



Leodis
Academies
Trust

DIVERSITY, EQUALITY AND INCLUSION (DEI) POLICY

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3.0	March 2024	HR Manager	<ul style="list-style-type: none"> - Title change from Equalities Policy to Diversity, Equality and Inclusion Policy. - Reformatted as per Trust template with third person syntax. - Reference to employees changed to stakeholders, workforce changed to community and workplace to settings throughout. - Change from Equality to Equality and Diversity throughout - Additions to section 2.4 and 2.5. - Clearer division of delegated responsibilities in Section 4. - Sec 4.4: Reference to Leodis HR training. - Added 4.6 - Sec 5: Changed to reflect all stakeholders. - Sec 6.4: Reference to Anti-bullying and Harassment Policy. - Sec 7.1: Reference to Recruitment Privacy Notice and Recruitment and Selection Policy. - Sec 7.5.3: Reference to Equal Opportunity Monitoring. - Sec 7.7: Reference to pregnancy and gender identity. - Sec 8.1: Reference to Workforce Privacy Notice. - Sec 10.4 and 10.5 insertion. - Sec 11: Reference to Grievance Procedure, Anti-bullying and Harassment Policy and Disciplinary Procedure. - Added 11.4-11.9 - 12.1: Policy to be reviewed annually by the Personal Development Network and approved by the Trust. <p>Approved by Trustees.</p>

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1 INTRODUCTION:

- 1.1** The Trust is committed to providing high quality teaching and learning for our pupils. We recognise that by valuing and promoting equal opportunities in employment and education for all Trust stakeholders and avoiding unlawful discrimination in employment and delivery of services, we will be able to deliver first class education and value the differences our workforce brings to the Trust.

2 AIMS:

- 2.1** We aim to create a working and learning environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit. We also value diversity and recognise the varied contributions that a diverse community brings to an organisation; we are committed to drawing on different perspectives and experiences of individuals which will add value to what we do. We acknowledge intersectionality and the impact that a wide variety of differences will have on the individual and the setting.

- 2.2** We will ensure that we do not discriminate against employees on the basis of:

- 2.2.1 Age.
- 2.2.2 Disability.
- 2.2.3 Gender reassignment.
- 2.2.4 Gender definition.
- 2.2.5 Intersex and non-binary.
- 2.2.6 Marital or civil partner status.
- 2.2.7 Pregnancy or maternity.
- 2.2.8 Race, colour, nationality, ethnic or national origin.
- 2.2.9 Religion or belief.
- 2.2.10 Sex or sexual orientation; or
- 2.2.11 Any combination of those listed above (the protected characteristics).

- 2.3** The principles of non-discrimination also apply to how we expect our stakeholders to treat colleagues, pupils, parents and carers, visitors, clients, customers, suppliers, those involved in governance and former employees regardless of whether the legal protection of having a protected characteristic applies.

- 2.4** This Policy complies with the requirements of the Gender Recognition Act 2004 and the Equality Act 2010. Under the general public sector equality duty of the Equality Act 2010, our Trust must have due regard to and are committed to:

- 2.4.1 Eliminate discrimination, harassment and victimisation.
- 2.4.2 Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- 2.4.3 Set equality & diversity objectives.
- 2.4.4 Identify a senior level champion for leading the diversity strategy.
- 2.4.5 Secure top-level ownership and sponsorship.
- 2.4.6 Develop and cascade an equality & diversity vision statement.
- 2.4.7 Foster good relations between people who share a protected characteristic and those who do not.

- 2.5** The duty covers the protected characteristics of race, disability, sex, age, sexual orientation, religion or belief, pregnancy and maternity, gender reassignment, gender definition, intersex and non-binary. The first part of the duty – the duty to eliminate discrimination, harassment and victimisation – also applies to the protected characteristics of marriage and civil partnership. As part of our duty, we publish on our website:
- 2.5.1 Our equality & diversity objectives (at least every four years); and
 - 2.5.2 Information that demonstrates our compliance with this duty (Equality & Diversity analysis).
 - 2.5.3 We will also publish gender pay gap reporting in line with regulations.
- 2.6** As part of the application of this Policy, the Trust may collect, process and store personal data and special categories of data in accordance with our data protection Policy. We will comply with requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time, in relation to how we collect, hold and share personal data.
- 2.7** This Policy does not form any part of the any employee's contract of employment and may be amended at any time.

