The Duke of York's
Royal Military School

Equal Opportunities Policy

Date of Approval by Chairman on behalf of the Board of Trustees:	08/12/2022
Signed:	Colonel A Thorne
Position:	Chairman

Reviewed and agreed by the Board of Trustees.

Last reviewed:	Feb 2014 May 2015 May 2016 May 2017 May 2018 Aug 2019 Feb 2021 Dec 2022
Next review:	Dec 2023

ETHOS AND BOARDING AIMS

Ethos

Our aim is to provide all-round education with an academic focus. We will promote the full development of students by providing a secure, professional, and caring environment in which each student is encouraged to reach his or her individual potential and is prepared for the opportunities, responsibilities, and experiences of adulthood. These goals will be achieved in the context of a learning, spiritual, moral, and pastoral ethos, which respects values of Christian and other faith communities, and our unique military tradition.

Boarding Aims

- To promote the personal student values of courage, discipline, respect, integrity, loyalty, and commitment within an environment where learning is at its heart.
- To promote a pastoral environment in which **all** students can live, grow and be happy.
- To develop a sense of community and belonging within our 100% co-educational boarding school.
- To develop and foster supportive relationships between students, parents, staff, and other stakeholders.
- To understand and provide for the particular and evolving educational and boarding needs of the military community.
- To promote a respect for the rights of others and their property.
- To promote good manners and develop social skills.
- To promote the "student voice" in the discussion of boarding matters.
- To promote and develop the unique military ethos of the School.
- To provide a boarding environment which develops respect for others and where bullying or other forms of harassment are not tolerated.
- To provide students with a range of activities and experiences which will develop their character, resilience, and leadership skills, allowing students to make a positive contribution to our School community and beyond.
- To provide the highest quality boarding accommodation, pastoral care and medical care that complies with the National Minimum Standards for Boarding Schools and exceed them wherever possible.

Introduction

We take great pride in the plural nature of the society in which we live, and work and this policy statement reflects the commitment of Trustees, staff, and students to the spirit of equality and opportunity in education.

We firmly believe that all students should have equal access to the curriculum and facilities of the School. The curriculum should reflect the School's Equal Opportunities policy in content as well as access.

We are committed to a policy of equality of opportunity as an employer with regard to our policies and practices for employees and potential employees. This means that no one be treated less favourably on the grounds of their sex, marital status, race nationality or ethnic origin, disability, sexual orientation, gender identity, age, religion, working practices or whether they have HIV and or AIDS.

This policy covers all areas of employment: recruitment and selection, terms and conditions, promotion, transfer, training, appraisal, and selection for redundancy. The policy outlines what equality of opportunity means within the School, what we mean by discrimination and harassment, what sort of behaviours and attitudes we wish to promote, and also what procedures and actions you can take if you feel you have been discriminated against, victimised or harassed.

The Equal Opportunities Policy will be communicated to all applicants, new appointees during their induction and to all employees.

The School believes that equality of opportunity is vital so that all employees have a fair and equal chance of developing their potential. It is our aim to create a working environment free from discrimination and harassment based on respect, and to enable employees to successfully balance home and work commitments.

Aims

We aim to promote equal opportunities by:

- Regarding everyone as being of equal value.
- Correcting in a positive way any form of discrimination which contradicts this belief.
- Promoting self-esteem and respect for each person as an individual.
- Preparing all students for life in a multi-cultural society.
- Achieving a well-disciplined, yet caring, education environment catering for the individual needs of our students.
- Displaying material and all information about the School in a way which reflects our cultural diversity.
- Helping students, through the curriculum, to understand the causes and consequences of inequality of opportunity.

- Dealing with any form of discriminatory behaviour through the School's disciplinary procedures.

- Ensuring that the buildings and site of the School provide equality of access.

- Conducting all staff appointments within an equal opportunities approach.

General Definitions and Principles

We recognise that discrimination exists and, as an employer, is committed to ensure that such behaviour and attitudes are eliminated.

Discrimination and harassment will not be tolerated and will be dealt with under the Staff Disciplinary and Conduct Policy and Procedure.

We are committed to the principles of equality on the basis of fairness and valuing the contribution of all our employees. However, there are some arears where discrimination and harassment are covered by law, such as Equality Act 2010 which harmonised antidiscrimination law with effect from 1 October 2010.

Disability Discrimination

Under the Equality Act 2010 a person has a disability if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day to day activities. The list of specific "capacities" under the old legislation (Disability Discrimination Act has gone making it easier for a claimant to establish disability in cases to which the closed list of capacities did not easily apply.

