



# Trinity MAT

Trinity Multi Academy Trust

**Policy:** Equality Policy and Objectives

**Date or review:** January 2018

**Date of next review:** January 2021

**Lead professional:** CEO

**Status:** Statutory

## 1. Purpose of policy and guiding principles

- 1.1. The purpose of this policy is to define Trinity Multi Academy trust's commitment to equality in everything that we do.
- 1.2. Trinity trust is committed to equality in both employment and education provision. We recognise the diverse nature of our locations and services, and aim to ensure that students, parents, governors, employees, contractors, partners, directors, clients and those who may potentially join the trust community, are treated fairly, and with dignity and respect.
- 1.3. The trust opposes all forms of discrimination and it is our policy and ethos to promote equality to all, irrespective of:
  - Age
  - Disability
  - Pregnancy or maternity
  - Sexual orientation
  - Race (including nationality, ethnic or national origin)
  - Gender (including gender reassignment)
  - Marital status (including civil partnerships)
  - Domestic circumstances
  - Carer responsibilities
  - Religion or belief
  - Trade Union affiliation.
- 1.4. The trust undertakes not to discriminate unlawfully, or treat people less favourably, on the grounds of any Protected Characteristics defined by the Equality Act 2010 (and any future amendments to the Act), or any other ground that cannot be justified.
- 1.5. 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.
- 1.6. This policy recognises the four types of unlawful behaviour. **Appendix 1** provides these definitions.
- 1.7. Every possible step will be taken into account in the aim of ensuring individuals are treated fairly and decisions are based on objective criteria.

## 2. Consultation

- 2.1. Directors and Senior Leaders have been consulted on this policy, and its ethos and aims have their full commitment.
- 2.2. This policy has been developed in consultation with recognised Trade Unions.
- 2.3. Further information on consultation and engagement is outlined in **Appendix 2**.

## 3. Links with other policies or legislation

- 3.1. This policy and its ethos applies to every policy, procedure and guidance document that is produced in relation to students, staff, parents and governance.
- 3.2. The following policies are particularly relevant to achieving the objectives of this policy:
  - SEN policy
  - Admissions policy
  - Anti-bullying policy
  - Behaviour for Learning policy
  - Students with medical needs policy
  - Accessibility plans (for each academy)
  - Recruitment and Selection policy
  - All other employment policies.
- 3.3. This policy is underpinned by the Equalities Act 2010.

#### 4. Public Sector Equality Duty (PSED)

- 4.1. Under the Equality Act 2010 the trust is required to meet the Public Sector Equality Duty (PSED). The trust is required to have due regard to:
- Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act.
  - Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
  - Foster good relations across all protected characteristics between people who share a protected characteristic and people who do not share it.
- 4.2. In relation to this our Equality Objectives are outlined in **Appendix 2**.

#### 5. Equality Statement

There are some specific areas of the policy:

- 5.1. The trust will ensure that equal opportunities and the principles of fairness underpin all aspects of policy, procedure, education provision, consultation and decision making.
- 5.2. The trust is committed to equality in its delivery of education, whether or not the service is directly provided by us or contracted to a third party provider. Senior leaders will monitor this education provision to ensure that students acquire the skills which enable them to be proactive in their behaviour and learning and to become responsible citizens.
- 5.3. We aim to provide high quality education services, making sure services are easily accessible. We will improve what we do by continuing to consult with staff, students, parents, governors, local communities and other partners about equality issues. We will promote our equal opportunities policy in our contact with parents, staff, governors and external organisations.
- 5.4. We will make every effort in creating equality of opportunity in order to ensure they are accessible and fair to everyone. 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 learning and working environments.
- 5.5. Our staff and governors who plan, agree and deliver our education provision will recognise diversity and demonstrate a proactive approach in their day-to-day work. They will ensure that everyone is treated fairly, recognising special education or physical 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 those studying and working.
- 5.6. The trust will adhere to statutory legislation and give consideration to other relevant guidance, which aims to make sure that everyone is treated equitably. We will work with other people and organisations to encourage fair treatment of all. We will collect information, which will help us plan and develop services to meet the special needs of all members of the community.
- 5.7. The trust will not tolerate any form of discriminatory behaviour against members of the trust or local community.
- 5.8. Employment
- 5.8.1. The trust is committed to ensuring that employees have equal access to recruitment and career opportunities, training, and professional development.
- 5.8.2. 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 trust, as their employer, would need to consider.
- 5.8.3. 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.
- 5.8.4. We will make every effort in creating equality of opportunity for employees, ensuring these are accessible and fair to all. Where necessary we will implement reasonable adjustments or additional support, to ensure equality of access to the working environment and opportunity to undertake the job role successfully.