3 SCOPE AND PURPOSE:

- 3.1** This Policy covers all individuals working at all stakeholders at all levels in the Trust, including Trustees, Governors, Principals, Senior Leadership, Employees, Pupils, Consultants, Contractors, Trainees, part-time and fixed-term Employees, Volunteers, those using the site, visitors, Casual workers and Agency staff (collectively referred to as employees in this Policy).
- 3.2** The purpose of this Policy is to set out our approach to equal opportunities, how we will tackle discrimination and how we will put our commitment into action and comply with the law, to ensure that equality and diversity is promoted in the workplace and our employees are not subject to and do not commit unlawful acts of discrimination.
- 3.3** This Policy applies to all aspects of the employment relationship and covers job advertisements, recruitment and selection, training and development, opportunities for promotion, appraisals, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment. It also applies to former employees for example in the provision of employment references. This Policy focuses on employment and does not cover the provision of services to our students.
- 3.4** This policy applies to all aspects of the education and covers the delivery of equality & diversity throughout the wider curriculum.

4 ROLES AND RESPONSIBILITIES:

4.1 The Trust Board (Leodis Academies Trust):

The Trust Board has overall responsibility for determining the content of, and approving, this Policy and ensuring that it is compliant with equality legislation.

4.2 The CEO Principal

The CEO Principal has overall responsibility for ensuring that the expected standards for diversity, equality and inclusion are followed and implemented across the Trust.

4.3 Academy Principal/ Senior Leadership Team (SLT)

4.3.1 Day-to-day operational responsibility for this Policy has been delegated to Principals and their Senior Leadership Team with support from Leodis HR.

4.3.2 Principals and SLT must set an appropriate standard of behaviour, lead by example and ensure that those who manage adhere to the Policy and promote our aims and objectives with regard to equal opportunities.

3.3.3 Principals and SLT will be given appropriate training on equal opportunities awareness, and recruitment and selection best practice.

4.4 Leodis HR Team

4.4.1 The Trust HR Manager will provide advice and guidance with regards to adults involved in the Trust settings to Trustees, Governors, the CEO Principal, Principals, SLT and employees regarding Diversity, Equity and Inclusion and support with any training requirements.

4.4.2 The Trust HR Manager will advise and guide SLT where evidence of a potential breach of the Policy is found, to determine whether disciplinary action should commence in line with the Trust Disciplinary Policy.

4.5 All Employees (adults involved in Trust settings) should:

4.5.1 Make themselves aware of this Policy and have a duty to act in accordance with this Policy and not to discriminate against or harass other people including employees, former employees and job applicants, treating them with dignity at all times. This also applies to non-work-related trips or even including social events. They should also apply this to how they treat members of the public in the provision of services and should support the Trust in meeting its commitment to provide equal opportunities for all and promoting diversity in the workplace.

4.5.2 Promote an inclusive and collaborative ethos in their classroom or team.

4.5.3 Challenge and deal with any prejudice-related incidents that may occur.

4.5.4 Identify and challenge bias and stereotyping in the curriculum or in their work.

- 4.5.5 Keep up-to-date with equalities legislation relevant to their work.
- 4.5.6 Support pupils in their class, and employees in their teams, for whom English is an additional language, have SEND and/ or SEMH and hidden disabilities.
- 4.5.7 Ensure employees and students /pupils have the opportunity to have their voices heard with regards to equality issues.
- 4.5.8 Report any concerns in line with the school systems/ policies in place.

4.6 All Pupils should: -

- 4.6.1 Pupils should be aware of the Trust ethos with regards to equality, diversity & inclusion with regards to the Protected Characteristics and Fundamental British Values at an age-appropriate level. They should also apply this to how they treat their peers, adults and members of the public. They should not discriminate against the Protected Characteristics.
- 4.6.2 Recognise, challenge and report any prejudice-related incidents that may occur.
- 4.6.3 Recognise and challenge bias and stereotyping in the curriculum.
- 4.6.4 Support their peers for whom English is an additional language, have SEND and/ or SEMH and hidden disabilities.
- 4.6.5 Have the opportunity to have their voices heard with regards to equality issues.
- 4.6.6 Report any concerns in line with the school systems.

