



The British International School of Sulaymaniyah
IQ010

Equal Opportunities Policy

Prepared in accordance with the Iraqi Constitution, Iraqi Labour Law No.71 of 1987 and Labor Law No. 37 of 2015

July 2024

Equal Opportunities Policy

1. Overview

- 1.1 This policy covers all aspects of how you are treated by the school and everyone we employ. It covers (but isn't limited) to:
- Recruitment
 - Pay and conditions of employment
 - Training and continuing professional development
 - Promotion
 - Appraisals
 - Grievances and disciplinary matters
 - Ending employment
 - Giving references
 - How visitors are treated
 - How clients and suppliers are treated
 - How any other business contacts and associates are treated
- 1.2 This policy applies to all staff, consultants, contractors, interns, volunteers, job applicants, agency and casual workers.
- 1.3 If you are an employee, this policy does not form part of your contract of employment and we may amend it at any time.

2. Our equal opportunities commitment and aims

- 2.1 We will not tolerate discrimination or harassment, and are committed to promoting equal opportunities in employment. Those who work for us, and anyone applying for a job with us, will receive fair and equal treatment.
- 2.2 We ensure, where possible, full access for everyone applying for a vacancy. Decisions about demotions and promotions are made, so far as possible, using only objective criteria.
- 2.3 We will never victimise anyone who makes a legitimate complaint to us about harassment or discrimination, or who supports a colleague in their complaint.
- 2.4 This policy is underpinned by the following further commitments and aims:
- A working environment free from all forms of discrimination, including victimisation and harassment;
 - A workplace capable of allowing everyone to achieve their greatest potential, and where individuals are willing to give their best;
 - A school-wide understanding of the message promoted by this policy;

- A commitment to ensuring all staff understand their rights and responsibilities under this policy — if you are not sure what we consider acceptable and unacceptable, you should check with your line manager or subject leader.
- A policy of ensuring employment opportunities are open to all qualified candidates, so that we recruit from the largest possible pool of available talent and recruit the best-qualified staff;
- A commitment to recruiting based on ability to do the job, that also reflects the multicultural composition of our local community;
- A commitment to amending this policy if we think it has become outdated, or circumstances suggest to us that it needs updating;
- A commitment to protecting staff, wherever possible, from being victimised or treated less fairly if they make or support a complaint in good faith under this policy.

3. How the law defines discrimination

3.1 The following list gives you a general description of the types of acts that may both breach this policy and be unlawful. Sometimes actions can be intentional, and sometimes unintentional. We include examples of both types in this list:

- **Direct discrimination:** this is when someone is treated less favourably because of a protected characteristic than someone else has been, or would have been, in identical circumstances. The Iraqi Labor Law No. 37 of 2015 states that direct discrimination involves "distinction, exclusion or preference based on sex, colour, race, religion, belief, opinion, political belief, origin or nationality." This means that a job application or promotion of an employee cannot be solely rejected due to protected characteristics, as that would constitute unlawful direct discrimination.

Examples: rejecting a job applicant because of the applicant's ethnicity, or refusing to promote someone because they are pregnant.

- **Indirect discrimination:** this is when a group of people with one of the protected characteristics (subject to a couple of exceptions) is put at a disadvantage by a provision, criterion or practice applied to all staff unless the treatment is justified for a good business reason.

Examples: refusing a request to work part-time without a good business reason (which indirectly discriminates against women, who are more likely to have childcare responsibilities); requiring fluency in a specific language not essential to the job, which may disadvantage employees from minority linguistic backgrounds who may not be native speakers.

- **Associative discrimination:** this is where someone is treated less favourably because of the personal characteristics of someone else.

Example: treating an employee less favourably because their parents are Yezidis.

- **Perceived discrimination:** this occurs where someone is treated less favourably because someone wrongly believes they have a particular protected characteristic.

Example: Treating someone unfairly due to the incorrect assumption that they hold particular political views, without verifying their actual stance.

