



## **Staff Equality & Diversity Policy 2019-23**

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Written by	Head of HR Operations
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## Introduction

This policy document sets out how Astrea Academy Trust will meet its obligations under the Equality Act 2010 for all employees. We are committed to creating a working environment where all employees are treated fairly and with respect. All schools must ensure everyone; including those with protected characteristics, as defined by the Equalities Act 2010, are able to flourish and thrive within the school community.

As a values-led organisation our core value partners of **responsibility and leadership; aspiration and development; honesty and integrity; enjoyment and innovation and collaboration and inclusion** are key to our purpose and underpin all that we do.

## 1. Policy

- 1.1 Astrea 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 The Trust welcomes its responsibilities under the Public Sector Equality Duty, which are to:
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 1.3 Astrea recognises the protected characteristics of:
  - Age
  - Disability
  - Race
  - Religion or Belief
  - Sex
  - Sexual Orientation
  - Gender Reassignment
  - Pregnancy and Maternity
  - Marriage and Civil Partnership
- 1.4 In order to meet these responsibilities, the Executive Board will agree objectives every four years and will monitor progress against them annually.
- 1.5 The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, volunteers, contractors and former staff members.

- 1.6 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.
- 1.7 This policy has been agreed following consultation with appropriate governing and staff representatives.

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

- 2.1 This policy covers all individuals working at all levels and grades, including trustees, Executive leaders and senior managers, employees, trainees, part-time and fixed-term employees, volunteers, casual workers, agency staff and local committee members (collectively referred to as **staff** in this policy).

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

- 3.1 The Astrea Trust Board has ultimate responsibility for the effective implementation of this policy and the Executive/Senior Manager/Principal with responsibility for equalities issues has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. The Human Resources Committee is responsible for monitoring the implementation of this policy, and for ensuring that Astrea discharges its duty under the Equality Act 2010. The Astrea Head of HR will provide overall guidance and advice on matters regarding equal opportunities. The Astrea Head of HR will be responsible for reviewing the policy.
- 3.2 All managers have responsibility to set an appropriate standard of behaviour, to lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. 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 Astrea 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 Trust-related business.

## **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 race; sex; disability; sexual orientation; gender reassignment; marriage and civil partnership; pregnancy and maternity; religion, faith or belief. Please see the following for specific information on our approach to these issues: Recruitment Policy and Flexible Working Policy.

## **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 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. Such a requirement will need to be 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. Harassment is dealt with further in our Dignity at Work Policy.
- 5.5 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.

## **6 Equality in Employment**

- 6.1 Astrea Academy Trust will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.
- 6.2 Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.
- 6.3 Astrea Academy Trust will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the Trust considers it has good reasons, unrelated to any protected characteristic, for doing so.
- 6.4 The Trust will comply with its obligations in relation to statutory requests for contract variations. The Trust will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.
- 6.5 Astrea Academy Trust will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

## **7 Awareness**

- 7.1 All employees will have access to these guidelines. Your school or Central Head of department is responsible for ensuring you are aware of your responsibilities in accordance with these guidelines.

- 7.2 Astrea Academy Trust is committed to making training opportunities accessible to all its employees and will undertake regular monitoring of those who is and is not selected for training events.

## **8 Your Responsibilities**

- 8.1 Every employee is required to assist Astrea Academy Trust to meet its commitment to provide equality in employment and avoid unlawful discrimination.
- 8.2 Employees can be held personally liable as well as, or instead of, Astrea Academy Trust for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.
- 8.3 Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under Astrea Academy Trust's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

## **9 Grievances**

- 9.1 If you consider that you may have been unlawfully discriminated against, you may use Astrea Academy Trust's grievance procedure to make a complaint. Alternatively, if you feel that you have been subject to harassment and bullying, you should refer to the Dignity at Work policy.
- 9.2 Astrea Academy Trust will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

## **10 Staff training and promotion and conditions of service**

- 10.1 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.
- 10.2 Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.
- 10.3 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. Annual pay reviews will be monitored to ensure that no bias or discrimination is applied.

## **11 Discipline and Termination of Employment**

- 11.1 We will ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.
- 11.2 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory. Please refer to the Trust's Managing Redundancy Policy.

## **12 Disability discrimination**

- 12.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 12.2 If you experience difficulties at work because of your disability, you should speak to your line manager/Principal to discuss any reasonable adjustments that would help overcome or minimise the difficulty.
- 12.3 Your line manager/Principal 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.
- 12.4 We will monitor the physical features of our premises to consider whether those with a disability are at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff.

## **13 Part-time work**

- 13.1 The Trust will ensure that part-time employees are considered for progression and have the same opportunity to access benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

## **14 Breaches of this policy**

- 14.1 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. The Trust seeks to encourage concerns to be raised in good faith and, to that end, those raising a concern must be reassured that a disclosure made in good faith will never lead to a detrimental position for their employment. A knowingly false disclosure however could lead to disciplinary action.
- 14.2 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.

## **15 Monitoring and review of the policy**

- 15.1 This policy is reviewed every four years by the Executive Board, with progress against objectives being reviewed annually.
- 15.2 Unless stated elsewhere in this policy the data gathered during this management process is processed in line with our data protection policy which can be found on our website
- 15.3 If you have any questions about the way your data has been gathered or will be retained, please contact the Data Protection Officer at [dpo@astreaacademytrust.org](mailto:dpo@astreaacademytrust.org).