



# EMMAUS CATHOLIC MAC

## Equal Opportunities Policy

<b>Date approved by Directors:</b>	4 <sup>th</sup> October 2021
<b>Board Review Date:</b>	October 2023
<b>Body Responsible for Review:</b>	Compliance Committee



**Commitment to Equality:**

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

**This Equal Opportunities Policy has been approved and adopted by Emmaus Catholic Multi Academy Company on 4<sup>th</sup> October 2021 and will be reviewed in October 2023.**

**Signed by Director of Emmaus Catholic MAC:**



**Signed by CSEL for Central Team:**



**Schools to which this policy relates:**

**Signed by Principal for – Hagley Catholic High School**

**Signed by Principal for – Our Lady of Fatima Catholic Primary School:**

**Signed by Principal for – Our Lady & St Hubert’s Catholic Primary School:**

**Signed by Principal for – St Ambrose Catholic Primary School:**

**Signed by Principal for – St Francis Xavier Catholic Primary School:**

**Signed by Principal for – St Gregory’s Catholic Primary School:**

**Signed by Principal for – St Joseph’s Catholic Primary School**

**Signed by Principal for – St Mary’s Catholic Primary School:**

**Signed by Principal for – St Philip’s Catholic Primary School:**

**Signed by Principal for – St Wulstan’s Catholic Primary School:**



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## 1. Equal Opportunities Statement

“We believe that each human being is created in the image and likeness of God; has a dignity and value that must be respected, promoted, safeguarded and defended; that we are all equal in the eyes of God; and that we are all bound together by our common humanity.” (Charter, Catholic Racial Justice Congress, 2003)

Emmaus Catholic Multi Academy Company seeks to express the dignity and equality of all human beings in every aspect of community life and is therefore committed to achieving equality of opportunity both as an employer of staff and as a provider of education.

You and any job applicants will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race (colour, nationality, ethnic or national origin), religion or belief, sex or sexual orientation (**Protected Characteristics**) subject to clause 4.5 of this policy.

We recognise that personal harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating, and unpleasant working environment.

Personal harassment takes many forms ranging from tasteless jokes and abusive remarks to pestering for sexual favours, threatening behaviour and actual physical abuse. For the purposes of this policy, it also includes bullying.

Bullying is understood to be targeted and persistent offensive, intimidating, malicious or insulting behaviour and can include the abuse or misuse of power to undermine, humiliate, denigrate or injure the recipient.

Some harassment is unlawful discrimination and serious harassment may be a criminal offence.

We deplore all forms of personal harassment and seek to ensure that the working environment is sympathetic to all our employees. The aim of this policy is to inform employees of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.

Emmaus Catholic Multi Academy Company is committed to identifying and addressing inequality and under representation throughout the organisation wherever that might occur. It will review, at board level, an annual gender pay gap analysis and will from time to time conduct an equality audit in conjunction with recognised trade unions.

## 2. About This Policy

- 2.1 This policy sets out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.

2.2 The Principal in each school is responsible for the implementation of this policy and any necessary training on equal opportunities.

2.3 This policy does not form part of any employee's contract of employment.

### 3. Discrimination

3.1 It is unlawful to discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the work place, outside the work place, and on work-related trips including social events.

3.2 The following forms of discrimination are prohibited under this policy and are unlawful:

(a) Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant for a role because of their race or sex.

(b) Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, a job advert says applicants must have at least 5 years' experience. By doing this, this could be discriminating indirectly based on age. This is because the advert excludes younger people who may have the skills and qualifications needed.

(c) Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment can include a one off incident. Harassment is still unlawful even if the person being harassed does not ask for it to stop.

(d) Victimisation: retaliation or punishment against someone who has complained or has supported someone else's complaint about discrimination or harassment.

(e) Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment or being put at a disadvantage for a reason that relates to, or is because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

#### 4. Recruitment and Selection

- 4.1 Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit against objective criteria that avoid discrimination. Shortlisting must be done by more than one person.
- 4.2 Vacancies must generally be advertised to a diverse section of the labour market. Advertisements must avoid stereotyping or using wording that may discourage particular groups from applying. They must include a short policy statement on equal opportunities and a copy of this policy will be made available on request.
- 4.3 Job applicants must not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
- 4.4 Job applicants must not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law; for example, to check that an applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.
- 4.5 Emmaus Catholic Multi Academy Company recognises the challenge to remain true to the Catholic faith and traditions. In order ensure that the faith is communicated to all those involved in the community there will be instances where a particular job carries with it a 'genuine' occupational requirement to be a practising Catholic e.g. role of Principal, Vice Principal and Subject Lead for Religious Education

*Memorandum on Appointment of Teachers to Catholic Schools can be found at [www.catholiceducation.org.uk/employment-documents/bishops-memorandum/item/1000049-memorandum-on-appointment-of-teachers-to-catholic-schools](http://www.catholiceducation.org.uk/employment-documents/bishops-memorandum/item/1000049-memorandum-on-appointment-of-teachers-to-catholic-schools)*

In all cases, it is appropriate to require that job applicants are broadly in sympathy with the vision, mission and values of Emmaus Catholic Multi Academy Company and its schools, as expressed in their mission statements.

- 4.6 Whilst every employee has a right to their private life, at the same time, they will, on appointment, sign the CESEW (Catholic Education Service of England and Wales) contract which requires them to preserve and develop the Catholic character of the School; have regard to the Catholic character of the School and

not to do anything in any way detrimental or prejudicial to the interest of the same.

