
- Ensuring that our teaching takes into account the learning needs of all pupils through our schemes of work, lesson planning and IEPs
- Making clear to our pupils what constitutes aggressive and racist behaviour
- Identifying clear procedures for dealing quickly with incidents or racist behaviour
- Making pupils and staff confident to challenge racist and aggressive behaviour ... "it is not an option to do nothing".

At Avon House School we acknowledge the existence of racism and are proactive in tackling and eliminating racial discrimination.

Recruitment, Advertising and Selection

The recruitment process will be conducted so that the most suitable person for the job in terms of relevant experience, abilities and qualifications will be selected. The School is committed to applying this equal opportunities policy to all stages of the recruitment process.

Job applicants with disabilities will have reasonable adjustments considered by the School as a duty of care relating to

- work provisions, criteria and practices
- physical features of work premises
- providing auxiliary aids in order to ensure that the applicant is not placed at a substantial disadvantage in comparison with persons who are not disabled.

Training and Promotion

The School will train all staff in the School's policy on Equal Opportunities and Dignity at Work and in helping them identify and deal effectively with related issues.

The School will also provide training to all staff to help them understand their rights and responsibilities with regards to this policy.

Terms of Employment, Benefits, Facilities and Services

These will be reviewed from time to time so as to ensure there is no unlawful discrimination because of one of the protected characteristics.

The school does not operate any compulsory retirement age. Employees wishing to consider retirement must refer to the school's Voluntary Retirement Policy.

Equal Pay

The School is committed to equal pay in employment. It believes its male and female staff should receive equal pay for like work, work rated as equivalent or work of equal value. In order to achieve this, the school will endeavour to maintain a pay system that is free from bias and based on objective criteria.

Bullying and Harassment

Bullying is offensive or intimidating behaviour or an abuse or misuse of power which undermines or humiliates an employee. It may be harassment whether or not the person intended to offend. Something intended as a 'joke' or as 'office banter' may offend one person. This is because different employees find different levels of behaviour acceptable and everyone has the right to decide for themselves what behaviour they find acceptable to them.

Behaviour which a 'reasonable' person would realise was likely to offend an employee will always constitute harassment without the need for the employee having to make it clear that the behaviour was unacceptable for example, touching someone in a sexual way. With other forms of behaviour it may not always be clear in advance what will offend a particular employee for example office banter and jokes. In these cases, the behaviour will constitute

harassment if the conduct continues after the employee has made it clear, by words or conduct, that such behaviour is unacceptable.

A single incident can amount to harassment if it is sufficiently serious.

Bullying and harassment may be verbal, non-verbal, written or physical. Examples of unacceptable behaviour include, but are not limited to the following:

- Unwelcome sexual advances, requests for sexual favours, other conduct of a sexual nature
- Subjection to obscene or other sexually suggestive or racist comments
- Jokes or pictures of a sexual, sexist nature or racial nature
- Demeaning comments about an employee's appearance
- Questions about an employee's sex life
- Use of nickname, or picking on or ridiculing an employee, or isolating an employee or excluding them because of a protected characteristic

Procedure for Dealing with Discrimination

All allegations of discrimination or harassment will be dealt with seriously, confidentially and speedily. The School will not ignore or treat lightly grievances or complaints of discrimination or harassment from employees.

An employee wishing to raise a complaint of discrimination should do so in line with the School's Grievance Policy.

With cases of harassment if an employee wishes to make an informal complaint, he or she may choose either to speak:

- directly to the person whose behaviour has caused, or is likely to cause, offence, pointing out to that person in a reasonable and factual way why his or her conduct may be inappropriate, why it may be perceived as objectionable or unacceptable, and asking for it to stop
- to speak to SFB Consulting Ltd in order to seek support or guidance on an appropriate course of informal action to resolve the matter.

If an employee's behaviour is such that it represents a serious breach of the policy (for example severe bullying or harassment), or if the employee has tried to resolve the matter informally but without success, the employee may then choose to raise a formal complaint. A formal complaint must be put in writing, although the employee may consult SFB Consulting Ltd first to ask for guidance on how to present the written complaint.

Action will be taken against third parties where workers are subjected to such harassment.

Employees and witnesses can be assured that they will not be ridiculed or victimised for making, or assisting in making a complaint, even if it is not upheld, as long as it is made in good faith.

Sexual harassment

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. Sexual harassment takes many forms, but whatever form it takes it is unlawful under the Equality Act 2010 and it is not something the School will tolerate.

The law requires employers to take reasonable steps to prevent sexual harassment of their workers. We act to prevent sexual harassment from occurring and have clear reporting procedures for our staff to make a complaint about sexual harassment. If you have been sexually harassed, or you have witnessed sexual harassment, we encourage you to tell us so that we can deal with the matter swiftly.

