



EQUAL OPPORTUNITIES AND DIVERSITY POLICY

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1 Overview

- 1.1 Dunraven Educational Trust is committed to promoting and achieving equality of opportunity for all its current and future workforce in a non-discriminatory manner, regardless of the following protected characteristics:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race (including nationality and ethnic background)
 - Religion or belief
 - Sex
 - Sexual orientation
- 1.2 This policy reflects our current practices and applies to every individual working for the Trust irrespective of their status, level or grade. It therefore includes, the Chief Executive Officer (CEO), the Director of Finance and Operations (DFO), Headteachers, other members of the Senior Leadership Teams, Heads of Department, Directors of Learning, all teaching and non-teaching employees, Trustees, Governors, Members, consultants, contractors, trainees, volunteers, part-time, part-year or fixed-term employees, casual and agency workers (collectively referred to as “Employees” in this policy).
- 1.3 This policy does not form part of any employee’s terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all current and prospective employees at the Trust who are required to familiarise themselves and comply with its contents. We reserve the right to amend this policy at any time.
- 1.4 The Trust aims to create a working environment in which all individuals are able to make best use of their skills, free from any form of discrimination or harassment, and in which all decisions are based on merit.
- 1.5 The Trust believes that there are benefits to having an Equal Opportunities and Diversity policy. It encourages adherence to relevant anti-discrimination laws, helps employee morale, enhances its reputation as a good and inclusive employer, helps provide good customer service by understanding and serving a diverse community and increases productivity as diverse teams often have higher levels of creativity and innovation.
- 1.6 The Trust will meet its statutory obligations under relevant legislation including the Equality Act 2010, which prohibits discrimination, harassment and victimisation in employment. This policy conforms to the Equality Act 2010 and is monitored to ensure compliance with the requirements of the relevant legislation in force from time to time. The principles of non-discrimination and equality of opportunity also apply to the way in which employees treat students, parents, visitors, suppliers, former, current and prospective colleagues.

2 Principles

- 2.1 Equal opportunities and diversity are interconnected concepts that promote fairness, inclusion, and respect in the workplace. Equal opportunities refers to the principle that all individuals regardless of their backgrounds, have the same chances of success and career advancement through fair treatment, equal access to e.g. development opportunities within the Trust and meritocracy.
- 2.2 All employees are required to support this policy to ensure that discrimination does not occur in the workplace. All employees have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not discriminate against or harass other colleagues, regardless of their status.
- 2.3 All employees must set an appropriate standard of behaviour, lead by example and ensure that they adhere to this policy and promote the Trust's aims and objectives with regard to equal opportunities and diversity. Upon request from Headteachers or line managers, individuals who have been registered on the Trust Every training and information platform, will be given access to appropriate training on equal opportunities awareness and equal opportunities for recruitment and selection best practice. Training on anti-bullying and harassment is also available on Every.
- 2.4 This policy applies to all aspects of the Trust's relationship with its employees and to relations between employees at all levels. This includes:
- job advertisements
 - recruitment and selection
 - probation
 - appraisals, training and development
 - opportunities for promotion
 - conditions of service
 - pay and benefits
 - conduct at work
 - capability, disciplinary and grievance procedures
 - restructure and/or redeployment
 - termination of employment
 - whistleblowing.
- 2.5 The Trust will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities (in particular where employees have to care for dependents).

3 Forms of Discrimination

- 3.1 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. The Trust views all forms of discrimination as prohibited behaviour in the workplace and any employee who is alleged to have

behaved in a discriminatory manner will be subject to disciplinary action in accordance with the Trust Discipline policy.

- 3.1.1 **Direct discrimination** occurs where someone is treated less favourably **because of** one or more of the protected characteristics set out above.
- 3.1.2 **Indirect discrimination** occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage.
- 3.2 **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.
- 3.3 **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.

4 Recruitment and Selection

- 4.1 The Trust aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics as mentioned above. Recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Line managers involved in recruitment must ensure that job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate.
- 4.2 Job advertisements will avoid using wording that may discourage particular groups from applying. A short policy statement on equal opportunities is included in all Trust adverts. Upon request, a copy of this policy shall be sent to prospective candidates.
- 4.3 The Trust will take steps to encourage applications from a diverse labour market including from particular groups that have been identified as disadvantaged or underrepresented in the Trust.
- 4.4 Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which we may use, for example:
 - questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments)
 - questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment
 - positive action to recruit disabled persons
 - equal opportunities monitoring (which will not form part of the decision-making process).

