



Equality, Diversity & Inclusion Policy (Staff)

Document Control

Version Number:	6
Applicable To:	All CMAT Schools
Personnel and Scrutiny Committee:	July 2020
Consultation with JCNC	NA – Legislation
Review Cycle:	Every two years
Date of Next Review:	July 2022
Links to other policies:	Dignity at work Policy Recruitment Policy and Guidelines Flexible Working Policy Flexible Retirement Policy Parental Bereavement Policy Special Leave of Absence Policy Whistleblowing Policy and Procedure

Revisions

Version	Page/Para No.	Description of Change	Approved On
1	4.2	List of policies included	November 2012
1	Multiple	References to Governing body replaced with CMAT	November 2012
1	Multiple	Named staff to contact within policy updated to read Z Paul and J Parris	November 2012
2	Multiple	Named staff removed and changed to 'designated member of SLT'	October 2013
3	Multiple	Annual Review	October 2014
4	Multiple	Annual Review and update with Inclusion as per best practice and CIPD recommendation	June 2020

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1.0 Introduction

This document sets out how Cambridge Meridian Academies Trust (CMAT) will meet its obligation under the requirements of the Equality Act 2010 for all employees with regards to Equality, Diversity and Inclusivity. The Trust is committed to creating a working environment where all employees are integrated and treated fairly and equally, whilst valuing the diverse differences of each individual and group.

2.0 Definitions and legislation

2.1 Equality

Equality Act (2010) is the key law which prohibits discrimination and promotes equality. It is against the law for anyone to be discriminated based on:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

These are called protected characteristics. There are four forms of discrimination; all of these are against the law. These are:

- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation.¹

Equality in the workplace means equal job and career advancement opportunities and fairness in all situations for current and prospective employees. The law protects employees against discrimination at work, including:

- dismissal
- employment terms and conditions
- pay and benefits
- promotion and transfer opportunities
- training
- recruitment
- redundancy.

2.1.1 Menopause and unfair treatment

Menopause is not specifically covered by the Equality Act. Unfair treatment because of menopause can amount to discrimination on the grounds of age, and/or disability and/or sex. This in part depends on severity of symptoms. The Trust will ensure that they do not treat employees less favourably than others and will endeavour to make reasonable adjustments as required. The Trust must also ensure that employees experiencing the menopause are not indirectly discriminated against. For example, a requirement to wear a uniform made of uncomfortable, synthetic fabric could indirectly discriminate against an employee experiencing regular menopausal hot flushes on grounds of disability, sex and age.

2.2 Diversity

Diversity within a workforce means having a range of employees with different ages, religions, ethnicities, people with and without disabilities, both men and women, people of different sexual orientations and transgender people. It also means valuing those differences and defining all the ways in which people differ, encompassing the different characteristics that make one individual or group different from another.

2.3 Inclusion

An inclusive workplace is a working environment that values the individual and group differences within its work force and ensures diverse employees feel valued, welcome, integrated and included in the workforce instead of isolated.

3.0 Scope and Purpose of Policy

3.1 Commitment

The Trust is committed to promoting equality of opportunity for all employees and job applicants with the primary aim to creating a supportive and inclusive working environment in which all individuals are able to make best use of their skills, free from discrimination including harassment, and in which all decisions are based on merit.

The Trust will not discriminate against anyone with any protected characteristics as defined in the Equality Act 2010. It will build a culture that values meritocracy, openness, fairness and transparency.

The principles of non-discrimination and equality of opportunity within this policy apply to all aspects of the Trust's relationship with employees and to relations between employees at all levels. These principles will be considered across all aspects of the Trust's operations and functions. The principles of the policy will also apply to the way in which employees and Governors treat visitors, volunteers, contractors and former employees.

CMAT is committed to a right based approach. This means that it actively promotes ensuring opportunities for people with different protected characteristics to be involved in decisions which affect them.

3.2 Dignity at Work policy

The Trust will consider Equality, Diversity and Inclusive in all their policies, however, to compliment this policy please read in conjunction with the Trust's Dignity at Work policy.

3.3 Different religions, cultures and private and family life

The Trust will make every effort to accommodate the requirements of different religions and cultures and respect individuals' right to private and family life, recognising that this may mean different domestic responsibilities. Please see the following for specific information on our approach to these issues:

- Recruitment Policy and guidelines
- Flexible Working Policy
- Flexible Retirement Policy
- Parental Bereavement Policy
- Special Leave of Absence Policy

3.4 Who is covered by the policy?

The policy is applicable to all employees working at all levels and grades, including senior managers, trainees, apprentices, part-time and fixed term employees, volunteers, casual workers, agency staff, clients, communities, suppliers and contractors (whether permanent or temporary), visitors, trustees and all those in governance roles.

The policy applies to all processes relating to employment and training and to any dealings with customers and clients. Decisions relating to customers and communities will be based on business-related criteria only and any irrelevant information will not form part of the process.

4.0 Who is responsible for this policy?

4.1 The Trust has ultimate responsibility for the effective implementation of this policy with the CEO leading and having overall responsibility for the effective operation of this policy and for ensuring compliance with anti-discrimination law.

4.2 The Personnel Committee is responsible for monitoring the implementation of this policy, and for ensuring that CMAT discharges its duty under the Equality Act (2010), including obligations under the Public Sector Equality Duty. This includes ensuring that equality objectives are in place and reported on regularly.

4.3 CMAT Director of People and Culture will provide strategic direction with the CMAT Head of HR providing overall guidance and advice on matters regarding equal opportunities and will be responsible for reviewing the policy and ensuring its compliance and update to policies.

