

# Equality & Diversity Policy

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## Introduction

The purpose of the Equality and Diversity Policy is to define The Spencer Academies Trust's commitment to equality and diversity; to reaffirm our commitment to a common set of values and objectives, and to set out a consistent approach to communicating, implementing and monitoring Equality and Diversity goals within the Trust.

The Trust and its member academies/schools is committed to equality in both employment and education provision. We aim to ensure that students, parents, governors, employees, contractors, partners, clients and other stakeholders within the Trust community are treated fairly, and with dignity and respect.

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
- marriage and civil partnership (for employees)

The Trust recognises that it is also unlawful to discriminate by association or perception, e.g. treating a student unfairly based on the Protected Characteristics of their parents or other family members.

This policy recognises the four types of unlawful behaviour (see Appendix 1)

- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation

SAT is committed to ensuring individuals are treated fairly and decisions are based on objective criteria.

## Equality Statement

The Spencer Academies Trust will ensure that equal opportunities and the principles of fairness underpin all aspects of policy, procedure, education provision, consultation and decision making.

We will provide high quality education services, making sure services are accessible without barrier or discrimination. We will improve what we do by continuing to consult with staff, students, parents and governors, their communities and partners about equalities issues. We will promote our equal opportunities and diversity policy in our contact with parents, staff, governors and external organisations.

We recognise that every person has the right to be treated fairly, regardless of race, gender, sexuality, disability, age, culture, religion; nationality or caring responsibilities. Where necessary we will implement reasonable adjustments, or additional support, to ensure equality of access to an education and suitable working environment.

Our staff, Trustees and governors will recognise the importance of diversity and demonstrate a proactive approach in their day-to-day work. They will ensure that everyone is treated fairly, recognising special needs and understanding differences. Behaviour will reach our high standards of conduct (staff and students) and the learning environment we provide will be safe and accessible for all children, young people and adults who study or work within the Trust.

The Trust will adhere to statutory Government legislation and give consideration to other relevant guidance, which aim to make sure that everyone is treated with equity. We will not tolerate any form of discriminatory behaviour against members of the Trust community.

## **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 that employers have broader responsibilities to employees and situations that maybe covered by the Act.

All recruitment will be within the provisions of the Equalities 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 studying in Trust academies.

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

## **Student Provision**

The Trust and its member academies/schools will ensure that students are provided with appropriate support to recognise their individual needs. This includes protection under the Act extending the reasonable adjustment duty to require schools to provide auxiliary aids and services to disabled students.

## **Contractors and Service Providers**

The Trust will ensure that all service providers that are contracted to provide services to students, staff or visitors will comply with Equalities legislation.

Where services are deemed not to meet Trust standards, in relation to equal opportunities and fairness, contracts may be terminated.

## Roles and responsibilities

Trustees are responsible for:

- Ensuring Trust and academy practices follow all equality and diversity policies and meet statutory responsibilities with respect to equality.

Principals are responsible for:

- Providing consistent and high profile leadership on equality and diversity
- Putting the Trust's equality and diversity policies into practice at academy level
- Ensuring that all staff know their responsibilities and receive the support and training necessary to carry them out
- Following relevant procedures and taking action in cases of unfair discrimination, harassment, bullying or victimisation.

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.

Students are responsible for:

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

## Complaints

The Trust will regard any complaints of unlawful (or potentially unlawful) discrimination as a potentially very serious matter. Any complaint will be investigated in accordance with the Trust grievance, anti-bullying or harassment or complaints policy, whichever is appropriate.

## Appendix 1

The Equalities Act 2010 defines four kinds of unlawful behaviour:

- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation.

**Direct discrimination** occurs when one person treats another less favourably, because of a protected characteristic, than they treat or would treat other people: 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”.

**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.