- 4.5 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 without first considering whether such matters are relevant and may lawfully be taken into account.
- 4.6 The Trust is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce the requisite original documents or satisfy the necessary online checks, before employment starts, to satisfy current immigration legislation.
- 4.7 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged across the Trust will monitor applicants' ethnic groups, nationalities, gender identities, disabilities, sexual orientations, religions, and ages 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 will be 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.
- 4.8 The Trust is an organisation that uses the Disclosure and Barring Service (DBS) to assess candidates' suitability for positions of trust working in an environment with children or vulnerable adults. The Trust fully complies with the DBS Code of Practice and endeavours to treat all candidates fairly. Further information can be found on the Trust Recruitment policy.
- 4.9 The Trust endeavours not to discriminate unlawfully against any candidate who is required to provide information (a check) through this process. Having a criminal record will not necessarily prevent a candidate from working with the Trust. Whether or not it does will depend on the nature of the position and the circumstances and background of the offence(s).
- 4.10 As a DBS check is part of the Trust's recruitment process, all candidates called to interview are encouraged to provide details of any criminal record (except cautions and convictions which are "protected" (as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and 2020) at an early stage of the application process. Such information should be sent under separate, confidential, cover to a designated person within the Trust, who may vary depending on the nature of the post being recruited. The Trust guarantees that only those who need to see this information as part of the recruitment process will see it.
- 4.11 Designated recruitment leads will ensure that they discuss with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job may result in an offer of employment being withdrawn.

- 4.12 Where there are disclosures listed on a DBS certificate, a risk assessment will be undertaken by a member of the executive management, such as the CEO, the DFO, Headteachers or other designated senior leaders. Assessors should ensure that the outcome is fair and free from any form of discrimination.

5 Employees' Training, Promotions and Conditions of Service

- 5.1 Employees' training needs may be identified at the recruitment stage, through informal and formal employees' appraisals or line management meetings.
- 5.2 All employees will be given appropriate access to training to enable them to progress within the Trust. All promotion decisions will be on the basis of merit and evidence of professional competency.
- 5.3 The composition and movement of employees at different levels will be reviewed periodically to ensure equality of opportunity at all levels within the Trust.
- 5.4 Where appropriate, and where possible, the Trust will take steps to identify and remove unnecessary or unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.
- 5.5 The conditions of service, benefits and facilities that the Trust provides will be reviewed periodically 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.

6 Termination of Employment

- 6.1 The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 6.2 The Trust will also ensure that absence, capability and disciplinary procedures and penalties are applied without discrimination and are carried out fairly and uniformly for all employees, whether they result in formal warnings, dismissal or other action.

7 Disability Discrimination

- 7.1 If an employee is disabled, or becomes disabled, in the course of their employment with the Trust, they are encouraged to disclose their condition to their line manager, Head of Department and Headteacher if they are based in schools. This is to enable the Trust to support the employee appropriately. Trust employees should disclose their condition to their direct line manager.
- 7.2 If an employee experiences difficulties at work because of their disability, they may wish to contact their Line Manager / Headteacher / Head of Department to discuss any reasonable adjustments to their working conditions or duties which they consider to be reasonable and necessary, or which would assist in the performance of their duties. A referral to Occupational Health should be made to obtain appropriate

recommendations and as a supportive measure. Any such recommendations will be accommodated where reasonable, operationally feasible, practicable and proportionate in all the circumstances of the case.

- 7.3 The Trust will monitor the physical features of its premises to consider whether they place disabled employees, job applicants or service users at a substantial disadvantage compared to other employees. Where reasonably practicable and proportionate, the Trust will take steps to improve access for disabled employees and service users.

8 Agency/Temporary Workers

- 8.1 Where appropriate, agency and temporary workers should receive the same treatment as permanent employees to avoid discrimination. This may not be practical in all circumstances however, consideration should be given to other possible options.

9 Part-Time Workers

- 9.1 The Trust will 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. The Trust will also ensure that requests to alter working hours are dealt with appropriately under our the Trust Flexible Working Policy.

10 Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics

- 10.1 The Trust will treat all complaints of discrimination, harassment or victimisation related or connected to any of the protected characteristics made by its employees, students or third parties seriously and will take action where appropriate.
- 10.2 Any employee who considers that they may have been unlawfully discriminated against, victimised or harassed within the meaning of this policy should discuss the matter in the first instance with their Line Manager / Head of Department or, if they do not consider this to be appropriate, with the Headteacher. Trust employees should discuss their concerns with their direct line manager or the DFO or CEO if the allegation is against their line manager. In some cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.
- 10.3 If an employee wishes to make a formal complaint, they should raise the matter in accordance with the Trust Grievance Policy.
- 10.4 Allegations regarding potential breaches of this policy will be treated in confidence and will be investigated in accordance with the relevant procedure and the employee will be given the opportunity to respond to the allegation and provide an explanation for their actions.

- 10.5 Employees who make such allegations in good faith will not be victimised or treated less favourably as a result. If the investigation concludes that the allegations are false or have been made maliciously or in bad faith, the Trust will deal with the matter in accordance with its Discipline Policy. 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. The Trust takes a strict approach to serious breaches of this policy.

11 Monitoring arrangements

- 11.1 This policy should be read in conjunction with other Trust policies in particular the following:

- Trust Capability Policy
- Trust Code of Conduct
- DET Salary and Appraisal Policy for Non Teaching Staff
- DET Salary policy for Teaching Staff
- Trust Grievance Policy
- Trust Managing Sickness Absence Policy
- Trust Personal Absence Policy
- Trust Staff Discipline Policy
- Trust Flexible Working Policy
- Trust Recruitment Policy
- Trust Probation Policy
- The DET Restructuring and Redundancy Policy