

# WANDLE LEARNING TRUST EQUAL OPPORTUNITIES AND DIVERSITY POLICY

<b>THIS POLICY WAS APPROVED</b>	<b>11-21</b>
<b>POLICY VERSION</b>	<b>Final</b>
<b>THIS POLICY WILL BE REVIEWED</b>	<b>11-23</b>
<b>MEMBER OF STAFF WITH RESPONSIBILTY FOR REVIEW</b>	<b>Head of Human Resources</b>

## 1. Introduction

Wandle Learning Trust is committed to promoting and achieving equality of opportunity for all students, parents, staff, Governors, visitors and job applicants. The Trustees of the Wandle Learning Trust (WLT) have adopted the following Equal Opportunities in Employment Policy which has been jointly agreed with representatives of its staff and will apply in all schools that are part of the Trust.

This policy reflects the Trust's current practices and applies to every individual working for the Trust irrespective of their status, level or grade.

All policies incorporate the following schools or organisations within Wandle Learning Trust (WLT):

- Chestnut Grove Academy;
- Chesterton Primary School;
- Paxton Academy;
- Ravenstone Primary School;
- Wandle Learning Partnership;
- Any other schools or organisations that may join WLT from time to time as not listed above.

The terms Academy, School, Organisation and Trust are considered interchangeable in the context of all Trust policies.

Where appropriate, in this policy the term:

**“Executive Team”** means the Trust's Executive Headteachers and includes the Trust's Chief Operating Officer (COO) who manage the day-to-day business of the Trust.

**“Headteacher”** includes the appropriate School Headteacher.

**“Trustees or Trust Board”** are appointed trustees who oversee the business of Wandle Learning Trust, agreeing the overarching strategic direction and ensuring robust governance.

**“Local Academy Committee (LAC)”** includes appointed Governors at a local Academy level and support each schools Leadership Teams to implement policies and improvement plan priorities.

**“Chair”** heads the board of Trustees or LAC, provides leadership to the Trust's Executive Team and/or relevant Headteachers and leads the charge on key Board decisions.

**“Head of Governance”** provides an administrative resource for the Trust and LAC Boards and ensures the smooth running of its functions, processes and meetings.

**“Stakeholders”** are any individuals or companies who are invested in the welfare and success of the Trust and/or School and its students, including staff members, students, parents, community members, LAC or Trust members, trade unions, local business leaders etc.

The Trustees instruct Local Academy Committees, Head Teachers, Leadership teams and all employees and other persons undertaking duties at the school:

(a) to ensure that the terms of the Equality Act 2010 and this policy are observed and that no unlawful discrimination is permitted on grounds of religion or belief, colour, race, nationality or ethnic or national origins, marital status, sex, sexual orientation, disability or age; and

(b) to ensure a positive attitude towards equality of opportunity and the administration of staff policies to that end.

Head Teachers are instructed to ensure that the terms of this policy is communicated to each employee, with guidance in the use of the School's harassment procedure or grievance procedure as a means of making any complaint of discrimination or failure to accord equality of opportunity.

This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the Trust who are required to familiarise themselves and comply, with its contents. The Trust reserves the right to amend this policy at any time.

## **2. Aim of this Policy**

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 decisions are based on merit.

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

We will meet our statutory obligations under relevant legislation including the Equality Act 2010, which prohibits discrimination, harassment and victimisation in employment. This policy conforms to the Equality Act 2010 and is monitored to ensure compliance with the requirements of the relevant legislation in force from time to time. 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.

## **3. Scope and Purpose of this Policy**

All Staff are required to support this policy to ensure that discrimination does not occur in the workplace. 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 colleagues, regardless of their status. Your attention is drawn to our separate Anti-Harassment and Bullying Policy.

All Staff must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to this policy and promote the Trust's aims and objectives with regard to equal opportunities and diversity. Staff will be given appropriate training on equal opportunities awareness and equal opportunities for recruitment and selection best practice, where applicable.

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

This policy applies to all aspects of the Trust's 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;
- capability, disciplinary and grievance procedures; and
- termination of employment.

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

#### **4. Forms of Discrimination**

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, rejecting an applicant on the grounds of their gender or race because they would not "fit in" 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, 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.

Association discrimination occurs when a person is treated less favourably because of their association with another person who has a protected characteristic.

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.

Harassment and victimisation is dealt with further in the Trust's Anti-Bullying and Harassment Policy.

## **5. Recruitment and Selection**

The Trust aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics as mentioned above. The Trust'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.

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.

Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which the Trust 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; and
- equal opportunities monitoring (which will not form part of the decision-making process).

Applicants 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.

The Trust is 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 or EU Settlement Status) before employment starts, to satisfy current immigration legislation. A list of acceptable documents is available from a member or HR.

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

Further details of Trust recruitment and selection processes are located in the Trust's Recruitment, Selection and Disclosure Policy.

## **6. 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 or vulnerable adults. The Trust fully complies with the DBS Code of Practice and undertakes to treat all candidates fairly.

The Trust endeavours 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 offence(s).

As a DBS check is part of the Trust's recruitment process, the Trust encourages all candidates called to interview to provide details of any criminal record (except cautions and convictions which are "protected" (as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and 2020) at an early stage of the application process. The Trust requests that this information is sent under separate, confidential, cover to a designated person within the Trust, who may vary depending on the nature of the post being recruited. The Trust guarantees that only those who need to see this information as part of the recruitment process will see it.

The School 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 may result in an offer of employment being withdrawn.

Further details of Trust's recruitment of ex-offenders is located in the Trust's Recruitment, Selection and Disclosure Policy.

## **7. Staff Training, Promotions and Conditions of Service**

Staff training needs will be identified through informal and formal staff appraisals.

All Staff will be given appropriate access to training to enable them to progress within the Trust and all promotion decisions will be on the basis of merit.

The composition and movement of Staff at different levels will be reviewed from time to time to ensure equality of opportunity at all levels within the School.

Where appropriate the Trust will take steps to identify and remove unnecessary or unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.

The Trust's conditions of service, benefits and facilities will be reviewed from time to time 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.

## **8. Termination of Employment**

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

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

## **9. Disability Discrimination**

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 the School to support the member of Staff appropriately.

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 their 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. HR may also be contacted for advice and support.

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

The Trust will monitor the physical features of each School to consider whether they place disabled Staff, job applicants or service users at a substantial disadvantage compared to other Staff. Where reasonably practicable and proportionate the School will take steps to improve access for disabled Staff and service users.

### **10. Fixed-Term Employees and Agency/Temporary Workers**

The Trust will monitor its use of fixed-term employees and agency workers, and their conditions of service to ensure they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. The Trust will also, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

### **11. Part-Time Workers**

The Trust will 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. The Trust will also ensure that requests to alter working hours are dealt with appropriately under the Flexible Working Policy.

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

Wandle Learning Trust will treat all complaints of discrimination, harassment or victimisation related or connected to any of the protected characteristics made by its staff, students or third parties seriously and will take action where appropriate.

Any member of Staff who considers that they may have been unlawfully discriminated, feels victimised or harassed within the meaning of this policy should raise the matter through the Trust's Grievance Policy and Procedure and/or Anti-Bullying and Harassment Policy.

Allegations regarding potential breaches of this policy will be treated in confidence and will be investigated in accordance with the relevant procedure and the member of Staff will be given the opportunity to respond to the allegation and provide an explanation for their actions.

False allegations which are found to have been made in bad faith will, however, be dealt with under the Trust's Disciplinary Policy and Procedure. In addition, 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.