

Equality, Diversity and Inclusion (EDI) Policy

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Table of Changes Made Since Last Version

Paragraph	Summary of Change/s
N/A	N/A

Glossary of Abbreviations and Acronyms used in this Policy

Abbreviation/Acronym	Meaning
EDI	Equality, Diversity and Inclusion

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1. Aims

- 1.1. We wholeheartedly support the principles of equal opportunity in employment and are opposed to all forms of unfair or unlawful discrimination. This policy aims to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between groups. As such we will treat all job applicants, employees, contractors and suppliers fairly and with respect, regardless of any protected characteristic (age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race (including nationality, ethnic or national origin), religion or belief, sex or sexual orientation).
- 1.2. We believe that everyone has the right to be treated fairly and with dignity and respect at work, and to work without fear of discrimination, bullying or harassment. We welcome diversity amongst our staff, sub-contractors and visitors, recognising that individuals from a wide range of backgrounds and experience can contribute a wealth of experience to achieving our trust objectives.
- 1.3. We will regularly review this policy to ensure its continuing compliance with relevant employment legislation and the continuing success of its implementation by:
 - ensuring there are no suspected practices in breach of this policy
 - ensuring it supports the Trust's duties under the Equality Act (2010)
 - ensuring it includes the Public Sector Equality Duty (PSED)
 - ensuring that selection for promotion, training, work allocation etc. is carried out in a non-discriminatory manner
 - promoting a harmonious working environment and eliminating discrimination and harassment.
- 1.4. This policy is not contractual but aims to set out how we normally deal with such issues. This policy does not form part of any employment contract, and its contents are not to be regarded by any person as implied or express terms to any contract made with us. We reserve the right to amend and update this policy at any time.

2. Scope

- 2.1. This policy applies to all employees, including those on part-time, apprentice, fixed-term contracts, as well as casual workers and agency staff.
- 2.2. All employees also have a responsibility to apply good equal opportunity practices across our schools. All employees, irrespective of their job or seniority, should familiarise themselves with this policy, and be aware of their responsibility and role in promoting equality of opportunity and not discriminating unfairly or harassing colleagues, job applicants or ex-employees, nor encouraging others to do so or tolerating such behaviour. Employees are also encouraged to challenge any unacceptable behaviour should they either witness it or experience it directly. Disciplinary action, including dismissal, may be taken against any employee found guilty of unfair discrimination, harassment and/or victimisation.

- 2.3. Employees should be aware that not only are we, as the employer, liable for any cases of discrimination or harassment that occur, but individuals also may be held personally liable for their own acts and behaviour.
- 2.4. Managers are responsible for ensuring that fair treatment of all individuals is affected within their department and/or section on a day-to-day basis, with particular reference to recruitment, selection, training and development opportunities and work allocation.

3. Definition of Discrimination

- 3.1. Discrimination is unfair treatment on the grounds of a “protected characteristic” (age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race (including nationality, ethnic or national origin), religion or belief, sex or sexual orientation) and it is usually against the law.

4. Types of Discrimination

- 4.1. Direct discrimination; this occurs when a person is treated less favourably because of a protected characteristic.
- 4.2. Indirect discrimination; this is where the application of a provision (policy), criterion or practice (PCP) is discriminatory in relation to a protected characteristic which an individual has, and:
- it is (or would be) applied equally to others who do not have that characteristic
 - it puts (or would put) those who share the individual’s characteristic at a particular disadvantage to those who do not have the characteristic
 - it puts (or would put) the individual at that disadvantage
 - it cannot be shown that the PCP is a proportionate means of achieving a legitimate aim.
- 4.3. Discrimination by association; this is discrimination against a person because they associate with someone who possesses a protected characteristic (e.g. discrimination against an employee who is not disabled themselves, but who has a disabled child).
- 4.4. Discrimination by perception; this is discrimination against a person because the discriminator perceives the person possesses that protected characteristic, even if the perception is incorrect.

5. Harassment and Victimisation

- 5.1. Harassment occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Harassment can be regarded as behaviour that is offensive, frightening or in any way distressing and it is the impact on the individual that is

important. It may be intentional, obvious or violent, but it can also be unintentional or subtle and insidious.

- 5.2. Victimisation occurs where a person subjects another person to a detriment because they do a protected act, such as making a good faith allegation that discrimination has occurred.

