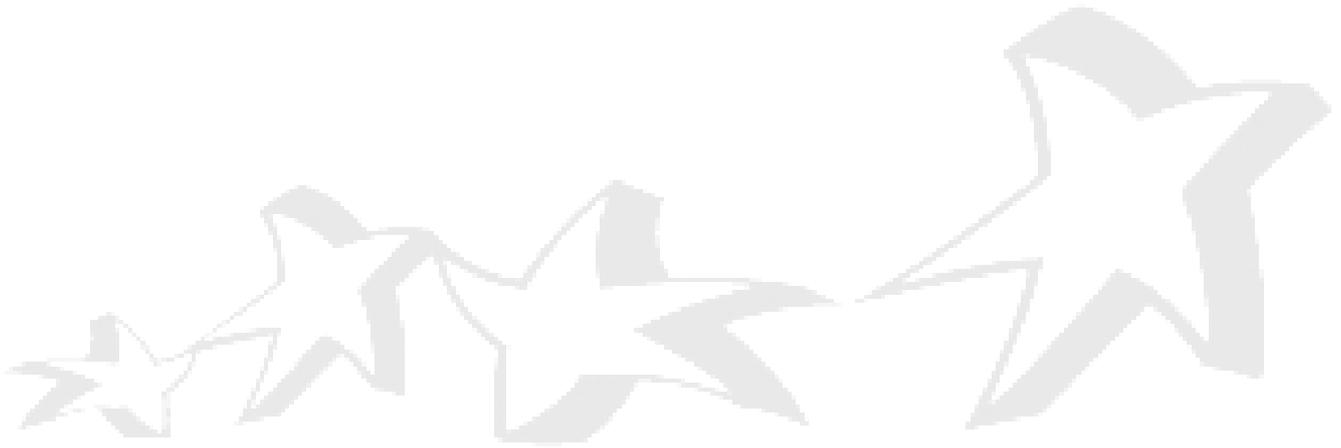




TRUST IN LEARNING (ACADEMIES)

EQUALITY AND DIVERSITY POLICY FOR STAFF



Date Created: January 2018
 Effective From: January 2018
 Dated Adopted by the Board: January 2018
 Review Date: January 2019

Date	Page	Change	Purpose of Change
January 2018			New Policy

1. Purpose of the Policy

1.1 Trust's position: The Trust and its schools support the principle of equal opportunities and opposes discrimination on the basis of age, sex, marriage and civil partnership, gender reassignment, race, disability, sexual orientation, religion or belief, pregnancy and maternity and part-time or fixed-term employment (defined as **Protected Characteristics**).

1.2 Being a committed equal opportunities employer, the Trust will take every possible step to ensure that employees are treated equally and fairly. All policies and practices will conform with the principle of equal opportunities in terms of recruitment, selection, training, promotion, career development, discipline, redundancy and dismissal.

2. To whom does this policy apply?

2.1 Application: This policy applies to the Trust's employees, whether permanent, temporary, casual and part-time or on fixed-term contracts, to ex-employees, to job applicants and to individuals such as agency staff and consultants and volunteers who are not our employees, but who work at the Trust and its schools (collectively workers).

2.2 Workers' duties: All workers have a duty to act in accordance with this policy, to treat colleagues with dignity at all times, and not to discriminate against, harass or victimise other members of staff, whether junior or senior to them. In some situations, the School and Trust may be at risk of being held responsible for the acts of individual members of staff and will not tolerate any discriminatory practices or behaviour.

3. Personnel responsible

3.1 Overall responsibility: The Trust Board of Governors has overall responsibility for the effective operation of this policy across all schools and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Board of Governors at each school has responsibility for the effective operation of this policy within its own school and ensuring compliance with relevant statutory frameworks prohibiting discrimination. The Board of Governors has delegated day-to-day responsibility for operating the policy to the Head.

3.2 Management: Those working at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the Trust with regard to equal opportunities.

3.3 Questions about this policy: All members of staff are responsible for the success of this policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives.

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 the Head or Human Resources.

4. Forms of Discrimination

4.1 **Types:** Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

4.2 **Direct discrimination:** Direct discrimination occurs where:

- Someone is treated less favourably because of one or more Protected Characteristics. For example, rejecting an applicant because they would not "fit in" because of their race or sexual orientation would be direct discrimination.
- Someone is less favourably treated because of their association with someone who has a Protected Characteristic. For example, an employee may be treated less favourably because they have a disabled child.
- Someone is treated less favourably because they are perceived to have a Protected Characteristic. For example, an employee may be treated less favourably because they are believed to be (but may not actually be) homosexual.

