Equality and Diversity Policy

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1. Introduction

Orchard Community Trust is committed to providing high quality teaching and learning for our pupils. We recognise that by valuing and promoting equality and diversity for all employees and job applicants, and avoiding unlawful discrimination in employment and delivery of services, we will be able to deliver a better quality of education.

We will ensure that we do not discriminate against employees on the basis of protected characteristics including age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

Under the Public Sector Equality Duty, the Trust must eliminate discrimination, advance equality of opportunity and foster good relations.

2. Scope and Purpose

This policy applies to all individuals working at all levels within the Trust including trustees, governors, leaders, employees and volunteers. It covers all aspects of employment including recruitment, training, promotion, conditions of service and termination of employment.

3. Roles and Responsibilities

The Trust Board has overall responsibility for ensuring compliance with equality legislation. Headteachers and senior leaders are responsible for implementation. All employees must act in accordance with this policy and treat others with dignity and respect.

All senior leaders 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. Senior leaders will be given appropriate training on equal opportunities awareness, and recruitment and selection best practice.

4. Forms of Discrimination

Discrimination may be direct or indirect. Harassment, victimisation, associative discrimination and perceptive discrimination are prohibited. Third-party harassment is also covered under this policy. Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Please see, Appendix 1 - The forms of discrimination for more information.

5. Recruitment and Selection

The Trust will ensure that recruitment processes are fair and do not discriminate. Applicants will be assessed based on their skills, qualifications and experience. Diversity data may be collected to monitor fairness. Please see, Appendix 2 – Application to Recruitment and Selection for more information.

6. Training, Promotion and Conditions of Service

Employees will be given access to training and development opportunities. The Growth Development policy ensures all employees maintain up to date CPD that is relevant to their role.

7. Termination of Employment

Redundancy and disciplinary processes will be applied fairly and without discrimination.

8. Disability Discrimination

Orchard Community Trust will make reasonable adjustments for employees with disabilities and review its support offer individually.

9. Breaches of this Policy

Any breaches of this policy will be investigated and may result in disciplinary action.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Employees 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.

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.

10. Review

This policy will be reviewed regularly to ensure compliance with legislation and effectiveness.

11. Equality, Diversity and Inclusion Training and Awareness

Orchard Community Trust is committed to CPD for all stakeholders, including staff , governors and trustees and will receive induction, annual refresher and role-specific EDI training.

A Training Framework will ensure we implement a structured training and CPD programme for all staff.

Monitoring and Accountability work ensures training completion rates for staff provides positive feedback through the equality-related incidents monitoring.

The Trust will promote equality and diversity through curriculum delivery, staff engagement and community activities.

Orchard Community Trust Equality Objectives Our Equality Objectives are centred around 3 aims:

1) To eliminate unlawful discrimination, harassment and victimisation and other conduct under the Equality Act 2010
2) To advance equality of opportunity between people who share a protected characteristic and those who do not;
3) To foster good relations between people who have a shared characteristic and those who do not.

Orchard Community Trust, equality of opportunity is applicable to all members of the Trust and its school communities. Members, Trustees, Pupils, Staff, Governors, Parents and Community Members.

Our Equality Objectives are:

- Ensure that no-one is unfairly or illegally disadvantaged because of their age, disability, gender, gender-identity, sexual orientation, colour, race, ethnic or national origin, disability or religious beliefs that in turn promotes an organisational culture which reflects our commitment to ethical leadership, encourage employees to feel included and supported and to flourish
- Ensure our collective training programme enables all to be aware and uphold their responsibilities under the Equality Act 2010
- Promote mental health and well-being awareness for all groups and develop appropriate support and intervention when needed
- Ensure that all stakeholders have access to opportunity. (i.e Training, curriculum, extra-curriculum)
- Promote and celebrate cultural understanding, awareness and tolerance of different groups across our MAT.

Appendix 1 - Forms of Discrimination:

- Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics as set out above. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is a genuine occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim. It will only be exceptional circumstances that this will apply in our Trust. An example of this may be advertising for a female teacher of PE and this may be necessary for monitoring of the changing rooms
- Indirect discrimination occurs where someone is disadvantaged by a provision, criterion or practice that also puts people with a protected characteristic at a particular disadvantage. Such a requirement will need to be objectively justified
- 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
- Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination/harassment or supported someone else's complaint
- Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic
- Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that a person has a particular protected characteristic irrespective of whether they do have that protected characteristic (this does not include marriage and civil partnership and pregnancy and maternity)
- Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as parents and carers, clients or customers.

Appendix 2 - Application to recruitment and Selection

- Job advertisements avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying
- Reasonable steps are taken to ensure that our vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in our Trust
- Applicants will not be asked about health or disability before a job offer is made, other than where it is necessary to:

    - Establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
    - Establish if any reasonable adjustments need to be made to enable an applicant to have a fair interview or assessment
    - Carry out equal opportunities monitoring (which will not form part of the decision-making process)

- Applicants 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
- We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance, name or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original specified documents before employment starts to satisfy current immigration legislation
- To ensure that the policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our Trust, monitoring diversity data as part of the recruitment process occurs. Provision of this information is voluntary and it will not adversely affect an individual's success at the recruitment stage or any other decision related to their employment. The information is not included with the applications when short listing. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity
- All interview panels will have at least one person who has been trained in safer recruitment.