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# **EQUAL OPPORTUNITIES AND DIVERSITY POLICY**

Approved by:	GFM Board	Date:	26.02.2019
Maintained by:	HR	Next review due:	26.02.2022

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## **Introduction**

GFM Education's aim is for every learner to make better than expected progress and enjoy and engage in a rich, diverse and challenging learning experience. This is supported through the sustained modelling of the Trust's ethos, values and expectations developing a culture of strong behaviour for learning, intrinsic reward and embedded 'Foundations for Learning.' Having an equal opportunity to learn and work in a supportive environment is essential and requires a collective responsibility on each and every member of the Trust to oppose any forms of discrimination on the grounds of ethnic origin, religion, sexual orientation, gender, disability or ability.

In fulfilling our obligations, the Trust is guided by nine principles:

1. All learners are of equal value.
2. Recognise and respect difference
3. Foster positive attitudes and relationships, and a shared sense of cohesion and belonging.
4. Observe best practice in staff recruitment, retention and development.
5. Aim to reduce and remove inequalities and barriers that already exist.
6. Consult and involve widely.
7. Believe that society as a whole should benefit.
8. Base policies and practices on best practice.
9. Formulate specific and measurable objectives.

## **Purpose of this Policy**

The Trust is committed to promoting and achieving equality of opportunity for all staff, parents, governors, visitors and job applicants and to provide a healthy environment which will encourage good and productive working operations within the organisation.

The Trust aims 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 individuals can achieve their full potential.

The Trust is committed to a policy of treating all its employees, workers and job applicants equally. No employee or potential employee will receive less

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favourable treatment because of any 'protected characteristic', namely 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 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 treat students, parents, visitors, suppliers and former staff members.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not discriminate against or harass other members of staff, regardless of their status. Employees are expected to work with the Trust in achieving this.

This policy does not form part of any contract of employment and is not intended to have contractual effect. The Trust reserves the right to amend its content at any time.

### **Scope of this policy**

This Policy applies to the Trust's employees, whether permanent, temporary, casual, part-time or on fixed-term contracts, to job applicants and to individuals such as agency staff and consultants and volunteers who are not employees but who work within the Trust (collectively referred to as "Staff" in this policy).

All Staff have a duty to promote equal opportunities and must set an appropriate standard of behaviour, lead by example and ensure that those they adhere to the policy and promote the Trust's aims and objectives with regard to equal opportunities.

Any questions about the content or application of this policy should be referred to GFM HR in the first instance.

### **Responsibilities**

The Trust will take responsibility for promoting equal opportunities and will challenge any discriminatory practices.

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The following have specific responsibilities for promoting equal opportunities and for challenging discriminatory practices:

- **The GFM Board of Trustees:** will seek to ensure that the Trust complies with all current equal opportunities and anti-discriminatory legislation and guidance. They also have the responsibility for ensuring that this policy and procedures linked to it are implemented.
- **Headteachers:** will ensure that this policy is implemented on a day-to-day basis and that staff are aware of their responsibilities. The Headteacher will be responsible for ensuring that staff receive appropriate training and support in putting the policy into practice and for considering what disciplinary action may be taken against staff who discriminate. The Headteacher will take robust action against parents or visitors to schools within the Trust who act in a discriminatory manner within the school. The Headteacher will report back to the Board of Trustees on the implementation of this policy. The Headteacher must ensure that they keep themselves and their staff up-to-date with current legislation and guidance on equal opportunities and discrimination.
- **All staff within the Trust:** will deal with incidents of discrimination in accordance with Trust procedures and will challenge discriminatory bias and stereotyping. Staff will not discriminate on the grounds of gender, sexual orientation, marital or civil partner status, pregnancy or maternity, paternity, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age.
- **Parents, carers, visitors, volunteers and contractors:** will comply with the Trust's policy.

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

### **Forms of Discrimination**

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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.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, paying someone less because of their sex or because they belong to a particular racial group would be direct discrimination.

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, telling all employees that they have to work late at night – although applied to everyone, will adversely affect those employees with childcare responsibilities and these tend to be women.

