

One Degree Academy

EQUAL OPPORTUNITIES AND DIVERSITY POLICY

Last Review Date	Sept 2018
Next Review Date	Sept 2019
Author	ASA
Date Ratified by GB	Sept 2018
Person Responsible	JHO



Striving for Excellence: *step-by-step*

1. Introduction

- 1.1 The Governing Body of One Degree Academy is committed to promoting equality of opportunity for all staff, students, parents, governors, visitors and job applicants. We aim to create a supportive and inclusive 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.
- 1.2 We do not discriminate against staff on the basis of their gender, sexual orientation, marital or civil partner status, pregnancy or maternity, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age (the protected characteristics).
- 1.3 The Equality Act 2010 prohibits discrimination, harassment and victimisation in employment, and the principles of non-discrimination and equality of opportunity also apply to the way in which staff and Governors treat visitors, parents, students, volunteers, contractors and former staff members.
- 1.4 All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. Your attention is drawn to our separate Bullying and Harassment Policy.
- 1.5 This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It may be amended at any time.

2. Who is covered by the policy?

This policy covers all individuals working at all levels and grades, including senior managers, employees, trainees, part-time and fixed-term employees, volunteers, casual workers, agency staff and governors (collectively referred to as “Staff” in this policy).

3. Who is responsible for this policy?

- 3.1 The Governing Body has ultimate responsibility for the effective implementation of this policy and the Senior Leader with responsibility for equalities issues has overall responsibility for the effective operation of this policy and

for ensuring compliance with discrimination law. The Finance and HR Committee are responsible for monitoring the implementation of this policy. Day-to-day operational responsibility, including regular review of this policy, has been delegated to CFO or Business Manager.

- 3.2 All staff must set an appropriate standard of behaviour, lead by example and ensure that those they line manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. All staff will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice, if pertinent to their role. The Principal has given delegated responsibility to the CFO for equal opportunities training. All members of staff are personally responsible for ensuring that they adhere to the policy and promote our aims and objectives with regard to equal opportunities.
- 3.3 If you have any questions about the content or application of this policy you should contact the Principal or alternatively the the COO

4. Scope and purpose of the policy

- 4.1 This policy applies to all aspects of our relationship with Staff and to relations between staff members at all levels. This includes 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.
- 4.2 We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities. Please see the following for specific information on our approach to these issues: Staff Appointment Policy, Special Leave Policy, Flexible Working Policy.

5. Forms of discrimination

Context of the Equality Act:

The Equality Act 2010 consolidates and replaces the previous discrimination legislation for England, Scotland and Wales. A protected characteristic under the Act covers those listed below:

- Age, in a school this protected characteristic only applies to staff.
- Disability
- Race
- Religion or belief
- Sex
- Sexual orientation
- Gender Reassignment

- Pregnancy and Maternity
- Marriage and Civil Partnerships, but just for the first and third aims. In a school this protected characteristic only applies to pupils over the legal age for marriage and to staff.

It is unlawful for a school to discriminate against an applicant or pupil in relation to;

- School Admissions
- The provision of education i.e. not the curriculum itself, but the way the curriculum is delivered.
- Access to any benefit, facility or service
- Exclusions
- Dispute resolution and enforcement

There are four kinds of unlawful behaviour, which we guard against. These are;

- 5.1** Discrimination by or against a member of staff, visitor, student or employee is 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 set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.
- 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. Harassment is dealt with further in our Bullying and Harassment Policy.
- 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.

6. Recruitment and Selection

- 6.1** We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. The School's 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.

- 6.2 Job advertisements will avoid using wording that may discourage particular groups from applying. A short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies.
- 6.3 We will take steps to ensure that its vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in the School.
- 6.4 Applicants will not be asked about health or disability before a job offer is made.