The Headteacher and the Bursar has overall responsibility for the operation of this policy but may delegate elements of implementation or decision-making to the HR Lead.

Our managers will maintain an open-door policy and we encourage all staff to come forward with any concerns in relation to sexual harassment. All our staff have a responsibility to behave in line with the requirements of this policy.

Instances of sexual harassment or victimisation may lead to disciplinary action up to, and including, termination of employment.

This policy is reviewed regularly to ensure it remains up to date and in order to monitor its effectiveness. Any changes required will be implemented and communicated to our workforce.

Scope

We deplore all forms of sexual harassment and seek to ensure that the working environment is safe and supportive to all those who work for us. This includes employees, workers, agency workers, volunteers and contractors in all areas of our Organisation.

Definitions

Sexual harassment is 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 for that person. It also covers treating someone less favourably because they have submitted to, or refused to submit to, unwanted conduct of a sexual nature or in relation to gender reassignment or sex.

Sexual harassment may be committed by a fellow worker, an agent of an organisation, or a third party. It does not need to occur in person. It can occur via digital means, including social media sites or channels (eg WhatsApp). Someone may be sexually harassed even if they were not the target of the behaviour. Examples of sexual harassment include, but are not limited to:

- sexual comments or jokes, which may be referred to as “banter”
- displaying sexually graphic pictures, posters or photos
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person’s private or sex life or a person discussing their own sex life
- sexual posts or contact in online communications, including on social media
- spreading sexual rumours about a person
- sending sexually explicit emails, text messages or messages via other social media
- unwelcome touching, hugging, massaging or kissing

Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do, an act which is protected under discrimination and harassment laws. These are outlined below. It is not necessary for the person to have done the protected act in order for detrimental treatment to be considered as victimisation.

Examples of victimisation may include:

- failing to consider someone for promotion because they have previously made a sexual harassment complaint
- dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint
- excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

Circumstances which are covered

This policy covers behaviour which occurs in the following situations:

- a work situation
- a situation occurring outside of the normal workplace or normal working hours which is related to work, eg a working lunch, a business trip or social functions
- outside of a work situation but involving a colleague or other person connected to the Organisation, including on social media
- against anyone outside of a work situation where the incident is relevant to your suitability to carry out the role.

What to do if you are subject to sexual harassment or victimisation

We are committed to ensuring that there is no sexual harassment or victimisation in our workplace. Allegations of sexual harassment and victimisation will be treated as a disciplinary matter, although every situation will be considered on an individual basis and in accordance

with the principles of our disciplinary procedures, a copy of which is available from the HR Lead/ on the T Drive under school policies.

Informal complaint

We recognise that complaints of sexual harassment or victimisation can be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances, you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper. This person cannot be the same person who will be responsible for investigating the matter if it becomes a formal complaint.

If you experience sexual harassment and you feel comfortable to do so, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should hand a written request to the harasser, and your confidential helper can assist you in this.

In addition, you may also choose to raise concerns during your regular communication with your manager, eg in a one-to-one meeting. Your manager will listen to you and take your concerns seriously if you do this but may encourage you to follow the reporting procedures set out below. If you don't have a one-to-one meeting scheduled with your manager, you can ask to meet with them to discuss any concerns that you may have.

Formal complaint

Where the informal approach fails or if the sexual harassment or victimisation is more serious, you should bring the matter to the attention of the HR Lead OR the Deputy Headteacher as a formal written complaint and again your confidential helper can assist you in this.

If possible, you should keep notes of what happened so that the written complaint can include:

- the name of the alleged harasser
- the nature of the alleged harassment
- the dates and times when the alleged harassment occurred
- the names of any witnesses
- any action already taken by you to stop the alleged harassment.

On receipt of a formal complaint, we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. The meeting will normally be held within five working days of receipt of your complaint. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in



the investigation will be expected to act in confidence and any breach of confidence may be dealt with under the disciplinary procedure.

On conclusion of the investigation, the decision of the investigator, detailing the findings, will be sent in writing to you.

You have the right to appeal against the findings of the investigator. If you wish to appeal, you must inform The Chair of Governors within five working days of receiving the outcome. You will then be invited to a further meeting. As far as reasonably practicable, the Organisation will be represented by a more senior manager than the manager who attended the first meeting (unless the most senior manager attended that meeting).

Following the appeal meeting, you will be informed of the final decision, which will be confirmed in writing.

Regardless of the outcome of the procedure, we are committed to providing the support you may need. This may involve mediation between you and the other party or some other measure to manage the ongoing working relationship.

