

Equal Opportunities Policy

1 June 2017 Version Number: 1

Review Date: Summer Term 2018

Northern
House
School



EQUAL OPPORTUNITIES POLICY



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1. Policy

1.1. Wokingham Borough Council is committed to providing equal opportunities throughout employment and achieving a diverse workforce that reflects our community. The Council recognises the contribution of every employee and values individual differences and is committed to eliminating discrimination in the workplace

1.1.1. The Council will ensure that all job applicants, employees (part-time or full-time), contractors and temporary workers are treated equally and we are willing to make reasonable adjustments where appropriate for disabled applicants and employees. We also seek to provide an environment that fosters a climate of respect for all employees, contractors and temporary workers where they are free from harassment, bullying, intimidation and victimisation.

1.1.2. As an employer, Schools are also committed to the employment policies and practices of the Council for every member of staff, including part-time, agency and supply. This also includes opportunities for professional development. For further information see **Appendix 1**.

2. Purpose

2.1. The purpose of this policy is to ensure that unlawful discrimination and other undesirable behaviour does not occur and that adequate procedures are readily available to resolve complaints of discrimination and to prevent them happening again. It also sets out the procedures which you must follow in circumstances of harassment by third parties or where employees from a different race or racial group are or might be exposed to racism from service users.

2.1.1. Equal opportunity is fundamental to all the Council's policies, plans and practices. To ensure the Council's objectives are met we will:

- Ensure all new employees are informed at the Corporate Induction training of the Council's equal opportunities policy.
- Consult under-represented employees including black, Asian, other ethnic minorities and those with disabilities. BME and disability focus groups have been established and meetings will be held quarterly to discuss and review the needs of these and future employees
- Consult disabled individuals in the planning and implementation of any office relocations and building improvements to ensure their particular needs are considered
- Monitor training and promotion to ensure there is equal access
- Monitor recruitment of minority groups to ensure fair and open competition is being practiced
- Monitor and carry out equality impact assessments on all policies and procedures and their implementation in order to analyse progress and implement corrective action as appropriate.



- Monitor retention to ensure there are alternative ways of retaining employees through development, flexible working or part-time working.

3. Scope

3.1. This policy applies to all employees of Wokingham Borough Council including schools, Members, contractors and temporary/casual workers. Everyone who works for Wokingham Borough Council, whether employed or not, has a responsibility to ensure that our equal opportunities policy is properly observed and fully complied with. The Council views very seriously any act by any worker (no matter what level) of unlawful / unacceptable discrimination. It is a disciplinary offence, which may, in appropriate circumstances, lead to dismissal.

3.1.1. Managers at every level are responsible for ensuring that all those who work for them are fully aware of our equal opportunities policy, of the seriousness with which we regard a breach of that policy, and of each individual's responsibilities under the equal opportunities policy.

4. **The Equality Act 2010 (the Act)** consolidates and replaces most of the previous discrimination legislation for England, Scotland and Wales. The Act covers discrimination because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These categories are known in the Act as 'protected characteristics'

4.1. **Equality Duties** - The Race Relations (Amendment) Act first introduced the race equality duty in 2001. A duty on disability equality came into effect in December 2006 and a duty on gender equality came into effect on April 2007. The Duties require that the Council works to promote equality and eliminate discrimination in all its activities. Each piece of legislation is focused on delivering equality in the most appropriate way for different ethnic groups, for disabled people, or for women and men.

5. Complaints

5.1. All staff have a right to challenge any decision or action which they believe to be in breach of the policy. All complaints relating to employment must be made at first informally and if necessary the next step should be through the formal Grievance procedure. Any member of staff who deliberately or knowingly contravenes the policy will be liable to formal disciplinary action. All complaints are assumed to be made in good faith unless there is evidence to the contrary. If however, an accusation is found to have been made maliciously, disciplinary action may be taken against the person making the false complaint.

6. Recording/monitoring data

6.1. To ensure that this policy is operating effectively (and for no other purpose) the Northern House School (Wokingham) maintains records of employees' and applicants' racial origins, gender, disability, age and religion. On-going monitoring and regular analysis of such records provide the basis for appropriate action to eliminate unlawful direct and indirect discrimination and promote equality of opportunity. Where necessary, employees will be able to check/correct their own record of these details. Otherwise, access to this information will be strictly restricted. The following data will be analysed regularly and appropriate follow-up action taken.

6.1.1. Recruitment and Selection

- Monitoring records to ensure a process of fair and open recruitment & selection

6.1.2. Existing Employees

- Monitoring training records for participation by underrepresented groups or those potentially subjected to discriminatory action
- Monitoring promotion ensuring there are no barriers to promotion or transfers for under represented employees
- Monitoring part-time employees to ensure parity with full-time employees
- Monitoring disabled employees to ensure they have equal access to career and development opportunities within the Council and access to facilities
- Monitoring employees to ensure representation of race and ethnic minorities in line with the local population
- Monitoring termination of employees' contracts to ensure individuals are not unjustifiably selected for redundancy or early retirement
- Monitoring reasons for resignations and progress appropriate action

Guidance

7. Equality in Employment – Overview

7.1. Definition - Types of discrimination:

7.1.1. **Direct Discrimination** – this occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic in any aspect of employment:

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

For example: where an employee aged 21 and an employee aged 42 are both breaching policy by sending and receiving personal emails at work and in working hours. Their manager gives the 21-year-old a written warning because they think that 'a younger person needs a firmer telling off', while the 42-year-old is informally told to be more careful. This is likely to be direct age discrimination against the younger worker unless the manager can objectively justify it, which is unlikely.



7.1.2. **Indirect Discrimination** – this can occur when you have a condition, policy or practice that applies to everyone but causes a disadvantage to people with a protected characteristic. Some examples are:

- Making it a condition for all staff to work on Sunday and not trying to accommodate a request to be excused from a practicing Christian.
- Applying an unjustifiable height, age or fitness barrier that may exclude women/men, some ethnic groups, applicants with disabilities and the older or younger worker.
- Strictly applying certain educational qualifications, which may not be essential to the performance of the job.

7.1.3. **Associative Discrimination** – This is direct discrimination against someone because they associate with another person who has a protected characteristic

For example – by not promoting an employee because they have a disabled dependant and you believe they will be unable to carry out their role you are discriminating against the employee because of their association with a disabled employee.

7.1.4. **Perceptive Discrimination** – This is direct discrimination against an individual because you think they have a protected characteristic. It applies even if the individual does not have that characteristic,

For example – a manager incorrectly thinks one of their employees is gay. The manager tells the employee they must change their clothes in a dusty stock room rather than in the communal changing area. This is likely to be discrimination because of sexual orientation based on the employer's perception, even though the worker is not gay (if the worker is gay, it would almost certainly be direct discrimination).

7.1.5. **Harassment** – is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

For example - A disabled employee is claiming harassment against the manager after frequently being teased and humiliated about their disability. Another employee within the team is also claiming harassment even though they do not have a disability as the manager's behaviour has created an offensive environment.

7.1.6. **Third Party Harassment** – WBC may be liable for harassment of employees by a third party who are not employees of WBC where it is known they have harassed an employee on at least two previous occasions. Managers must ensure that all reasonable steps have been taken to prevent it from happening again.

