



PONTEFRACT

ACADEMIES TRUST

**EQUALITY AND DIVERSITY POLICY
(INCORPORATING PUBLIC SECTOR EQUALITY DUTY (PSED))**

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Contents

	Pages
1. Introduction, purpose and scope	1
2. Roles and Responsibilities	3
3. Equality Statement	4
4. Equality Objectives	7
5. Monitoring	8
Appendix 1 – Unlawful behaviour	9
Appendix 2 – Protected Characteristics	10

1. Introduction, Purpose & Scope

1.0 INTRODUCTION

- 1.0.1 The Pontefract Academies Trust (“The Trust”) is committed to giving all employees the support and encouragement they need to raise aspirations, unlock potential and work to achieve excellence through encouraging a “can do” culture, across all areas of the Trust.
- 1.0.2 The Trust is committed to valuing diversity, promoting equality and dignity at work and achieving equality of opportunity for all learners, employees, potential employees, local governors, parents or carers, volunteers and contractors. The Trust believes that discrimination on any grounds either defined by law or not, is unacceptable and will be addressed under the appropriate policies and procedures.
- 1.0.3 The Trust expects all its employees to recognise their employment obligations to the Trust, pupils, staff and their communities. Employees must conduct themselves properly at all times in accordance with the Trust’s policies and procedures.

1.1 PURPOSE

- 1.1.1 The purpose of the Equality and Diversity Policy is to:
- a) develop and maintain an ethos which respects and values all people;
 - b) actively advance equality of opportunity;
 - c) promote good relations amongst people within the communities in which we work;
 - d) eliminate all forms of unfair indirect and direct discrimination, bullying, harassment, victimisation or other oppressive behaviour
 - e) deliver equality and diversity through our Trust and school policies, procedures and practice;
 - f) make reasonable adjustments and do our utmost, within available resources, remove barriers which limit or discourage access to school’s provision and activities;
 - g) take positive action to provide encouragement and support to individuals and groups whose progress has been limited by protected characteristics, stereotyping and cultural expectations;
- 1.1.2 This policy intends to prevent both direct and indirect discrimination. All forms of unfair discrimination on any grounds is unacceptable and will be addressed under the appropriate policies and procedures. Some examples of unlawful and/or unacceptable are contained in **Appendix 1**

1.2 SCOPE

- 1.2.1 This policy encompasses the following protected characteristics as defined in the Equality Act 2010:
- i. Age
 - ii. Gender
 - iii. Gender Reassignment
 - iv. Disability
 - v. Marriage and Civil Partnership
 - vi. Pregnancy and Maternity
 - vii. Race
 - viii. Religious belief and political opinion
 - ix. Sexual Orientation

Further information regarding these characteristics is in **Appendix 2**.

1. Introduction, Purpose & Scope

- 1.2.2 This policy outlines the Trust's obligations under the Equality Act 2010 and encompasses the requirements the Public Sector Equality Duty (PSED). This is a duty requiring public bodies to have due regard to:
- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010;
 - advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and those who do not.
- 1.2.3 This policy applies to all employees, potential employees, temporary staff (including agency or supply staff), contracted staff, Directors, Trustees and governing body members. Other related policies are the suite of employment policies.

2. Roles and Responsibilities

2.0 CEO/EXECUTIVE HEADTEACHER/HEADTEACHER/NOMINATED MANAGER RESPONSIBILITIES

In the context of this Policy, the term “Manager” will refer to the CEO/Executive Headteacher/Headteacher or nominated Manager with leadership responsibilities.

Managers are responsible for:

- promoting equality and diversity throughout the Trust/Academy and ensure that all learners and colleagues are aware of their responsibilities and expectations with regard to their conduct.
- delivering equality of opportunity to all employees including access to information, resources, training, support and application of policies and procedures.
- ensuring compliance with the Equality and Human Rights Commission Employment Statutory Code of Practice in respect of each protected characteristic.
- ensuring that all customs and practices adhere to the principles stated within this policy.
- ensuring that this policy is implemented effectively and that any contravention will be dealt with under the bullying and harassment policy, grievance policy, complaints policy, or disciplinary policy as appropriate.
- ensuring arrangements are in place for the monitoring and reporting of data as required and in line with the School Workforce Census.
- ensuring that before making decisions or taking action an assessment is made as to whether it may have implications for any individuals with particular protected characteristics.
- ensuring local policies enhance the positive impact of a proposal and remove or minimise any negative or adverse impact on equality, at the stage that the policy is reviewed.