The Equality Act imposes a duty on employers to make reasonable adjustments in cases where working arrangements or physical features of premises cause substantial disadvantage for a person with a disability. We will, where feasible, provide the necessary equipment and facilities for employees, applicants, and interviewees with disabilities to enable them to participate successfully in the workplace.

The School will provide, will also make suitable provision, adjustments etc. for interviews and where successful candidates are appointed.

The Equality Act 2010 introduced four new types of disability discrimination, including associative, perceptive, indirect discrimination and discrimination arising from a disability.

Where discrimination "arising from" a disability occurs, under the Act there is no requirement for a comparator. The employer will discriminate against a disabled employee if it treats the employee 'unfavourably' because of something arising from the employee's disability and that treatment cannot be objectively justified as a proportionate means of achieving a legitimate aim. For this type of discrimination to occur, the employer must know, or reasonably be expected to know, that the employee has the disability in question.

Complaints

Should an employee believe they have experienced harassment, bullying or discrimination then they may either attempt to resolve the matter informally or invoke the formal complaint procedure under the School Grievance Procedure to pursue their claim. All cases will be taken seriously, dealt with quickly and treated with utmost confidence.

Malicious Complaints

Whilst we do not wish to deter individuals who wish to make genuine complaints, it should be noted that vindictive or vexatious complaints will be vied seriously and will be dealt with under the disciplinary procedure. Equally unacceptable is the threat of making an unfounded complaint of discrimination or harassment.

Racial Equality

This is an integral part of the School's Equal Opportunities policy. The School will provide an appropriate and professional service to its students and staff regardless of colour, culture, or ethnic origin. This will be evident in processes, attitudes and behaviour which are free of discrimination through prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantages minority ethnic people.

Summary Statement

Within the context of the School's ethos, we encourage each member of the School to be proud of their race, culture, religion, ability, secularity, and everything that makes up their individuality.

The policy will be monitored by the Senior Leadership Team in consultation with all teaching, pastoral and support staff, and students.

Race Equality

Background

Schools must have, by law, an explicit Race Equality policy separate from, or as a clearly identified part of, their Equal Opportunities policy.

Race, within the Commission for Racial Equality Code of Practice, is defined as 'colour, culture, or ethnic origin'.

Whilst the Duke of York's Royal Military School (DOYRMS) has a comprehensive Equal Opportunities policy which we believe fully incorporates the concept of Race Equality it is, nevertheless, important that the major amendments to the 1976 Race Relations Act are acknowledged. The School's Collective Worship policy also contributes to the Race Equality policy particularly in relation to cultural and religious customs.

This Race Equality policy will satisfy these amendments. It will be monitored, evaluated, and amended regularly following consultation with students, staff, and Trustees.

All aspects of the School will be affected, and Part 2 sets out some of the questions we will need to be able to answer.

Commitments

The School is committed to:

- Actively tackling racial discrimination, promoting equal opportunities and good race relations.
- Encouraging, supporting, and helping all students and staff to reach their potential.
- Working with parents, and with the wider community, to tackle racial discrimination and to follow and promote good practice.
- Ensuring this Race Equality policy and its procedures are followed.

Responsibilities

a. Board of Trustees

The Trustees are responsible for:

- Ensuring that the School complies with the amended Race Relations Act 1976.
- Ensuring this Race Equality policy and its procedures are followed.

b. Principal

The Principal is responsible for:

- Ensuring this Race Equality policy is readily available, and that Trustees, staff, students, and parents know about it.

- Ensuring this Race Equality policy and its procedures are followed.
- Monitoring the policy.
- Ensuring that all staff know their responsibilities and receive training and support in carrying these out.
- Taking appropriate action in cases of racial harassment and racial discrimination.

c. All Staff

All staff are responsible for:

- Dealing with racist incidents and being able to recognise and deal with racial bias and stereotyping.
- Promoting equal opportunities, good race relations, and avoiding discrimination against anyone for reasons of race, colour, nationality or ethnic or national origins.
- Keeping up to date with the law on discrimination and taking up training and learning opportunities.

d. Staff with specific responsibilities

The Principal and Chair of Trustees are responsible for:

- Co-ordinating work on race equality.
- Dealing with reports of racist incidents.

e. Visitors and Contractors

Visitors and contractors are responsible for:

- Knowing and following the Race Equality policy of which they will be given a copy where appropriate.

Part 1: Covering Specific Duties

Planning and Developing

The School will consider the implications for race equality in its planning and implementation of policies.

Where appropriate the School will build race equality targets into its strategic planning.

Ethnic Monitoring

- The School will collect ethnic data to monitor student attainment and progress, and to set targets.
- The School will use ethnic data - for example on attainment, progress, exclusions, attendance, sanctions, and rewards - to inform planning and decision-making.

