



Anti-discrimination Policy

2021-23

Policy last Reviewed	March 2021
Reviewed by	PPSCS Committee
Shared with staff	Annually
Next Review due date	March 2023

Aims

Seva School is committed to creating an environment which is free from discrimination and where all persons are treated equally and fairly, and with dignity, courtesy and respect. Victimisation, vilification and disability harassment are also unlawful and will not be tolerated by the School.

This policy applies to all students.

This policy also applies to all staff members of the School, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.

This policy applies to all students and Staff:

- In all their interactions with each other and members of the broader School community; and
- While in the School or off site, including at School-related events (such as sporting events) or functions (including social functions), while on trips or excursions, and when attending conferences.

Members of the broader Seva School community, including parents/guardians, are also required to comply with and support this policy.

Commitment

All students and Staff at the School have the right to learn and work in an environment free from discrimination and other unlawful behaviour. The School will strive to provide an inclusive, supportive and safe (physically and emotionally) learning and teaching environment, where all students and Staff have equal opportunities and where diversity is appreciated, understood and accepted.

In accordance with relevant anti-discrimination laws, it is unlawful to discriminate against students and Staff, on the basis of “protected attributes” relevant to the School, whilst students and Staff are engaging in their education and work at the School. Both direct and indirect discrimination are prohibited, as well as victimisation, disability harassment and vilification.

Unlawful Grounds for Discrimination

Discrimination on any of the following grounds is unlawful:

- age;
- race, racial group, colour, ethnic or national origins;
- gender, pregnancy, or marital status;
- disability;
- sexual orientation;
- religion or belief.

Forms of Discrimination

The following are the kinds of discrimination, which are against the school's policy:

- (a) **Direct discrimination**, where a person is treated less favourably on the basis of a ground which is unlawful;
- (b) **Indirect discrimination**, where a provision, criterion or practice which seems to be lawful would create a significant disadvantage for a substantial number of one group of persons compared with other persons on the basis of an unlawful ground unless that provision, criterion, or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary;
- (c) **Victimisation**, where someone is treated less favourably than others because he or she has taken action in respect of discrimination on unlawful grounds;
- (d) **Harassment**, when unwanted conduct related to any unlawful ground takes place with the purpose or effect of creating an intimidating, hostile, degrading, humiliating, or offensive environment for any person. This is not limited to physical acts and may include verbal and non-verbal communications and gestures.
- (e) **Vilification** is a public act or statement that incites others to hate a person or their group because of their race, religion, sexuality or gender identity.

What are the relevant "areas" for the School?

Education

Discrimination can occur in relation to students in all facets of education, including:

- Admission and enrolment applications;
- Terms of admission and enrolment;
- Variation of the terms of a student's enrolment;
- Denial or limitation of benefits normally resulting from enrolment;
- Exclusion or suspension of students;
- Assessment and examination;
- Access to resources and facilities; or
- Treatment of a student in regard to training or instruction.

Employment

Discrimination can occur in relation to Staff undertaking all categories of work, whether it be full-time, part-time, permanent, fixed-term, casual, work experience, vocational placement or voluntary, consultant or contractor, and in every aspect of work, including:

- Recruitment;
- Terms and conditions;
- Training;
- Promotion; and
- Termination of employment.

Responsibilities

Seva School takes reasonable steps to actively prevent discrimination and other behaviour in breach of this policy occurring at the School, including as follows:

- Develop and implement this anti- discrimination policy and other materials and/or awareness activities to promote the purpose of this policy;
- Educate and provide appropriate resources to Staff to improve their knowledge and understanding, to assist in preventing any instances of discrimination or other behaviour in breach of this policy, and to appropriately respond should an alleged breach occur;
- Educate and provide appropriate resources to students and parents/guardians to improve their knowledge and understanding and to assist in preventing any instances of discrimination or other behaviour in breach of this policy;
- Remove any discriminatory or offensive materials, rules and practices;
- Encourage students and Staff to contribute to a healthy School culture.

Student and Staff Responsibilities

All students and Staff contribute to the creation of an inclusive School culture. All students and Staff have a responsibility to comply with this policy.

All students and Staff are required to attend any training provided by the School to ensure they fully understand all aspects of this policy and the School's commitment to it.

Consequences for Breach of This Policy

Disciplinary action, up to and including termination of enrolment or employment, may be taken against a student or Staff member who is found, by the Principal or the Trust Board (as appropriate), to have breached this policy.

If a person is found to have raised a false or malicious complaint against another person in order to prejudice that other person, they may be subject to appropriate disciplinary action. Where a person is alleged to have breached anti-discrimination legislation, it is also possible that legal action could be taken against them personally.

Reporting Policy Breaches

No one should feel obliged to tolerate behaviour in breach of this policy. Do not ignore it and hope it will go away as silence may give the impression that the behaviour is acceptable.

Anyone who believes there has been a breach of this policy should report it immediately to Jasvinder Kaur who:

- Is available to answer questions about this policy or about what constitutes behaviour that might breach this policy;
- Can discuss concerns and assist understanding of the rights and options;
- Can provide support to resolve concerns in a manner appropriate to the nature and seriousness of the matter; and
- Will not be responsible for investigating concerns or determining resolutions.