7.1.7. **Victimisation** – This occurs when an employee is treated badly because they have made or supported a complaint or grievance under the Equality Act or suspected of doing so.

For example - An employee makes a formal complaint of discrimination and although the complaint is resolved through the grievance procedure they are subsequently ostracised by his/her colleagues including their manager.



7.1.8. **Pregnancy and Maternity** - Different treatment is allowed under health and safety law these laws are designed to protect women who are pregnant or who have recently given birth or to guard against risks specific to women.

For example - A night-shift worker who is pregnant is certified by her GP as unable to work nights. Her manager must not dismiss her (this would be direct discrimination because of pregnancy). Instead the manager needs to manage the situation by either finding her daytime work or, if they cannot do this, putting her on leave with full pay.

8. **Discrimination in the Recruitment and Selection and Employment** (see Guidance to Recruitment and Retention on the Grapevine at <http://www.wokingham.gov.uk/grapevine/values-policies-projects/policies-procedures-library/human-resources/>.) must be fair to internal and external applicants. All applicants should be treated in an impartial and consistent manner. The Council should encourage applicants for posts from all walks of life and show that it truly represents the community and promotes diversity.

8.1.1. Wokingham Borough Council has a commitment to achieving and maintaining, as far as is practicable, the composition of the population in the recruitment area, including underrepresented groups, e.g. black, Asian, other ethnic minorities and people with disabilities, as well as a good age distribution.

8.2. **Advertisements** must reach both sexes all racial groups and the disabled.

8.2.1. Managers should ensure that:

- Age limits are not contained in advertisements.
- Mobility requirements, qualifications and number of years of experience that cannot be justified are not included in the advertisement to ensure any particular group is not discriminated against.
- Advertisements do not use discriminatory words such as “mature” or “young” in job adverts.
- They consider part-time/job sharing for applicants with dependants.

8.2.2. Selection tests if these are used they should be specifically related to the job with the purpose of measuring the applicants’ skills/behaviours to do the job or to train to achieve the level required as outlined in the person specification.

8.2.3. When shortlisting applicants against job criteria, managers must ensure that all decisions and reasons for those decisions are recorded and sent to Employee Services to be retained for six months. This will enable the Council to answer any allegations of discrimination.

8.2.4. **Positive action** – Managers may use voluntary positive action to increase the numbers of disadvantaged people, black, Asian, other ethnic minorities and disabled people, men and women in areas of work where they are currently under-represented. Positive action is about putting measures in place to encourage employees and potential employees and

providing training for employees from particular groups who have been under-represented



in particular areas of work. The following are examples of measures that should be taken wherever it is appropriate and reasonably practicable to do so:

- Job advertisements designed to attract members of particular groups and to encourage their applications;
- Encouraging applications from people with disabilities
- Introducing and advertising flexible working patterns and part-time/job share to encourage applications from women and men with family or other responsibilities and people with disabilities
- Use of job centres in areas where under-represented groups are concentrated. Job centres also assist people with disabilities to find employment.
- Taking steps to encourage individuals to take advantage of the opportunity to do a particular type of work where they are under-represented.
- Taking positive action in training and encouraging individuals from particular groups to apply for jobs or promotion must be made solely on the basis of the candidate's suitability.

8.2.5. **Occupational requirements – Covers all of the Protected Characteristics.** If you can show that a particular protected characteristic is central to a particular job, you can insist that only someone who has that particular protected characteristic is suitable for the job. This would be an 'occupational requirement'.

For example - A women's refuge may want to say that it should be able to employ only women as counsellors. Its client base is only women who are experiencing domestic violence committed by men. This would probably be a genuine occupational requirement

8.3. **Questions about health or disability** – Except in very restricted circumstances or for very restricted purposes, you are not allowed to ask any job applicant about their health or any disability until the person has been:

- Offered a job either outright or a conditional offer, or
- Included in a pool of successful candidates to be offered a job when a position becomes available.

8.3.1. This includes asking such a question as part of the application process or during an interview. Questions relating to previous sickness absence count as questions that relate to health or disability.

8.3.2. No-one else can ask these questions on your behalf either. So you cannot refer an applicant to **occupational health** or ask an applicant to fill in a pre-employment questionnaire provided by occupational health before the offer of a job is made (or before inclusion in a pool of successful applicants) except in very limited circumstances, which are explained next.



8.3.3. You can ask questions about health or disability:

- To find out if any applicant requires reasonable adjustments for the recruitment process, such as for an assessment or an interview.
- To find out if a person (whether they are a disabled person or not) can take part in an assessment as part of the recruitment process, including questions about reasonable adjustments for this purpose.
- For **monitoring** purposes to check the **diversity** of applicants.
- To make sure that an applicant who is a disabled person can benefit from the **guaranteed interview scheme**. Make it clear to job applicants that this is why you are asking the question.
- Because having a specific impairment is an **occupational requirement** for a particular job.
- Where the question relates to a person's ability to carry out a function that is intrinsic (or absolutely fundamental) to that job. Where a health or disability related question would mean you would know if a person can carry out that function with reasonable adjustments in place, then you can ask the question.

8.3.4. Most of the time, whether on an application form or during an interview, you can ask a question about whether someone has the relevant skills, qualities or experience to do the job, not about their health or about any disability they may have.

8.4. Training - Employees shall not be discriminated against or barred from participating in appropriate training courses. Selection criteria for training courses and promotion must not directly or indirectly discriminate on the basis of gender, minorities, black, Asian, other ethnic minorities or employees who are disabled or younger/older employees.

8.4.1. Part-time employees must not be excluded from training and promotion opportunities, or receive lesser terms and conditions (pro-rata) than full-time employees. Training needs should be assessed - you should actively encourage all employees including under represented groups to assess their own training and development needs. You should recognise potential and be supportive in providing training opportunities for all employees.

8.4.2. All employees will be trained in equal opportunities practices.

8.5. **Dismissals** relating to the protected characteristics are unlawful. You should ensure that the reasons for dismissal are non-discriminatory and that the appropriate procedure has been followed.

For example - where an individual has not been performing for reasons such as family commitments, disability or lack of understanding due to a language barrier, you should try to improve the performance of the individual by looking at how the position could be adjusted. Consideration should be given to changing the role to take into account the individual's disability or obtaining further training. The Capability Procedure should be followed where there has been a failure to improve before considering dismissal.

8.5.1. When selecting for redundancy, you must be certain that the criteria for selection are not discriminatory, either directly or indirectly.



- 8.6. Contractors – Finance, Procurement and Contract Regulations** – One of the requirements under the Procurement and Contract Regulations is for managers to ensure due consideration is given to equality and diversity standards and objectives in that all products and services purchased meet the relevant statutory regulations and locally set standards. See the Regulations on the Grapevine at <http://www.wokingham.gov.uk/grapevine/services/business-services/finance-procurement-team/contracts-procurement/finance-procurement-and-contract-regulations/>.

9. Discrimination

- 9.1. Race/racial group - **It is unlawful to discriminate against, or harass, applicants for employment, employees and former employees, because of race. This is defined as including race, colour, nationality (including citizenship) or ethnic or national origins.**

9.1.1. Managers should:

- Ensure that no applicant for a post or any existing employees are treated less favourably than other applicants or employees because of race, nationality, ethnic or national origin.
- Ensure that regardless of racial, cultural or ethnic origin employees receive the same opportunities to develop their skills and potential and have equal access to training, development and promotion opportunities.