4.4 At Academy level, Principals will designate a named person responsible for equality including monitoring equality objectives and equal opportunities.

4.5 All managers have responsibility to:

- set an appropriate standard of behaviour,
- lead by example
- ensure their team members adhere to the policy
- promote the aims and objectives of equality, diversity and inclusivity.

Managers will be given appropriate training on equality and equal opportunities awareness and on best practice with regards to equality, diversity and being inclusive with regards to recruitment and selection.

4.6 All employees are personally responsible for ensuring that they adhere to the policy and promote the aims and objectives of equality, diversity and inclusivity. All employees have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against other employees, regardless of their status.

4.7 In certain circumstances the Trust could be held to be vicariously liable for actions of their employees, however employees should be aware that they may be personally liable if they are found to have discriminated against another person whilst in any trust school or on School/trust-related business. Behaviour, actions or words that transgress the policy will not be tolerated and, after a full investigation, may be dealt with in line with the Trust's disciplinary policy.

5.0. Forms of discrimination

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.

5.1 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out by the Equality Act and above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

5.2 Indirect discrimination occurs when a policy, practice or rule which applies equally to everyone disadvantages persons who share protected characteristic(s) or has a worse effect on people with protected characteristic(s) than others. For example, meetings in a pub would disadvantage those whose religious beliefs mean that they do not go to pubs; this would be indirect discrimination on grounds of religion. Although pregnancy and maternity do not explicitly come under the indirect discrimination provisions, they are covered by indirect sex discrimination provisions in the Equality Act 2010.

5.3 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 the Trust's Dignity at Work policy.

5.4 **Victimisation** is prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else's complaint. Victimisation is also dealt with further in the Trust's Dignity at Work policy and Whistleblowing policy and procedures.

6.0 Employee Training and Development, promotion and conditions of service

6.1 **Employee training** needs are identified through regular appraisals. All employees will be given appropriate access to training to enable them to progress within the Trust and all promotion decisions will be made based on merit.

6.2 **Workforce composition and promotions** will be regularly monitored to ensure equality of opportunity at all levels of the Trust. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups. The Trust will continue to work towards ensuring diversity at all levels of the organisation, including at most senior levels and among trustees.

6.3 **The Trust's conditions of service**, 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. Annual pay reviews will be monitored to ensure that no bias or discrimination is applied.

7.0 Discipline and Termination of Employment

7.1 The Trust will ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action. Further details are in the CMAT Discipline Policy.

7.2 The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory. Further details are in the CMAT Redundancy Policy.

8.0 Protected characteristics

If an employee believes they do have a protected characteristic or they become to have a protected characteristic during their employment, they will be encouraged to disclose this information to their line manager or HR contact within their school or location. This will be on the basis that the Trust will want to support the employee as appropriate to ensure the employee feels included along with having their needs met within the workplace.

If an employee is experiencing difficulties at work because of their protected characteristic, the employee should speak to their line manager in the first instance to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Their line manager may wish to consult with the HR Department with a referral if necessary, to the Trust's Occupational Health advisor(s) about possible adjustments. The Trust will consider the matter carefully and try to accommodate the needs of employees within reason. If an adjustment would not be reasonable the Trust will explain the reasons and try to find an alternative solution where possible.

The Trust will continue to monitor the physical features of our premises to specifically consider 'access to work' and whether they place employees with disabilities, job applicants or visitors at a substantial disadvantage compared to other staff. Where reasonable, the Trust will take steps to improve access where necessary.

9.0 Fixed-term employees, Casual and Agency Workers

Taking the principles of Equality, Diversity and Inclusivity and where relevant, all fixed-term employees, casual and agency workers, will be offered appropriate access to benefits, training, promotion and permanent employment opportunities. Further details are in the CMAT Recruitment Policy.

10.0 Part-time employees

Taking the principles of Equality, Diversity and Inclusivity, the Trust will ensure that part-time employees are considered for progression and have the same opportunity to access benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately under the CMAT Flexible Working Policy.

11.0 Breach of policy

If an employee believes they have been discriminated against, they are encouraged to raise the matter informally with the Principal or CMAT HR Manager in the first instance. If the employee is not content with this or they feel unable to do so, they may raise the concern through the CMAT Grievance Procedure.

If an employee believes that they may have been subject to harassment or bullying, they are encouraged to raise the matter through the CMAT Dignity at Work policy.

Allegations regarding potential breaches of the Equality, Diversity and Inclusion 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 may, however, after a full investigation, be dealt with under our Disciplinary Procedure.

The Trust takes a strict approach to serious breaches of this policy, employees who are found to have committed an act of discrimination or harassment will be subject to disciplinary action, after a full investigation, under the CMAT Disciplinary Policy. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal.

12.0 Monitoring and review of the policy

The policy will be reviewed every two years but will be reported on annually by the Personnel Committee to reflect changes in the law, demographics and internal business requirements and a full report will be presented to the senior management team to review the effectiveness of the policy to ensure it is achieving its objectives.

13.0 GDPR Statement

Unless stated elsewhere in this policy, the data gathered within this process is processed in line with our Data Protection policy which can be found on our website: www.cmatrust.net/GDPR.

Any data gathered within this process will be retained in line with our records retention policy which can be found on our website.

If you have any questions about the way your data has been gathered and contained, please contact the CMAT Data Protection Office (DPO) at DPO@cmatrust.net

ⁱ Forms of discrimination are described in detailed is section 5.