Once reported, allegations of breach of this policy will be investigated by the School, so far as is reasonably possible:

- On a confidential basis and having regard to privacy requirements;
- In a timely way; and
- In a fair and impartial manner.

A person who makes a complaint will not be victimised.

Action taken by the School following investigation will be decided by the Principal or the Trust Board (as appropriate) and may include, but is not limited to, implementing reasonable corrective action, and providing students, parents/guardians and Staff with appropriate counselling and resources.

Employment and Training

As an employer, we will treat all staff and job applicants equally and fairly and not discriminate unlawfully against them. We will ensure, for example, that arrangements for recruitment and selection, terms and conditions of employment, access to training opportunities, access to promotion and transfers, grievance and disciplinary processes, demotions, selection for redundancies, dress code, references, bonus schemes, work allocation and any other employment related activities do not constitute unlawful discrimination against any person or group of persons.

Recruitment

We recognise the value of a diverse workforce and will take steps to ensure that:

- (i) we recruit from the widest pool of qualified candidates possible;
- (ii) employment opportunities are open and accessible to all on the basis of their individual qualities and personal merit;
- (iii) selection criteria and processes do not discriminate unjustifiably on any of the unlawful grounds other than where we are exercising permitted positive action;
- (iv) all recruitment agencies acting for the School are aware of this policy and act in accordance with it.

Conditions of service

We will treat all staff equally and endeavour to create and maintain a working environment which is free from discrimination and harassment and which respects, wherever possible, the differing backgrounds and beliefs of employees. Terms and conditions of service for employees will comply with antidiscrimination legislation. The provision of any staff benefit such as working hours, leave and maternity leave arrangements, performance appraisal schemes, bonus schemes, dress codes, or any other conditions of employment will not discriminate against any employee on any unlawful grounds. Where it is possible and reasonable to do so, the School will endeavour to provide appropriate facilities and conditions of service which take into account the specific needs of employees which arise from their ethnic or cultural background; gender; responsibilities as carers; disability; religion or belief; or sexual orientation.

Promotion and Career development

Promotion within the School will be made without reference to any of the unlawful grounds and will be merit based. The selection criteria and processes for recruitment and promotion will be regularly reviewed to ensure that there is no unjustifiably discriminatory impact on any particular group. Although positive action measures may be taken in accordance with the relevant anti-discrimination legislation to encourage under-represented groups to apply for promotion opportunities; recruitment, or promotion to all posts will be based entirely on merit. All employees will have equal access to training and other career development opportunities appropriate to their experience and abilities. However, the School may take appropriate positive action measures where permitted or required by anti-discrimination legislation to provide special training and support for groups which are under-represented in the workforce and encourage them to take up training and career development opportunities.

Contractors, Suppliers, Agents, and Third Parties

Any decisions regarding the suitability of suppliers and contractors, agents or other third parties to provide goods or services to the School will be made in accordance with this policy and not on any of the unlawful grounds. All suppliers, contractors, agents, or other third parties instructed by the School will be made aware of this policy and the need to adhere to it. Failure of any supplier, contractor, agent or other third party or of any of its staff to adhere to the principles set out in this policy or to carry out any discrimination on unlawful grounds will be investigated and appropriate action taken which may include immediate termination of our relationship with them.

Promoting Equality and Diversity

Just as we are committed to anti-discriminatory practices within our school, we are also committed to promoting equality and anti-discrimination in areas in which we have influence. All stakeholders will be informed of this policy and will be provided with training appropriate to their needs and responsibilities. All those who act on our behalf will be informed of this policy and will be expected to act in accordance with it when conducting business on our behalf. In all our dealings, including those with tenants, suppliers,

contractors and recruitment agencies, we will seek to promote the principles set out in this policy.

Implementing the Policy

Responsibility

Ultimate responsibility for implementing the policy rests with Principal Jo Donnellan. All our staff are expected to be aware and take notice of the provisions of our anti-discrimination policy and are responsible for ensuring compliance with it when fulfilling their duties or representing the School. Acts of discrimination or harassment on any of the unlawful grounds or failure to comply with this policy by our staff will result in disciplinary action.

Acts of discrimination or harassment on any of the unlawful grounds by those acting on behalf of the School will lead to appropriate action including termination of employment or services where appropriate.

Complaints of discrimination

We will treat seriously, and, where appropriate, will take action regarding all complaints of discrimination or harassment on any of the unlawful grounds made by staff, students, parents, trustees and other third parties. All complaints will be investigated in accordance with our grievance or complaints procedure and the complainant will be informed of the outcome.

Monitoring and review

The policy will be monitored and reviewed every 2 years by the Personnel Performance Safeguarding and Curriculum and Standards Committee to measure its progress and judge its effectiveness.

In particular, we will record and consider the number and outcome of complaints of discrimination made by staff, students, parents, trustees and other third parties and the details of any potentially unlawful grounds for discrimination involved in any disciplinary action taken against employees. This information will be used to review the progress and impact of the Anti-Discrimination policy; any changes required will be made and implemented.