

# Equalities and Diversity Policy

## Equalities and Diversity Policy

### Woodard Academies Trust

#### 1. Purpose

Woodard Academies Trust is committed to promoting equality and diversity and promoting a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work. The Trust aims to be an inclusive organisation, where diversity is valued, respected and built-upon, with the ability to recruit and retain a diverse workforce that reflects the communities it serves.

#### 2. Scope

This policy relates to all workers; employees, agency workers, governors and those in voluntary positions within the Trust such as Academy Councillors and Trustees. It is applicable to those working within Academies and those in the Trust's Corporate Centre.

This policy does not relate to the provision of services, for which the Trust and Academies have separate policies.

#### 3. Compliance with relevant equality legislation

The Trust is committed to compliance with relevant equality legislation, the Equality Act 2010, Codes of Practice and relevant best practice guidance. See section 9.

To demonstrate its commitment to equality and diversity, the Trust will ensure that those employees with line management responsibilities receive training on equality in employment from a competent person.

Public Sector Equality Duty (PSED) 2012 places responsibilities on all public authorities including Academies. Section 149 of the PSED sets out that:

A public authority must, in the exercise of its functions, have due regard to the need to:

- **Eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act
- **Advance** equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- **Foster** good relations between persons who share a relevant protected characteristic and persons who do not share it

This means that Woodard Academies Trust will take action to eliminate prohibited behaviours, advance equality of opportunity and foster good relations as set out above.

The key means of doing this will be through the development and delivery of local Academy Equalities Action plans.

#### 4. Relationship with other employment policies

This policy operates in conjunction with all other policies and procedures, for example:

- Recruitment Policy
- Appraisal and Pay Policies
- Management of Sickness Absence
- Maternity, Paternity, Parental Leave and Adoption Policy and Procedure
- Managing Changing Staffing Needs
- Anti-Bullying and Harassment Policy
- Disciplinary Policy

Equality impact assessments (EIAs) will be conducted annually on the above policies including the monitoring of pay progression.

#### 5. Definition of Equality and Diversity

Equality can be described as providing equal access to outcomes, breaking down barriers, eliminating discrimination and requiring equal opportunity and access for all groups both in employment and to goods and services; the basis for which is supported and protected by legislation.

Diversity can be described as celebrating differences and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions which is beneficial not only for the individual but for Woodard Academies Trust.

Equality and Diversity are not inter-changeable but interdependent. There can be no equality of opportunity if differences are not valued and celebrated.

#### 6. Policy Statement

Woodard Academies Trust is committed to creating an inclusive working environment to maximise the potential of all staff, providing equal opportunities in all aspects of employment and avoiding unlawful discrimination at work. Woodard Academies Trust will not tolerate discrimination, harassment, bullying or victimisation of employees or third parties including, such behaviour by those who undertake work on the Trust's behalf.

The Trust is committed to ensuring that existing members of staff, job applicants, workers and volunteers are treated fairly in an environment which is free from any form of discrimination with regard to the protected characteristics as outlined by the Equality Act 2010 which are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil partnership
- Pregnancy and Maternity
- Race (includes colour, nationality and ethnic origins)
- Religion and belief
- Sex
- Sexual orientation

## 7. What is unlawful discrimination?

The Equality Act 2010 defines the different types of discrimination that are unlawful:

**Direct discrimination:** when someone is treated less favourably than another person because of a protected characteristic. Direct Discrimination is not justifiable.

**Indirect discrimination:** when a condition, rule, criterion policy or practice applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**Associative discrimination:** where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

**Perceptive discrimination:** where an individual is directly discriminated against or harassed based on a perception by others that they have a particular protected characteristic even if they don't.

**Discrimination arising from disability:** where an individual has been treated unfavourably because of something connected with their disability (so does not have to be the disability itself).

**Harassment:** unwanted conduct related to one of the protected characteristics that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It does not matter whether or not this effect was intended by the person responsible for the conduct.

**Victimisation:** when an employee is treated badly and subjected to detriment because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

**Reasonable Adjustments:** The Equality Act also makes it unlawful to fail to make reasonable adjustments, as a result of a disability, to overcome barriers in employment or to using services.

**Occupational Requirement:** in limiting circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is a genuine occupational requirement. For example, the requirement for the job holder to be a man or a woman, to belong to a specified racial or religious group where the possession of a specified characteristic is a key element of the job in question.

## 8. Monitoring, Review and Action

Woodard Academies Trust and its Academies have a responsibility to monitor and review the operation of policies, procedures and practice to ensure that this is in keeping with the Trust's commitment to equalities and diversity. Where improvements are identified, relevant actions will form part of the Trust's and the individual Academy's Equalities and Diversity action plan.

Each Academy and the Trust's Central Team, will develop an equalities action plan and monitor their progress against the plan. This action plan will be available from the Academy HR Officer/Manager. The Trust will delegate responsibility for monitoring the progress made by each Academy with respect to their progress with their Equalities and Diversity action plan and they will report to the Trust.

### **9. Breaches of the Equality and Diversity Policy**

Breaches of this policy will be regarded as misconduct and could lead to disciplinary proceedings.

#### ***Employees:***

Where an individual believes that they have been unlawfully discriminated against in relation to the protected characteristics, they may raise the matter with their line manager, contact a union representative and/or use the Grievance Procedure to raise an issue and seek a resolution. In accordance with the Grievance Procedure, where possible the matter will be resolved informally. If this is not possible, the matter may be considered formally under the Grievance Procedure.

Where an investigation into the matter raises issues of concern that are potentially a matter of misconduct, such matters will be pursued separately through the Disciplinary Procedure.

On conclusion of the case and where there are "lessons to be learned" with respect to equalities good practice, such matters will be addressed through the Equalities and Diversity Action Plans.

#### ***Third Parties: Volunteers, Academy Councillors, Consultants***

In cases where the matter concerns those who are not employees, and who are undertaking voluntary work or consultancy work with the Academy, concerns with regard to equality and diversity should be raised in the first instance as follows:

- Volunteers should raise their concern with the Principal
- Academy Councillors should initially raise their concern with the Chairman of the Academy Council
- Consultants should raise their concern with the Director of HR

Policy Adopted by Board of Trustees	25 <sup>th</sup> February 2015
Review date	February 2017