6. Further Guidance on Unlawful and Discrimination and Protections

- 6.1. Age – note that this covers people of all ages and age groups, and also their perceived age. Age-related bands are still however permitted in the National Minimum Wage bands and when calculating statutory redundancy payments.
- 6.2. Disability - it is unlawful to treat a disabled person unfavourably because of something arising in consequence of their disability. A disabled person is defined as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. In this context, "substantial" means more than minor or trivial, "long-term" means the effect has lasted or is likely to last at least 12 months (with special provisions for recurring or fluctuating conditions), and "normal day-to-day activities" includes things such as eating, washing, walking and shopping. We are required to make reasonable adjustments where these would enable a disabled person to access employment, training or promotion to the same extent as a non-disabled person.
- 6.3. Gender reassignment - this protects anyone who is proposing to undergo, is undergoing, or has undergone a process of reassigning their sex. A person does not need to have undergone any medical treatment to be protected. It may involve changing non-physiological aspects of sex, such as one's name and/or how one dresses, or wears one's hair, or speaks, or acts ", or as to the pronouns by which one wishes to be addressed.
- 6.4. Marriage and civil partnership — in the context of employment, it is unlawful to discriminate against someone because they are married or in a civil partnership.
- 6.5. Pregnancy and maternity — it is unlawful to treat a woman unfavourably because of her pregnancy, a pregnancy-related illness, or because she is exercising or has exercised her right to maternity leave.
- 6.6. Race - this includes colour, nationality and ethnic origin. It is unlawful to treat a person less favourably on grounds of the colour of someone's skin, nationality or ethnic origin.
- 6.7. Religion or belief – this covers not only any religion, religious belief or similar philosophical belief but also the lack of any religion or belief. A philosophical or political belief will not automatically be protected but may become protected if it is a genuinely held, serious and coherent belief about an important aspect of human life.
- 6.8. Sex – this covers both men and women. However, in the field of employment, a Genuine Occupational Requirement (GOR) can be lawful if a person of a particular gender is specifically required for a job.

- 6.9. Sexual orientation – this covers any sexual orientation.
- 6.10. Part-time workers – a part-time worker is defined as someone who is ‘not identifiable as a full-time worker’. Part-time workers are entitled to be treated on the same basis and are entitled to the same benefits, pro-rata, as their full-time colleagues.
- 6.11. Fixed-term employees - a ‘fixed-term employee’ is one with a contract of employment which is due to end when a specified date is reached, a specified event does or does not happen or a specified task has been completed. It is unlawful to treat a fixed-term employee less favourably than a comparable permanent employee, unless this is objectively justifiable. The use of successive fixed term contracts for any individual is limited to four years.
- 6.12. Equal pay - men and women should receive equal pay for work of equal value where work is the same or rated as equivalent regardless of the hours worked.
- 6.13. Genuine Occupational Requirement (GOR) - in very limited circumstances it will be lawful to treat people differently if it is a genuine occupational requirement that the job holder must possess a particular protected characteristic. When deciding if this applies, we will consider the nature of the work and the context in which it is carried out.

7. Reasonable Adjustments for Disabled People

- 7.1. We recognise our duty to consider and make reasonable adjustments to avoid disabled employees or applicants being placed at a disadvantage compared to non-disabled employees. These may include:
- making adjustments to premises
 - re-allocating some of a disabled employee’s duties
 - transferring a disabled employee to a role better suited to their ability
 - relocating a disabled employee to a more suitable office or location
 - giving a disabled employee time off work for medical treatment or rehabilitation
 - providing training or mentoring for a disabled employee
 - supplying or modifying equipment, instruction and training manuals for disabled employees.
- 7.2. We will consider and make any other reasonable adjustment to the employment arrangements or our premises if these substantially disadvantage a disabled employee or a disabled applicant. We recognise that some disabilities may also be associated with one or more of an employee's other protected characteristics, e.g. their sex, which we will endeavour to take into account when considering adjustments. However, a number of factors will be taken into account in deciding if it is reasonable to make any changes. These include:
- the extent to which an alteration will improve the situation for the disabled employee or applicant
 - how easy it is to make the change

- the cost of the measure, both financially and in terms of the disruption it will cause
- our resources
- any financial or other help that may be available.

7.3. If an employee has a disability, or becomes disabled during the course of their employment, and feels that any such adjustments are appropriate, they should discuss this with their manager or a member of the HR department in the first instance. We may refer the employee to occupational health to help inform what adjustments would be beneficial and will work collaboratively with the employee to identify and implement appropriate measures as promptly as possible.