You will not be victimised for having brought a complaint.

What to do if you witness sexual harassment or victimisation

If you witness sexual harassment or victimisation, you are encouraged to take action appropriate action to address it. You should not take any action that may put you at risk of sexual harassment or other harm. If you feel able, you should intervene to prevent the matter continuing. If you are not able to do this, your action may include offering support to the person who has been sexually harassed and encouraging them to report the incident or reporting the incident yourself.

If reporting the incident, you should bring the matter to the attention of the HR Lead or the Deputy Headteacher in writing. Your concerns will be handled by Headteacher and the Bursar who will sensitively talk to the person subject to sexual harassment to determine how they want the matter to be handled.

Third-party sexual harassment

Third-party sexual harassment occurs when a member of our workforce is subjected to sexual harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes our customers, suppliers, members of the public, parents and contractors.

Third-party sexual harassment of our workforce is unlawful and will not be tolerated. The law requires employers to take steps to prevent sexual harassment by third parties and we are committed to doing so.



The law does not provide a mechanism for individuals to bring a claim of third-party harassment alone. However, failure for an employer to take reasonable steps to prevent third-party sexual harassment may result in legal liability in other types of claim.

In order to prevent third-party sexual harassment from occurring, we will:

- attach signage to the walls of the areas within the workplace where customers are present to warn that sexual harassment of our staff is not acceptable
- inform third parties (ie suppliers) of our zero-tolerance sexual harassment policy within our supplier documentation

If you have been subjected to third-party sexual harassment, you are encouraged to report this as soon as possible to the HR Lead or Deputy Headteacher. Should a customer / supplier sexually harass a member of our workforce, we will as appropriate, warn the contractor/ parents about their behaviour, share information relating to the incident with the relevant company and support the employee. Any criminal acts will be reported to the police.

We will not tolerate sexual harassment by any member of our workforce against a third party. Instances of sexual harassment of this kind may lead to disciplinary action, including termination of employment.

Disciplinary Action

If the decision is that the allegation of sexual harassment or victimisation is well founded, the harasser/victimiser will be liable to disciplinary action in accordance with our disciplinary procedure up to, and including, summary dismissal. An employee who receives a formal warning or who is dismissed for sexual harassment/victimisation may appeal by using our disciplinary appeal procedure.

When deciding on the level of disciplinary sanction to be applied, we will take into consideration any aggravating factors affecting the case. One example of aggravating factors is an abuse of power over a more junior colleague.

If, due to the investigation, it is concluded that your complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.

Further information can be found in the company Disciplinary Policy

Training

We provide training to all our staff on sexual harassment to ensure there is a clear understanding of:

- what sexual harassment is, how it may occur and that it will not be tolerated
- expected levels of behaviour
- how they can report any incidents of having been sexually harassed or having witnessed it
- how acts of harassment will be dealt with under the disciplinary procedure, which can potentially result in dismissal.



We ensure that all levels of management are trained on implementing this policy, including preventing and managing sexual harassment in the workplace and the procedure to follow if an allegation is reported.

We will regularly review the effectiveness of our training.

We provide refresher training as appropriate.

Employee Assistance Programme

We would like to remind you that further support is available by contacting our Employee Assistance Programme (EAP), a confidential 24-hour telephone counselling service, which can be accessed on 0800 092 0987.

More details of this service are available from the HR Lead.

For any information regarding this policy please contact the HR Lead.

Enforcement

Any breach of this policy may be subject to either summary dismissal or action under the School's disciplinary procedure, and could also be classed as a criminal offence under the Equality Act 2010.

The School will take all complaints and allegations seriously and investigate them fully.

Failure of any employee to adhere to this policy could not only result in legal action against them, but the individual may also be required to pay damages to the victim.

A successful equality policy requires strong and positive support from teachers, parents and all those involved in the education and care of our pupils. This also demands a full acceptance of the school's ethos and respect of others.

Work-Life Balance

The school recognises the need for its employees to balance work with their personal commitments. Whilst it is important for employees to fulfil their potential at work, it is equally important to find the right work-life balance. The school offers a Flexible Working Policy which provides employees the opportunity to request flexible hours of work. Employees with family commitments are offered a Parental Leave policy and emergency time off to help with domestic responsibilities. Please refer to the relevant sections of the Staff Handbook and respective policies.



Continuing to work together

All employees of the School hold a responsibility to ensure this policy is implemented, adhered to and that we work towards creating a culture of respect.

The School will process and retain all data relating to any aspects of this policy in line with the GDPR Regulations of 2018.

Reviewed August 2022 SFB

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Reviewed August 2024 SFBC

Reviewed August 2025 JW