

## KRISHNAMURTI FOUNDATION TRUST

### KRISHNAMURTI FOUNDATION TRUST EQUAL OPPORTUNITIES POLICY

Last Review Date	August 2019
Policy endorsed by	The Trustees, Principal and Directors
Policy is maintained by	Principal and Directors
ISI reference	A1, A4 and A15
Next review date	August 2020
Review body	Principals and Directors

#### **Policy Statement**

Krishnamurti Foundation Trust (KFT) is committed to providing equality of opportunity for all staff and job applicants. Brockwood is an educational community of students and adults who have come to live together in harmony with the original intentions for Brockwood as stated by the founder. Tolerance of others' views, when these do not disturb or contradict those intentions, and co-operation in our daily chores and responsibilities, form the basis of our interactions, together with a continuing inquiry into the nature of relationship. Deliberate intellectual, emotional or physical harassment of another member of the community would constitute a serious infraction of Brockwood's intentions.

It is in this context and in order to reflect, explain, and reinforce our Ethos that this policy has been prepared while at the same time intending to be fully compliant with legal requirements and relevant codes of practice.

Statutory Framework: The following legislation is relevant:

- Sex Discrimination Act 1975 as amended
- The Race Relations Act 1976 as amended
- Disability Discrimination Act 1995 as amended
- Prevention from Harassment Act 1997
- Human Rights Act 1998
- Employment Equality (Religion or Belief) Regulations 2003
- Equality Act 2010

All staff is required to comply with this policy and are expected to promote a culture free of discrimination, prejudice, and all forms of harassment, and to enhance diversity and equality of opportunity. In particular all staff is responsible for:

- Dealing with incidents and being able to tackle bias and stereotyping.
- Promoting equality and good relations and avoiding any form of discrimination on the basis of age, gender, religion/belief, race, colour, ethnic or national origin.
- Taking up training and learning opportunities on offer.

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- Promoting good relations between members of different racial, cultural and religious/belief groups and communities.
- Bringing discriminatory practices to the attention of the Principal or any one of the Trustees.

### **Responsibility for implementation of the policy**

The Trustees of the School have overall responsibility for the effective implementation of this policy and ensuring compliance with regulations prohibiting discrimination. Trustees have delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Directors and School Principal.

### **Forms of Discrimination**

The Race Relations Act outlines four main forms of unlawful discrimination: direct discrimination, indirect discrimination, victimisation and harassment. The following definitions are taken from the Race Relations Act. These classifications also apply under the Sex Discrimination Act and the Employment Equality (Sexual Orientation and Religion and Belief) Regulations.

Direct discrimination occurs when a person is treated less favourably than another person is, or would be, treated in the same or similar circumstances. It is automatically unlawful, whatever the reason for it and no justification can be put forward to excuse the difference in treatment.

Indirect discrimination occurs when there's a practice, policy or rule which applies to everyone in the same way, but it has a worse effect on some people than others. The Equality Act says it puts you at a particular disadvantage.

Victimisation occurs when a person is treated less favourably than another, or would be treated because they have brought, or are suspected of having brought, legal proceedings under a relevant Act, or because they have given evidence or information on behalf of someone else's complaint, or because they have complained of discrimination.

Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-Bullying and Harassment Policy

### **Recruitment**

- No job applicant will receive less favorable treatment because of his or her gender, religion/belief, age, race, colour, nationality (including citizenship), sexual orientation, ethnic or national origins, or marital status, nor be deliberately disadvantaged by any other conditions or requirements which cannot be shown to be justifiable.
- The application of recruitment, training, redeployment/transfer and promotion to all individuals will be on the basis of job requirements and the individual's ability and suitability for the post in question.
- All persons responsible for, or involved in, the advertising of vacancies, the short-listing and interviewing of candidates, and the making of appointments will be made aware of and act in accordance with this Policy.

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### **Staff Training**

Staff training needs will be identified through one on one meeting of Principal and Directors. All staff will be given appropriate access to training to enable them to perform their role.

### **Termination of Employment**

We will monitor redundancy criteria and procedures to ensure that they are fair and objective and are not directly or indirectly discriminatory and we will also ensure that disciplinary procedures are carried out fairly and consistently for all staff, whether they result in the giving of disciplinary warnings, dismissal or other disciplinary action.

### **Disability Discrimination**

Staff are encouraged to inform the Principal if they are disabled, or become disabled in the course of their employment at Brockwood Park School.

If a member of staff experiences difficulties at work because of their disability, he/she is encouraged to inform the Principal and to discuss with them any reasonable adjustments to his/her working conditions or job duties which would help overcome or minimise the difficulty. The Principal may wish to consult with the staff and with his/her medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments

We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage. Where reasonable and proportionate, we will take steps to improve access for disabled staff and service users.

### **Breaches of Policy**

- If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Policy. If you believe that you may have been subject to harassment you are encouraged to raise the matter through our Anti Bullying and Harassment Policy. If you are uncertain which applies to you or need advice on how to proceed you should speak to the Principal and/or Directors.
- Allegations regarding potential breaches of this policy will be treated in confidence on a need to know basis and investigated in accordance with the relevant procedure. Staff members who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.
- Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.
- The Trustees will treat seriously any breaches of the Policy and all instances of actual, or alleged, inappropriate behaviour will be fully investigated. Where appropriate this will be through the School's grievance procedure and may also be subject to the School's disciplinary procedures.
- If any member of staff feels that discrimination has occurred he/she should contact a Principal either informally in the first instance or in writing if it is more appropriate.

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- The Principal will keep a distinct line between informal and formal situations.
- If a formal complaint emerges, the Principal will set up an Enquiry Panel which should include two Trustees.
- The Principal will normally acknowledge receipt of a complaint within 5 working days and then undertake an investigation and should ensure that the complainant has access to appropriate support.
- In some circumstances the investigation may be carried out under the Grievance or Disciplinary or Capability procedures.
- Upon completion of the investigation he or she will come to a view that the complaint is either founded or unfounded or that it requires more investigation or cannot be proven one way or the other and will give a detailed response in writing to the complainant, setting what action, if any, is being taken in respect of the complaint.
- Throughout the process all parties involved, whether it be the complainant, or a fellow employee providing evidence, have the right to be accompanied at any meeting by a Trade Union Representative or by a colleague from within Brockwood, to provide support.
- Investigations will be conducted as quickly as possible. The aim is to conclude cases and advise of the conclusion within between 2-6 weeks of the concern being raised, depending on the complexity of the cases and the issues involved.
- The person investigating will inform the person raising the concern of the anticipated timescales and, should this be longer than normal, explain the reasons for this.
- Following the outcome of the investigation and where appropriate there will be a right for the complainant of appeal against the decision through Brockwood's Appeal procedure.
- The appeal must be lodged by the complainant within seven days of receiving the outcome decision in writing.

### **Review and Monitoring of the Policy**

This policy is reviewed annually by Principal and/or Directors. The Trustees will review the effectiveness of this policy to ensure it is achieving its objectives. Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Principal and/or Directors.