Equality and Diversity Policy (for employees)

Policy Type:	**Trust Policy**
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Approved By:	**Executive Team**
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Person Responsible:	**Human Resources Director**

Our Christian Ethos and Values

All policies within the Diocese of Norwich Education and Academies Trust (hereafter referred to as "the Trust"), whether relating to an individual academy or the whole Trust, will be written and implemented in line with our Christian ethos and values.

We have high ambition for all, and we truly value the wider educational experience.

We walk and talk our Christian values. We put people at the centre of the organisation and want to see them flourish and grow. Our schools are inclusive, welcoming those of all faiths and none

Overall accountabilities and roles

The Trust has overall accountability for all its academies and staff. Through a Scheme of Delegation it sets out the responsibilities of the Trust, its Executive Officers, the Local Governance Committee and the Principal / Headteacher. The Principal / Headteacher of each academy is responsible for the implementation of all policies of the Trust.

All employees of the Trust are subject to the Trust's policies.

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1. Introduction

The Trust recognises the importance of fair treatment and the positive promotion of equal opportunity for all employees, pupils, Trustees, Members, 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

Board of Trustees is responsible for approval of all Trust 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 Act 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.

Headteachers, Principals and Senior Leadership Team

Headteachers, Principals 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;
- Making sure 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.

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 for 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.

In all cases of discrimination advice should be sought from the school's designated HR Officer. Training will be provided as appropriate from the Diocese of Norwich Education Services Company HR Team.

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

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 anyway, the concern should be raised with the policy owner.

As a Multi 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, 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 our Trust will be treated fairly and equally and this principle will apply to recruitment and selection, job/task allocation, promotion, secondment, training, appraisal, disciplinary and grievance and all terms and conditions of employment.

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 is also committed 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 is 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 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 include all of the nine protected characteristics as well as other categories / groups / definitions that a person may be perceived to belong.

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.

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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.

Statutory Obligations

In formulating new or amending existing policies, practices, strategic and service plans; 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

Training

Any training and development needs, particularly statutory and mandatory training required for employees will be arranged by the Headteacher or senior leader in conjunction with HR. All staff will be provided with tools to enable them to understand what is expected of them during their employment and have the necessary knowledge and skills to carry out their roles.

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's equality duty. This information will include local and national data as well as Trust data including surveys, complaints, focus groups, interviews and pupil voice.

Equality Impact Assessment

The Trust will carry out Equality Impact Assessments where applicable 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.

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.

5. Monitoring and Review of the Policy

This policy is reviewed annually to ensure the effectiveness of this policy to ensure it is achieving its objectives.

Linked policies

- Equality and Diversity Statutory Duties and Objectives
- Staff bullying and harassment policy
- Sexual harassment policy
- Staff grievance procedure
- Speak Up Policy
- Recruitment and selection policy
- Disciplinary procedures for all staff
- Code of conduct