



EQUAL OPPORTUNITIES POLICY

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EQUAL OPPORTUNITIES

POLICY

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This policy does not form part of the contract of employment and may be amended from time to time. The School reserves the right to depart from it as appropriate to individual circumstances, whilst always taking account of the ACAS Code of Conduct.

1.0

INTRODUCTION

Wickersley Partnership Trust (hereafter referred to as WPT) is an Equal Opportunities Employer and is committed to eliminating discrimination and encouraging cultural diversity amongst its workforce. WPT aims for its workforce to be truly representative of the community it serves, and that each employee feels respected and able to give their best while at work.

- 1.1** All WPT employees will be treated fairly and with respect. Fairness at work and good job performance go hand in hand. WPT is committed to ensuring that colleagues are not treated unfairly on grounds of age, disability, gender reassignment, marriage or civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- 1.2** Tackling discrimination helps to attract, motivate and retain staff and enhances WPT's reputation as an employer of choice. Eliminating discrimination helps everyone to have an equal opportunity to work and to develop their skills.
- 1.3** Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All WPT employees will be helped and encouraged to develop their full potential and the talents and resources of WPT's workforce will be fully utilised to maximise the success of the organisation.

2.0

AIMS

- Reinforce WPT's commitment to equal opportunities in employment practice
- Ensure WPT fulfils its legal obligations in accordance with relevant legislation
- Promote a climate in which good equal opportunities practice exists
- Create an environment in which individual differences and the contributions of all WPT employees are recognised and valued
- Ensure every employee is treated with dignity and respect
- Ensure that any form of intimidation, victimisation, harassment or bullying (see Harassment and Bullying Policy) will not be tolerated
- Ensure training, development and progression opportunities are available to all
- Challenge breaches of equality and regard such breaches as misconduct which may lead to disciplinary action being taken under our Disciplinary Policy

3.0

APPLICABILITY

- 3.1** This policy applies to all employees working at WPT.



4.0

ROLES AND RESPONSIBILITIES

4.1 HEADTEACHERS OR PRINCIPALS

- Should ensure that all existing and new employees are trained and become familiar with this policy.
- Should provide opportunities to discuss the Equal Opportunities Policy with employees on a regular basis and ensure that any queries raised are resolved quickly.
- Any concerns raised under the scope of this policy will be treated seriously and sensitively.
- Should ensure that any allegations raised with respect to being unfairly treated and in an inconsistent manner are investigated promptly and appropriately in accordance with the Trust's Harassment and Bullying Policy and dealt with in line with the Trust's Disciplinary Policy.

4.2 EMPLOYEES

- Should ensure they are familiar with the content of this policy
- Should raise any queries or areas of concern they have regarding equal opportunities – with their Line Manager in the first instance.

Must comply with the policy at all times, through

- Not unlawfully discriminating in any employment practice or process
- Raising with management any suspected discriminatory acts or practice
- Co-operating with measures introduced to ensure equality of opportunity
- Refraining from harassment/bullying, discrimination or intimidation of others
- Refraining from victimising an employee who has made allegations or complaints of discrimination or who has provided information about such discrimination

5.0

PROTECTED CHARACTERISTICS

5.1 AGE

All WPT employees will be treated fairly regardless of their age. Employees will not be harassed/bullied, victimised, directly or indirectly discriminated against because of their age. Employees will also not be compulsorily retired because of their age. In some circumstances different treatment because of age (i.e. direct discrimination) will not be unlawful if it is objectively justified, and demonstrated that it is a proportionate means of meeting a legitimate aim. Equally, indirect discrimination is also unlawful unless it can be objectively justified.

5.2 DISABILITY

A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This covers all forms of physical, sensory, or mental impairments, including learning

disabilities which have lasted more than 12 months or likely to last more than 12 months.