2.1 EMPLOYEE RESPONSIBILITIES

Every employee, irrespective of their job or position within the Trust, has an individual responsibility not to unfairly discriminate, to treat others in a fair and non-judgemental manner, and to promote positive attitudes and relationships.

Individual employees will be held accountable for their decisions and actions if they contravene the Trust’s commitment to act as an equal opportunities employer and education provider.

Within each academy the Special Educational Needs Co-ordinator (SENCo) is responsible for the day-to-day management and co-ordination of education to students with special, or disability related, needs.

2.2 HUMAN RESOURCES MANAGER/ADVISOR ROLE

The Human Resources Manager/Advisor or his/her nominee will provide advice and assistance to managers in regards to this policy and procedure where required.

The HR Manager is responsible for all employment policies and ensuring the principles of this policy are reflected in all our employment practices. .

3. Equality Statement

3.0 VALUING DIVERSITY

The Trust is committed to building a workforce which reflects the communities that Academies in the Trust serve. It values the contributions of all staff, who bring their experiences from a wide range of backgrounds. The Trust actively seeks to promote an environment that is free from discrimination and harassment and where all staff and students are encouraged to reach their potential.

It is the Trust's policy to promote equality to all irrespective of any protected characteristic, family responsibilities or Trade union affiliation.

3.1 EQUALITY AND DIVERSITY

The Trust seeks to be an equal opportunities employer and is opposed to all forms of unlawful and/or unfair discrimination. The Trust leaders are committed to:

- Ensuring everyone in or a stakeholder of, the Trust is treated fairly and not discriminated against on any of the grounds outlined in 1.2.1.
- Ensuring employment policies and practices meet legislative requirements, in respect of equality laws and associated codes of conduct.
- Providing a working and learning environment that is free from discrimination, harassment, bullying, intimidation or victimisation.

3.2 HOW WE WILL DO THIS

There are some specific areas of the policy:

- 3.2.1 The Trust will ensure that equal opportunities and the principles of fairness underpin all aspects of policy, procedure, education provision, consultation and decision making.
- 3.2.2 The Trust is committed to equality in its delivery of education, whether or not the service is directly provided by us or contracted to a third party provider. Senior leaders will monitor this education provision to ensure that students acquire the skills which enable them to be proactive in their behaviour and learning and to become responsible citizens.
- 3.2.3 We aim to provide high quality education services, making sure services are easily accessible. We will improve what we do by continuing to consult with staff, students, parents, governors, local communities and other partners about equality issues. We will promote our equal opportunities policy in our contact with parents, staff, governors and external organisations.
- 3.2.4 We will make every effort in creating equality of opportunity in order to ensure they are accessible and fair to everyone. Every person has the right to be treated fairly, regardless of race, gender, sexuality, disability, age, culture, religion, nationality or caring responsibilities. Where necessary we will implement reasonable adjustments or additional support, to ensure equality of access to an education and suitable learning and working environments.
- 3.2.5 Our staff and governors who plan, agree and deliver our education provision will recognise diversity and demonstrate a proactive approach in their day-to-day work. They will ensure that everyone is treated fairly, recognising special education or physical needs and understanding differences. Behaviour will reach our high standards

3. Equality Statement

of conduct (staff and students) and the learning environment we provide will be safe and accessible for those studying and working.

- 3.2.6 The Trust will adhere to statutory legislation and consider other relevant guidance, which aims to make sure that everyone is treated equitably. We will work with other people and organisations to encourage fair treatment of all. We will collect information, which will help us plan and develop services to meet the special needs of all members of the community.
- 3.2.7 The Trust will not tolerate any form of discriminatory behaviour against members of the trust or local community.

3.3. EMPLOYMENT

- 3.3.1 The Trust is committed to ensuring that employees have equal access to recruitment and career opportunities, training, and professional development. The Trust recognises that the Act extends beyond the protected characteristics of an individual employee and has broader responsibilities to employees and situations that maybe covered by the Act. For example, an employee with parental or caring responsibilities for a disabled dependent may have rights under the Act which the trust, as their employer, would need to consider.
- 3.3.2 All recruitment will be within the provisions of the Act, and applications will be monitored to report on recruitment activity, in line with the Act. Every effort will be made in creating equality of opportunity for employees, ensuring these are accessible and fair to all. Where necessary we will implement reasonable adjustments or additional support, to ensure equality of access to the working environment and opportunity to undertake the job role successfully.
- 3.3.3 HR policies and procedures will be reviewed regularly to improve, adapt or amend current practices to promote equality of opportunities. All HR and employment policies will be applied consistently and fairly and refer to the provisions of the Equalities Act 2010.
- 3.3.4 In addition, employees have access to a range of policies which aim to support and encourage flexibility and diversity in our workplaces.
- 3.3.5 Employees who are in breach of this policy will be dealt with under the staff disciplinary policy.

