

ISLE EDUCATION TRUST



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1 Introduction

This policy reflects the Equality Act 2010 which harmonises and replaces previous legislation including the Race Relations Act 1976, Disability Discrimination Act 1995, Gender Recognition Act 2004 and Sex Discrimination Act 1975. This policy supersedes all previous policies on Disability, Ethnicity and Gender. Through this policy Isle Education Trust (IET) will fulfil its public duty to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. The guiding principles in the policy refer to all individuals and therefore are equally applicable to pupils, staff, governors, directors and visitors to Isle Education Trust sites.

2 Core Principles

Isle Education Trust is an equal opportunities employer. It is our policy and practice to ensure that all individuals associated with our Academies are treated fairly regardless of their race, nationality, ethnic origin, gender, sexual orientation, marital status, religious belief, age or disability.

Our commitment to operating equal opportunity principles is key in all our dealings with employees, pupils, parent's contractors and any other associates. We believe there is an implicit business case to take action to remove all forms of discrimination. Discrimination is wasteful of talent and harmful to both individuals and the organisation. It has the effect of reducing employment prospects and preventing full consideration of abilities, potential and experience. We believe that those organisations failing to tackle discrimination will be at a disadvantage in the recruitment and retention of talented employees.

We therefore have a recruitment policy, which sets out to ensure that we recruit the best person for the job and have a workforce, which reflects the diversity of the local community. We also seek to maximise the potential of all employees, as it makes good business sense. We believe the effective and efficient use of people's skills requires employment decisions to be based on competencies, qualifications, skills, potential and objective job-related criteria, obtained by careful analysis of job requirements and job performance. We intend to develop the talents of all our employees to be successful in an increasingly competitive marketplace.

As part of this overall policy we are working hard also to encourage and develop other employment practices, which address all types of discrimination, based on adopting good practice principles in recruitment, selection for promotion, training and development, redundancy and retirement.

We seek to provide services and employment within an environment free from discrimination. We value diversity and will treat individuals with dignity and respect. We are opposed to all forms of unlawful discrimination of any kind as it recognises that discrimination and bullying adversely affects the working lives of individuals.

The CEO, IET Board and Leadership teams across the Trust are working together and are firmly committed to the success of this policy and all steps taken towards its achievement. We will ensure it is implemented and monitored throughout the Academy operations. Failure to follow this policy could result in disciplinary action.

Everyone associated with Isle Education Trust has a responsibility to treat one another fairly and with respect and to actively participate in any measures required to ensure equality and non-discrimination. We will all be encouraged to take part in developing equality through the policies and practices in which we are involved. All managers have a particular responsibility for implementing equal opportunity policies and practices.

We will continually monitor and evaluate the effectiveness of this policy and treat any breaches seriously.

This policy helps to protect the organisation against liability for the behaviour of individuals if they have taken all reasonable steps to prevent hostile conduct and also helps to ensure that the statutory responsibilities and obligations are met for equal opportunities under the Equality Act 2010.

3 The Equality Act 2010

The protected characteristics under the Equality Act are: -

- Age
- Disability
- Marriage and civil partnership
- Race
- Sex
- Gender reassignment
- Pregnancy and maternity
- Religion or belief
- Sexual orientation.

Under this act it is unlawful in a number of circumstances including employment and training to:

- Discriminate directly against anyone.
- Discriminate indirectly against anyone.
- Subject someone to harassment.
- Victimise someone because they have made or intend to make a complaint or give evidence in relation to a complaint of discrimination on grounds of age;
- Instruct someone to discriminate on behalf of the Trust;
- Discriminate against someone after the working relationship has ended.

It is also unlawful to discriminate against staff who work part time or are on fixed term contracts.

4 Policies and Procedures which Support this Policy

Other IET policies which support Equal Opportunities are: -

- Anti-Bullying & Harassment Policy;
- Grievance Policy;
- Whistleblowing Policy;
- Disciplinary Policy;
- Recruitment & Selection Policy

All Academy activities will be linked back to this policy to ensure that our culture, policies and procedures endorse this policy and that it becomes an essential part of everything that we do.