- **Harassment:** this is when a hostile, humiliating, degrading, intimidating or similarly offensive environment is created in relation to a protected characteristic. We also consider it harassment for a staff member to be subjected to unwanted conduct related to a protected characteristic that — as an intended or unintended consequence — violates their dignity.
Examples: name calling, lewd comments, excluding colleagues, making insensitive jokes, and displaying pornographic material are all examples of harassment.
- **Victimisation:** in a legal context, ‘victimisation’ has a much more restricted meaning than in real life. It happens when a worker has complained about harassment or discrimination, or has supported a colleague in their complaint, and is then treated less favourably as a result.
Examples: an employee is demoted because they spoke up on behalf of one of their colleagues in a harassment investigation, or an employee who is dismissed under a pretext because they have complained of discrimination.

3.2 The ‘protected characteristics’ are:

- Age
- Race (which includes colour and ethnic/national origin)
- Disability
- Religion or similar philosophical belief
- Political opinion
- Sex
- Pregnancy or maternity
- Marital status.

4. How we carry out our responsibilities and duties

- 4.1 Management and the wider workforce are essential to ensuring the success of this policy. We all have a legal, moral and ethical responsibility to comply with it, and any of us — however senior or junior we are — may be personally liable for unlawful discrimination if we breach its terms.
- 4.2 Overall responsibility for the effective implementation and operation of the policy lies with management and HR. Everyone working at managerial level is expected to act in full accordance with this policy, lead by example, and attain and maintain appropriate standards of behaviour within the teams they manage.
- 4.3 The ethos and standards covered by this policy can only be achieved and maintained if everyone in our workforce cooperates fully. It is important to understand that you have a legal responsibility to comply. If you breach this policy, you may also make the Company liable for your actions and we may both have to pay compensation to anyone who claims against us. We expect you to take personal responsibility for adhering to this policy’s aims and commitments and for drawing any actual or potential breaches to our attention.

- 4.4 We also encourage everyone who works for us to help promote equal opportunities across the Company. Please contact your line manager, if you have any ideas about how we could do this better, or you would like to be more involved in achieving this policy's aims.

5. How we recruit, promote, and make other selections

- 5.1 We carry out all recruitment, promotion and other types of selection procedures, such as redundancy selection processes, on the basis of merit, using non-discriminatory and, as far as possible, objective criteria.
- 5.2 Advertisements for vacancies will not include wording that may discourage some groups of people from applying, or stereotype in any way, and they must be placed where they can reach as wide and diverse a pool of potential candidates as possible.
- 5.3 No one applying for a job with the school may be asked about their health, attendance record, or whether they have a disability, before a job offer is made - except in very limited situations. It may, for example, be justifiable to ask whether the applicant needs any disability-related measures put in place for the interview, or to check that they are capable of carrying out a key part of the job. It is acceptable to make some job offers dependent on a medical examination.
- 5.4 We will not ask job applicants anything that might suggest an intention to discriminate on the grounds of a protected characteristic. Asking an applicant about their religion when they are applying for a job that involves weekend working would not, for example, be allowed. Nor would asking an applicant whether they have childcare responsibilities be allowed, as that suggests you might be intending to indirectly discriminate on grounds of sex or marital status.
- 5.5 We might include certain health or disability questions, but the data gathered will not be used for selecting someone for a role, or in making other employment-related decisions.

6. How we enforce this policy and handle breaches

- 6.1 We will investigate any complaint or allegation you raise regarding a potential breach of this policy. If you believe you have been harassed or discriminated against you should contact your line manager or HR as soon as possible. If you want to take formal action, you will need to follow our Complaints and Whistleblowing Policy to raise a concern or file a complaint.
- 6.2 You will face disciplinary action if we find you have harassed or discriminated against anyone else in breach of this policy. Sometimes this type of behaviour may amount to gross misconduct, in which case you may be dismissed without notice.
- 6.3 Occasionally, people make complaints knowing they're not true. They might do this to avoid or deflect disciplinary action. We view any complaint made in bad faith as an act of misconduct and this will normally lead to disciplinary action. In some cases, bad faith complaints may lead to summary dismissal for gross misconduct.

7. How we monitor whether this policy is working

- 7.1 We may record and analyse information about equal opportunities within the workplace, and when you join the school you give us consent to gather and process this data about you. We use the information to make sure this policy is working properly and to refine it where needed. We also use the information to review the composition of our workforce, and to promote workplace equality.

This policy is subject to periodic review and may be amended as necessary. The next scheduled review and potential revision of this policy will take place in July, 2025.