



# Bronte Academy Trust

## Equality Policy

Bronte Academy Trust has adopted the PACT HR recommended model procedure as agreed by Trade Unions

Reviewed By	Approved By	Date of Approval	Version Approved	Next Review Date

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## Introduction

Bronte Academy Trust (the Trust) recognises its responsibilities to ensure the fair and equal treatment of everyone employed by the Trust and those individuals who undertake work on the individual school premises.

This policy sets out the principles under which the Trust will operate to meet these aims, and brings together all previous policies, schemes and action plans around equality including those that were previously for Race, Gender and Disability. It includes all the protected characteristics covered under the Equality Act 2010 as well as other aspects, which have the potential to discriminate against or to devalue any individuals within our community

The principles outlined here by the Trust of fair and equal treatment apply equally to our approach to students and parents of the Trust and to our dealings with members of the local community and all outside agencies.

The policy has been discussed and agreed with all staff representatives and the trade unions. It is available to everyone in the Trust and to any prospective applicant. The Trust welcomes any comments or contributions to the policy document.

## Scope of the Policy

This policy sets out the principles under which the Trust will operate having due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity, and
- Foster good relations between groups

This policy applies to employees of the Trust, workers (engaged through, or by, an employment agency supplied to the individual school on a temporary basis), and all job applicants regarding recruitment. It also applies to sub-contractors, in that the Trust will take all necessary steps to ensure good performance and compliance with appropriate behaviours whilst on Trust premises. However, if any issues become apparent with regards to diversity or equality in relation to any contractor or third party's behaviour towards others involved at the Trust, i.e. staff, pupils, parents, other workers engaged at any of the schools within the Trust; these will be taken very seriously by the Trust and those individuals may be asked to leave the premises.

## Statement of Intent

Bronte Academy Trust is committed to equality for all in the appointment, development, training and promotion of staff, and in all dealings with pupils and parents of the individual school. The aims of the policy are for the Trust 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.

It is recognised that there are similarities and differences between individuals and groups, but the Trust intend to strive to ensure that differences do not become barriers to participation, access and learning and to create inclusive processes and practices, where the varying needs of individuals and groups are identified and met.

All employment related policies (listed below) adopted by the Trust, are applied impartially and objectively and are designed to promote equal opportunity and protection against discrimination for all.

- Capability Procedure for Staff
- Managing Attendance Procedure
- Complaints and Grievance Procedures
- Disciplinary Procedures
- Appraisal Policy
- Fixed Term Contracts Policy
- ICT Policy
- Leave of Absence
- Flexible Working
- Pay Policy
- Stress Policy
- Recruitment and Selection Guidance
- Managing Investigations for Staff and Head teachers
- Whistleblowing Policy
- Visitors to School

## Roles and Responsibilities

### Role of the Trust

- The Trust have set out its commitment to equality in the individual schools through this plan and it will continue to do all it can to ensure that the schools are fully inclusive to all through supporting all members of staff within the Trust
- The Trust seeks to ensure that people are not discriminated against when applying for jobs at our school and welcomes all applications
- The Trust will take all reasonable steps to ensure that the school environment gives access to people with disabilities and also strives to make communications as inclusive as possible for all those working in the Trust
- The Trust ensures that no member of staff is discriminated against on account of any of the protected characteristics identified as part of the Equality Act 2010

### Role of the Head teacher

- It is the head teacher's responsibility to implement the Trust's Equality Policy and is supported by the Trust in doing so
- It is the head teacher's role to ensure that the Senior Leadership team (in their school) is kept up to date with any development affecting the policy or actions arising from it
- It is the head teacher's role to ensure that everyone in their school is aware of the Equality Policy and their responsibilities within it, and have access to training which helps to implement the policy
- The head teacher ensures that all appointment panels give due regard to the Equality Policy, so that no one is discriminated against when it comes to employment or training opportunities
- The head teacher promotes the principle of equal opportunity in all aspects of school life

- The head teacher treats all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incident, with due seriousness

### Role of Senior Leadership Team

- The Senior Leadership Team (SLT) across the Trust will have responsibility for supporting everyone in implementing this policy
- The SLT will provide a lead in the dissemination of information relating to the policy
- The SLT, alongside the head teacher, will provide advice / support in dealing with any incidents / issues
- The SLT will assist in implanting reviews of this policy, alongside the head teacher and the Trust