3.4. EDUCATION PROVISION

- 3.4.1 Trust leaders will ensure that students are provided with appropriate support to recognise their individual needs. This includes protection under the Act extending the reasonable adjustment duty to require schools to provide auxiliary aids and services to disabled students.
- 3.4.2 Protection under the Equality Act is extended to students who are pregnant, have recently given birth or are undergoing gender reassignment.
- 3.4.3 All policies relating to the provision of education, the curriculum, behaviour for learning, attendance, exclusion, medical treatment and Child Protection and safeguarding policies should consider the provisions and duties of the Act.

3. Equality Statement

3.5 CONTRACTORS AND SERVICE PROVIDERS

- 3.5.1 Across the Trust all service providers that are contracted to provide services to students, staff, or visitors will comply with Equalities legislation.
- 3.5.2 Where services are deemed not to meet these standards, in relation to equal opportunities and fairness, contracts may be terminated.
- 3.5.3 Provision will be made within Service Level Agreements between the Trust, or an individual academy and service providers or contractors, that will ensure that services are made available, with due regard for fairness and equality.

3.6 POSITIVE ACTION

- 3.6.1 The legislation allows the Trust to take positive action if leaders believe that an employee, or groups of employees who share a protected characteristic suffer a disadvantage, or their participation is proportionately low.
- 3.6.2 Positive action provisions allow the Trust to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, students with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim.

4. Equality Objectives

4.0 EQUALITY OBJECTIVES

4.0.1 Our equality objectives are based on our analysis of data and other information. They focus on areas where we have agreed to act to improve equality and opportunity. The Trust has set out the following equality objectives for the next three years. All of these objectives and actions to achieve them are detailed in academy and trust improvement plans.

4.1 EDUCATION PROVISION

4.1.1 We are committed to improving the attainment of vulnerable groups of students, including students with Special Educational Needs, students with disabilities and those entitled to Free School Meals so that the gap between their attainment and that of other students is narrowed.

4.1.2 We will aim to raise aspirations among children and young people, their parents and communities and raise awareness of career and higher education opportunities, to challenge stereotypes.

4.1.3 Learning resources will be free from racist, sexist and other prejudiced or discriminatory assumptions, images or language. The only exception is where the purpose of the learning is to promote understanding or discussion of these issues.

4.1.4 We will ensure that our curriculum (including our programme of enrichment and extra-curricular activities) is designed to be inclusive and provides opportunities for all students.

4.1.5 We will maintain a rigorous anti-bullying stance so that all students and staff, including those with protected characteristics, are protected from harassment and discrimination of all kinds.

4.1.6 Our behaviour for learning policies will outline how we will deal with students who use discriminatory homophobic or otherwise offensive language.

4.2 STAFF EMPLOYMENT AND ENGAGEMENT

4.2.1 We will demonstrate our commitment to equality and diversity through consistent application of our employment policies and procedures.

4.2.2 We will ensure that our systems for recruiting, retaining and managing staff (and potential applicants) support all those in groups protected by the Equalities Act.

4.2.3 All vacancy forms will require candidate to submit data to enable monitoring equal opportunities.

4.2.4 All posts will be open to the widest pool of applicants.

4.2.5 Access to professional development and training opportunities will be monitored.

4.2.6 All employment policy and procedures will be reviewed regularly to ensure they conform to statutory requirements and best practice.

5. Monitoring

5.0 MONITORING

5.0.1 The Trust will use a range of monitoring systems to monitor, assess and evaluate its commitment of equality and diversity. The following are monitored:

Employment/Personnel data

- Ethnicity, gender, age and other personal data
- Recruitment and retention data
- Training records
- Disciplinary and grievance records

5.0.2 Any improvements will be reviewed as part of a programme of employment policy reviews.

Student data

- Admissions
- Attendance
- Behaviour, positive discipline and exclusions
- Bullying, racist, homophobic behaviour
- Complaints
- Progress and attainment
- Teaching and Learning.
- Data and information published on our websites, including; Pupil Premium and SEN reports.

5.0.3 It is the responsibility of each Academy to monitor the data for students, based on gender, ethnicity, FSM/LAC, SEN/D status and any other minority or vulnerable groups.

