



Equal Opportunities Policy

June 2014

Policy reviewed by Academy Transformation Trust on	June 2014
Policy adopted by Local Governing Body on	September 2014

REVIEW DATE: September 2017

Contents

1.	Policy statement	3
2.	Aim and purpose of the policy	3
3.	Scope of policy	4
4.	Roles and responsibilities	4
5.	Forms of discrimination	4
6.	Applying our policy to recruitment and selection	5
7.	Applying our policy to training, promotion and conditions of service	7
8.	Applying our policy when terminating employment	7
9.	Disability discrimination.....	7
10.	Applying this policy to the employment of fixed-term employees	8
11.	Applying this policy to those working part-time	8
12.	Breaches of this policy.....	8
13.	Monitoring and review of the policy	9

1. Policy statement

- 1.1 The Academy Transformation Trust is committed to providing high quality teaching and learning in our schools and for our students. We recognise that by valuing and promoting equality of opportunity for all employees and job applicants, and avoiding unlawful discrimination in employment and delivery of services, we will be able to deliver first class education.
- 1.2 We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit. We also value diversity and recognise the varied contributions that a diverse workforce brings to an organisation; we are committed to drawing on different perspectives and experiences of individuals which will add value to what we do.
- 1.3 We will ensure that we do not discriminate against employees on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (the protected characteristics).
- 1.4 The principles of non-discrimination and equality of opportunity also apply to how we expect our employees to treat our colleagues, our academy employees and pupils, visitors, clients, customers, suppliers and former employees.
- 1.5 Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is also an important aspect of ensuring equal opportunities in employment and one we are committed to ensuring in our workplace.
- 1.6 Under the general public sector equality duty under the Equality Act 2010, our academies as public authorities must have due regard to the need to:
- eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.

The duty covers the protected characteristics of race, disability, sex, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment. The first part of the duty - the duty to eliminate discrimination, harassment and victimisation - also applies to the protected characteristic of marriage and civil partnership."

- 1.7 This policy does not form part of any employee's contract of employment and may be amended at any time.
- 1.8 This procedure has been implemented following consultation with the recognised Trade Unions.

2. Aim and purpose of the policy

To set out how as an organisation we will put our commitment into action and comply with the law, to ensure that equality of opportunity is promoted in the workplace and our employees do not commit unlawful acts of discrimination.

3. Scope of policy

- 3.1 This policy covers all individuals working at all levels and grades, including senior managers, directors, employees, consultants, contractors, trainees, home workers, part-time and fixed-term employees, volunteers, casual workers and agency staff (collectively referred to as **employees** in this policy).
- 3.2 This policy applies to all aspects of the employment relationship and covers job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment. It also applies to former employees for example in the provision of employment references.

4. Roles and responsibilities

- 4.1 Our Board has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the chief executive for the Head Office function and the Local Governing Body for each academy.
- 4.2 All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness, and recruitment and selection best practice.

4.3 All employees have a duty to act in accordance with this policy and not to discriminate against or harass other employees, treating them with dignity at all times. They should also apply this to how they treat members of the public in the provision of services and should assist the Academy Transformation Trust in meeting its commitment to provide equal opportunities for all and promoting diversity in the workplace.

5. Forms of discrimination

5.1 Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

5.2 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics as set out in clause 1.3. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

5.3 Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be objectively justified.

5.4 Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

5.5 Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

5.6 Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

5.7 Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (does not include marriage and civil partnership, and pregnancy and maternity).

6. Applying our policy to recruitment and selection

6.1 We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Short listing of applicants should be done by more than one person wherever possible.

6.2 Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying.

6.3 We will take reasonable steps to ensure that our vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in our organisation.

6.4 Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions and in some cases should only be asked after appropriate approval from a senior manager in the academy. For example:

- (a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- (b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- (c) Positive action to recruit disabled persons.
- (d) Equal opportunities monitoring (which will not form part of the decision-making process).

- 6.5 Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment.
- 6.6 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance, name or apparent nationality. All successful applicants, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation.
- 6.7 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. The equality monitoring information may be separated from the application form and posted separately and anonymously to [the academy office]. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

7. Applying our policy to training, promotion and conditions of service

- 7.1 Employees training needs will be identified through the appraisal process. All employees will be given appropriate access to training for their job and in order to enable them to progress within the organisation. All promotion decisions will be made on the basis of merit.
- 7.2 Our conditions of service, benefits and facilities are 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. Applying our policy when terminating employment

- 8.1 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory. We will ensure there is no adverse impact on a particular group sharing a particular protected characteristic compared to others who do not have that characteristic.

- 8.2 We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

9. Disability discrimination

- 9.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 9.2 If you experience difficulties at work because of your disability, you may wish to contact your line manager or the Human Resources Department to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager or The Human Resources Department may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.
- 9.3 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other employees. Where reasonable, we will take steps to improve access for disabled employees and service users.

10. Applying this policy to the employment of fixed-term employees

- 10.1 We monitor our use of fixed-term employees and agency workers, 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 to ensure that they are accessing permanent vacancies.
- 10.2 Upon request we will provide our monitoring data to the recognised trade unions.

11. Applying this policy to those working part-time

- 11.1 We 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 ensure requests to alter working hours are dealt with appropriately in line with the statutory right to request flexible working/flexible working policy.

- 11.2 Upon request we will provide our monitoring data to the recognised trade unions.

12. Breaches of this policy

- 12.1 If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter through our Dignity at work/Anti-harassment Policy. If you are uncertain which applies or need advice on how to proceed you should speak to your line manager or the Human Resources Department.
- 12.2 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 which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.
- 12.3 Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

13. The Public Sector Equality Duty

- 13.1 The Equality Act 2010 (Statutory Duties) Regulations 2011 impose a specific duty on the Academy Transformation Trust to publish information relating to the protected characteristics of its employees. 13.2 TO GIVE EFFECT TO OUR DUTY UNDER THE REGULATIONS, WE WILL PUBLISH THE RESULTS OF OUR MONITORING IN ANONYMISED FORM AS OUTLINED AT PARAGRAPHS 9.3, 10, AND 11 OF THIS POLICY DOCUMENT

14. Monitoring and review of the policy

- 14.1 This policy is reviewed annually in consultation with the recognised Trade Unions. Recommendations for change should be reported to HR.
- 14.2 We will continue to review the effectiveness of this policy to ensure it is achieving its objectives.