



Heartlands Community Trust

Equality and Diversity Policy for Staff

Circulated for consultation:	Employees: 8/5/17 to 12/6/17	Unions: 15/3/17 to 12/6/17
Approved By	Finance & Resources Committee on 5th July 2017	
Signed	Simon Garrill Executive Headteacher	Joe Dilger Chair of Directors

1 Policy

- 1.1 The Directors of Heartlands Community Trust is committed to promoting equality of opportunity for all staff and job applicants. We aim 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 We do 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 and Directors 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 For members of the Trust's central staff the Director of Finance and Business Development undertakes the roles normally carried out by headteachers under this procedure.
- 1.5 This policy does not form part of any employee's contract of employment and we may amend it at any time or depart from it where we consider appropriate. The Directors have undertaken meaningful consultation with recognised trade unions and with all employees with a view to reaching agreement on this policy.

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 and directors (collectively referred to as **staff** in this policy).

3 Who is responsible for this policy?

- 3.1 The Board has ultimate responsibility for the effective implementation of this policy and the Senior Manager with responsibility for equalities issues has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. The Finance & Resources Committee is responsible for monitoring the implementation of this policy. Day-to-day operational responsibility has been delegated to Head of School or Director of Finance and Business Development.

- 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 our 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 Head of School or Director of Finance and Business Development has overall responsibility for equal opportunities training. All members of staff are personally responsible for ensuring that they adhere to the policy and promote our aims and objectives with regard to equal opportunities. In certain circumstances the Directors 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 in School or on School-related business.
- 3.3 If you have any questions about the content or application of this policy, you should contact the Trust's HR Team to request training or further information.

4. Scope and purpose of the policy

- 4.1 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.
- 4.2 We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

5. Forms of discrimination

- 5.1 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.
- 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 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. Any concerns relating to harassment can be raised in accordance with our Grievance Policy.

- 5.5 Victimization 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.
- 5.6 Disability discrimination; this includes direct and indirect discrimination, 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.

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.
- 6.2 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.

7. Discipline and Termination of Employment

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

8. Disability discrimination

- 8.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 8.2 If you experience difficulties at work because of your disability, you should speak to your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager may wish to consult with you, your medical adviser(s) and our Occupational Health provider about possible adjustments. We will consider the matter carefully and try to accommodate your needs. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.
- 8.3 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff.

9. Fixed-term employees, Casual and Agency Workers

9.1 We monitor our use of fixed-term employees, casual and agency workers, and their conditions of service, in line with the Fixed-term Employee (Prevention of Less Favourable Treatment) Regulations 2002, to ensure that they are being offered appropriate access to benefits, training and promotion, and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

10. Part-time work

10.1 We 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, in line with Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000. We will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

11. Breaches of this policy

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

11.3 Any member of staff who is found to have committed an act of discrimination or harassment will be considered under the Employee Disciplinary Procedure and Code of Conduct. 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.

12. Monitoring and review of the policy

12.1 This policy is reviewed annually by the Finance & Resources Committee.

12.2 We 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 Trust's HR Manager.