5 SUPPORT:

- 5.1 In order to support and encourage all stakeholders to value diversity we provide opportunities via existing forums to focus on equality, diversity and inclusion. The primary focus of this is it to raise awareness, provide support and to encourage knowledge and understanding.

6 FORMS OF DISCRIMINATION:

- 6.1 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.
- 6.2 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics as set out above. For example, rejecting a job

applicant because of their religious view or because they might be gay. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an 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.

- 6.3** Indirect discrimination occurs where someone is disadvantaged by a provision, criterion or practice that applies to everyone but puts people with a protected characteristic at a particular disadvantage. Such a requirement will need to be objectively justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be objectively justified.
- 6.4** 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. Pregnancy and maternity, and marriage and civil partnership are not protected directly under the harassment provisions. However, pregnancy and maternity harassment would amount to harassment related to sex, and harassment related to civil partnership would amount to harassment related to sexual orientation. Harassment is dealt with further in the Trust Grievance Policy and Procedure document: Section 6 Bullying and Harassment.
- 6.5** Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about harassment, or supported someone else's complaint. This includes where someone mistakenly believes that the victim has complained, given information or supported someone else's complaint.
- 6.6** Discrimination by association is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.
- 6.7** Discrimination by perception 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).
- 6.8** 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.
- 6.9** Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.

7 APPLYING OUR POLICY TO RECRUITMENT AND SELECTION:

- 7.1** We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. When recruiting or on promotion, we will aim to take steps to

improve the diversity of our workforce and provide equality of opportunity. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant skills and abilities. All applicants will be provided with a copy of our Recruitment Privacy Notice which sets out how we will gather, process and hold personal data of individuals during the recruitment process. Our recruitment processes are set out in our Recruitment and Selection Policy.

- 7.2** Job selection criteria as set out in the person specification will be regularly reviewed to ensure that they are relevant to the job. Short listing of applicants should be done by more than one person wherever possible and will be carried out objectively against the requirements of the job.
- 7.3** Job advertisements should avoid stereotyping or using words that may discourage groups with a particular protected characteristic from applying.
- 7.4** We will take reasonable steps, where appropriate depending on the situation, 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. This Policy will be made available to applicants upon request.
- 7.5** Applicants will not be asked about health or disability before a job offer is made, other than where it is necessary to:
 - 7.5.1** Establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
 - 7.5.2** Establish if any reasonable adjustments need to be made to enable an applicant to have a fair interview or assessment.
 - 7.5.3** Carry out equal opportunities monitoring (which will not form part of the decision-making process).
- 7.6** Job offers will be conditional upon a satisfactory medical check in accordance with our obligation under Keeping Children Safe in Education, where a school must verify the candidate's mental and physical fitness to carry out their work responsibilities in accordance with the Education (Health and Standards) (England) Regulations 2003.
- 7.7** Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy or gender identity or history. Applicants will not be asked about matters which may suggest an intention to discriminate on ground of a protected characteristic. Applicants will be asked to clarify which pronoun they would prefer to be referred to.
- 7.8** 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. The list of acceptable documents is available from Leodis HR.
- 7.9** To ensure that this Policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our Trust, we monitor diversity data as part of the recruitment process and as set out in our Recruitment Privacy Notice and Data

Protection Policy. Provision of this information is voluntary, and it will not adversely affect an individual's success at recruitment or any other decision related to their employment. The information is removed from applications before short listing and kept in an anonymised format solely for the purposes stated in this Policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

8 APPLYING OUR POLICY TO TRAINING, PROMOTION, PAY DECISIONS AND CONDITIONS OF SERVICE:

- 8.1** All employees will be provided with a copy of our Workforce Privacy Notice which sets out how we will collect, hold and share personal data of individuals during their employment.
- 8.2** Employees training needs will be identified through the appraisal process. All employees will be given appropriate access to training for their job and in order to enable them to progress within the Trust.
- 8.3** Pay and promotion decisions will be based on an employee's performance (where appropriate), skills and experience and as detailed in our Pay Policies.
- 8.4** Our benefits and facilities are reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.
- 8.5** Relevant national and local conditions of service within our Trust as applied to our employees, will meet the requirements of equal opportunities.