Assessing and Reviewing Policies

- To monitor, assess and review this policy and strategies relevant to race equality.
- To incorporate race equality into self-review and evaluation.

Publishing the Results of Monitoring

The School will publish annually the results of its monitoring.

The School will ensure that any information published cannot be used to identify individuals.

The School will ensure

This policy is published on the School website and available to all requesting a copy.

Part 2: Building Race Equality into Other Policies

Questions taking account of race equality will be built into other policies. Areas to be considered include:

Policies on Attainment, Progress and Assessment

How do you make sure that you have equally high expectations of all students?

How do you recognise and value different kinds of achievement?

Do you monitor attainment and progress by racial group, and analyse the information to identify trends and any patterns of underachievement?

Policies on Behaviour, Discipline and Exclusion

How do you make sure your procedures for disciplining students and managing behaviour are fair to students from all racial groups?

Do you monitor exclusions?

Are rewards and sanctions used consistently?

Do inclusion strategies consider the needs of all racial groups?

Policies on Admission and Attendance

Is your policy open to students from all racial groups?

Do you monitor the admission process to ensure consistency and fairness?

Policies on the Curriculum

Does curriculum planning ensure that the principle of race equality and the value of diversity is incorporated?

Do you ensure that there is opportunity for students to explore questions of identity, race equality and racism?

How is the curriculum monitored to assess whether it helps all students to achieve their full potential?

What opportunities exist to allow students to experience other cultures?

Do extra-curricular activities cater for all students and take into account parents' concern about religion or culture?

Policies on Personal Development and Pastoral Care

Does pastoral support take into account religious and ethnic differences and the experiences and needs of all particular groups of students such as travellers, refugees and asylum seekers?

Are work placements monitored by racial group to ensure that there is no stereotyping?

What support do you provide for victims of racial harassment through School and outside agencies?

Policies on Teaching and Learning

How do you create an environment where all students can contribute and feel valued?

How does teaching take account of cultural backgrounds and language needs?

How are different cultural traditions valued, and made meaningful?

How are stereotypes challenged?

Policies on Working with Parents and Communities

What steps are taken to encourage all parents to be involved with the School?

How do you ensure that all information conveyed to parents is written clearly and is available, where necessary, in language other than English and in special formats?

How do you ensure accessibility to premises and facilities?

Policies on Racial Harassment, Bullying and School Values

How do you promote good personal and community relations?

What steps do you take to prevent racial discrimination?

Equality and Diversity in Employment

1. Introduction

The Duke of York's Royal Military School is committed to providing high-quality teaching and learning for our students. We recognise that, by valuing and promoting equal opportunities in employment for all employees and job applicants and avoiding unlawful discrimination in employment and delivery of services, we will be able to deliver a first-class education.

We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

We also value diversity and recognise the varied contributions that a diverse workforce brings to an organisation; we are committed to drawing on different perspectives and experiences of individuals which will add value to what we do.

We will ensure that we do not discriminate against employees on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation (the protected characteristics).

The principles of non-discrimination also apply to how we expect our employees to treat colleagues, students, parents, visitors, clients, customers, suppliers and former employees regardless of whether the legal protection of having a protected characteristic applies.

This policy complies with the requirements of the Equality Act 2010. Under the general public sector equality duty of the Equality Act 2010, our School must have due regard to the need to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The duty covers the protected characteristics of race, disability, sex, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment. The first part of the duty – the duty to eliminate discrimination, harassment and victimisation – also applies to the protected characteristic of marriage and civil partnership.

As part of the application of this policy, the Duke of York's Royal Military School may collect, process and store personal data and special categories of data in accordance with our data protection policy. We will comply with the requirements of data protection legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any

successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018) in relation to how we collect, hold and share personal data.

This policy does not form part of any employee's contract of employment and may be amended at any time.

2. Scope and purpose

This policy covers all individuals working at all levels and grades in the Duke of York's Royal Military School including trustees, the Principal, Senior Leadership, employees, consultants, contractors, trainees, part-time and fixed-term employees, volunteers, casual workers and agency staff (collectively referred to as 'employees' in this policy).

This policy applies to all aspects of the employment relationship and covers job advertisements, recruitment and selection, training and development, opportunities for promotion, appraisals, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

It also applies to former employees, for example in the provision of employment references. This policy focuses on employment and does not cover the provision of services to our students.

The purpose of this policy is to set out our approach to equal opportunities, how we will tackle discrimination and how we will put our commitment into action and comply with the law, to ensure that equality and diversity is promoted in the workplace and our employees are not subject to and do not commit unlawful acts of discrimination.