### Role of the Trust Staff

- All staff will ensure that all other members of staff are treated fairly, equally and with respect and will maintain awareness of the Trust's Equality Policy
- All staff will strive to promote positive images, based on race, gender and disability and challenges stereotypical images thought out the Trust
- All staff will challenge any incidents of prejudice or discrimination, drawing them to the attention of the head teachers, SLT or the Chief Executive Officer (CEO)

### Role of Parent / Carers

- Parent / Carers will be encouraged to attend any relevant meetings and activities related to this policy
- They will be informed of any incident related to this policy which could directly affect their child
- They will be encouraged to actively support the policy

## Statutory Requirements

The Trust welcomes its duties under the Equality Act 2010 to eliminate any discrimination, advance equality of opportunity, and it is recognised that these duties reflect international human rights standards as expressed in the UN convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

The Equality Act 2010 has brought together all current discrimination laws into one and sets out the 'protected characteristics' that qualify for protections from discrimination. These are:

#### **Age**

The Trust are opposed to any direct or indirect discrimination based on age.

#### **Disability**

The Trust is opposed to any discrimination against any person with a disability, based on assumptions of their ability or otherwise to carry out the duties of the post to which they were appointed within the Trust.

Where applicable, all candidates with disabilities who meet the basic essential criteria for a post will be interviewed.

Under the Equality Act 2010, reasonable provision will be made for adjustments to a member of staff's working conditions or environment for any person with a disability appointed to a post within the Trust, where adjustments are reasonably practicable.

#### **Gender Re-assignment**

The Trust is opposed to any discrimination as a result of a person proposing to undergo, undergoing or having undergone a process (or part of a process) for the purpose of re-assigning a person's sex.

#### **Marriage and Civil Partnership**

The Trust is opposed to any discrimination against employees who are married or in a civil partnership.

#### **Pregnancy and Maternity**

The Trust is opposed to discriminating against a woman on the grounds of pregnancy and maternity during the period of her pregnancy and maternity leave to which she is entitled.

#### **Race**

The Trust is opposed to any direct or indirect discrimination based on race (colour, nationality, ethnic or national origins). However, situations may arise in school which require special consideration and where a genuine occupation requirement may apply to justify the employment of someone of one particular race or ethnic origin. It is envisaged that these situations will be unusual and exceptional, and will be discussed with staff in advance.

#### **Religion or Belief**

The Trust is opposed to any direct or indirect discrimination based on religion or belief. As stated in the Equality Act 2010, religion includes any religion. It also includes a lack of religion, where employees or job seekers do not follow a certain religion or have a religion at all.

#### **Sex**

The Trust is opposed to any direct or indirect discrimination based on gender. However, situations may arise within the Trust which require special consideration and where a genuine occupational requirement may apply to justify the employment of someone of one particular sex. It is envisaged that these situations will be unusual and exceptional, and will be discussed with staff in advance.

#### **Sexual Orientation**

The Trust is opposed to any discrimination against employees based on perceived or actual sexual orientation. The Equality Act protects bisexual, gay, lesbian, transgender and heterosexual people. It is unlawful to discriminate against any individual on the grounds of their actual or perceived sexual orientation, or the actual or perceived sexual orientation of those with whom they associate.

#### **Harassment or Bullying**

The Trust is opposed to any unwanted conduct relating to any characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

The Trust is further opposed to any act of victimisation, harassment or bullying against any member of staff either by an employee or by third party. Such action will be investigated in accordance with the Trust's procedure and may lead to formal disciplinary action.

## Types of Discrimination

Type of Discrimination	Description
Direct Discrimination	When someone is treated less favourably than another person because of a protected characteristic they have or are thought to have; or because they associate with someone who has a protected characteristic.
Discrimination by Association	This is a direct discrimination against someone because they associate with another person who possesses a protected characteristic.
Perception Discrimination	This is a direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.
Indirect Discrimination	Can occur when you have a condition, rule, policy or even practice that applies to everyone but particularly disadvantaged people who share a protected characteristic.

Discrimination, harassment or victimisation legislation extends to periods beyond the end of the working relationship and covers issues such as the provision or references, either written or oral.

