



# **EQUALITY AND DIVERSITY POLICY**

### Document Detail

<b><u>Document Type:</u></b>	Statutory Statement / Policy
<b><u>Document Name:</u></b>	Equality and Diversity Policy
<b><u>Purpose:</u></b>	To state the Trust's intent with regard to fairness and equality of treatment and opportunity for all employees, pupils, students, parents/carers, Governors, Trustees and visitors.
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### Approvals

Name	Position	Signature	Date
Mr J D Leam	Chair of Trustees	<i>J D Leam</i>	13 July 2020
Mr A Warboys	CEO	<i>A Warboys</i>	13 July 2020

### Document History

Version	Date	Author	Note of Revisions
1	July 2019	Director of HR	
2	September 2021	Chief Operating Officer	No changes
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## **1. Introduction**

The Accord Multi Academy Trust (the 'Trust') recognises the importance of fair treatment and the positive promotion of equal opportunity for all employees, pupils, Governors, visitors, parents/carers and all job applicants to the Trust. The Trust's approach to equality is all embracing and designed to prevent discrimination on any grounds.

## **2. Roles and Responsibilities**

### **Board of Trustees**

The Board of Trustees are responsible for approval of all Trust employment policies and will do so following the relevant persons within the Trust having consulted where appropriate colleagues and Trade Unions on the content of the policy. Trustees are responsible for ensuring the Trust complies with the anti-discrimination provisions of the Equality Act 2010, including as an employer; compliance with the Public Sector Equality Duty under s.149 of the Equality Act 2010; and compliance with the Equality Act 2010.

### **Chief Executive Officer (CEO)**

The CEO has overall responsibility to ensure that there is equality of treatments across the Trust in all aspects of the organisation and business.

### **Academy Education Committees (AEC)**

Academy Education Committees are responsible for supporting the Board of Trustees and Senior Leadership Teams (SLT) in terms of all aspects of equality of provision and service.

### **Principal and Senior Leadership Team**

Principals, Headteachers and Senior Leadership Teams will ensure that this policy is implemented within their academies. This will include:

- making sure measurable steps are taken to address the Trust's stated equality objectives, integrated with other strategic priorities;
- making sure Governors, employees, pupils, students and their parents and carers are aware of equality issues, as relevant;
- making sure all employees know their responsibilities and receive training and support in carrying these out (as appropriate);
- taking appropriate action in cases of harassment and discrimination, including identity-related incidents; and
- enabling reasonable adjustments to be made, in relation to disability, in regard to pupils, employees, parents / carers and visitors to the Trust / Academy.

### **HR Department**

HR will provide advice and guidance to Principals, Headteachers, Senior Leaders and employees regarding the Equality and Diversity Policy. HR will support leaders with training

requirements. HR will advise and guide senior leaders where evidence of a potential breach of the Equality and Diversity Policy is found, to determine whether disciplinary or other formal action should commence in line with the appropriate Trust Policy.

## **Managers**

All other managers will apply this policy and its principles in a fair and equitable manner in all aspects of their work.

## **Employees**

All employees will comply with this policy and are responsible for:

- avoiding unlawful discrimination, harassment and victimisation;
- promoting equality of opportunity in their work;
- fostering good relations between groups;
- dealing with identity-related incidents, whether or not they amount to bullying;
- taking up relevant professional development opportunities.

Employees found to be in breach of any aspect of this policy, displaying actions or conduct which is in breach of the equality provisions and ethos may be subject to disciplinary action under the Trust's Disciplinary Policy.

## **3. Aims**

The Trust recognises our responsibilities under the Equality Act 2010 to ensure that all reasonable steps are taken to avoid direct and indirect discrimination on the grounds of any of the protected characteristics which are:

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

As an Academy Trust, we are also required by the **Public Sector Equality Duty** under Section 149 of the Act to take positive steps to:

- Eliminate unlawful discrimination;
- Advance equality of opportunity; and
- Foster good relations between people from different groups.