9.2. Disability

- 9.2.1. The definition of disability is “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”. The impairment must have lasted or will last at least 12 months or for the rest of an individual’s life. This does not mean that people with “disabilities” do not have “abilities” that are valuable within a working environment.

Examples of a serious impairment could include:

- mobility
- manual dexterity
- physical co-ordination
- continence
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand
- understanding of the risk of physical danger.

People with HIV, cancer and multiple sclerosis are covered by the DDA effectively from the point of diagnosis, rather than from the point when the condition has some adverse effect on their ability to carry out normal day-to-day activities.

- 9.2.2. **Positive about Disabled People (2 Ticks) Symbol** was developed to allow people with disabilities to recognise which employers will be positive about their ability. There are many benefits in employing people who are disabled and many employers have found that having disabled people in the recruitment pool offers more choice, making it more likely to get the right person for the job. Keeping an employee at work who becomes disabled



usually costs less than recruiting and training someone new. Employing disabled people can help disabled customers view the Council in a positive light and help the Council to be a benchmark among other organisations in the area. For further guidance see the Manager Guidance on disability and Employment on the Grapevine: <http://www.wokingham.gov.uk/grapevine/employee-information/human-resources/policies--guidance/equal-opportunities>.

9.3 Religion or Belief - It is unlawful on the grounds of religion or belief to discriminate on the grounds of:

- religion or belief or the absence of a particular religion or belief:
- in employment i.e.

9.2.3. Religion or belief is defined as:

- Religion
- Religious belief
- Or similar philosophical belief

Applicants for jobs must not receive less favourable treatment than other individuals based on the protected characteristics.

9.2.4. Many religions or beliefs have special festival or spiritual observance days. An employee may request annual leave in order to celebrate festivals or attend ceremonies. A manager should sympathetically consider such a request where it is reasonable and practical for the employee to be away from work, and they have sufficient holiday entitlement in hand. See Appendix 3.

9.2.5. The Council is not required to provide a prayer room. However, employees may be granted access to a quiet place in which to meet their religious obligations if such a place is available without it having any adverse impact on the business or other staff.

9.2.6. Managers should try to be flexible about when meal breaks or annual holidays are taken. There may be a few jobs where it is not possible to be flexible but explanation and discussion may enable a compromise to be achieved. Managers are not expected to accept unreasonable disruption to their service provision. Managers may wish to consider that the time taken for prayer is rarely longer than that of a tea or coffee break. Employees need to understand that they have a responsibility to be reasonable to both their manager and their colleagues when asking for time off.

9.2.7. Not all members of each religion follow all the practices and observances. Neither will every member of each religion request time off for each and every festival. In some instances, an adjustment to the working day to allow time to attend a prayer meeting before or after work may be all that is requested. In many instances nothing will be requested. Whilst managers are encouraged to be flexible where reasonable and appropriate, employees should recognise that they also have a responsibility to be reasonable and to consider the needs of the service.



9.3. Discrimination because of:

- Gender
- Sexual Orientation
- Gender Reassignment

Requirements relating to the elimination of sex discrimination in employment

Under the Equality Act the Council is responsible for eliminating sex discrimination in recruitment and employment:

The Council will:

- Ensure that no applicant for a post or any existing employee receives less favourable treatment on the grounds of her/his gender, marital status or sexual orientation.
- Monitor recruitment, selection and promotion procedures and investigate any evidence of adverse impact on women or men to ensure that all applicants are receiving equal treatment
- Utilise facilities and terms and conditions in a flexible way, so as to encourage both men and women to secure employment and to progress within the Council, and to return to appropriate employment with the Council.
- Ensure that regardless of an employee's gender, they receive the same opportunity to develop their skills and potential and have equal access to training, development and promotion opportunities available according to their abilities.

Exceptionally a person's gender may be a genuine occupational qualification for a job. Guidance is available in the Policy and Guidance to Recruitment and Selection and is also available from the HR Service.

9.3.1. Sexual Orientation – The Council must not discriminate on the grounds of sexual orientation. Employees must not:

- discriminate directly against anyone - treat them less favourably than others because of their actual or perceived sexual orientation:
- in employment i.e. during the recruitment process,
- during employment (including terms and conditions of employment, promotions, transfers, training)
- on leaving the Council's employment (including reasons for leaving such as dismissal or redundancy) and in vocational training.
- discriminate indirectly against anyone – to apply a criterion, provision or practice which disadvantages people of a particular sexual orientation unless it can be objectively justified
- subject someone to harassment.
- victimise someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of sexual orientation
- discriminate against someone, in certain circumstances, after the working relationship has ended.



9.3.2. **Sexual orientation is defined as:**

- Orientation towards persons of the same sex (lesbians and gay men)
- Orientation towards persons of the opposite sex (heterosexual)
- Orientation towards persons of the same sex and the opposite sex (bisexual).

It includes perceived as well as actual sexual orientation.

9.3.3. **Social gatherings** – Managers/employees should not assume that everyone is heterosexual. If a service or team offers the opportunity for a social gathering which is extended to the partners of staff, care should be taken with the wording of invitations, posters, etc. to ensure inclusion of those with same sex partners. Where opposite sex partners are invited, the exclusion of same sex partners may constitute discrimination.

9.3.4. **Gender reassignment** - is the personal, social and medical process by which a person's gender identity is changed. The Equality Act provides individuals with the right to legally change gender by means of a Gender Recognition Certificate. This certificate automatically leads to a new birth certificate in the acquired gender. An individual must meet certain conditions:

- They have been diagnosed as having gender dysphoria ((discontent with the biological sex an individual is born with). or
- They have had gender reassignment surgery, and
- They have lived in their acquired gender role for two years, and
- They intend to do so permanently for the remainder of their life.

9.3.5. Individuals have the right not to be discriminated against because they are proposing to undergo, are undergoing or have undergone gender reassignment. Protection begins from the date the individual informs a medical practitioner or their manager that they intend to undergo gender reassignment.

9.3.6. **Confidentiality** – A date should be agreed with the individual to change personal records to reflect the acquired name and gender. Access to personal records which indicate a person's previous gender should be restricted to Human Resources and the line manager who have specific requirements and are informed of their legal duty to confidentiality.

9.3.7. HR and the line manager will provide support when an employee announces that they are about to make a gender transition. They can also establish from talking with the individual how they would prefer information about their transition to be communicated to colleagues.

9.3.8. **In recruitment** - Interviewers should not ask personal questions which may be perceived as intrusive and imply potential discrimination. Where the candidate volunteers such information, interviewers should take care not to allow themselves to be influenced by that information. Assumptions should not be made about who will, and who will not, "fit in". Selection for recruitment (and promotion) must be on merit, irrespective of sexual orientation.



9.3.9. In very limited circumstances there may be a Genuine Occupational Requirement (GOR) for the employee to be of a particular sexual orientation in order to do their job. This might apply for example where the job involves counselling or other support services related to sexual matters.