3. Roles and responsibilities

Our Board of Trustees has overall responsibility for the effective operation of this policy and for ensuring compliance with equality legislation. Day-to-day operational responsibility for this policy including regular review of this policy, has been delegated to the Principal.

All senior leaders must set an appropriate standard of behaviour, led by example, and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities.

Senior leaders will be given appropriate training on equal opportunities awareness and recruitment and selection best practice.

All employees must be aware of this policy and have a duty to act in accordance with this policy and not to discriminate against or harass other people including employees, former employees and job applicants treating them with dignity at all times. They should also apply this to how they treat members of the public in the provision of services and should support the School in meeting its commitment to provide equal opportunities for all and promoting diversity in the workplace.

If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact HR Manager to request training or further information.

4. Forms of discrimination

Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the nine protected characteristics as set out above. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim. It will only be exceptional circumstances that this will apply in our School.

Indirect discrimination occurs where someone is disadvantaged by a provision, criterion or practice that applies to everyone but puts people with a protected characteristic at a particular disadvantage. Such a requirement will need to be objectively justified.

Harassment related to any of the protected characteristics is prohibited. 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. Pregnancy and maternity, and marriage and civil partnership, are not protected directly under the harassment provisions. However, pregnancy and maternity harassment would amount to harassment related to sex, and harassment related to civil partnership would amount to harassment related to sexual orientation. Harassment is dealt with further in our Harassment & Bullying Policy.

Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else's complaint.

Discrimination by association is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Discrimination by perception is where an individual is directly discriminated against or harassed based on a perception that a person has a particular protected characteristic irrespective of whether they do have that protected characteristic (this does not include marriage and civil partnership and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as parents and carers, clients, or customers.

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

5. Applying our policy to recruitment and selection

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. Our recruitment procedures are reviewed regularly to ensure that individuals

are treated on the basis of their relevant skills and abilities. Our recruitment processes are set out in our Recruitment, Selection and Disclosure Policy.

Job selection criteria as set out in the person specification will be regularly reviewed to ensure that they are relevant to the job. Shortlisting of applicants should be done by more than one person wherever possible and will be carried out objectively against the requirements of the job.

Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying.

We will take reasonable steps, where appropriate depending on the situation, to ensure that our vacancies are advertised to a diverse labour market and, where relevant, to particular groups. This policy is available to applicants *on our website to download.*

Applicants will not be asked about health or disability before a job offer is made, other than where it is necessary to:

- establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments; Section 60 of the Equality Act 2010)
- establish if any reasonable adjustments need to be made to enable an applicant to have a fair interview or assessment
- carry out equal opportunities monitoring (which will not form part of the decision-making process).

Job offers will be conditional upon a satisfactory medical check in accordance with our obligation under paragraph 213 of 'Keeping Children Safe in Education', where a school must verify the candidate's mental and physical fitness to carry out their work responsibilities in accordance with the Education (Health Standards) (England) Regulations 2003.

Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment.

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance, name, or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original specified documents before employment starts to satisfy current immigration legislation. The list of acceptable documents is available from Human Resources.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our School, we monitor diversity data as part of the recruitment process. Provision of this information is voluntary, and it will not adversely affect an individual's success at recruitment, or any other decision related to their employment. The information is removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

6. Applying our policy to training, promotion, pay decisions and conditions of service

All employees will be provided with a copy of our Privacy Notice which sets out how we will collect, hold, and share personal data of individuals during their employment.

Employees training needs will be identified through the appraisal process. All employees will be given appropriate access to training for their job and in order to enable them to progress within the School.

Pay and promotion decisions will be based on an employee's performance (where relevant), skills and experience and as detailed in our Pay Policy.

Our benefits and facilities are reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

Relevant national and local conditions of service within our School, as applied to our employees, will meet the requirements of equal opportunities.

7. Applying our policy when terminating employment

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal, or other disciplinary action.

8. Disability discrimination

Disability discrimination includes direct or indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate the effects caused by a disability.

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact the HR Manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The HR Manager may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they place disabled employees or job applicants at a substantial disadvantage compared to other employees. Where reasonable, we will take steps to improve access for employees who have a disability.

As a Disability Confident Committed employer, we are committed to inclusivity and accessibility. We guarantee to interview a disabled applicant, provided they meet the minimum criteria for the job. This applies to all internal and external vacancies.

9. Breaches of this policy

If you believe that you may have been discriminated against you are encouraged to raise the matter through our grievance procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter through our Harassment and Bullying Policy and if you are uncertain which policy applies or need advice on how to proceed you should speak to the HR Manager.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Employees 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.