

# Equality and Diversity Policy

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## **1. Introduction**

- 1.1 This policy applies to all members of the trust/school community i.e. directors (sometimes referred to as trustees), governors, employees, casual workers, volunteers, agency workers, consultants/3rd parties engaged by the trust/schools, and they are responsible for promoting the Equality & Diversity Policy and are obliged to respect and act in accordance with the policy.
- 1.2 This policy is designed to help and encourage staff to achieve and maintain the appropriate standards of conduct. It aims to ensure consistent and fair treatment, without discrimination, for all staff. It applies to all aspects of employment with the trust, including recruitment, pay and conditions, training, appraisals, promotion/progression, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 1.3 This policy does not form part of any employee's contract of employment and may be amended at any time.

## **2. Equality & Diversity Statement**

- 2.1 Futura Learning Partnership (the trust) is committed to a policy of equality and diversity and aims to ensure that no employee, job applicant, student/pupil or other member of the trust/school community is treated less favourably on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- 2.2 Any behaviour, comments or attitudes that threaten or deliberately undermine an individual's self-esteem on these grounds will not be tolerated. We aim to provide equal access to high quality educational opportunities and to ensure that everyone feels that they are a valued member of the trust/school community. We seek to provide a safe and happy environment where all can flourish and where cultural diversity and individual difference is celebrated and respected.
- 2.3 We aim to empower our students/pupils to make informed choices so that they are better prepared for the opportunities, responsibilities and experiences of life within their community. Equality of opportunity cannot be realised without the involvement and commitment of all members of the trust/school community and a common understanding of the pivotal role of equal opportunities in the context of the trust's ethos and values, in particular, the recognition that the role of all staff is crucial in the delivery of the objectives of the policy.

## **3. Aims & Objectives**

- 3.1 The Equality Act 2010 was introduced to ensure protection from discrimination, harassment and victimisation on the grounds of specific characteristics (referred to as protected characteristics). Under the Act, the trust is expected to comply with the Public Sector Equality Duty which requires us to:
  - Eliminate unlawful discrimination, harassment and victimisation
  - Advance equality of opportunity between different groups

- Foster good relations between different groups

This policy should be read in conjunction with the trusts General Equality Duty Statement and objectives.

The trust is committed to supporting, developing and promoting equality and diversity in all of its employment practices and aims to establish a culture which is free from discrimination and based on the values of fairness, dignity and respect. The trust will support and develop its staff by providing everyone with access to employment and personal/professional career development opportunities. This will be on an equal basis regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

3.2 The trust values diversity and recognises the value of having employees, trustees, governors and pupils with a different range of backgrounds, experiences, views, beliefs and cultures.

3.3 The trust aims to:

- Carry out its legal duty in complying with the relevant legislation including the Equality Act 2010
- Reinforce the trust's position as a provider of high quality education and as a good employer providing development opportunities
- Ensure that equality remains high on the trust's strategic agenda
- Establish good people management practice and to set out a proactive agenda in which discrimination is recognised as an organisational issue which needs an organisational response
- Ensure all staff work together with a shared sense of purpose to meet the needs of every student/pupil
- Ensure all staff work together to achieve the strategic aims of the trust and other business objectives
- Ensure that staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals
- Ensure that complaints or evidence of failure to comply with the trust's Equality & Diversity Policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g. complaints relating to staff may be investigated either under the disciplinary or grievance procedure). All forms of discrimination by any person within the trust's responsibility will be treated seriously as such behaviour is unacceptable

## 4. Responsibilities

4.1 The trust Chief Operating Officer is responsible for monitoring and updating the policy whilst Principals/Headteachers and the trust central support services managers are responsible for implementing the policy.

4.2 The trust CPLD Co-ordinator is responsible for the provision of appropriate training and support for the trust as required.

4.3 Staff are expected to behave in line with the principles of this policy. They should treat colleagues and students/pupils fairly and with respect, Staff should actively encourage non-discriminatory practices and challenge any incidences of behaviour that fail to comply with this policy.