5.0.4 Any improvements will be documented in individual Academy Improvement Plans.

5.1 COMPLAINTS

The Trust will treat seriously all complaints of unlawful (or potentially unlawful) discrimination.

5.2 EQUALITY IMPACT ASSESSMENT (EIA)

Where required changes in policies, practices or procedures should be assessed under an EIA framework.

Appendix 1: Unlawful Behaviour

All forms of unfair discrimination on any grounds is unacceptable and will be addressed under the appropriate policies and procedures.

Direct Discrimination

Direct Discrimination occurs when a person treats another less favourably than they treat or would treat others because of a protected characteristic they possess (paragraph 1.2.1) and/or:

- a protected characteristic of someone they are associated with, such as a friend or family member/colleague and referred to as **direct discrimination by association**; and/or
- a protected characteristic they are thought to have, regardless of whether this perception by others is actually correct or not and referred to as **direct discrimination by perception**.

Indirect Discrimination

Indirect discrimination occurs when an organisation's practices, policies or procedures have the effect of disadvantaging people who share certain protected characteristics.

Harassment and Bullying

Discrimination law covers harassment on a variety of grounds including disability, colour, ethnic or national origin, race, religious belief or other similar philosophical belief, and sexuality. The Equal Treatment Amendment Directive means the Sex Discrimination Act contains a specific prohibition against harassment and sexual harassment. The Employment Equality (Age) Regulations 2006 have outlawed harassment on the grounds of age.

Harassment and bullying comes in many forms including: cyber and electronic forms (e.g. emails, texts, blogs etc), physical contact which is unwanted, unwelcome remarks about a person's dress, appearance, race or marital status, jokes, offensive language, gossip, slander, sectarian songs and letters, posters, graffiti, obscene gestures, flags, bunting and emblems, isolation or non-cooperation and exclusion from social activities, coercion for sexual favours and pressure to participate in political/religious groups. Harassment can also exist as a result of the general prevailing culture, for example one in which it is acceptable to tell discriminatory jokes.

Victimisation

Victimisation is where an employee is singled out for using their workplace complaints procedures or exercising their legal rights. For example, bringing a complaint of discrimination or giving evidence or information on behalf of another employee who has brought proceedings for discrimination.

Victimisation may present itself in many ways. It may be that individuals are refused requests for time off, denied promotion or training, ignored by their manager or colleagues, criticised continually for their work.

Appendix 2: Protected Characteristics

Age

Age diversity within the workforce is promoted and valued through:

- challenging age stereotyping
- recognising the benefits of a mixed-age workforce

Gender

Women and men are fully and properly represented and rewarded for their contribution at all levels of the organisation through:

- challenging gender stereotypes
- supporting employees in balancing their life at work and at home
- supporting employees who become pregnant and taking active steps to facilitate their return to work after maternity leave.

Gender Re-assignment

People who plan to undergo, are undergoing, or have undergone gender re-assignment are protected against all forms of discrimination and harassment. The Trust will take positive steps to support a trans-gender person and ensure they are treated with dignity and respect.

Disability

The abilities of disabled people are recognised and valued at all levels of the Trust through:

- focusing on what people can do rather than on what they cannot
- challenging stereotypes about people with disabilities
- making appropriate reasonable adjustments in the workplace to help people with disabilities achieve their full career potential.

Marriage and Civil Partnership

People are treated fairly and equally in the workplace irrespective of their marital, civil partnership or family status. This includes terms and conditions of employment, including contractual benefits, ensuring they do not disadvantage or exclude people because they are married or a civil partner. This extends to terms and conditions and benefits given to opposite-sex married employees and their spouses, same-sex married employees and their spouses, and civil partner employees and their partners.

Pregnancy and Maternity

Women are treated fairly during the period of pregnancy and any statutory maternity leave entitlement and they are not disadvantaged because of their pregnancy or maternity. For example, any period of absence due to pregnancy related illness is not taken into account when taking a decision about employment and in accordance with the law.

Race

The racial and cultural diversity of our communities is represented at all levels of the Trust through:

- challenging racial stereotypes
- understanding, respecting and valuing different racial and cultural backgrounds and perspectives.

Religious belief and political opinion

People are treated fairly irrespective of their religious beliefs and practices or political opinions by recognising individuals' freedom of belief and right to protection from intolerance and persecution.

Appendix 2: Protected Characteristics

Sexual Orientation

People are treated fairly in the workplace irrespective of their sexuality through:

- respecting different lifestyles
- challenging negative stereotypical views.