9.3.10. The Council is committed to tackling all forms of harassment, including sexual harassment. Sexual harassment is not tolerated by the Council and specific procedures are in place to deal with such allegations. The Policy and Guidance for Grievance, Bullying and Harassment ensures that it reflects best practice and that all employees are aware of the support and advice available if they experience harassment. This can be found on the Grapevine at: <http://www.wokingham.gov.uk/grapevine/values-policies-projects/policies-procedures-library/human-resources/>. The Council also has a 'whistle blowing' procedure, which extends the protection for employees who want to report bad practice without fear of being victimised as a result see: <http://www.wokingham.gov.uk/grapevine/corporate-governance/whistleblowing>.

9.5. Civil Partnerships – Under the Act same-sex couples are a protected characteristic. The status of a civil partner is comparable to that of a spouse. In particular, civil partners have the same rights to:

- parental leave;
- emergency time off for dependants;
- maternity, paternity;
- adoption leave and pay;
- request flexible working.

They also have the right not to be discriminated against or victimised on the grounds that they are in a civil partnership. In addition, an employee in a civil partnership is entitled to both formal and informal benefits allowed to married employees

9.6. Part-Time Workers- make it unlawful to treat part-time staff less favourably than comparable full-time staff. Part-time staff will receive pro-rata annual leave/public holiday entitlement calculated on the basis of the proportion of a full-time contract worked, rather than on the days normally worked. The Council will:

- Ensure that regardless of hours worked, employees receive the same opportunity to develop their skills and potential and have equal access to training, development and promotion opportunities available according to their abilities.
- Agree that when they attend a training course outside of their contracted hours, e.g. on a day when they are not expected to work, the day attending the training will be classed as a working day and they will be entitled to time off in lieu as and when appropriate, for the additional hours spent at the training event
- Ensure that part-time employees receive the correct pro rata benefits and leave allocation, and suffer no detriment.

9.7. Age - It is unlawful to discriminate in the following:

- Recruitment and Selection - It is unlawful to discriminate in the recruitment process on the grounds of age.
- It is discriminatory to use age related criteria in advertisements or person specifications by:



- refusing, or deliberately omitting, an offer of employment e.g. the deliberate omission from a shortlist on grounds of being too young or too old, or
- offering terms of employment based on age (e.g. putting an older employee with the same length of experience on a higher pay scale point than a younger employee)

Job evaluation - Job descriptions must not ask for a minimum length of experience.

- Bullying and Harassment - the use of offensive remarks or the exclusion of employees related to age.
- Redundancy – selection based on age
- Appraisal - age related comments/requirements must not be included.
- Training - employees must not be discriminated against on grounds of age
- Benefits - cannot be related to age or a qualifying period of more than 5 years of service.

9.8. Discrimination/Harassment by third parties against employees and job applicants

9.8.1. The Council may be liable for harassment of job applicants and employees by third parties. A third party is anyone who is not the employer or another employee. The duty on Council to prevent third party harassment arises when the employee or job applicant has been harassed by a third party on at least two previous occasions, and the Council is aware of the harassment but fails to take 'reasonably practical steps' to prevent it happening again. If a manager does nothing to stop it happening again, the Council would be liable for any further harassment perpetrated

Example: A Ghanaian shop assistant is upset because a customer has come into the shop on Monday and Tuesday and on each occasion has made racist comments to him. On each occasion the shop assistant complained to his manager about the remarks. The Manager will be liable for harassment by a third party whether or not it is committed by the same third party or another third party.

Example: An employer is aware that a female employee has been sexually harassed on two separate occasions by different members of the public. The employer fails to take any action and the employee experiences further harassment by yet another customer. The Employer is likely to be liable for the further act of harassment.

9.8.2. The Council will be able to avoid liability for third party harassment of employees if it can be shown that reasonably practical steps were taken to prevent it happening.

9.8.3. During the course of work, all employees may experience 'difficult' or hostile people, and are encouraged to discuss ways of managing and identifying the need for support with their manager. In addition to this, employees may also experience racist abuse. It is the manager's responsibility to highlight to all employees that there are no circumstances where this is acceptable in the workplace. They must also ensure that, should an incident of this nature occur, that the employee is informed of what support is available.

9.8.4. Where Wokingham Borough Council uses external providers, they will, as part of their contract with the Council, adhere to this guidance in respect of harassment and the service user.



- 9.8.5. If a service user rejects an employee because of their race this may result in the suspension of service to the client. It must be noted that though the intention may be to protect the employee following a racist incident, by moving them e.g. to work with another service user or to a different location, the Council would be seen to condone the racist behaviour of a service user and would damage its reputation for fairness, consistency and its overall position as an equal opportunities employer.
- 9.8.6. When a manager is informed that a service user has refused an employee because of their race or an employee has been subject to racial abuse the Manager should encourage the individual to report the incident and support them as appropriate. The manager should advise the employee that they may wish to contact Wokingham Borough Council's BME Support Groups for additional support and advice or to access the confidential Counselling Service available to all employees (schools will need to make their own arrangements) and the mechanism through which individuals can report a racist incident (See Appendix 2 for further information on additional support).
- 9.8.7. Following an incident of a racist nature, the Manager must ensure that the Council's position on racism and racial harassment of employees is explained to the service user clearly, and what the implications of this are in respect of the service that they should expect to receive from the Council. The service user should be clear that a racist attitude is not acceptable to the Council and that the service user's needs may be served equally by any employee regardless of race with the relevant skills. Reference should be made, where appropriate, to the terms of the initial agreement between the Council and the service user to receive a service, where they were initially advised of the Council's policy on racism.
- 9.8.8. If this is sufficient to resolve the situation then the employee would normally be expected to return to work with the service user. If circumstances are such that the member of staff may not wish to return to work with the service user under these circumstances, then the Manager should accept this and provide support for the employee as well as replacing them with another employee.
- 9.8.9. If the employee has returned to work with the service user, who continues to act in a racist manner, then the Manager should recommend to their Service Manager/ Head of Service that the service is withdrawn on the basis that it was genuinely offered and rejected. The Manager should follow this up with a written explanation of the reasons for withdrawing the care/service, involving the employee where possible, so that the severity of the situation is clearly understood.
- 9.8.10. If the service user is likely to be put at risk as a result of removal of services, the Manager should refer the issue immediately to the Service Manager, given the complex legal situations which can arise due to the conflict between legislation regarding the Duty of Care to an individual under the care of Wokingham Borough Council, and the duty of care to an employee to ensure that they do not suffer harassment or abuse at work under race discrimination and race relations legislation. See Appendix 2.

10. Equality Schemes

- 10.1. As a public body the Council has **general duty** when carrying out their public functions to have due regard to the need to:



Race Equality Duty –

- Eliminate unlawful racial discrimination
- Promote equality of opportunity
- Promote good relations between persons of different racial groups.

Disability Equality Duty –

- Promote equality of opportunity between disabled persons and other persons
- Eliminate discrimination that is unlawful under the Equality Act
- Eliminate harassment of disabled persons that is related to their disabilities
- Take steps to take account of disabled persons' disabilities, even where that means treating disabled persons more favourably than other persons
 - Promote positive attitudes towards disabled people
 - Encourage participation by disabled people in public life.

Gender Equality Duty -

- Eliminate unlawful discrimination and harassment
- Promote equality of opportunity between men & women.