The Trust endeavours to create a strong, sustainable and cohesive community in our academies and across the Trust. The Trust will continue to develop and promote policies and systems to ensure that our pupils, students, employees and anyone associated with our

Trust are not unlawfully discriminated against and that we encourage a commitment to equality, diversity and fair treatment of all.

Everyone who works or applies to work at the Trust will be treated fairly and equally and this principle will apply to recruitment and selection, job/task allocation, promotion, secondment, training, appraisal, discipline and grievance and all terms and conditions of employment.

Independent contractors and service providers are encouraged to apply the Trust`s Equality and Diversity Policy within their own area of practice.

The Trust commits to encouraging equality and diversity in the workplace and equal opportunities for all. The Trust will wherever possible take positive steps to redress any under-representation of ethnic groups. The Trust is also committed to educating all staff through professional development opportunities and staff communications of equality and diversity issues.

The Trust will promote equality and diversity through an inclusive curriculum. Discrimination will be robustly challenged in all areas of the curriculum. Curriculum planning will take account of the needs of all pupils/students and will cover issues of equality and diversity.

The Trust also commits to creating and maintaining a working environment free of bullying, victimisation and unlawful discrimination, promoting dignity and respect for all and an environment where individual differences and contributions of all employees are recognised and valued.

Where discrimination against any person or group is referred to in this policy, it shall mean discrimination in the application of any of the policies and procedures of the Trust.

#### **4. Equality and Diversity**

This policy applies to all Trust employees, irrespective of age, race, colour, religion/belief, disability, nationality, ethnic origin, gender, sexual orientation, marriage or civil partnership, domestic circumstances, social and employment status, HIV status, gender reassignment, political affiliation or trade union membership.

All employees will be treated in a fair and equitable manner recognising any special needs of individuals or circumstances where adjustments need to be made and/or considered.

No employee will suffer any form of discrimination, inequality, victimisation, harassment or bullying as a result of implementing and adhering to this policy.

If at any time, this policy is considered to be discriminatory in any way, the HR Department should be contacted immediately for concerns to be discussed.

#### **5. Equality Definitions and Terms of Discrimination**

Discrimination is treatment or consideration of, or making a distinction towards, a person based on the group, class, or category to which the person is perceived to belong. These

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include age, caste, colour, criminal record, height, disability, ethnicity, family status, gender identity, generation, genetic characteristics, marital status, nationality, race, religion, sex, and sexual orientation.

### **Direct Discrimination**

This is where a person is treated less favourably or more favourably than others would be on grounds that are not justifiable, such as race, gender, disability or any other protected characteristic or perceived group to which the person belongs.

### **Indirect Discrimination**

This consists of treatment, which appears to be fair and applied to everyone equally, but has an unjustifiable impact upon a particular group of people or particular group of people with a protected characteristic.

### **Institutional Discrimination**

Is the collective failure of an organisation to provide an effective and professional service to people because of their colour, culture or ethnic origin, nationality, religion/belief, gender, disability, sexuality, age or other status or protected characteristic. It can be seen or detected in process, attitudes and behaviour which amount to discrimination. Through unwitting prejudice, ignorance, thoughtlessness and stereotyping which disadvantages people.

### **Association Discrimination**

Association discrimination occurs when a person is treated less favourably because of their association with another person who has a protected characteristic.

### **Perceptive Discrimination**

Perceptive discrimination occurs when a person directly discriminates against another person because the person thinks they possess a particular protected characteristic. This applies even if the person being discriminated against does not have the protected characteristic.

### **Racism**

Racism is the belief in the superiority of one race over another, which often results in discrimination and prejudice towards people based on their race or ethnicity.

Racism can also occur where false assumptions are held regarding people from ethnic backgrounds.

Institutional racism occurs when people from different ethnic backgrounds are disadvantaged in some way within an institution. This is often subtle and underlying rather than openly stated and applied.

