



# **Scargill Church of England Primary School**

## **Equal Opportunities Policy**

Approved: November 2021

Review date: February 2022



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Approved by Trust Board: 28<sup>th</sup> September 2021

## **1 EQUAL OPPORTUNITIES STATEMENT**

- 1.1 Derby Diocesan Academy Trust ("the Trust", "DDAT") recognises its responsibilities in the employment of staff in its schools and in its teaching and learning approaches.
- 1.2 In accordance with those responsibilities, the Trust wishes to ensure the fair and equal treatment of all its staff, pupils, all those who are applicants to work in the schools and those individuals who undertake work on Trust premises regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation.
- 1.3 The Trust is committed to monitoring the make-up of its workforce in encouraging equality, diversity and inclusion, and aims to employ a workforce that reflects the population of Derby City and Derbyshire. The Trust will monitor how this policy is working in practice, and consider and take action to address any issues, particularly with regard to encouraging equality, diversity and inclusion.
- 1.4 This policy sets out the Trust's and schools' approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with DDAT, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 1.5 All managers must set an appropriate standard of behaviour to staff, pupils and parents. All Managers will lead by example and ensure that those they manage adhere to the policy and promote the Trust's and school's aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.
- 1.6 If staff have any questions about this policy or would like to suggest ways in which it might be improved, they should contact their Line Manager or Human Resources ("HR") team.
- 1.7 This policy covers all employees, officers, consultants, contractors, volunteers, casual workers and agency workers, working for the Trust.
- 1.8 This policy does not form part of any employee's contract of employment and DDAT may amend it at any time following consultation with recognised Trade Unions. This policy has been implemented following consultation with all recognised Trade Unions.

## **2 DISCRIMINATION**

- 2.1 Staff must not unlawfully discriminate against or harass other people including current and former employees, job applicants, pupils, parents, carers and visitors. All forms of discrimination (including direct and indirect discrimination, harassment or victimisation) are prohibited under this policy and are unlawful.
- 2.2 The Trust recognises that the avoidance of discrimination is not sufficient to ensure that equality exists in each of its schools. The Trust will therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy. This is action designed to encourage or facilitate the employment or training of minority or disadvantaged groups. The Trust will not discriminate in favour of

individuals from specific groups (positive discrimination), but it will take positive action which enables members of those groups to compete on an equal basis.

### **3 RECRUITMENT AND SELECTION**

3.1 Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination, and in line with other relevant DDAT policies and Keeping Children Safe in Education guidance. Shortlisting should be done by more than one person and appropriate advice should be sought from the HR team, where possible.

3.2 Permanent vacancies will be advertised openly and will normally be available for members of staff in the Trust to apply. In most cases vacancies will be advertised externally unless there are reasons why this should not occur, for example in situations of potential redundancy or where an existing member of staff is being transferred to a new interim or temporary role as part of their ongoing employment with the Trust. The Trust will ensure that decisions taken regarding the transferability of existing employees to interim roles are based on objective criteria that avoid discrimination.

3.3 The Trust is committed to taking 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 our organisation. Where appropriate, the HR team may approve the use of lawful exemptions to recruit someone with a particular protected characteristic, and where this occurs, the advertisement should specify the exemption that applies.

3.4 The Trust will avoid using wording in advertisements which may discourage particular groups from applying. Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a protected characteristic.

3.5 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the HR team. For example:

3.5.1 Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).

3.5.2 Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.

3.5.3 Positive action to recruit disabled persons.

3.5.4 Equal opportunities monitoring (which will not form part of the selection or decision-making process).

Where necessary, job offers can be made conditional on a satisfactory medical check.

3.6 DDAT is 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 or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from UK Visas and Immigration.

- 3.7 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the Trust, DDAT 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 is removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps the Trust take appropriate steps to avoid discrimination and improve equality and diversity.

#### **4 TRAINING AND PROMOTION**

- 4.1 Training needs will be identified through regular appraisals. You will be given appropriate access to training to enable you to progress within the Trust and all promotion decisions will be made on the basis of merit.

#### **5 TERMINATION OF EMPLOYMENT**

- 5.1 The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 5.2 The Trust will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

#### **6 DISABILITIES**

- 6.1 If you are disabled or become disabled, you are encouraged to tell DDAT about your condition so that appropriate support and reasonable adjustments can be made.
- 6.2 If you experience difficulties at work because of your disability, you may wish to contact your line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager (supported by the HR team) may wish to consult with you, and any appropriate professional body/adviser about possible adjustments. The Trust will consider the matter carefully and try to accommodate your needs within reason. If the Trust considers a particular adjustment would not be reasonable it will explain its reasons and try to find an alternative solution where possible.
- 6.3 The Trust will monitor the physical features of its premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, the Trust will take reasonable steps to improve access.

#### **7 PART-TIME AND FIXED-TERM WORK**

- 7.1 Part-time and fixed-term staff will be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

## 8 **BREACHES OF THIS POLICY**

- 8.1 The Trust takes a strict approach to breaches of this policy, which will be dealt with in accordance with DDAT's Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.
- 8.2 If you believe that you have suffered discrimination you can raise the matter through DDAT's Grievance Procedure or through DDAT's Anti-harassment and Bullying Policy as appropriate. Complaints will be treated in confidence and investigated as appropriate. Types of discrimination may include but are not limited to:
- Age
  - Disability
  - Gender re-assignment
  - Marital status and civil partnership
  - Pregnancy and maternity
  - Race
  - Religion and belief, including non-belief.
  - Sex or gender
  - Sexual orientation
- 8.3 DDAT is committed to ensuring staff do not experience any disadvantage for any reasons. Any concerns in that regard can be raised through DDAT's Grievance Procedure or through DDAT's Anti-harassment and Bullying Policy as appropriate
- 8.4 There must be no victimisation or retaliation against staff who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under DDAT's Disciplinary Procedure.