10.1.1. The purpose of these equality schemes is to explain the Council's values and principles relating to race, disability and gender equality; identify the areas of activity requiring attention; set out a programme of action for fulfilling these duties; and provide clear benchmarks by which progress can be assessed.

10.1.2. **Specific Duties** - The Council is also covered by the **specific duties**, which set out a framework to assist the Council in meeting its **general duties**. The requirements of each general duty will need to be separately met and evidenced in a clearly identifiable way, within three separate equality schemes:

- The Race Equality Scheme
- The Disability Equality Scheme
- The Gender Equality Scheme

10.1.3. There is also a requirement for the Council to publish the Schemes (including within each one an Action Plan). The documents can be accessed on the Grapevine at <http://www.wokingham.gov.uk/community-living/equality-and-diversity/race-equality-scheme>.



Appendix 1

The School as an Employer

1. The aim is to create an environment where Governors and Employees:
 - Apply equality and fairness in employment practices. All decisions including advertising of vacancies, shortlisting, selection, induction, appraisal, training, development, promotion, and pay will be based on an objective and fair assessment of need.
 - Draw the attention of management or the appropriate trade union to suspected acts or practices which affect equal opportunities
- 1.1. The following policies will help the School in its development of equal opportunities:
 - ◆ Special Needs Policy
 - ◆ Anti-Bullying Policy
 - ◆ Professional Development Policy
 - ◆ Pay Policy
 - ◆ Recruitment and Selection Policy
 - ◆ Grievance Policy
 - ◆ *(add any additional, relevant policies adopted by the school)*

The policies can be found at <http://www.wokingham.gov.uk/children-youth-education/school-learning-community/school-leadership/policies>.

- 1.1.2. The School must ensure that all staff (including Governors) involved in recruitment are trained in equal opportunities practices and that procedures are fair, honest and open. The School will monitor staff recruitment, retention and career development by ethnicity, gender, disability and age.
- 1.1.3. All staff will have the right to challenge any decision or action which they believe to be in breach of these principles. All complaints relating to employment must be made at first informally and if necessary the next step should be through the formal Grievance procedure. Any member of staff who deliberately or knowingly contravenes the policy will be liable to formal disciplinary action. All complaints are assumed to be made in good faith unless there is evidence to the contrary. If however, an accusation is found to have been made maliciously, disciplinary action may be taken against the person making the false complaint.

Please refer to the Recruitment and Selection policy guidance (section 2) for more guidance on Equal Opportunities in recruitment.

2. Specific employment issues

2.1. Gender

- 2.1.1. The school is opposed to any direct or indirect discrimination based on gender, including gender change, sexual orientation or marital status. This will include any unequal treatment based on pregnancy.



2.2. Race/Religion

- 2.2.1. The School is opposed to any direct or indirect discrimination based on race, colour religion, ethnic or national origin.
- 2.2.2. There may be situations in the school which require special consideration and where a genuine occupational qualification may apply, for example to justify the employment of a particular sex or someone of one particular race or ethnic origin. However these situations will be unusual and exceptional and will be discussed with the staff in advance.
- 2.2.3. The school is further opposed to any act of victimisation or sexual harassment against any member of staff on the grounds of their gender or change of gender, colour, ethnic or national origins or religion. Such action will be investigated in accordance with the school's procedure and may lead to formal disciplinary action.

2.3. Disability

- 2.3.1. The School is opposed to any discrimination against people with disabilities based on assumptions on their ability or otherwise to carry out the duties of a post in the school. All candidates with disabilities who meet the basic essential criteria for a post will be interviewed. Provision will be made for adjustments to the working conditions or environment where this is practicable.
- 2.3.2. The definition of disability is "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". The impairment must have lasted or will last at least 12 months or the rest of an individual's life. This does not mean that people with "disabilities" do not have "abilities" that are valuable within a working environment.

2.4. Age

- 2.4.1. The School is opposed to any direct or indirect discrimination, based on age towards any employee before, during or after employment.
- 2.4.2. All employees have the right to be treated fairly whatever age, and not be subjected to any practice, which may disadvantage because of being a particular age, unless objectively justified. The school must not subject any employee to harassment that violates an employee's dignity, nor victimisation because they have made or intend to make a complaint of discrimination on the grounds of age. This right continues after the working relationship ends.
- 2.4.3. The school also recognises its statutory obligation not to discriminate on the grounds of:
 - Trade Union
 - Political Affiliation



3. Positive Action

3.1. The School recognises that the avoidance of discrimination is not sufficient to ensure that equality of opportunity exists in the school. It will therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy. These measures may include:

- Encouraging applications from specific groups which are under-represented in the school
- Supporting training measures for under-represented groups
- The use of job-sharing arrangements wherever practicable
- Exploring the availability of childcare facilities in the area which can be made available to employees in the school
- Exploring the possibility of career breaks for women to assist with family commitments

4. Dignity at work

4.1. The school is committed to the principles of dignity at work for its entire staff. This includes the right to be treated with respect by all managers and colleagues. Any person who fails to act in accordance with this principle may be the subject of formal disciplinary action.

5. Training

5.1. The principle outlined in relation to fair and equal treatment will also apply to selection for training. Details of training opportunities will be made available to all staff that will be given the opportunity to request training on courses which they believe to be relevant to their role and personal development. There can, of course, be no guarantee that all such requests will be met. Priorities for training allocation will be based on the school's overall development plan and budget allocations.

6. Race Equality

6.1. In line with the requirements of the **Equality Act 2010** the school fully understands the need to promote racial harmony and to plan opportunities for combating racism in our policies, procedures and curriculum.

6.1.1. We believe that our school must be a safe place for everyone and we are committed to the principles outlined in the **Stephen Lawrence Inquiry Report** and to the recommendations it makes. We are committed to:

- ◆ tackling racial discrimination
- ◆ promoting equality of opportunity and good race relations

6.2. Tackling racial discrimination

6.2.1. We will tackle racial discrimination by monitoring the outcomes of opportunities at our school (see Objectives section) and by dealing with and reporting racist incidents.



- 6.2.2. We accept the definition of a racist incident adopted by the Stephen Lawrence Inquiry Report and Wokingham District Council:

A racist incident is any incident that is perceived to be racist by the victim or any other person.

- 6.2.3. Allegations of harassment and discrimination based on ethnicity will be investigated as far as possible, using the school's usual disciplinary procedures, and racism will be directly challenged. Action will be taken to prevent the likelihood of recurrence. Our procedure for dealing with racist incidents will be made known to everyone at or connected with our school. Racist incident report forms will be completed to help the school monitor incidents and take appropriate action, with a summary of incidents being reported termly to Governors. Copies of racist incident report forms (with no names of individuals) will be sent to the LA. In the event of a member of staff being implicated, the usual disciplinary procedures will apply.

- 6.3. Promoting equality of opportunity and good race relations

- 6.3.1. These aspects of our race equality work will largely be done through monitoring (see Objectives section) and planning within the curriculum to reflect diversity and engage with teaching about discrimination and race equality.

- 6.3.2. In addition, the School will audit its policies and practices to identify areas of race equality for development and to inform the Action Plan.