The Trust will not discriminate directly or indirectly when dealing with requests for time off for religious and belief observance. However, employees need to be aware that the law does not confer an automatic right for employees to have time off, or to be provided with facilities to undertake religious observance. Employees need to refer to the Trust's Leave of Absence Policy for guidance on time off for religious observance.

The Trust will where reasonably practicable, in line with the Equality Act 2010, strive to accommodate reasonable adjustments to working conditions, the working environment, recruitment processes and terms and conditions of employment to help overcome practical difficulties created by a particular disability.

The Trust will not treat any employee unfairly, based on their membership of a trade union.

The overriding premise that will be adhered to in matters of equality, by all staff in the Trust, is that everyone has the right to be treated with dignity and respect whatever their age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

## Recruitment

Vacancies will be advertised openly either internally or externally unless there are exceptional reasons why this should not occur, for example in situations of potential redundancy.

All decisions relating to appointments or promotions will be conducted in accordance with the following principles:

- I. A detailed role profile will be drawn up which accurately describes the duties or competencies of the post
- II. An objective and sufficiently detailed person specification (where applicable) will be defined from the role profile
- III. From these documents a list of objectively assessed selection criteria will be drawn up
- IV. Shortlisting will be carried out against the selection criteria and a written record retained of the assessment of each candidate
- V. All panel members must be suitable trained or experienced in conducting interviews
- VI. Selection decisions will be made against the agreed criteria and no other criteria will be used
- VII. A written record of the selection decision relating to the agreed criteria will be retained
- VIII. Reasonable adjustments will be made to the recruitment and selection process where necessary to ensure that people with disabilities are enabled to compete for appointments within the Trust

## Positive Action

The Trust recognises that the avoidance of discrimination is not sufficient to ensure that equality exists within the Trust. The Trust will therefore give full consideration to measures of positive action, which may assist in achieving the aims of this policy. This is action designed to encourage or facilitate the employment or training of disadvantaged groups.

The Trust will not discriminate in favour of individuals from specific groups (positive discrimination), but it will take positive action to ensure the workforce of the school is reflective of the community and area it supports to enable those groups to compete on an equal basis. Positive action measures may include:

- I. Encouraging applications from specific groups which are underrepresented in the Trust
- II. Encouraging people with disabilities to apply for posts
- III. Flexible working – promoting the use of job shares and flexible working where operational factors make this possible
- IV. Supporting training measure for under – represented groups
- V. Exploring the possibility of career breaks for women to assist with family commitments
- VI. Commitments to interviewing disabled people who meet the basic criteria for the post
- VII. Encouraging staff to become representatives of trade unions or associations



## Equality Monitoring and Review

The Trust commit to monitoring the use of all policies within the Trust, staff turnover figures and feedback from exit interviews as a means of identifying any issue of discrimination, harassment or victimisation and to ensure that staff turnover does not reflect a disproportionate number of individuals from minority groups.

The Trust will also regularly monitor the effectiveness of this policy, by the following methods:

- I. The existing workforce will be asked to complete a monitoring form so that data is available on the composition of the staff group in school
- II. All applicants for posts will be asked to complete a monitoring form to enable monitoring of our selection decisions against the principles of this policy
- III. All applicants for posts will be invited to indicate whether they have any special requirements or require reasonable adjustments to enable them to submit an application, attend an interview or carry out the duties of that post. Responses to this question and appropriate actions taken by the Trust to accommodate people with disabilities will also be monitored as part of this process

Where monitoring does take place, the Trust, commit to adhering to the terms of the General Data Protection Regulations (GDPR) and all data will be managed accordingly.

## Harassment, Bullying and Grievance Procedures

Any employee of the Trust, who wishes to make a complaint or grievance under this policy, should do so using the Trust Complaints and Grievance Procedures. Complaints made under this procedure should be made within 30 working days of the last action complained of. Where the actions complained of are allegations of bullying, harassment or discrimination on a continuing basis the 30-day limitation will not apply. Where there are medical reasons for a delay in making the complaint the 30-day period may be extended where it is reasonable to do so.

Declaration of Responsibility

This Equality Policy was reviewed and formally adopted by Bronte Academy Trust on

..... 22<sup>nd</sup> June 2018 ..... Date

..... *[Signature]* ..... Signed Chair of Trustees

..... *[Signature]* ..... Signed Chief Executive Officer