8. Recruitment and Promotion

- 8.1. Our recruitment and promotion processes are designed to result in the selection of the most suitable person for the job, whether this on a full-time, part-time, casual, temporary, seasonal or contract basis. Our focus is on the skills, abilities, qualifications, aptitude and potential of each individual.
- 8.2. We will advertise roles in a way that encourages applications from all suitably qualified and experienced people, through either internal and/or external advertising.
- 8.3. All adverts will be carefully worded to avoid any indication of direct or indirect discrimination or role stereotyping. We are committed to equal opportunities and this commitment will be reflected in how we present ourselves to prospective applicants.
- 8.4. Job descriptions will properly reflect the responsibilities of the jobholder and person specifications will include only requirements that are necessary and justifiable for the effective performance of the job.
- 8.5. Selection criteria and procedures are intended to ensure that individuals are selected, promoted and treated on the basis of their individual relevant merit, ability and suitability for the post. Hiring managers are not able to see any identifiable data at the shortlisting stage and shortlisting and interviewing will normally be carried out by more than one person, to minimise the risk of conscious or unconscious bias.
- 8.6. The selection process will be carried out consistently for all roles and levels and will be fair and without bias. Only questions which are relevant to the requirements of the role will be asked. Any selection tests used will be specifically related to the job and measure an individual's actual, or potential, ability to perform or be trained for the role.
- 8.7. All information provided by applicants will be treated as confidential and their details will be stored and processed in line with the requirements of data protection legislation.

9. Training and Development

- 9.1. We are committed to ensuring equality of opportunity in terms of access to training to increase employees' knowledge and skills and to provide them with opportunities to develop their potential regardless of any protected characteristic or working pattern.
- 9.2. All employees are encouraged to discuss their career prospects and training needs with their manager on a regular basis, including through the trust's appraisal process. Opportunities for promotion and training will be communicated and made available to everyone on a fair and equal basis.
- 9.3. The provision of training will be reviewed to ensure that part-time workers or those returning to work following a break are able to benefit from training.
- 9.4. We will ensure our approach to training and development remains fair and inclusive by regularly reviewing training materials to ensure they are free from bias and do not reinforce stereotypes, ensuring that assessment, promotion and transfer criteria are clear, consistent and objectively justifiable, and ensuring that all staff involved in appraisal, pay review or development decisions are aware of their responsibilities under this policy and are supported to carry out those processes fairly.
- 9.5. Where training is identified as necessary for an employee to perform their role effectively, we will take reasonable steps to ensure that training is provided in a timely manner.

10. Terms and Conditions of Employment

- 10.1. We will ensure that all our employment policies including remuneration, benefits and any other relevant issues associated with terms and conditions of employment, are formulated and applied in such a way as to remove/minimise any discrimination on the grounds of a protected characteristic or indeed any other characteristic unrelated to the performance of the job.
- 10.2. Employees will not be subjected to any detriment if they wish to join our pension scheme, nor will they be offered any inducement not to do so.

11. Retirement

- 11.1. We do not operate a fixed retirement age. Employees who wish to continue working beyond State Pension Age are free to do so. Where an employee wishes to discuss flexible retirement or phased arrangements, they should speak with their line manager or a member of the HR team

12. HR Policies and Procedures

- 12.1. Our HR policies and procedures will be reviewed on a regular basis to ensure they continue to promote equality of opportunity, reflect current legislation, and support an inclusive

working environment across the trust. Equality impact will be considered when developing or significantly revising any policy.

13. Complaints

- 13.1. Harassment, discrimination, victimisation and bullying will not be tolerated in any form. We recognise that raising a concern of this nature can be difficult, and we are committed to ensuring that anyone who does so is treated with sensitivity and respect. Depending on the nature of the concern, this may be addressed informally or through our formal grievance procedure or bullying and harassment policy. Depending on the nature of the concern, this may be addressed informally or through our formal grievance procedure or bullying and harassment policy.
- 13.2. When managing disciplinary or performance matters, care must be taken to ensure that employees who have, are perceived to have, or are associated with someone who has, a protected characteristic are not treated less favourably than other employees in comparable circumstances. Inconsistent treatment of this kind may itself constitute unlawful discrimination
- 13.3. Any employee who believes they have experienced or witnessed discrimination should raise this as soon as possible, either informally with their line manager or HR, or formally through the grievance procedure or bullying and harassment policy. An employee who raises a concern in good faith will not be victimised or treated less favourably as a result.