7. Gender

- 7.1. We believe that girls and boys should have equal access to all aspects of school life, including the curriculum, subject choices and extra-curricular activities. It may be necessary for children to receive different treatment in order to ensure equality of opportunity and the school will pursue strategies to ensure that both girls and boys achieve to their full potential. The school will examine its practices to ensure that both girls and boys are given opportunities to achieve and that stereotyped expectations do not limit the experiences available. Its examination will include the awareness and use of appropriate teaching and learning styles.

- 7.1.1. We will promote approaches which provide equality of opportunity, including:
- taking account of the interests and concerns of boys and girls by using a range of activities and contexts for work and allowing a variety of interpretations and outcomes, particularly in English, Science, Design and Technology, ICT, Art and Design, Music and PE
 - avoiding gender stereotyping when organising pupils into groups (The National Curriculum, Inclusion p32).

- 7.1.2. Allegations of harassment and discrimination based on gender will be investigated and, where proven, directly challenged. Action will be taken to prevent the likelihood of recurrence.



8. Disability

8.1. The School is fully committed to the new duties placed on schools in the **Special Educational Needs and Disability Act 2001** and the Equality Act 2010. The **School** accepts its definition of a disabled person as someone who has:

“a physical or mental impairment which has a substantial and long-term effect on his or her ability to carry out normal day-to-day activities.”

8.1.1. The Equality Act states that a person with cancer, HIV infection or multiple sclerosis is deemed to have a ‘disability’ from the time of diagnosis.

8.1.2. From December 2006 the School is required to promote disability equality in our policies, procedures and curriculum, this policy details below steps to help the school meet these requirements, and further updates to this policy will be made as guidance is received.

8.1.3. We will consider the needs of all people in school including:

- pupils who may be disabled but not have a statement of special educational needs nor be on any stage of special needs assessment
- teachers and other school staff
- Governors
- Professionals from other agencies
- parents
- all visitors to school

8.1.4. The School will ensure that reasonable adjustments are made to working conditions for disabled pupils and staff and to the curriculum for disabled pupils. In addition the school will ensure that discrimination does not occur and that disabled people will not be placed at substantial disadvantage compared to others who are not disabled.

8.1.5. We will ensure that our policies, in particular in relation to admissions procedures, do not place disabled pupils at a disadvantage.

8.1.6. The School will work with the LA to audit the school for facilities and access for disabled people and for access to buildings, facilities and the curriculum. It will maintain updated written information on facilities and services and produce a plan to develop accessibility

8.1.7. Teachers will take specific action to enable the effective participation of pupils with disabilities by:

- planning appropriate amounts of time to allow for satisfactory completion of tasks
 - planning opportunities, when necessary, for the development of skills in practical aspects of the curriculum
 - identifying aspects of their programmes of study and attainment targets that may present specific difficulties for individuals.
- (The National Curriculum, Inclusion p35)

9. Roles and Responsibilities

9.1. (This section should make explicit which members of the school take responsibility for particular objectives outlined in the policy.)

9.1.1. The general duties of the school in relation to equal opportunities are the responsibility of all members of staff and people involved in working at the school.

9.1.2. Specific responsibilities should include:

- developing and monitoring of Action Plan arising out of the Policy
- being designated person for co-coordinating the school response to and reporting onwards to the LA of racist incidents report forms
- monitoring aspects of the school outlined in 2.2 of the School's Objectives section
- ensuring that training in equal opportunities work is available to all members of staff
- monitoring and evaluating the effectiveness of the Policy
- planning in the curriculum and life of the school for promoting racial harmony and preparing pupils for living in a diverse and increasingly interdependent society (this will probably be a responsibility of all people involved in teaching at the school)

10. The School's Objective

10.1. The aims of this policy will be met by:

- a) Promoting the principles and practices of equality and justice throughout the school
- b) Establish an Action Plan to guide the implementation of the Equal Opportunities Policy
- c) Ensure that all children receive their entitlement to a broad, balanced and relevant curriculum, which is differentiated to meet identified individual needs through flexible and varied provision
- d) Promote racial harmony, prepare pupils for living in a diverse and increasingly interdependent society and specifically to prevent and address racism, sexism and other forms of discrimination
- e) Comply with Equal Opportunities legislation and meet Ofsted criteria for Inclusion

10.2. Identifying and removing practices that may result in direct or indirect discrimination

10.2.1. Develop the support and training available for all staff, including governors, to develop their practice in Equal Opportunities work Monitor and evaluate by gender, ethnicity and disability

- access to educational opportunities and services
- attainment
- curriculum, teaching and learning
- exclusions
- punishment and reward
- membership of the governing body
- parental involvement
- staff recruitment, retention and career development

10.2.2. Monitor and evaluate annual data on the number and type of racist incidents in school

10.2.3. Ensure that families, for whom English is an additional language, have access to materials about the school and the curriculum translated into their languages, where appropriate.



10.2.4. Ensure that the admissions policy is objective, clearly set out and does not disadvantage certain groups

10.2.5. Work towards meeting the new Commission for Racial Equalities (CRE) standards for racial equality in schools, set out in 'Learning for All'.

10.3. Monitoring and Evaluating the Effectiveness of the Policy

10.3.1. A range of information, including quantitative and qualitative data, will be used. Annual reports will indicate progress on equalities issues outlined in the annual ActionPlan.

It will include:

Data by gender, age, ethnicity and disability on:

- pupil attainment,
- access to the curriculum and subject areas
- exclusions from school
- exclusions from areas of the curriculum, including school trips and extra-curricular activities
- punishment and rewards
- staff recruitment, retention and career development*
- ◆ Analysis of racist incident report forms
- ◆ Ofsted reports on **School's** educational provision and standards
- ◆ Consultation with parents, pupils, Governors and the LA

10.3.2. Data will be used to inform planning and to ensure the school's commitment to equal opportunities goes from policy to practice to improve outcomes.

*In addition to the above monitoring, as part of the Race Relations (Amendment) Act (2000) Schools are required to monitor staff by racial group

- staff in post
- applicants for employment, training and promotion
- For schools with 150 or more full time staff or equivalent, the number of staff
 - a) receiving training
 - b) benefiting, or suffering a detriment as a result of performance assessment procedures
 - c) involved in grievance procedures
 - d) subject to disciplinary procedures; and
 - e) ending employment with these schools

The data from the above monitoring is to be produced annually by the School and provided to the LA for publishing.



Appendix 2

Support for employees experiencing racial harassment from Service Users

- 1) BME Employee's Action Group - this group looks at employment related issues as they affect BME staff at Wokingham Borough Council.
- 2) Confidential Counselling Service (schools will need to make their own arrangements) - Information on how to access this service can be found on the Grapevine or in the Employee Handbook.
- 3) Reporting Racist Incidents
If the individual feels that, they, or anyone else, have been treated unfairly by the Council, or its agents, on the grounds of race,
or
they want to report something that involves a Council service (such as racist graffiti),

They can report this to any member of staff and the incident will be recorded and investigated.

Examples of racist incidents might include:

- racist graffiti and other written insults
 - racist comments in the course of discussions
 - refusal to co-operate with other people because of their ethnic origin
 - derogatory name calling, insults, racist 'jokes' and language, making fun
 - ridicule of an individual's cultural or religious differences, e.g. food, music, dress, language etc.
- 4) Through monitoring these incidents and, with the permission of the person reporting the information, sharing this information with other agencies such as the Police, we hope to be able to further improve our services to all members of the Community.
 - 5) If you would like to report a racist incident please speak to any member of staff, preferably in the service area involved. If you would like any further information about this please telephone (0118) 974 6002.

