



# EQUALITY AND DIVERSITY POLICY

THIS POLICY WAS APPROVED:	AUTUMN 2019
POLICY VERSION:	2.0
THIS POLICY WILL BE REVIEWED:	AUTUMN 2020
MEMBER OF STAFF WITH RESPONSIBILITY FOR REVIEW:	DIRECTOR OF HR
THIS POLICY WAS CONSULTED WITH:	UNIONS AND STAFF
THIS POLICY WAS CONSULTED WITH EXTERNAL UNIONS (HR POLICIES)	20/10/2017-10/11/2017
THIS POLICY WAS DISTRIBUTED TO:	STAFF

## **1 Policy**

- 1.1 Anglian Learning is committed to promoting equality of opportunity for all staff and job applicants. The Trust aims 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 Anglian Learning does not discriminate against staff on the basis of age; race; sex; disability; sexual orientation; gender reassignment; marriage and civil partnership; pregnancy and maternity; religion, faith or belief. (Equality Act 2010 protected characteristics). The principles of non-discrimination and equality of opportunity also apply to the way in which staff, Governors and Trustees treat visitors, volunteers, contractors and former staff members.
- 1.3 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.
- 1.4 This policy does not form part of any employee's contract of employment and may be amended at any time.

## **2 Who is covered by the policy?**

- 2.1 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, governors and trustees (collectively referred to as **staff** in this policy).

## **3 Who is responsible for this policy?**

- 3.1 The Trust Board has ultimate responsibility for the effective implementation of this policy and the CEO, Executive Headteacher and Headteacher of each school has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. The CEO and Local Governing Body is responsible for monitoring the implementation of this policy and reporting on the progress made in achieving any targets set by the Trust Board. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Director of HR.
- 3.2 All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote Anglian Learning's aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Director of HR with the Headteachers has overall responsibility for equal opportunities training. All members of staff are personally responsible for ensuring that they adhere to the policy and promote Anglian Learning's aims and objectives with regard to equal opportunities. In certain circumstances the Trust Board could be held to be vicariously liable for actions of their staff. Staff should be aware that they may be personally liable if they are found to have discriminated against another person whilst on Anglian Learning premises or undertaking work on behalf of Anglian Learning.
- 3.3 If an employee is involved in management or recruitment, or has any questions about the content or application of this policy, these should be directed to the Director of HR who will provide further information.

#### **4. Scope and purpose of the policy**

- 4.1 This policy applies to all aspects of Anglian Learnings 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 Anglian Learning will take appropriate steps to accommodate the requirements of different religions, cultures, disabilities and domestic responsibilities.

#### **5. Forms of discrimination**

- 5.1 Discrimination by or against a member of staff 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 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 is where there is a provision, criterion or practice that applies to everyone but adversely affects people with a particular protected characteristic more than others, and is not justified. For example, a requirement to work full time adversely affects women because they generally have greater childcare commitments than men. Such a requirement will be discriminatory unless it is objectively justified.
- 5.4 By association is where there is direct discrimination due to an association with another person who has a protected characteristic (not including marriage and civil partnerships and pregnancy and maternity)
- 5.5 By perception is where there is direct discrimination due to that person having been perceived to have a protected characteristic (not including marriage and civil partnerships and pregnancy and maternity)
- 5.6 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 Anti-harassment and Bullying Policy.
- 5.7 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.
- 5.8 Disability discrimination; this includes direct, indirect and by association discrimination, and any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.
- 5.9 Positive action is lawful and may be taken to enable or encourage people who share a protected characteristic to overcome a disadvantage connected to that characteristic, to meet the needs of

those people with the protected characteristic where these are different to those of people who do not have the characteristic or to enable or encourage people who share a protected characteristic to participate in an activity in which their participation is disproportionately low.

## **6. Staff training and promotion and conditions of service**

- 6.1 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 unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.
- 6.2 Anglian Learning's 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.

## **7. Discipline and Termination of Employment**

- 7.1 Anglian Learning will ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.
- 7.2 Anglian Learning will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

## **8. Disability discrimination**

- 8.1 If a member of staff is disabled or become disabled, they will be encouraged to tell Anglian Learning about their condition so that appropriate support can be put in place to aid them.

If a member of staff experiences difficulties at work because of their disability, they should speak to their line manager, the school's HR Officer or a member of Anglian Learning's central team to discuss any reasonable adjustments that would help them overcome or minimise their difficulty. Anglian Learning may wish to discuss the matter further and to seek medical information from Occupational Health about possible adjustments. Requests will be considered carefully and every effort made to try to accommodate measures that would help the member of staff. If Anglian Learning consider a particular adjustment would not be reasonable, the reasons will be explained and an alternative solution will be suggested where possible.

- 8.2 Anglian Learning will monitor the physical features of school premises to consider whether they place disabled workers, job applicants at a substantial disadvantage compared to other staff. Where reasonable, steps will be taken to improve access for disabled staff.

## **9. Fixed-term employees, Casual and Agency Workers**

- 9.1 Anglian Learning monitor their 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. Anglian

Learning will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

**10. Part-time work**

10.1 Anglian Learning 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. Anglian Learning will ensure requests to alter working hours are dealt with appropriately.

**11. Breaches of this policy**

11.1 If a member of staff believes that they may have been discriminated against they are encouraged to raise the matter through Anglian Learning's Grievance Procedure. If they believe that they may have been subject to harassment or bullying they are encouraged to raise the matter through Anglian Learning's Harassment and Bullying Policy.

11.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff 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 Anglian Learning's Disciplinary Procedure.

11.3 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. Anglian Learning take a strict approach to serious breaches of this policy.

**12. Monitoring and review of the policy**

12.1 This policy is reviewed annually by the HR Committee.

12.2 Director of HR will continue to review the effectiveness of this policy to ensure it is achieving its objectives.

12.3 Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Director of HR.