

DEMAT Equality and Diversity Policy

In the development of this policy consideration has been given to the Equality Act, Equality and Diversity and Data Protection legislation.

Equality and Diversity

The Diocese of Ely Multi Academy Trust (DEMAT) is committed to promoting equality of opportunity for all staff. We aim to create a supportive and inclusive working environment in which all individuals can make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

The principles of non-discrimination and equality of opportunity also apply to the way in which DEMAT staff, Trustees, Directors and Governors treat visitors, volunteers and contractors.

Data Protection

DEMAT will process personal data of staff (which may be held on paper, electronically, or otherwise). DEMAT recognises the need to treat it in an appropriate and lawful manner, in accordance with the General Data Protection Regulations (GDPR).

	Version	Date
Date on which DEMAT consulted with unions	1	October 2019
Date approved by DEMAT Personnel Committee	1	November 2019
Effective date of policy being fully adopted by DEMAT	1	November 2019
Policy to be reviewed by DEMAT Personnel Committee	1	September 2021

For all questions in relation to this policy please contact the DEMAT HR Manager on 01353 656760 or contact the HR team at: HRteam@demat.org.uk

Definitions

“Headteacher” also refers to any other title used to identify the Headteacher where appropriate.

“Senior Manager” refers to any Directorate or senior manager within DEMAT. This may be either in the Shared Service Team or within a constituent academy.

“Employee” refers to any member of staff, namely teaching, support and staff within the Shared Service Team, employed to work within DEMAT.

“Companion” refers to a person chosen by the employee to accompany them, who shall be a trade union representative or a workplace colleague.

“Adviser” refers to any relevant DEMAT senior manager duly appointed to the role by the CEO.

In cases relating to employees within the DEMAT Shared Service Team, the term ‘Chair of Governor’ or ‘Governor’ to be replaced by DEMAT Director or senior manager. The CEO may exercise discretion in appointing a Director or senior manager to deal with school-based issues, depending on circumstances (e.g. impartiality, capacity to carry out a prompt investigation).

Application of the Policy

This policy is to be used by all employees employed by DEMAT. The above definitions are included for reference purposes for both School and employees within the Shared Services Team to enable clarity and transparency when applying this policy.

Associated DEMAT policies

- Bullying and harassment policy
- Grievance policy
- Flexible working policy

DEMAT HR policies can be accessed via our website at: www.demat.org.uk/school-policies

1 Policy

- 1.1 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.

This policy has been agreed following consultation with trade unions recognised by DEMAT.

This policy does not form part of any employee's contract of employment and may be amended at any time, following consultation with recognised trade unions.

2 Who is covered by the policy?

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

3 Who is responsible for this policy?

- 3.1 The Trust has ultimate responsibility for the effective implementation of this policy and the CEO has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. The Personnel Committee is responsible for monitoring the implementation of this policy.

All managers 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 equality and diversity. Managers will be given appropriate training on equality and diversity awareness best practice. School leaders have overall responsibility for equality and diversity 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 equality and diversity. 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 School-related business.

- 3.2 If you have any questions about the content or application of this policy, you should contact your line manager if appropriate.

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.

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 e.g. Recruitment and Selection, Flexible Working, Discretionary Leave.

- 4.2 All staff are responsible for complying with the Equality Act 2010 and equality provisions within DEMAT policies and procedures.

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 is where there is a provision, criterion or practice that applies to everyone but adversely affects people with a particular protected characteristic more than others and is not justified. For example, a requirement to work full time adversely affects women because they generally have greater childcare commitments than men. Such a requirement will be discriminatory unless it is 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 Bullying and Harassment 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.
- 5.6 Disability discrimination. This includes direct and indirect discrimination, any unjustified, less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

6. Staff training and promotion and conditions of service

- 6.1 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. Workforce composition and promotions will be 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.
- 6.2 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.

7. Discipline and Termination of Employment

- 7.1 We will ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.
- 7.2 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

8. Disability discrimination

- 8.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 8.2 If you experience difficulties at work because of your disability, you should speak to your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager 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. If we consider a particular adjustment would not be reasonable, we will explain our reasons and seek, where possible to find an alternative solution.
- 8.3 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff.

9. Fixed-term employees, Casual and Agency Workers

- 9.1 We monitor our use of fixed-term employees, casual 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 aware of permanent vacancies.

10. Part-time work

- 10.1 We 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 requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

11. Breaches of this policy

- 11.1 If you believe that you may have been discriminated against, you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment or bullying, you are encouraged to raise the matter through our Bullying and Harassment Policy.
- 11.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.
- 11.3 Any member of staff who is found to have committed an act of discrimination or harassment may 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.

12. Monitoring and review of the policy

- 12.1 This policy is reviewed every two years by the Personnel Committee of DEMAT.
- 12.2 We will continue to review the effectiveness of this policy to ensure it is achieving its objectives.