Appendix 3

Religious Festivals

The following list is not exhaustive

- 1) **Baha'is** should say one of three obligatory prayers during the day. Prayers need to be recited in a quiet place where the Baha'i will wish to face the Qiblah (the Shrine of Baha'u'llah, near Akka, Israel), which is in a south-easterly direction from the UK. Two of the prayers require movement and prostrations. Baha'is are required to wash their hands and face before prayers but can use a normal washroom facility for this purpose.



- **Festivals:** Baha'i festivals take place from sunset to sunset and followers may wish to leave work early in order to be home for sunset on the day prior to the date of the festival. Baha'is will wish to refrain from working on the key festival dates.
- **The Baha'i Fast** 2 March – 20 March Baha'is refrain from eating or drinking from sunrise to sunset during this period. Baha'is working evening or night shifts will appreciate the opportunity to prepare food at sundown. There are exemptions from fasting for sickness, pregnancy, travelling and strenuous physical work.
Naw-Ruz (Baha'i New Year) 21 March
Ridvan 21 April – 2 May
Ridvan is the most important of the Baha'i festivals and includes three holy days on which Baha'is would wish to refrain from working. They are:
 - 1st Day of Ridvan - 21 April
 - 9th Day of Ridvan - 29 April
 - 12th Day of Ridvan - 2 May
 - Declaration of the Bab - 23 May
 - Ascension of the Baha'u'llah - 29 May
 - Martyrdom of the Bab - 9 July
 - Birth of the Bab - 20 October
 - Birth of Baha'u'llah - 12 November
- **Food:** As a matter of principle most Baha'is do not take alcohol. Otherwise there are no dietary restrictions.

2) Buddhism

Festivals: There are a number of different traditions in Buddhism arising from different cultural and ethnic backgrounds. Different traditions will celebrate different festivals. Some Buddhist traditions do not celebrate any festivals. Buddhist members of staff should be asked which festivals are important to them. Festivals follow the lunar calendar and will therefore not take place on the same day each year.

- Saindran Memorial Day – January
- Parinirvana – February
- Magha Puja Day - February/March
- Honen Memorial Day – March
- Buddha Day (Vesak or Visakah Puja) – May
- The Ploughing Festival – May
- Buddhist New Year Varies according to tradition
- Asalha Puja Day (Dhamma Day) – July
- Ulambana (Ancestor Day) – July
- Abhidhamma Day – October
- Kathina Day – October
- The Elephant Festival – November
- Loy Krathong – December
- Bodhi Day – December
- Uposatha weekly on the lunar quarter day
- Avalokitesvara's Birthday



Food: Most Buddhists are vegetarian reflecting their adherence to the precept of non-harm to self and others. Many would not want to prepare or serve meat for others. Buddhists upholding the precept to avoid intoxication may not wish to drink alcohol, or serve it.

Clothing: Many Buddhists would prefer to wear clothing which reflects their adherence to non-harm e.g. not wearing leather clothing and leather shoes.

3) Christianity

There are a wide variety of Christian Churches and organisations all of which have their own specific needs, rituals and observations.

Festivals:

- Christmas Day - 25 December
- Ash Wednesday - Feb/March (date set by lunar calendar). This is a day of fasting/abstinence for many Christians.
- Maundy Thursday - March/April (date set by lunar calendar)
- Good Friday - March/April (date set by lunar calendar)
- Easter Sunday - March/April (date set by lunar calendar)
- All Saints Day - 1 November
- Christmas Eve - 24 December

In addition there are a number of 'holy days of obligation' when Christians may wish to attend a church service and request a late start to the working day, or early finish in order that they can attend their local church. Many practising Christians will wish to attend their Church on Sundays throughout the year.

Food: Some Christians avoid alcohol.

Clothing: Some Christian churches forbid the use of cosmetics and require their female members to dress particularly modestly.

4) Hinduism

Festivals: Hinduism is a diverse religion and not all Hindus will celebrate the same festivals.

- Makar Sakranti - 14 January
- Maha Shiva Ratri – February
- Holi – March
- Ramnavami – April
- Rakshabandham – August
- Janmashtami – August
- Ganesh Chaturthi - August/September
- Navaratri - September/October
- Dushera (aka Vijayadashmi) - September/October
- Karava Chauth – October
- Diwali - Late October/Early November
- New Year - Late October/Early November

There are a number of occasions through the year when some Hindus fast.



Clothing: Hindu women will often wear a *bindi* which is a red spot worn on the forehead and denotes that she is of the Hindu faith. In addition, many married Hindu women wear a necklace (*mangal sutra*) which is placed around their necks during the marriage ceremony and is in addition to a wedding ring. A few Orthodox Hindu men wear a small tuft of hair (*shikha*) similar to a ponytail but this is often hidden beneath the remaining hair. Some Orthodox Hindu men also wear a clay marking on their foreheads known as a tilak.

Food: Most Hindus are vegetarian and will not eat meat, fish or eggs. None eat beef.

5) Islam (Muslims)

Observant Muslims are required to pray five times a day. Each prayer time takes about 15 minutes and can take place anywhere clean and quiet. Prayer times are:

- At dawn (Fajr)
- At mid-day (Zuhr) in Winter sometime between 1200 – 1300hrs and in Summer between 1300 – 1600hrs
- Late Afternoon (Asr) in Winter 1430 – 1530hrs
- After Sunset (Maghrib)
- Late Evening (Isha)

Friday mid-day prayers are particularly important to Muslims and may take a little longer than other prayer times. Friday prayers must be said in congregation and may require Muslims to travel to the nearest mosque or prayer gathering. Before prayers, observant Muslims undertake a ritual act of purification. This involves the use of running water to wash hands, face, mouth, nose, arms up to the elbows and feet up to the ankles, although often the washing of the feet will be performed symbolically.

Festivals:

The dates of festivals are reliant on a sighting of the new moon and will therefore vary from year to year. Whilst approximate dates will be known well in advance, it is not always possible to give a definitive date until much nearer to the time.

- Ramadan, which takes place in the ninth month of the Muslim lunar calendar, is a particularly significant time for Muslims. Fasting is required between dawn and sunset. Most Muslims will attend work in the normal way but in the winter they may wish to break fast with other Muslims at sunset. This could be seen as a delayed lunch break. For those working evening or night shifts, the opportunity to heat food at sunset and/or sunrise will be appreciated.
- Eid Al-Fitr – three days to mark the end of Ramadan – most Muslims will only seek annual leave for the first of the three days.
- Eid al-Adha takes place two months and 10 days after Eid Al-Fitr and is a three-day festival. Again, most Muslims will usually only seek leave for the first of the three days.



All Muslims are required to make a pilgrimage to Mecca once in their lifetime. Muslims may therefore seek one extended leave period in which to make such a pilgrimage.

Clothing: Muslims are required to cover the body. Men may therefore be unwilling to wear shorts. Women may wish to cover their whole body, except their face, hands and feet.