## **Disability Discrimination**

This will be deemed to have occurred where all reasonable possibilities which would enable the retention of a person with a disability have not been explored. This could include modifications to equipment, the use of special employment aids, job re-structuring or redeployment where appropriate.

## **Victimisation**

This is unlawful and occurs where a person is treated less favourably because they have asserted their rights under the Equality Act or would not be considered for a post because they have made a claim at an Employment Tribunal for example.

## **Harassment**

Harassment is unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.

## **Genuine Occupational Requirement**

Occasionally the Trust may wish to specify that they wish to appoint to a particular protected characteristic or group, for example a male or female employee relevant to the requirements of the job role. Such situations are lawful if they demonstrate that there is a genuine occupational requirement with regard to the nature or context of the work i.e:

- a) it is an occupational requirement,
- b) the application of the requirement is a proportionate means of achieving a legitimate aim, and;
- c) the person to whom a) applies, the requirement does not meet it or the Trust has reasonable grounds for not being satisfied that the person meets it.

## **6. Statutory Obligations**

In formulating new or amending existing policies, practices, strategic plans, service plans and in employment and service development; the Trust will take account of its responsibility within the following statutory obligations:

- Equality Act 2010
- Gender Recognition Act 2004
- Employment Equality (Sex Discrimination) Regulations 2005
- Human Rights Act 1998
- Freedom of Information Act 2000 (amendment 2018)
- Employment Equality (Age) Regulations 2006
- Public Sector Equality Duty.

## **7. Training**



Any training and development needs, particularly statutory and mandatory training required for employees will be arranged by the appropriate manager or senior leader in conjunction with the HR Department.

## **8. Equality Information**

The Trust may gather and analyse information on pupils, students, employees and others including those with declared protected characteristics who are affected by Trust policies and practices. The purpose of analysing this information is to ensure that the Trust is furthering the three aims of the public sector equality duty. This information will include local and national data as well as Trust data including surveys, complaints, focus groups, interviews and pupil voice.

## **9. Equality Impact Assessment**

The Trust will carry out Equality Impact Assessments in order to ensure that policies, procedures and practices cater for the individuals who share protected characteristics in relation to the Equality Act 2010. The purpose of these assessments is to ensure that policies, procedures and practices within the organisation are fair to all. If unfairness is highlighted, the assessment will also seek to show how this can be changed and where it can't be changed, how it can be improved.

## **10. Conclusion**

The Trust will endeavour to uphold the aims of this policy and is committed to ensuring equality and fairness in treatment across the organisation. The Trust will do everything in its power to create a transparent and equitable environment for all.

The Trust will annually consider and review how our workforce reflects diversity and where possible take actions to address any shortfalls.

## **11. Review**

The Trust will review this policy on an annual basis and at any such other time should changes to Employment Legislation or recommended Codes of Practice dictate necessary changes. The policy will be monitored for consistency and adherence to equalities legislation.

The Trust will annually consider and review how our workforce reflects diversity and where possible take actions to address any shortfalls.

## **12. Contact Information**

Employees may contact their trade union representative for further advice and support regarding discrimination, harassment or victimisation. Employees are also encouraged to speak to their line manager and / or the HR Department should an issue relating to discrimination, harassment or victimisation occur.

In addition, further information for advice and support can be found at:

**Equality and Human Rights Commission**

0808 800 0082

[www.equalityhumanrights.com](http://www.equalityhumanrights.com)**Citizens Advice Bureau**

03444 111 444

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)**Civil Legal Advice (CLA)**

0345 345 4 345

<https://www.gov.uk/civil-legal-advice>**Trust Contact Information**

<b>Name</b>	<b>Email:</b>	<b>Tel:</b>
Human Resources	<a href="mailto:hr@accordmat.org">hr@accordmat.org</a>	01924 282748 01924 282749 01924 282751