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 treating someone less favourably because they have asserted their right not to be discriminated against because of a protected characteristic. An example of this would be an employee claiming that they had been discriminated against on the grounds of their disability and their manager deciding not to give them a reference when they left because they had claimed disability discrimination.

### **Recruitment and Selection**

The Trust aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. The Trust's recruitment procedures ensure that individuals are treated fairly and on the basis of their relevant merits and abilities.

Selection criteria, including job descriptions and post-holder specifications, will be kept under review to ensure that they are justifiable on non-discriminatory

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grounds as being essential for the effective performance of the shortlisting and the selection interview.

The Trust is required by law to ensure that all members of Staff are entitled to work in the UK. 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.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the Trust, the Trust 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.

A copy of this policy will be supplied on request to those who enquire about vacancies.

### **Recruitment of ex-offenders**

The Trust is 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 Trust complies fully with the DBS Code of Practice and undertakes to treat all candidates fairly.

The Trust 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 within the Trust. Whether or not it does will depend on the nature of the position and the circumstances and background of the offences.

The Trust 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.

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### **Promotion, transfer and training**

The Trust will carefully examine assessment criteria and appraisal schemes to ensure that they are not discriminatory, whether directly or indirectly.

The Trust will monitor promotion and career development plans to ensure that access to promotion, training and career development opportunities is not denied to particular groups or types of workers.

### **Termination of employment**

The Trust will carefully examine redundancy criteria and procedures to ensure that they are not applied and so not operate in an unlawfully discriminatory manner.

The Trust will also ensure that disciplinary procedures and sanctions applied are without discrimination, and are carried out fairly and uniformly for all Staff, whether they result in disciplinary warnings, dismissal or other disciplinary action.

### **Disability Discrimination**

It is the Trust's policy that disabled people, including job applicants and employees, should be able to participate in all of the Trust's activities fully, on an equal basis with people who are not disabled.

Due to the wide variety of potential disabilities and the likelihood of a disability affecting different people in different ways, it would be inappropriate to prescribe rigid rules on how issues concerning disabled people should be dealt with. What is essential, however, is that all managers, supervisors, and HR officers, take all reasonable practical steps to ensure that disabled people are not less favourably treated or disadvantaged by comparison to people who are not disabled in relation to their work, working environment, or by any provision, criterion or practice used by the Trust. Managers and supervisors need to be aware in particular that an employee on long-term sick leave or with intermittent sickness absence may be disabled.

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If a member of staff is disabled, or becomes disabled in the course of their employment with the Trust, they are encouraged to tell us about their condition. This is to enable us to support the member of Staff as much as possible.

If a member of staff experiences difficulties at work because of their disability, they may wish to contact their Line Manager/Head of Department to discuss any reasonable adjustments to their working conditions or duties which they consider to be reasonable and necessary or which would assist in the performance of their duties.

The Line Manager/Head of Department may wish to consult with the member of Staff and his or her medical adviser(s) about possible adjustments. Careful consideration will be given to any such proposals and they will be accommodated where reasonable, practicable and proportionate in all the circumstances of the case.

Nevertheless, there may be circumstances where it would not be reasonable for the Trust to accommodate a particular adjustment and in such circumstances it will ensure that it provides the member of staff with its reasons and try to find an alternative solution where possible.

### **Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics**

The Trust is committed to ensuring that all its staff are treated with dignity and respect and 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 its staff, students or other third parties.

Any member of staff who considers that they may have been unlawfully discriminated against, victimised or harassed within the meaning of this policy should discuss the matter in the first instance with their Line Manager/Head of Department or, if inappropriate under the circumstances of the case, with the Headteacher. In some cases it may be possible to resolve the matter informally and reach a satisfactory resolution.

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If a member of staff wishes to make a formal complaint then they should use the procedure set out within the Trust's Grievance Policy.

If an employee is accused of unlawful discrimination, victimisation or harassment, the Trust will investigate the matter fully. In the course of the investigation the employee will be given the opportunity to respond to the allegation.

If the Trust concludes that the employee's action amounts to unlawful discrimination, victimisation or harassment they may be subject to disciplinary action under the Trust's Disciplinary Policy and Procedure, up to and including summary dismissal for gross misconduct.

If the Trust concludes that the claim is false or malicious then the complainant may be subject to disciplinary action.