4.3 **Indirect discrimination:** Indirect discrimination occurs where an individual is subject to a provision, criterion or practice, applied to a group of people, which puts them at a particular disadvantage because of a Protected Characteristic, and it cannot be objectively justified. An example might be a minimum height requirement for a job. This is likely to eliminate proportionately more women than men. If this criterion cannot be objectively justified, because it is not a proportionate means of achieving a legitimate aim, then it will be indirectly discriminatory on the ground of sex.

4.4 **Victimisation and harassment:** Discrimination also includes victimisation (suffering a detriment because of action the employee has taken or may take to assert legal rights against discrimination or to assist a colleague in that regard (called a **Protected Act**) and harassment (see the School's Dignity at Work policy for a more detailed explanation of "harassment").

5. Recruitment and Selection

5.1 **Trust's position:** The Trust aims to ensure that no job applicant receives less favourable treatment because of a Protected Characteristic. Recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities and that sufficiently diverse sectors of the community are reached. Job selection criteria are reviewed from time to time to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

5.2 **Monitoring:** To ensure that this policy is operating effectively with respect to recruitment and selection, and to identify those sections of the local community which may be under represented in employment, the School monitors applicants' racial origins, gender, disability, sexual orientation and religion and age as part of the recruitment procedure. We also maintain records of this data in an anonymised format solely for the purposes stated in this policy. Ongoing monitoring and regular analysis of the data provide the basis for taking appropriate positive steps to eliminate unlawful direct and indirect discrimination and implement this policy.

6. Staff training and promotion and conditions of service

6.1 **The School's position:** Staff training needs shall be identified through regular staff appraisals and through regular updates and briefings. All workers will be given an equal opportunity and access to training to enable them to progress within the organisation. All promotion decisions shall be made on the basis of merit.

6.2 **Terms and conditions:** Our conditions of service, benefits and facilities will be reviewed from time to time to ensure that they are available to all workers who should have access to them and that there are no unlawful obstacles to accessing them.

7. Disability Discrimination

7.1 **Informing the School:** If you are disabled, or become disabled in the course of your employment, you are encouraged to tell us about your condition. This is to enable us to support you as much as possible and to ensure that you are not treated less favourably because of something related to your disability.

7.2 **Reasonable adjustments:** You may also wish to advise your Headteacher/ Line Manager of any reasonable adjustments to your working conditions or the duties of your job which you consider to be necessary, or which would assist you in the performance of your duties. This may involve the provision of an additional piece of equipment or assistance in helping you to perform your work. Your Headteacher may wish to consult with you and with your medical adviser(s) about possible reasonable adjustments. Careful consideration will be given to any such proposals and they will be accommodated where possible and proportionate to the needs of your job. Nevertheless, there may be circumstances where it will not be reasonable for us to accommodate the suggested adjustments and we will ensure that we provide you with information as to the basis of our decision not to make any adjustments.

7.3 **Physical features:** The Trust and schools will monitor the physical features of its premises to consider whether it can make any changes to help remove disadvantages which these may create for disabled users. Where possible and proportionate, the Trust and School will take steps to improve access for disabled users of the premises.

8. Fixed-term employees

8.1 **Monitoring:** The Trust and School will monitor our use of fixed-term employees and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress within the School to ensure that they are accessing permanent vacancies.

9. Part-time workers

9.1 **Monitoring:** The Trust and School will monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will also ensure requests to alter working hours are dealt with appropriately under the Trust's Flexible Working Policy.

10. Agency Workers

10.1 **Monitoring:** The School will monitor agency workers to ensure that they are treated no less favourably than a comparable worker in relation to accessing collective facilities and amenities at the School. The School will also monitor the use of temporary work agencies and subject to the exceptions set out in the

Agency Workers Regulations 2010, will ensure that all agency workers have the same basic working conditions they would have been entitled to had they been recruited by the School directly into a comparable role.

11. Breaches of the policy

11.1 Complaints: If you believe that you may have been disadvantaged because of a Protected Characteristic, you are encouraged to raise the matter through the Trust's grievance procedure. If you believe that you may have been harassed because of a Protected Characteristic, you are encouraged to raise the matter through the Trust's Dignity at Work policy. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure.

11.2 False allegations: These procedures apply during and after termination of your employment. Workers who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach in this policy which are found to have been made in bad faith will, however, be dealt with under the disciplinary and dismissal procedure.

11.3 Disciplinary action: If, after investigation, you are proven to have engaged in any unwanted conduct because of a Protected Characteristic, or otherwise acted in breach of this policy, you will be subject to disciplinary action. In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Trust and School will always take a strict approach to serious breaches of this policy.

12. Revision of policy

12.1 Review: This policy is reviewed annually by the Director of HR in consultation with the employee consultative body. Recommendations for any amendments are reported to the Trust Finance and Operations Committee and ratified by the full Trust Board.

12.2 Management: The Trust is committed to providing relevant training for all staff on their responsibilities and duties under this policy.