Food: Muslims are forbidden to eat any food which is derived from the pig, this includes lard which may be present in bread or even ice cream. In addition they are forbidden to eat any food which is derived from a carnivorous animal. Meat that may be consumed must be slaughtered by the Halal method. Islam also forbids the consumption of alcohol which includes its presence in dishes such as risotto or fruit salad.

Other:

1. Any form of gambling is forbidden under Islam.
2. Observant Muslims are required to wash following use of the toilet and will therefore appreciate access to water in the toilet cubicle, often Muslims will carry a small container of water into the cubicle for this purpose.
3. Physical contact between the sexes is discouraged and some Muslims may politely refuse to shake hands with the opposite sex. This should not be viewed negatively.

6) Jainism

Jains are required to worship three times daily, before dawn, at sunset and at night. Jains working evening or night shifts may wish to take time out to worship or take their meals before sunset.

Festivals:

Jain festivals are spiritual in nature.

- Oli - April and October - eight days semi-fasting twice a year when some take one bland, tasteless meal during day time.
- Mahavira Jayanti - April - Birth anniversary of Lord Mahavira
- Paryusan - August/September. During this sacred period of fasting and forgiveness for eight days Jains fast, observe spiritual rituals, meditate and live a pious life taking only boiled water during day time.
- Samvatsari – September. The last day of Paryushan when Jains ask for forgiveness and forgive one another.
- Diwali - October/November - Death anniversary of Lord Mahavira, includes a two-day fast and listening to the last message of Mahavira.

Food: Jains practice avoidance of harm to all life – self and others. They are, therefore, strict vegetarians including the avoidance of eggs; some may take milk products. Many also avoid root vegetables. Jains do not eat between sunset and sunrise. Jains do not drink alcohol.



7) Judaism (Jews)

Observant Jews are required to refrain from work on the Sabbath and Festivals, except where life is at risk. This includes travelling (except on foot), writing, carrying, switching on and off electricity, using a telephone and transactions of a commercial nature (that is buying and selling). The Sabbath and all other Festivals begin one hour before dusk and so practising Jews need to be home by then. Sabbath begins one hour before dusk on Friday.

Festivals:

- Passover - March/April 2 sets of 2 days
- Pentecost (Shavuoth) - May/June 2 days
- New Year - Sept/Oct 2 days
- Day of Atonement - Sept/Oct 1 day fasting
- Tabernacles (Sukkot) - Sept/Oct 2 sets of 2 days

Clothing: Orthodox Jewish men keep their head covered at all times. Orthodox Jewish women will wish to dress modestly and may not want to wear trousers, short skirts or short sleeves; some may wish to keep their heads covered by a scarf or beret.

Food: Jews are required to eat only kosher food (which has been treated and prepared in a particular manner).

Muslim (see Islam)

8) Other Ancient Religions

These include religions covered by the Council of British Druid Orders and examples are Druidry, Paganism and Wicca.

Festivals: Some examples of Festivals

- Candlemas - 2 February
- Spring Equinox * - 21/22 March
- Beltaine - 30 April
- Summer Solstice * - 21/22 June
- Lughnasadh - 2 August



- Autumn Equinox * - 21/22 September
- Samhain - 31 October
- Winter Solstice * - 21/22 December

*Dates moveable due to astronomical times set in accordance with GMT.

Food: Generally vegetarian or vegan, although not always.

Clothing: Some items of jewellery as associated with Pagan faiths such as ankh, pentagram, hammer and crystal.

There are also other ancient religions such as Astaru, Odinism and Shamanism.

9) Parsi (see Zoroastrianism) Rastafarianism

Festivals:

- Birthday of Haile Selassie I - 23 July
- Ethiopian New Year - 11 September
- Anniversary of the Crowning of Haile Selassie I - 2 November
- Christmas - 25 December

Food: Vegetarian including the avoidance of eggs. Many Rastafarians eat only organic food as close to its raw state as possible.

Clothing: Hair is worn uncut and plaited into 'dreadlocks'. It is often covered by a hat which is usually red, green and gold.

Other: Whilst the faith supports the smoking of Ganga (marijuana) this practice remains unlawful in the UK, and is unaffected by the Equality Act 2010.

10) Sikhism

Festivals:

- Birthday of Guru Gobind Singh - 5 January
- Vaisakhi - 14 April
- Martyrdom of Guru Arjan Dev - 16 June



- Sri Guru Granth Sahib Day - 1 September
- Diwali (Diwali) - October/November (date set by lunar calendar)
- Martyrdom of Guru Tegh Bahadur - 24 November
- Birthday of Guru Nanak – November

Food: Sikhs do not eat Halal meat. Some do not eat beef and many are vegetarian.

Clothes: Practising male Sikhs observe the 5 Ks of the faith. These are:

- Kesh Uncut hair. Observant Sikhs do not remove or cut any hair from their body. Sikh men and some women will wear a turban
- Kangha Wooden comb usually worn in the hair
- Kara Metal bracelet worn on the wrist
- Kachhahera Knee length underpants, Kirpan Short sword worn under the clothing so that it is not visible.

11) Zoroastrians (Parsi)

Zoroastrians are required to pray five times during the day, saying a special prayer for each part of the day.

- Hawab (sunrise to midday)
- Rapithwin (midday to mid-afternoon)
- Uzerin (mid-afternoon to sunset)
- Aiwisruthrem (sunset to midnight)
- Ushahin (midnight to dawn)

Prayers should be said in front of a fire – or a symbolic replica of fire. In addition, a ritual is performed each time a Zoroastrian washes his/her hands although the ritual is not always strictly performed in all its detail. When it is performed, the individual will stand on the same spot and must speak to no one during the ritual. No special facilities are required. A prayer will also be said before eating.

Festivals: Dates follow the lunar calendar and will therefore vary from year to year.

- Khordad Sal – The Prophet's Birthday
- Fravardigan – Remembrance of departed souls
- Tiragan – Water Festival
- Mehergan – Harvest Festival



- Ave roj nu Parab – Water Festival
- Adar roj nu Parab – Fire Festival
- Jashn-e-Sadeh – Mid Winter Festival
- Zardosht no Disco – Death of the Prophet
- Maktad – Festival of All Souls
- NoRuz – New Year

In addition there are six seasonal festivals:

- Maidyoizaremaya - Mid Spring
- Maidyoishema - Mid Summer
- Paitishahya - Early Autumn
- Ayathrima - Mid Autumn
- Maidhyairya - Mid Winter
- Hamaspathmaedaya - Pre-Spring

Clothes: Zoroastrians, both male and female, wear two pieces of sacred clothing. The Sudreh (shirt) and the Kusti (cord) which is a string which passes loosely around the waist three times and is tied in a double knot at the back. It is the Kusti which is ritualistically retied each time the hands are washed.

Appendix 4 - Access arrangements for disabled candidates in examinations.

Northern House School (Wokingham) Examination Centre agrees to:

- recognise its duties towards disabled candidates as defined under the terms of the Equality Act 2010. This **must** include a duty to explore and provide access to suitable courses, submit applications for reasonable adjustments and make reasonable adjustments to the service the centres provides to disabled candidates. A **written** disability policy setting out how to comply with the Equality Act 2010 and fully supporting disable candidates **must** be available for inspection purposes.