

One Degree Academy

EQUAL OPPORTUNITIES AND DIVERSITY POLICY

Date Reviewed	Aug 23
Person Responsible	JHO



1. Introduction

- 1.1 The Governing Body of One Degree Academy is committed to promoting equality of opportunity for all staff, students, parents, governors, visitors 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 their 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 protected characteristics).
- 1.3 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 and Governors treat visitors, parents, students, volunteers, contractors and former staff members.
- 1.4 Every member of staff is 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 to discriminate against or harass other members of staff, regardless of their status. Your attention is drawn to our separate Bullying and Harassment Policy.
- 1.5 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 Academy who are required to familiarise themselves, and comply, with its contents. The Academy reserves the right to amend this policy at any time.

2. Who is covered by the policy?

This policy applies to the Academy'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 at the Academy (collectively referred to as "Staff" in this policy).

3. Who is responsible for this policy?

- 3.1 The Governing Body has ultimate responsibility for the effective implementation of this policy and the Senior Leader with responsibility for equalities issues has overall responsibility for the effective operation of this policy and for ensuring compliance

with discrimination law. The Finance and HR Committee are responsible for monitoring the implementation of this policy. Day-to-day operational responsibility, including regular review of this policy, has been delegated to CFO or Business Manager.

- 3.2 All Staff 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 and diversity. All Staff will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice, if pertinent to their role. The Head of Academy has given delegated responsibility to the CFO 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.
- 3.3 If you have any questions about the content or application of this policy you should contact the Head of Academy or alternatively the Business Manager.

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;
- capability, 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. Please see the following for specific information on our approach to these issues: Staff Appointment Policy, Special Leave Policy, Flexible Working Policy.

5. Forms of discrimination

- 5.1 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.
- 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 gender or 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. 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.
- 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 the Academy's Anti-Harassment and Bullying 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. Recruitment and Selection

- 6.1 We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. The Academy'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.
- 6.2 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.
- 6.3 We will take steps to ensure that its vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in the Academy.
- 6.4 Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which the Academy 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;
 - Equal opportunities monitoring (which will not form part of the decision-making process).
- 6.5 Applications 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.

- 6.6 We are 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) before employment starts, to satisfy current immigration legislation. A list of acceptable documents is available from the CFO.
- 6.7 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the Academy, we 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.

7. Recruitment of ex-offenders

- 7.1 We are 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 Academy complies fully with the DBS Code of Practice and undertakes to treat all candidates fairly.
- 7.2 The Academy 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 with the Academy. Whether or not it does will depend on the nature of the position and the circumstances and background of the offences.
- 7.3 Our policy on the recruitment of ex-offenders will be made available to all candidates at the outset of the recruitment process. We will ensure that it makes any candidate who is subject to check aware of the DBS Code of Practice and will provide a copy of the Code on request.
- 7.4 As a check is part of the Academy's recruitment process, we encourage all candidates called to interview to provide details of any criminal record (except cautions, convictions, reprimands or warnings which are "protected" (as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales Order 2013) at any early stage of the application process. The Academy requests that this information is sent under separate confidential cover to a designated person with the Academy who may vary in case to case depending on the nature of the post being recruited. The Academy guarantees that only those who need to see it as part of the recruitment process will see this information.
- 7.5 We will ensure that we discuss 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.

8. Staff training and promotion and conditions of service

- 8.1 Staff training needs will be identified through informal and formal staff appraisals.
- 8.2 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.
- 8.3 The composition and movement of Staff at different levels will be reviewed from time to time to ensure equality of opportunity at all levels of the Academy.
- 8.4 Where appropriate, the Academy 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.
- 8.5 Our 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.

9. Termination of Employment

- 9.1 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 9.2 We 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.

10. Disability discrimination

- 10.1 If you are disabled, or become disabled, in the course of your employment with the Academy, we encourage you to tell us about your condition. This is to enable us to support you appropriately.
- 10.2 If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments to your working conditions or duties which you consider to be reasonable and necessary or which would assist in the performance of your duties.
- 10.3 Your line manager may wish to consult with you and your 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 your case.
- 10.4 Nevertheless, there may be circumstances where it would not be reasonable for the Academy to accommodate a particular adjustment and in such circumstances it will ensure that it provides you with its reasons and will try to find an alternative solution where possible.

10.5 We will monitor the physical features of our premises to consider whether they place disabled Staff, job applicants or service users at a substantial disadvantage compared to other Staff. Where reasonable, practicable and proportionate we will take steps to improve access for disabled Staff and service users.

11. Fixed-term employees, Casual and Agency Workers

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

12. Part-time Workers

We 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. We will ensure that requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

13. Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics

13.1 We will treat all complaints of discrimination, harassment or victimisation related or connected to any of the protected characteristics made by Staff, students or third parties seriously and will take action where appropriate.

13.2 If you consider that you may have been unlawfully discriminated against, victimised or harassed within the meaning of this policy, you should discuss the matter with your Line Manager or, if you do not consider this to be appropriate, with the Head of Academy. In some cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.

13.3 If you wish to make a formal complaint, then you should follow the Academy's Grievance Policy and Procedure.

13.4 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure and you will be given the opportunity to respond to the allegations as part of an investigation process.

13.5 Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. If we conclude that the allegations are false or have been made maliciously or in bad faith, we will deal with the matter in accordance with our Disciplinary Procedure. 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.

14. Monitoring and review of the policy

14.1 This policy is reviewed annually by the Governing body.

14.2 Governors will continue to review the effectiveness of this policy to ensure it is achieving its objectives.

14.3 Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Director of Business and Finance.

Links with other Academy Policies

Capability, Grievance, Equality and Diversity, Disciplinary Model Procedures for all staff, Staff Absence, Harassment & Bullying, Whistleblowing