

## STAFF EQUALITY AND DIVERSITY

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### REVIEW

Last reviewed: November 2017 (Trust HR Committee)

To be reviewed: Autumn 2020

Policies may be subject to review and revision at any time, notwithstanding that the next review date has not been reached. Review dates are for guidance only; all policies will remain in force until a review has taken place and been formally approved by the Trust

## **1 General Principles**

- 1.1. It is the policy of the Multi Academy Trust ('the Trust') not to discriminate against its employees on the basis of their gender, sexual orientation, marital or civil partnership status, gender reassignment, race, religion or belief, colour, nationality, ethnicity or national origin, disability or age, pregnancy or trade union membership or the fact that they are a part-time or fixed-term employee.
- 1.2. More broadly, the Trust recognises the value of a diverse workforce and is committed to harnessing individual differences to create a productive environment in which everybody feels valued, where their talents are fully utilised and organisational goals are met.
- 1.3 This policy aims to ensure that the Trust takes all measures necessary to ensure that no member of staff, applicant for employment or visitor to the Trust is discriminated against on the grounds identified in paragraph 1.1 above.

## **2 Aims**

This policy aims to:

- 2.1 actively promote equality of opportunity through the application of policies which ensure that individuals receive treatment which is fair and equitable and which provides opportunities consistent with aptitudes, potential, skills and abilities;
- 2.2 challenge through day to day practices, ideas, attitudes and behaviour which are contrary to our commitment to this policy note;
- 2.3 present positive images of all groups and cultures in society.

## **3 Who is covered by this policy?**

- 3.1 This policy applies to all employees of the Trust whether permanent, temporary, casual, part-time or on fixed-term contracts, to ex-employees, to job applicants and to individuals such as agency staff, consultants, trainees or volunteers who are not employees but who work at the Trust.
- 3.2 All employees have a duty to act in accordance with this policy and therefore to treat colleagues with dignity at all times and not to discriminate against or harass other members of staff, whether junior or senior to them. The Trust will not tolerate any discriminatory practices or behaviour and has a Staff Anti-Harassment and Bullying Policy to cover this.
- 3.3 The policy applies equally to the treatment of visitors, suppliers and contractors and to the treatment of our employees by these third parties.

- 3.4 This policy applies to the advertising of jobs and recruitment and selection, to training and development, opportunities for promotion, to conditions of service, benefits and facilities and pay, to health and safety and to conduct at work, to grievance and disciplinary procedures and to termination of employment including redundancy.

#### **4 Application and Implementation of the Policy**

- 4.1 The Trust Board via the Trust HR Committee has overall responsibility for ensuring that the policy is implemented effectively and for ensuring compliance with the relevant statutory framework prohibiting discrimination. Day-to-day responsibility for operating this policy and ensuring its maintenance and review has been delegated by the Trust HR Committee to the Chief Executive Officer and Headteachers in each school in the Trust.
- 4.2 Those working at management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those whom they manage adhere to the policy.
- 4.3 All members of staff are responsible for the success of the policy and must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives.

#### **5 Forms of Discrimination**

- 5.1 Direct discrimination is when a person is treated less favourably than others in comparable circumstances because of a special characteristic such as race, gender or disability.
- 5.2 Indirect discrimination occurs when a provision, criterion or practice is applied equally to all but has a different impact on staff because of a special characteristic such as race, gender, or disability.
- 5.3 Victimisation is treating a person less favourably because they have taken action in respect of discrimination, e.g. by bringing a complaint or giving evidence for a colleague. The Trust has a Staff Anti-Harassment and Bullying Policy.
- 5.4 Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them on grounds of one of the relevant characteristics such as race or sex.

#### **6 Recruitment and Selection**

- 6.1 The Trust aims to ensure that no job applicant receives less favourable treatment on any of the unlawful grounds listed in paragraph 1.1. 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.
- 6.2 The Trust shall take steps to ensure that knowledge of vacancies reaches a wide labour market and, where relevant, groups under-represented in the Trust.

Information sent to potential candidates shall include an appropriate statement on the School's Equality and Diversity Policy.

- 6.3 To ensure that this policy is operating effectively with respect to recruitment and selection and the other areas identified in paragraph 1.1, and to identify those sections of the local community which may be under-represented in employment, the Trust monitors applicants' racial origins, gender and disability as part of the recruitment procedure.

## **7 Staff Training, Promotion and Conditions of Service**

- 7.1 Staff training needs are identified through regular staff appraisals. All employees will be given appropriate access to training to enable them to progress within the Trust. All promotion decisions will be made on the basis of merit.
- 7.2 The composition and movement of employees at different levels will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unnecessary and unjustifiable barriers and to provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or underrepresented groups.
- 7.3 The Trust conditions of service, benefits and facilities will be reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

## **8 Termination of Employment**

- 8.1 The Trust will monitor redundancy criteria and procedures to ensure that they are fair and objective and do not directly or indirectly discriminate against employees.
- 8.2 The Trust will also ensure that disciplinary procedures are carried out fairly and uniformly for all employees, whether they result in the giving of disciplinary warnings, dismissal or other disciplinary action.

## **9 Disability Discrimination**

- 9.1 Employees who are disabled, or become disabled in the course of their employment with the Trust, are encouraged to tell the Trust HR Manager about the condition. This is to enable the Trust to offer as much support as possible.
- 9.2 Such employees may wish to advise their line manager of any reasonable adjustments to working conditions or the duties of their job which they consider to be necessary, or which would assist them in the performance of their duties.
- 9.3 Careful consideration will be given to any such proposal and will be accommodated where possible and proportionate to the needs of the employee's

job. Where such proposals cannot be accommodated, the Trust undertakes to provide full information as to why such a request was turned down.

- 9.4 The Trust will monitor the physical features of its premises to consider whether they place anyone with a disability at a substantial disadvantage compared to other employees. Where possible and proportionate, the Trust will take reasonable steps to improve access for disabled employees or service users.

## **10 Breaches of the Policy**

- 10.1 If an employee believes that they may have been disadvantaged on any of the unlawful grounds listed at paragraph 1.1, they are encouraged to raise the matter through the Trust Grievance Policy.
- 10.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Employees who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations of a breach of this policy which are found to have been made in bad faith will, however, be dealt with under the Trust Disciplinary Procedure.
- 10.3 In serious cases, such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Trust will always take a strict approach to serious breaches of this policy.
- 10.4 As this policy applies equally to Trust employees' relations with visitors, parents and suppliers, if, after investigation, an employee is proven to have discriminated against or harassed a visitor, parent or supplier they will also be subject to disciplinary action.