



# **Cornerstone Academy Trust**

## **Equality and Diversity Policy**

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The Trust is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a 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.

This policy is required to ensure that the Trust complies with equality legislation. The Trust recognises that it has to make special efforts to ensure that all groups prosper, including:

- those with special educational needs
- who have difficulties in accessing the Trust's facilities or services
- who speak English as an additional language
- who have frequent moves and lack stability leading to time out of education (eg children in care)
- who as children are caring for others
- who come from homes with low income and/or inadequate study space
- who experience bullying, harassment or social exclusion
- with low parental support or different parental expectations
- with emotional, mental and physical well being needs
- who exhibit challenging behaviour
- who come from minority ethnic groups including travellers, refugees and asylum seekers.

The Trust does not discriminate against staff on the basis of age, disability, gender reassignment, gender identity, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (protected characteristics).

The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat pupils, parents, carers, visitors, contractors and former staff members.

Under the general public sector equality duty under the Equality Act 2010, our Trust must have due regard to the need to:

- (i) eliminate discrimination, harassment and victimization
- (ii) advance equality of opportunity between people who share a protected characteristic and those who do not; and
- (iii) foster good relations between people who share a protected characteristic and those who do not.

The duty covers the protected characteristics of race, disability, sex, age, sexual orientation, religion or belief, pregnancy and maternity, gender identity and gender reassignment. The first part of the duty - the duty to eliminate discrimination, harassment and victimisation - also applies to the protected characteristic of marriage and civil partnership.

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.

This policy does not form part of your contract of employment and may be amended at any time.

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

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

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

The Personnel Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Personnel Committee has delegated day to day responsibility for operating the policy and ensuring its maintenance and review to the CEO. If you have any questions about the content or application of this policy, you should contact the CEO.

### **Roles and Responsibilities**

The CEO will ensure that a Trust culture and ethos is established, maintained and developed which:

- celebrates diversity/equality and achievement
- promotes high expectations, positive attitudes towards disabled people and those of different ethnic groups/religions
- listens to and involves pupils, parents, carers and staff
- communicates behaviour expectation
- ensure that it welcomes applications for school places at Trust schools and jobs from all sections
- ensure that incidents are reported, analysed, addressed swiftly and effectively, and reported on.

The staff will actively implement this policy and the equalities plan, and support the monitoring and impact.

Parents and carers will be consulted on the policy regularly and be kept informed.

Visitors and contractors will be made aware of the policy through relevant signs around the schools and clauses in contracts.

The Board of Trustees will:

- incorporate equality targets into the Trust plan
- designate a lead Trustee for equality issues
- use its power to nominate Trustees to ensure its composition reflects the community it serves
- encourage parents and staff from all ethnic groups when recruiting to the Trustee board
- apply the principles of best values without discrimination when purchasing goods and services
- monitor and evaluate the implementation and impact of this policy using the outcomes to inform future plan
- disseminate the outcomes of evaluation to the whole Trust community, together with a summary of the action to be taken.

We expect all members of the Trust community to be committed to this policy, and that visitors will comply with it. We accept responsibility for ensuring that this is implemented in every aspect of school life and for clarity this policy applies on work-related trips or events including social events. If there is a breach of the policy, we will take appropriate action.

All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities.

### **Scope and Purpose of the Policy**

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.

We will take appropriate steps to accommodate the requirements of different religions, cultures and domestic responsibilities.

### **Forms of Discrimination**

- Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
  - Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics as set out above. In limited 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. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim. It will only be exceptional circumstances that this will apply in our Trust.
  - Indirect discrimination occurs where someone is disadvantaged by a provision, criterion or practice that also puts people with a protected characteristic at a particular disadvantage. Such a requirement will need to be objectively justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be objectively justified.
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- 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.
- 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.
- Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.
- Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that a person has a particular protected characteristic irrespective of whether they do have that protected characteristic (this does not include marriage and civil partnership and pregnancy and maternity).

- Third party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as parents and carers, clients or customers.

## **Recruitment and Selection**

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our 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. Shortlisting of applicants should be done by more than one person wherever possible.

Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. We will take steps to ensure that our vacancies are advertised to a diverse labour market.

Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the CEO's approval. 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).

Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters which may suggest an intention to discriminate on grounds of a protected characteristic without the approval of the CEO (who should first consider whether such matters are relevant and may lawfully be taken into account).

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we 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 is removed from applications before shortlisting, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

## **Staff Training, Promotion and Conditions of Service**

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.

Pay and promotion decisions will be based on an employee's performance (where relevant), skills and experience as detailed in our Pay Policy.

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.

### **Termination of Employment**

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

### **Disability Discrimination**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your manager or the CEO to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your manager or the CEO 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.

We will monitor the physical features of our premises to consider whether they place disabled workers, 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.

### **Breaches of this Policy**

If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. 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 our Disciplinary Procedure.

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.

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