All current staff and new staff on joining the Trust are obliged to undertake online iHASCO equality and diversity training as well as any other appropriate equality and diversity training as required.

4.4 The trust encourages individuals to inform us of any disabilities or if they become disabled, so that we can consider what reasonable adjustments or support may be appropriate.

4.5 This policy will be kept under review in order to take account of changes to terminology, law and/or practice and changes to the trust circumstances.

## 5. Discrimination

5.1 Staff must not unlawfully discriminate against or harass other people including current and former employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts, and on work-related trips or events including social events).

5.2 Discrimination on the grounds of protected characteristics is illegal. The nine protected characteristics are:-

- Age
- Disability
- Gender reassignment
- Marriage/Civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

We will also not tolerate any discrimination against those who identify as non-binary.

5.3 The following forms of discrimination are prohibited under this policy and are unlawful:

#### Direct discrimination

Direct discrimination occurs when a person is treated less favourably than others in the same circumstances because of their protected characteristics.

#### Indirect discrimination

Indirect discrimination can occur when a provision, criterion or practice is applied equally but adversely affects people with a particular protected characteristic more than others who do not have the protected characteristic. Indirect discrimination is unlawful unless there is a justifiable reason i.e. is any applied provision, criterion or practice a proportionate means of achieving a legitimate aim?

#### Harassment

Harassment occurs when there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership or pregnancy and maternity) that has the effect of violating a person's dignity or creating an intimidating, hostile, degrading humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

#### Victimisation

Victimisation occurs when an employee is subjected to a detriment, such as a denied training opportunity or promotion because they made or supported a complaint or raised a grievance or are suspected of doing so about discrimination or harassment. However, an employee is not protected from victimisation if they gave false evidence or information, or made a false allegation, in bad faith. If any employee makes a false allegation deliberately and in bad faith, this will be treated as misconduct and dealt with under our Disciplinary Procedure.

## **6. Recruitment and Selection**

- 6.1 The trust has a legal responsibility to demonstrate that it treats all groups of staff fairly in its employment practices. With this in mind recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination.
- 6.2 Job advertisements will be advertised to a diverse section of the labour market using the appropriate medium to reach the candidate market to produce the best pool of candidates
- 6.3 Job advertisements, job descriptions and person specifications will be written on the basis of the essential and desirable requirements of the position
- 6.4 Shortlisting, appointment and rejection decisions will be transparent and justifiable and supported by written documentation/scorecards and where possible will these decisions will be undertaken by more than one person.
- 6.5 In the recruitment process job applicants will:
- Not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic

- Not be asked about health before a job offer is made (subject to limited exceptions);
  - Not be asked about disability before a job offer is made (subject to limited exceptions)
  - Where successful, be offered the role which will be conditional on a satisfactory medical check, receipt of satisfactory references, satisfactory DBS check and Children’s Barred List check and confirmation of the Right to Work in the UK.
- 6.6 Interview panels will be diversely balanced and ensure no unconscious bias.
- 6.7 In all staff appointments the best candidate will be appointed based on professional criteria as detailed in the job description/person specification.
- 6.8 The trust will require confirmation of the right to work in the UK. This will be sought from all employees and potential employees. The trust will not make assumptions about immigration status or a person's right to work in the UK based on race, colour or national origin and will treat all applicants equally.

**[Disabilities**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can consider what reasonable adjustments or support may be appropriate for you.]

**7. Part-time and Fixed-term work**

- 7.1 Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified to secure parity.

**8. Family-friendly policies**

- 8.1 Within the framework and model of the provision of education to students/pupils the trust aims to be a family friendly employer. The trust will do its best, over time, to develop and implement schemes designed to support employees in combining work and other responsibilities e.g. Childcare Voucher Scheme, Carer’s Leave provision, Flexible Working, Job share.