9 APPLYING OUR POLICY WHEN TERMINATING EMPLOYMENT:

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

10 DISABILITY DISCRIMINATION:

- 10.1** Disability discrimination includes direct or indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate the effects caused by a disability.
- 10.2** The Trust encourage stakeholders who are disabled or become disabled, to inform them about the condition so appropriate support can be put in place.
- 10.3** If stakeholders experience difficulties in their setting because of their disability, they may wish to contact their line manager where appropriate or the Leodis HR team to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Line

managers or Leodis HR may wish to consult with the stakeholder and their medical adviser(s) about possible adjustments. The Trust will consider the matter carefully and try to accommodate their needs, within reason. If the Trust consider a particular adjustment would not be reasonable, reasons for this will be explained to find an alternative solution where possible.

- 10.4** If pupils experience difficulties in their setting because of their disability, they or their parent may wish to contact their Head of Year or SENDCo to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The school may wish to consult with the pupil, their parents and their medical adviser(s) about possible adjustments. The Trust will consider the matter carefully and try to accommodate their needs, within reason. If the Trust consider a particular adjustment would not be reasonable, reasons for this will be explained to find an alternative solution where possible.
- 10.5** The Trust will monitor the physical features of each of the premises to consider whether they place disabled employees or job applicants at a substantial disadvantage compared to other employees. Where reasonable, steps will be taken to improve access for employees who have a disability.

11 BREACHES OF THIS POLICY:

Employees:

- 11.1** If employees believe that they have been discriminated against, or have witnessed another employee being discriminated against, they are encouraged to raise the matter through the Trust Grievance Procedure. If an employee believes that they have been subject to harassment, they are encouraged to raise the matter through the Trust's Anti-Bullying and Harassment Policy. If employees are uncertain which Policy applies, or need advice on how to proceed, they should seek advice from the Leodis HR team.
- 11.2** Allegations regarding potential breaches of this Policy will be treated in confidence and investigated in accordance with the relevant procedure. Employees who mark 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 employee who is found to have committed an act of discrimination or harassment will 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.

Other Stakeholders (including Parents):

- 11.4** If Stakeholders believe that they have been discriminated against, or have witnessed another Stakeholder being discriminated against, they are encouraged to raise the matter through the Trust Complaints Procedure. If a Stakeholder believes that they have been subject to harassment, they are encouraged to raise the matter through the same policy. If Stakeholders are uncertain which Policy applies, or need advice on how to proceed, they should seek advice from the Leodis HR team.

11.5 Allegations regarding potential breaches of this Policy will be treated in confidence and investigated in accordance with the relevant procedure. Employees who mark 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 the relevant Procedure.

11.6 Any Stakeholder who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute the need to terminate stakeholder arrangements/contracts. We take a strict approach to serious breaches of this Policy.

Pupils:

11.7 If Pupils believe that they have been discriminated against, or have witnessed another Pupil being discriminated against, they are encouraged to raise this with a member of staff who they trust. At Secondary this is likely to be the Pastoral Team in the first instance, and at Primary the class Teacher or Principal. The most important thing is that a Pupil reports this.

11.8 If a member of staff believes that a pupil has been subject to harassment, they are encouraged to raise the matter in line with the Academy Behaviour/Anti-Bullying Policy.

11.9 Allegations regarding potential breaches of this Policy will be treated in confidence and investigated in accordance with the relevant procedure. Pupils who mark 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 the Academy's Behaviour Policy.

11.10 Any Pupil who is found to have committed an act of discrimination or harassment will be subject to disciplinary action in accordance with the relevant Academy policy and/or referral to external agencies. We take a strict approach to serious breaches of this Policy.

12 REVIEW OF POLICY:

12.1 This Policy is reviewed annually by the Personal Development Network and approved by the Trust. We will monitor the application and outcomes of this Policy to ensure it is working effectively.

12.2 The Trustees will also monitor and review the treatment and outcomes of any complaints of discrimination, harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved, and workforce training is targeted where needed.