There are limited exceptions which the School may use, for example:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
 - Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
 - Positive action to recruit disabled persons;
 - Equal opportunities monitoring (which will not form part of the decision-making process).
- 6.5 Applications 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 without first considering whether such matters are relevant and may lawfully be taken into account.
 - 6.6 We are required by law to ensure that all members of Staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective members of Staff, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. A list of acceptable documents is available from the CFO
 - 6.7 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the School, we will 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 information will be removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us to take appropriate steps to avoid discrimination and improve equality and diversity.

7. Recruitment of ex-offenders

- 7.1 We are an organisation that uses the Disclosure and Barring Service (DBS) to assess candidates' suitability for positions of trust working in an environment with children and young people. The School complies fully with the DBS Code of Practice and undertakes to treat all candidates fairly.
- 7.2 The School undertakes not to discriminate unlawfully against any candidate who is required to provide information (a check) through this process. Having a criminal record will not necessarily prevent a candidate from working with the School. Whether or not it does will depend on the nature of the position and the circumstances and background of the offences.
- 7.3 Our policy on the recruitment of ex-offenders will be made available to all candidates at the outset of the recruitment process. We will ensure that it makes any candidate who is subject to check aware of the DBS Code of Practice and will provide a copy of the Code on request.
- 7.4 As a check is part of the School's recruitment process, we encourage all candidates called to interview to provide details of any criminal record at any early stage of the application process. The School requests that this information is sent under separate confidential cover to a designated person with the School who may vary in case to case depending on the nature of the post being recruited. The School guarantees that only those who need to see it as part of the recruitment process will see this information.
- 7.5 Unless the nature of the position is such that the School may ask questions about an individual's entire criminal record, the School will only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974. We will ensure that it discusses with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job could result in withdrawal of an offer of employment.

8. Staff training and promotion and conditions of service

- 8.1 Staff training needs will be identified through regular staff appraisals. All Staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit. Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unnecessary or unjustified barriers and to meet the special needs of disadvantaged or under-represented groups.
- 8.2 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

9. Discipline and Termination of Employment

- 9.1** We will ensure that disciplinary procedures and penalties are applied without discrimination and carried out fairly and uniformly for all Staff, whether they result in disciplinary warnings, dismissal or other disciplinary action.
- 9.2** We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

10. Disability discrimination

- 10.1** If you are disabled, or become disabled, in the course of your employment with the School, we encourage you to tell us about your condition so that we can support you as appropriate.
- 10.2** If you experience difficulties at work because of your disability, you should speak to your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager 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.
- 10.3** We will monitor the physical features of our premises to consider whether they place disabled staff, job applicants or service users at a substantial disadvantage compared to other Staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

11. Fixed-term employees, Casual and Agency Workers

We monitor our use of fixed-term employees, casual 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, where possible. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

12. Part-time Workers

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 under our Flexible Working Policy.

13. Breaches of this policy

- 13.1 We will treat seriously and will take action where appropriate concerning all complaints of discrimination, harassment or victimisation on any of the protected characteristics made by any of our staff, students or other third parties.
- 13.2 If you believe that you may have been unlawfully discriminated against, victimised or harassed within the meaning of this policy, you are encouraged to raise the matter with your Line Manager in the first instance. In some cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.
- 13.3 If you wish to make a formal complaint, then you should follow the School's Grievance Policy and Procedure.
- 13.4 Allegations regarding potential breaches of this policy will be treated in confidence and investigated fully in accordance with the relevant procedure. In the course of the investigation the employee will be given the opportunity to respond to the allegation and provide an explanation for their actions.
- 13.5 Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False or malicious allegations which are found to have been made in bad faith may, however, be dealt with under our Disciplinary Procedure.
- 13.6 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.

14. Monitoring and review of the policy

- 14.1 This policy is reviewed annually by the HR Committee.
- 14.2 Governors will continue to review the effectiveness of this policy to ensure it is achieving its objectives.
- 14.3 Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Director of Business and Finance.

Links with other Academy Policies

Capability, Grievance, Equality and Diversity, Disciplinary Model Procedures for all staff, Staff Absence, Harassment & Bullying, Whistleblowing