5 Definitions

Harassment

Harassment occurs if the purpose or effect is to create an intimidating, hostile, offensive or disturbing environment. Harassment includes any unwanted verbal or physical abuse and/or advances and/or behaviour, which an employee finds offensive and which causes them to feel threatened, humiliated, patronised, distressed or harassed. Such action may also be considered harassment if it impairs an individual's job performance, undermines their job security or creates a threatening or intimidating environment. Harassment may be deliberate or unconscious, an isolated incident or repeated action. It will not necessarily be a defence that such incidents or action consist of words or behaviour, which might be claimed to be 'commonplace'.

Discrimination

Discrimination, for the purposes of this policy, is where any employee is treated less favourably than any other employee on grounds of racial origin, gender, age, disability, marital status, religious beliefs or sexual orientation.

Indirect Discrimination

Indirect discrimination occurs where a provision, criterion or practice is such that it would be to the detriment of a considerably larger proportion of e.g. women than men or racial group etc.

- Which cannot be justified;
- Which is detrimental to that person(s), because they cannot comply.

Victimisation

Victimisation, which is a further form of harassment, occurs when a person is treated less favourably than another person, because they have referred to or have asserted their rights under the Equality Act 2010, or the Company's Equal Opportunities Policy. This would cover both those bringing cases under this legislation/policy or those witnesses in any investigation of a complaint.

A Racist Incident

Any incident, which is perceived to be racist by the victim or any other person.

Bullying

The Public Order Act identifies a range of activities (intentionally causing another individual to be harassed, alarmed or distressed by the use of threatening, abusive or insulting words or behaviour), which can be regarded as criminal offences.

For the purposes of this procedure bullying is defined as the persistent and deliberate misuse of power or position to intimidate, humiliate or undermine.

Bullying can arise through intentional misuse of power or position to criticise unreasonably or unjustifiably and condemn; humiliating and undermining an individual's skills and ability such that they become fearful, losing confidence and belief in themselves.

Bullying can take many forms e.g.:

- Physical (at worst assault);
- Verbal (shouting, swearing, public reprimands, personal insults and name calling, spreading rumours, making threats, persistent criticism);
- Non-verbal (ostracising, setting impossible objectives, persistent intrusion, withholding information; unreasonable allocation of duties, removing responsibility, allocating menial tasks, constantly changing working guidelines or even inappropriate eye-contact).

A person who is subject to bullying may suffer from physical and/or emotional symptoms, e.g. disturbed sleep, feeling sick, sweating, shaking and/or loss of confidence, lack of motivation and depression. Additionally, they may suffer in other ways, e.g. loss of training and development opportunities, missed promotion.

It is essential that everyone in our Trust works within the parameters of our Equal Opportunities policy. The information below is to make you aware of who is responsible for its implementation and what you should do if you have any concerns that members of staff are breaching the policy.

6 Implementation

The CEO, IET Board and Principals/Leadership Teams of the Academies will ensure that the policy is implemented ('leading from the top') and monitor the policy at meetings to ensure these responsibilities are met. They will assess how it is working in practice against objectives and suggest improvements encouraging their teams to do the same.

7 What to Do If You Feel Something Is Wrong

If there is anything that happens within your work, which you are uncomfortable with or believe is discriminatory or unfair, in any way, please raise the issue immediately. It is everyone's responsibility to ensure that there is equal opportunity in all our working practices and procedures.

Whilst the policy refers to specific aspects of equal opportunities, we will not tolerate any form of unfair treatment for our staff, pupils, parents and others including bullying or harassment.

The first person you should speak to should normally be your line manager. If the complaint is against your manager or they are not available, you should contact any of the following:

- The Principal of the Academy in which you work or
- The Isle Education Trust CFOO

They will treat any complaints seriously and will ensure that the individual making the complaint is fully supported. If you are not happy that your complaint has been investigated fully or dealt with properly, it will be referred for further investigation.

If you feel that you require further independent help you may also contact the Equality and Human Rights Commission.

8 Document Control

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Status	Approved by IET Board	
Publication Date	August 2015	
Review Date	Annually - March 2021	
Approved/Ratified by	Isle Education Trust Board	Date: March 2020
Distribution: SharePoint		

Version	Date	Comments	Author
Issue 1	August 2015	Updated from a South Axholme Academy Policy to a policy for all Isle Education Trust.	K Wild
Issue 1.1	November 2017	Minor updates	K Wild
Issue 1.2	March 2020	Minor changes	K Wild