

Inspire Partnership Multi Academy Trust

Equality & Diversity Policy



Policy Review Date – September 2021

Date of Next Review – August 2024

Personnel Responsible – Chief Operating Officer

1. Introduction

This Equality and Diversity Policy represents a commitment to a common set of values and objectives, and to a consistent approach to communicating, implementing and monitoring the policy.

2. Aims

We recognise that the public sector equality duty has three aims and they are to :

- Eliminate unlawful discrimination, harassment and victimisation and other conduct under the Equality Act 202.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who have a shared characteristic and those who do not.

All of our schools are committed to advancing and achieving equality of opportunity for all pupils, parents/carers, staff, governors, trustees and visitors. We believe that all people are of equal value and are entitled to equality of opportunity and that our diversity enriches our community.

3. Scope

This policy encompasses the following protected characteristics :

- Age;
- Disability;
- race, colour, nationality, ethnic or national origin;
- sex (including transgender);
- gender reassignment;
- pregnancy and maternity;
- religion or belief;
- sexual orientation; and
- marriage and civil partnership

4. Values, Principles and Standards

Equality of opportunity is fundamental to good practice in education, in which fairness of opportunity for all is a basic right. This policy is therefore underpinned by the following values, principles and standards :

- Equality and social justice
- Acknowledging and valuing diversity
- Respect for others
- Compliance with equality legislation
- Elimination of all forms of prejudice and unfair discrimination
- Active challenge to stereotypes, prejudiced attitudes and unfair discriminatory behaviour
- Commitment to inclusive education which enables and supports all pupils to develop their full potential

- Commitment to the positive development of all staff and governors/trustees
- Commitment to fair and open recruitment processes
- Accountability for compliance with this policy by all members of the school, communities and others engaged in school activities

5. Employment

The Trust is committed to ensuring that employees have equal access to jobs, training, and professional development opportunities

All employment policies refer to the provisions of the Equalities Act 2010.

The Trust recognises that the Act extends beyond the protected characteristics of an individual employee and has broader responsibilities to employees and situations that maybe covered by the Act. For example an employee with parental or caring responsibilities for a disabled dependent may have rights under the Act which the Academy would need to consider.

All recruitment will be within the provisions of the act, and applications will be monitored to report on recruitment activity, in line with the act.

Age is a protected characteristic in relation to employment, but does not apply to students in the academies/schools.

Employees who are in breach of this policy will be dealt with under the academy's disciplinary policy.

6. Roles and responsibilities

The Trust Board are responsible for:

- Making sure the Schools follow all of its equality and diversity policies and meets its legal responsibilities with respect to equality.

The Headteacher is responsible for:

- Giving a consistent and high profile lead on equality and diversity.
- Putting the Trust's equality and diversity policies into practice.
- Ensuring policies and procedures are in place to comply with all equality legislation

Ensuring that the school implements its equality and diversity policies All staff are responsible for:

- Promoting equality and diversity, and avoiding unfair discrimination.
- Actively responding to any incidents of unfair discrimination, related to protected characteristics perpetrated by students, other staff or visitors.
- Keeping up to date with equality law and participating in equal opportunities and diversity training.
- Complaints from parents, students and the community will be dealt with in line with the academy's complaints procedure, and as such appropriate staff will deal with the relevant stage of the complaint.

Pupils are responsible for:

- Respecting others in their language and actions.
- Obeying all of the Academy/School equality and diversity policies.

7. Complaints

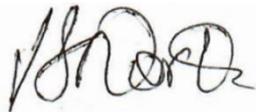
The Trust will treat seriously all complaints of unlawful (or potentially unlawful) discrimination.

Any complaints will be investigated in accordance with the Trust's grievance or complaints policy, whichever is appropriate.

8. Monitoring and Evaluation

8.1. Any reviews to the policy will be consulted on, and brought to a Trust Board Committee.

8.2 Monitoring the implementation of this policy is the responsibility of each Local Governing Body.

Signature CEO :	
Signature Chair of Trust Board :	
Date :	06/10/2021

Appendix 1

The Equalities Act 2010 defines unlawful behaviour including direct discrimination; indirect discrimination; harassment, victimisation and failure to make reasonable adjustments.