WPT employees will not be directly or indirectly discriminated against on the grounds of a disability to be treated unfavourably because of something arising in consequence of their disability. WPT is committed to supporting employees who have a disability to help them overcome a disadvantage resulting from a provision, criteria or practice or physical feature. Therefore where a Line Manager knows, or could reasonably be expected to know, a person has a disability, reasonable steps should be taken to support them in working to help alleviate the disadvantage by implementing reasonable adjustments.

WPT will give fair consideration and selection of applicants with disabilities. Assumptions will not be made about the effect of an impairment on an employee's performance, or their ability to undertake more demanding work. Employees with a disability should also be given attention during the induction process in order to quickly overcome any problems over access or needs for special facilities. All health and safety procedures, must take into account the needs of disabled employees. Where special steps need to be taken this should be discussed with the health and safety representative in the school or the Trust.

Where a disabled employee's performance is unsatisfactory, the impact of their disability on their performance should be considered, as well as any reasonable adjustments which may be able to be put in place to help improve the individual's performance. It should not be assumed that performance issues are disability related.

Where an employee becomes disabled in the course of employment, steps should be taken to make reasonable adjustments to working conditions and/or the physical working environment wherever possible. When an employee becomes incapable of carrying out their normal duties because of a disability, School leaders in consultation with the employee should consider whether reasonable adjustments might enable the employee to continue in the same or similar job or whether redeployment options available. In the event this is not possible then a decision to terminate the employee's contract may need to be taken under either WPT's Capability Policy or Attendance Management Policy.

In the event of the need for compulsory redundancies, WPT will use the means of selection outlined in its Redundancy Policy. When applying these criteria, WPT will give special consideration to the circumstances and performance of employees with a disability. Disability will never be used as criteria for selection for redundancy and if a disabled employee is selected for redundancy, consideration must be given as to whether any reasonable adjustment would remove any disadvantage caused by their disability. Sickness absence directly related to disability will be excluded from any absence scores in a redundancy scoring matrix.

5.3 GENDER REASSIGNMENT

WPT employees or potential WPT employees will not be discriminated against on the basis of gender reassignment. A transsexual person is someone who proposes to, starts or has completed a process to change their gender. Transsexual people will not be treated less favourably for being absent from work because they propose to undergo, are undergoing, or have undergone gender re-assignment than they would be treated if they were absent because they were ill or injured.

5.4 MARRIAGE AND CIVIL PARTNERSHIP

WPT employees or job applicants who are married or in a civil partnership will be treated fairly and equally to all other employees and will not be discriminated against.



5.5 PREGNANCY AND MATERNITY

WPT is committed to protecting a woman against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. An employee's period of absence due to pregnancy-related illness will not be taken into account when making any decision about her employment.

5.6 RACE

'Race' includes colour, nationality and ethnic or national origins and employees of WPT will not be discriminated against on the grounds of these characteristics.

5.7 RELIGION AND BELIEF

WPT employees and job applicants will not be discriminated against on the basis of their religion or beliefs. WPT employees will be respectful of people with other religions and also of those of the same religion. Religion includes any religion and also a lack of religion, i.e. those who do not follow a religion. Notwithstanding the above, there may be some roles within WPT that have a 'Genuine Occupational Requirement' (GOR) for employees of a certain religion or belief and where this occurs this will be clearly stated at the point of recruitment advertising and WPT will ensure that any such requirement is a proportionate means of achieving a legitimate aim.

5.8 SEX

Both male and female employees and job applicants will not be discriminated against on the basis of their gender.

5.9 SEXUAL ORIENTATION

WPT employees and job applicants will be treated fairly and not discriminated against regardless of their sexual orientation, for example (LGBTQ+) bisexual, gay, heterosexual

6.0

DISCRIMINATION, VICTIMISATION AND HARASSMENT

6.1 DIRECT DISCRIMINATION

WPT employees will not be directly discriminated against. Direct discrimination occurs when someone is treated less favourably because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

6.2 DISCRIMINATION BY ASSOCIATION

WPT employees will not be discriminated against by association. Discrimination by association is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

6.3 PERCEPTION DISCRIMINATION

WPT employees will not receive perception discrimination. Perception Discrimination is 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.

