The Mulberry Primary School

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Equality and Diversity In Employment Policy

2026

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The Mulberry Primary School
Equality and Diversity in Employment Policy

1. Introduction

1.1 The Equality and Diversity in Employment Policy details the school's approach to equality and diversity to ensure fair and lawful practices and procedures at all times throughout recruitment and employment. This policy is closely linked to all employment policies and ensures that the school fulfils its obligations as an employer under the Equality Act 2010.

2. Equality and Diversity policy statement

2.1 The school is committed to equality of opportunity throughout employment (including pay, training & development, recruitment and retention) and commits to having in place policies, practices and procedures that promote equality and diversity and anti-discriminatory practices.

2.2 Everyone has the right to be treated with dignity and respect and afforded equality of access to opportunities that are available within the working environment. By valuing diversity, all staff recognise and embrace that everyone has unique identities which will help to ensure that the school can provide the best services to students possible.

3. Scope

3.1 This policy and procedure applies to all employees and prospective employees (job applicants and prospective job applicants) of the school and former employees with regards to the provision of an employment reference.

3.2 The school is also committed to equality in relation to all workers, contractors, sub-contractors, consultants, agency workers, employees seconded from other organisation, governors and volunteers and these groups are expected to adhere to the principles set out in this policy and procedure whilst undertaking work or tasks for the school.

4. Roles and responsibilities

4.1 The Headteacher is responsible for:

- Overseeing the preparation and publication of one or more equality objectives that the school believes it needs to achieve to further the general equality duty. These objectives will be reviewed and updated at least every four years and published on the school's website.
- Agreeing the equality objectives with the governing body and where appropriate including these in the school development plan.
- Producing an annual report on workforce equality and diversity information for the governors that provides the opportunity to consider that information in the context of the school's workforce planning, and so that potential positive action in appropriate areas can be considered.

4.2 All employees are responsible for:

- Complying with this policy and associated policies (such as the Bullying and Harassment Policy and the Code of Conduct), in their own conduct, at all times when dealing with each other, managing staff and in their relationships with children, parents, carers, governors and other stakeholders.
- Treating colleagues, governors, pupils, volunteers, visitors, and members of the public with dignity and respect.
- Embracing a culture that provides supportive and positive working relationships and behaviour, which underpins the school's vision and values.
- Being alert to discrimination and taking action to avoid becoming involved in any form of discrimination.
- Making colleagues aware if their conduct or behaviour is inappropriate and/or reporting this to the Headteacher, or, if the inappropriate behaviour comes from the Headteacher, the Chair of Governors.
- Providing support to employees who are subject to inappropriate conduct or behaviour.
- Promoting good community and workplace relations to foster and encourage an atmosphere of tolerance and support so that there is no place for behaviours which would negatively impact upon the community or school.
- Informing the school of any reasonable adjustments that may assist them.

5. The Equality Act 2010

5.1 The Equality Act 2010 brings together previous legislation to protect people from discrimination in the workplace and in wider society. The Act covers nine 'protected characteristics' which qualify for protection from discrimination under the act include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

5.2 The Equality Act 2010 created a general equality duty. This means that when making decisions and developing policies public bodies are required to have 'due regard' to the need to:

- Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it, which means:
  - Removing or minimising disadvantages
  - Taking steps to meet different needs
  - Encouraging participation when it is disproportionately low
- Foster good relations across all protected characteristics (i.e. between people who share a protected characteristic and people who do not share it).

5.3 To help meet the general equality duty schools in England have two specific duties. These are:

- To publish information to demonstrate how they are complying with the equality duty (see paragraph 6)
- To prepare and publish one or more specific and measurable equality objectives (See paragraph 7)

5.4 Further information on discrimination may be found at ACAS 'The Equality Act 2010 – Guidance for Employers'[1] and on the DfE Equality Act 2010 Advice for Schools[2]. Equality is also an important aspect of the Ofsted common inspection framework, see the Ofsted School Inspection Handbook[3] for further details.

6. Equality information

6.1 As part of its obligations under the Equality Act 2010 the school will publish information to demonstrate its compliance with the general equality duty. This information must include, in particular, information relating to people who share a protected characteristic who are:

- its employees, and
- people affected by its policies and practices.

For further information see Essential Guide to the Public Sector Equality Duty[4]

6.2 In addition, for those schools with 150 or more employees, information on workforce monitoring must be published on their website. Schools must do this annually by the 6 April each year.

7. Disability Policy

Disabled Staff Working in Schools

7.1 The Equality Act 2010 defines disability as a physical or mental impairment which has a substantial and long term adverse effect on an individual's ability to carry out normal day to day activities.

7.2 There are some types of physical and mental conditions which might be treated as a disability under the Equality Act 2010, depending on the effect that have on the individual's daily life. This includes:

- Hearing and visual impairments;
- Conditions where the effects vary over time or come in episodes such as osteoarthritis and ME;
- Progressive conditions such as motor neurone disease, forms of dementia and cancer;

[1] www.acas.org.uk/media/pdf/8/a/Equality-Act-2010-guide-for-employers.pdf

[2] www.gov.uk/government/publications/equality-act-2010-advice-for-schools

[3] www.gov.uk/government/publications/school-inspection-handbook-from-september-2015

[4] https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.doc

- Conditions which affect certain organs such as heart disease and asthma;
- Learning disabilities such as dyslexia and dyspraxia;
- Autistic spectrum disorders;
- Mental health conditions, for example depression, bipolar affective disorders, eating disorders;
- Impairments due to injury to the body or brain.

Reasonable adjustments

7.3 The school will make reasonable adjustments that can assist a disabled employee or potential candidate gain or stay in employment with the school, or a governor gain or keep an appointment on the governing body.

7.4 The adjustments may include physical changes to the workplace (for example changing lighting and adding signage), or the provision of auxilliary aids (for example specialist equipment such as adapted keyboards, voice recognition software, or sign language interpreters).

7.5 The following factors may be taken into consideration to determine how reasonable an adjustment might be:

- How effective it would be in helping the employee overcome a disadvantage;
- How practical it would be for the school to make the adjustment;
- The financial costs and the extent of any disruption;
- The availability of financial or other assistance in making the adjustment.

7.6 Where reasonable adjustments may be necessary the school will discuss this with the individual at a stage at which adjustments will enable access, and ensure good attendance and performance. The employee is entitled to keep a health condition confidential if they wish. However, we encourage employees to disclose conditions either to their Headteacher or through the Occupational Health Service so that we can consider any reasonable adjustments that might be made. Any such information will be treated confidentially, and only shared as necessary to implement the reasonable adjustments.

7.7 The Equality Act 2010 prohibits prospective employers from asking about a job applicant's health except in certain specified circumstances which include to:

i) establish whether the applicant can take part in an assessment to determine their suitability for the job;
ii) determine whether any reasonable adjustments need to be made to enable a disabled person to participate in an assessment during the recruitment process;
iii) find out whether a job applicant would be able to undertake a function that is intrinsic to the job;
iv) monitor diversity among job applicants.

7.8 Applicants are encouraged to inform the school of any reasonable adjustments that they may need when called to interview.

7.9 Funding for adjustments may be available through the Government's Access to Work[5] scheme. It is the employee's responsibility to contact Access to Work to identify what support may be available under this scheme.

[5] www.gov.uk/access-to-work/overview

7.10 In community schools, the local authority is the employer and it is the authority's budget, rather than the school's, which would be taken into account in relation to capital funding for adjustments to premises.

8. Monitoring & review

8.1 The school will maintain a log of all reported breaches of this policy and review the application of this policy annually with the governing body.