Direct discrimination occurs when one person treats another less favourably, because of a protected characteristic, than they treat – or would treat – other people. This describes the most clear-cut and obvious examples of discrimination – for example if an employee was refused a promotion because of their race.

Indirect discrimination occurs when a “provision, criterion or practice” is applied generally but has the effect of putting people with a particular characteristic at a disadvantage when compared to people without that characteristic. An example might be holding a parents’ meeting on a Friday evening, which could make it difficult for observant Jewish parents to attend, or arranging the weekly CPD sessions for teachers on days when no part time staff are available for work. It is a defence against a claim of indirect discrimination if it can be shown to be “a proportionate means of achieving a legitimate aim”. This means both that the reason for the rule or practice is legitimate, and that it could not reasonably be achieved in a different way which did not discriminate.

Harassment has a specific legal definition in the Act - it is “unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”. This covers unpleasant and bullying behaviour, but potentially extends also to actions which, whether intentionally or unintentionally, cause offence to a person because of a protected characteristic. Where schools are concerned, the offence of harassment as defined in this way in the Act applies only to harassment because of disability, race, sex or pregnancy and maternity, and not to religion or belief, sexual orientation or gender reassignment. It is very important to recognise that this does not mean that schools are free to bully or harass pupils on these other grounds - to do so would still be unlawful as well as unacceptable. Any case against the school would be on grounds of direct discrimination rather than harassment.

Victimisation occurs when a person is treated less favourably than they otherwise would have been because of something they have done (“a protected act”) in connection with the Act. A protected act might involve, for example, making an allegation of discrimination or bringing a case under the Act, or supporting another person’s complaint by giving evidence or information, but it includes anything that is done under or in connection with the Act. Even if what a person did or said was incorrect or misconceived, for example based on a misunderstanding of the situation or of what the law provides, they are protected against retaliation unless they were acting in bad faith. The reason for this is to ensure that people are not afraid to raise genuine concerns about discrimination because of fear of retaliation.

As well as it being unlawful to victimise a person who does a protected act, a child must not be victimised because of something done by their parent or a sibling in relation to the Act. This means that a child must not be made to suffer in any way because, for example, her mother has made a complaint of sex discrimination against the school, or her brother has claimed that a teacher is bullying him because he is gay, whether or not the mother or brother was acting in good faith. If a pupil has himself or herself done a protected act – such as making a complaint of discrimination against a teacher – then the child’s own good faith will be relevant. For example, if the parent’s complaint is based on information from her son and the son was deliberately lying, it is not victimisation for the school to punish him in the same way as it might do any other dishonest pupil.

Unless it can be clear that the mother was also acting in bad faith (for example that she knew her son was lying) it would still be unlawful to victimise her for pursuing the complaint.

Failure to Make Reasonable Adjustments - Where someone meets the definition of a disabled person in the Equality Act 2010 (the Act) employers are required to make reasonable adjustments to any elements of the job which place a disabled person at a substantial disadvantage compared to non-disabled people. Employers are only required to make adjustments that are reasonable. Factors such as the cost and practicability of making an adjustment and the resources available to the employer may be relevant in deciding what is reasonable. The general definition of disability for the purposes of the Act is a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities. The Act defines long-term in this context as having lasted, or being likely to last for at least 12 months or the rest of the person's life. Substantial is defined as more than minor or trivial. The duty to make reasonable adjustments arises in three situations:

- where a provision, criterion or practice applied by or on behalf of the employer,
- where a physical feature of premises occupied by an employer, or
- where the lack of an auxiliary aid, places a disabled person at a substantial disadvantage compared with people who are not disabled.

An employer has to take such steps as it is reasonable to take in all the circumstances to avoid that disadvantage – in other words the employer has to make a 'reasonable adjustment'.