**9. Breaches of the Policy**

- 9.1 The trust will not tolerate behaviour contrary to the equal opportunities policy and will treat deliberate acts of unlawful discrimination as disciplinary offences. Breaches of this policy will be dealt with in accordance with the trust Disciplinary Procedure; serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.
- 9.2 Where an employee believes that they have suffered discrimination, they should refer to the Grievance procedure.

## 10. Monitoring Equality & Diversity

- 10.1 This policy will be monitored by the trust Chief Operating Officer for its effectiveness and use across the trust.
- 10.2 The trust HR will monitor the diversity and composition of the existing workforce and of applicants for jobs and provide appropriate data.

The trust HR will where possible monitor the diversity and composition of the existing workforce and of applicants for jobs, advising ELG and the HR Committee in accordance with this data. Seeking and implementing changes if required.

- 10.3 As a public organisation the trust will publish information to show compliance with the Public Sector Equality Duty by working to objectives that are specific and measurable. These are:
- To use data as described at 10.2,
  - To raise awareness and skills of staff,
  - To provide an environment that welcomes, protects and respects diversity,
  - To ensure that everyone is given the opportunity to make a positive, contribution,
  - To address cultural knowledge and understanding across the trust.

## 11. Confidentiality

- 11.1 The trust treats personal data collected for reviewing equality and diversity in accordance with GDPR compliance.

## 12. General Principles

- 12.1 The Equality & Diversity Policy will be implemented in accordance with ACAS advice and guidance, the Equality Act 2010 and the Public Sector Equality Duty.

## Appendix A – Equality Impact Assessment

<b>Title of the policy</b>	Equality and Diversity Policy
<b>New Policy or policy review</b>	Policy Review
<b>Name of school (if applicable)</b>	Trust Policy

<b>Date</b>	01/01/2022
<b>EIA carried out by</b>	HR Advisory Team
<b>Who has been consulted</b>	
<b>EIA approved by</b>	

<b>Question</b>	<b>Response</b>
<b>1. Name of policy/ activity/event being assessed</b>	Equality and Diversity Policy
<b>2. Summary of aims and objectives of the policy/event</b>	Please see section 3 of policy attached.
<b>3. What involvement and consultation has been done in relation to this policy?</b> <i>(e.g. with relevant groups and stakeholders)</i>	Policy is subject to scheduled review, consultation through ELG, Trade Unions and HR Committee.
<b>4. Who is affected by the policy/event?</b>	All Trust Staff
<b>5. What are the arrangements for monitoring and reviewing the actual impact of the policy/event?</b>	Trust Governance review of policies. Taking place every 3 years as per schedule, or as required should legislation change, or as required following feedback received. Gender paygap and data as reported to HR Committee

<b>Protected Characteristic Group</b>	<b>Is there a potential for positive or negative impact? If so what?</b>	<b>Please explain and give examples of any evidence/data used</b>	<b>Action to address negative impact (e.g. adjustment to the policy)</b>
<b>Disability</b>	No existing concerns identified		

<b>Gender reassignment</b>	No existing concerns identified		
<b>Marriage or civil partnership</b>	No existing concerns identified		
<b>Pregnancy and maternity</b>	No existing concerns identified		
<b>Race</b>	No existing concerns identified		
<b>Religion or belief</b>	No existing concerns identified		
<b>Sexual orientation</b>	No existing concerns identified		
<b>Sex (gender)</b>	No existing concerns identified		
<b>Age</b>	No existing concerns identified		

**Evaluation:**

<b>Question</b>	<b>Explanation / justification</b>
Is it possible the proposed policy or activity could discriminate or unfairly disadvantage people?	No – reasonable adjustments in order for the policy to be followed would be advised on a case by case basis.

<b>Where will this EIA be published?</b>	Attached as an appendix to Policy and on share point
<b>Date completed:</b>	01/01/2022
<b>Review date (if applicable):</b>	

**Change log**

<b>Name</b>	<b>Date</b>	<b>Version</b>	<b>Change</b>
HR Advisory Team	01/01/2022	1	Addition of EIA to Policy