## **5. Disabilities**

Employees who are, or become, disabled, are encouraged to raise this with their line manager, so the Company can ensure the appropriate support is provided. Reasonable adjustments can be put into place to assist employees.

## **6. Part-time and Fixed-Term Work**

Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

## **7. Breaches of this Policy**

7.1 We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of discrimination may amount to gross misconduct resulting in dismissal.

7.2 If a person believes that they have suffered discrimination, they may be able to sort out matters informally. The individual believed to have discriminated may not know that their behaviour is unwelcome or upsetting. The person may feel able to approach the individual themselves or with the help of someone else within Emmaus Catholic Multi Academy Company. The individual should be told what behaviour is found offensive and unwelcome, and told that it should stop immediately.

If an informal approach does not resolve matters, or if a situation is thought to be too serious to be dealt with informally, you can raise the matter through our formal Emmaus Catholic Multi Academy Company Grievance Procedure. If behaviour is observed that causes concern and a person does not feel able to intervene or raise the matter through the Grievance Procedure, then the Emmaus Catholic Multi Academy Company Whistleblowing procedures may be used.

Emmaus Catholic Multi Academy Company will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible.

7.3 A person must not be victimised or retaliated against for complaining about discrimination. However, malicious reporting will be treated as a disciplinary matter, which will be dealt with under the Emmaus Catholic Multi Academy Company Disciplinary Procedure.

- 7.4 Every employee is required to assist Emmaus Catholic Multi Academy Company to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, Emmaus Catholic Multi Academy Company, for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

- 7.5 Emmaus Catholic Multi Academy Company requires all of its employees to behave appropriately and professionally at all times during the working day, and this may also extend to events outside of working hours which are classed as work-related such as social events. Employees should not engage in discriminatory, harassing, or aggressive behaviour towards any other person at any time.





## **Appendix 1: Examples of Bullying and Harassment**

Emmaus Catholic Multi Academy Company is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect.

Some harassment is unlawful discrimination and serious harassment may be a criminal offence.

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end.

Examples of bullying can include, but is not limited to:

- Picking on someone or setting them up to fail
- Making threats about someone's job security without good reason

Harassment is unwanted conduct related to relevant protected characteristics which are sex, gender reassignment, race (includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

Examples of harassment would include: (these examples are not exhaustive).

- Physical conduct ranging from unwelcome touching to serious assault
- Unwanted sexual advances
- Demeaning comments about a person's appearance
- Unwelcome jokes or comments of a sexual or racist nature or about an individual's age
- Excluding someone because they are associated or connected with someone with a protected characteristic.
- Repeated name calling related to individual's religion or belief
- Repeated mis-gendering related to an individual's gender reassignment
- Ignoring an individual because it is perceived that they have a protected characteristic
- The use of obscene gestures
- Displaying offensive writing, materials or pictures e.g. magazines with sexual overtones

### **Examples of personal harassment**

Personal harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one employee towards another and examples of harassment include:

- insensitive jokes and pranks
- lewd or abusive comments
- deliberate exclusion from conversations
- displaying abusive or offensive writing or material
- abusive, threatening or insulting words or behaviour
- name-calling
- picking on someone or setting them up to fail
- exclusion or victimisation
- undermining their contribution/position
- demanding a greater work output than is reasonably feasible
- blocking promotion or other development/advancement.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment.

### **Examples of sexual harassment**

Sexual harassment can take place in many forms within the workplace and can go undetected for a period of time where employees do not understand that particular behaviour is classed as sexual harassment. Sexual harassment is unwanted behaviour related to sex, or of a sexual nature, by one employee towards another and examples of sexual harassment include:

- lewd or abusive comments of a sexual nature such as regarding an individual's appearance or body
- unwelcome touching of a sexual nature
- displaying sexually suggestive or sexually offensive writing or material
- asking questions of a sexual nature
- sexual propositions or advances, whether made in writing or verbally.

Sexual harassment can also take place where an employee is treated less favourably because they have rejected, or submitted to, the unwanted conduct that is related to sex or is of a sexual nature. Whether less favourable treatment occurs as a result will be examined broadly and includes areas such as blocking promotion and refusal of training opportunities or other development opportunities.

Conduct may be harassment whether or not the person behaving in that way intends to offend and a single incident can be harassment if it is sufficiently serious. Everyone has the right to decide what behaviour is acceptable to them personally and to have their feelings respected by others.

It may not be clear in advance that some forms of behaviour would be unwelcome to, or could offend, a particular person, e.g. flirting or asking someone for a private drink after work. In these cases, first time conduct that unintentionally causes offence will not be harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable .

### **Third party harassment**

Emmaus Catholic Multi Academy Company operates a zero-tolerance policy in relation to harassment perpetrated against one of its employees by a third party, such as a client/customer or visitor to the organisation. All employees are encouraged to report any and all instances of harassment that involve a third party in line with our reporting procedure, as outlined below.

If we find that the allegation is well-founded, we will take steps we deem necessary in order to remedy this complaint. This can include, but is not limited to:

- warning the individual about the inappropriate nature of their behaviour
- banning the individual from company premises
- reporting the individual's actions to the police.

In addition to this, the Company will endeavour to take all reasonable steps to deter and prevent any form of harassment from third parties taking place.