6.4 INDIRECT DISCRIMINATION

WPT employees will not suffer indirect discrimination. WPT policies, practices, rules and procedures will be fair and will not disadvantage people who share a protected characteristic. In some circumstances indirect discrimination can be justified if it is a proportionate means of achieving a legitimate aim.

6.5 HARASSMENT

Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment may also be of a sexual nature. It may also occur where someone harasses the victim, the victim either rejects or submits to the harassment and, because of that rejection or submission, that person then treats the victim less favourably. WPT will ensure as far as reasonably practical that employees are not harassed. WPT employees should also not suffer from harassment because of perception or association. School leaders should appropriately deal with instances of harassment and bullying and discuss with the Trust’s HR provider if needed (see Harassment/Bullying Policy).

THIRD PARTY HARASSMENT/BULLYING

As far as reasonably possible WPT will ensure its employees do not suffer any form of harassment/bullying from third parties who are not employees of the organisation, i.e. suppliers or contractors. If an employee is known to have received or has reported receiving harassment/bullying from a third party, the employee’s Line Manager will need to ensure reasonable steps are taken to prevent it from happening again.

6.6 VICTIMISATION

WPT employees will not suffer victimisation. Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act 2010; or because they are suspected of doing so.

7.0 POSITIVE ACTION

- 7.1** Where possible WPT will take positive action if it is believed that employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.
- 7.2** In some circumstances protected characteristics may be taken into consideration when deciding who to recruit or promote. However, this can only be done when candidates are “as qualified as each other” for a particular vacancy, meaning that selection assessment on a range of criteria rates them as equally capable of doing the job.



8.0 RECRUITMENT

- 8.1** In recruiting staff, WPT will ensure that its practices do not discriminate against candidates or potential candidates in ways which are unconnected to their ability to perform the duties of the post.
- 8.2** Pre-employment health-related checks - Up to the point of an individual being offered a job, health-related questions can only be asked to:
- Decide whether any reasonable adjustments need to be made for the person to participate in the selection process
 - Decide whether an applicant can carry out a function that is essential ('intrinsic') to the job
 - Monitor diversity among people making applications for jobs
 - Consider positive action to assist disabled people

Once a candidate has been offered the position other appropriate health-related questions can be asked.

9.0 PAY

9.1 EQUAL PAY

The pay of employees should be granted based on their skills and abilities and not based on a particular characteristic. WPT will ensure as far as possible that pay is equal between employees; particularly that it is equal between males and females.

9.2 PAY SECRECY

WPT will not prevent or restrict employees from having a discussion to establish if differences in pay exist that are related to protected characteristics.

10.0 DISCIPLINARY ACTION

- 10.1** All employees are required to adhere with this policy and must demonstrate sensitivity and compassion in relation to diversity in race, faith, age, gender, disability and sexual orientation. Serious breaches of this policy, for example incidents of bullying of colleagues or social media activity causing serious damage to the school, may constitute gross misconduct and lead to summary dismissal (see Social Media Policy).
- 10.2** Similarly, where there is a serious breach of this policy, action may be taken in respect of other members of staff who are not employees (including but not limited to volunteers)

which may result in the termination of their appointment.

If you, or any other groups, believe you are disadvantaged by this policy please contact the Headteacher or CEO.

- 10.3** The Headteacher should take advice from Trust HR provider before considering disciplinary action.

11.0 IF YOU HAVE ANY CONCERNS

- 11.1** Under this policy if you may have a concern about witnessing any discriminatory action or being told by another colleague which may cause harm to the reputation of the Trust or school and/or its community.

12.0 LINKS WITH OTHER POLICIES

This policy links with our policies on:

- Harassment/ Bullying Policy
- Disciplinary Policy
- Capability Policy
- Attendance Management Policy
- Redundancy Policy