- 5.8.5. HR policies and procedures will be reviewed regularly to improve, adapt or amend current practices to promote equality of opportunities. All HR and employment policies will be applied consistently and fairly and refer to the provisions of the Equalities Act 2010.
  - 5.8.6. In addition employees have access to a range of policies which aim to support and encourage flexibility and diversity in our workplaces.
  - 5.8.7. Employees who are in breach of this policy will be dealt with under the staff disciplinary policy.
- 5.9. Student provisions
- 5.9.1. The academy 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.
  - 5.9.2. Protection under the Equality Act is extended to students who are pregnant, have recently given birth or are undergoing gender reassignment.
  - 5.9.3. All policies relating to the provision of education, the curriculum, behaviour for learning, attendance, exclusion, medical treatment and Child Protection and safeguarding policies should consider the provisions and duties of the Act. See Section 6.
- 5.10. Contractors and service providers
- 5.10.1. Across the trust we will ensure that all service providers that are contracted to provide services to students, staff or visitors will comply with Equalities legislation.
  - 5.10.2. Where services are deemed not to meet these standards, in relation to equal opportunities and fairness, contracts may be terminated.
  - 5.10.3. Provision will be made within Service Level Agreements between the trust, or an individual academy and service providers or contractors, that will ensure that services are made available, with due regard for fairness and equality.

## **6. Positive Action**

- 6.1. Positive action provisions allow the trust to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, students with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim.

## **7. Roles and responsibilities**

- 7.1. The role of Directors and Governing Bodies
  - 7.1.1. Directors will approve this policy and are committed to ensuring that this policy is applied consistently and fairly.
  - 7.1.2. Governors will ensure that this policy is applied consistently and fairly in all aspects of academy life.
  - 7.1.3. The Governing Body will monitor, evaluate and review policies in line with statutory and best practice guidelines.
  - 7.1.4. The Governing Body will nominate a SEN Governor with responsibility for monitoring the quality of the academy's SEN provision.
- 7.2. The role of academy and trust leaders
  - 7.2.1. The role of CEO is to ensure that this policy is applied fairly and consistently across the trust.
  - 7.2.2. The role of a Principal is to ensure that this policy is applied fairly and consistently across an academy.
  - 7.2.3. Academy senior leaders will be responsible for ensuring that their academy offers an inclusive curriculum, which promotes equal opportunity and good relations across all groups of students.

- 7.2.4. Academy senior leaders will be responsible for ensuring that their academy has in place a SEN policy, pastoral care policies and a Behaviour for Learning policy, all of which will promote equal opportunity and good relations across all groups of students.
- 7.2.5. Academy Senior Leaders will be responsible for ensuring that their academy develops teaching and learning strategies and quality CPD that ensure all staff are able to deliver inclusive learning.
- 7.2.6. The HR Manager is responsible for all employment policies and ensuring the principles of this policy are reflected in all our employment practices. The HR Manager will deal, in the first instance, with complaints raised under the grievance policy.
- 7.2.7. Finance Managers will monitor contractor and service provider compliance, and deal, in the first instance, with complaints.
- 7.2.8. Within each academy the SENCo is responsible for the day-to-day management and co-ordination of education to students with special, or disability related, needs.

### 7.3. The role of the employee/other staff

- 7.3.1. The role of all staff is to adhere to this policy, and the spirit of the law.
- 7.3.2. 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.

## 8. Complaints

- 8.1. The trust will treat seriously all complaints of unlawful (or potentially unlawful) discrimination.
- 8.2. Any complaints will be investigated in accordance with the grievance, dignity at work or complaints policy, whichever is appropriate.

## 9. Monitoring and Evaluation

- 9.1. Recruitment applications will be recorded and monitored to ensure compliance to the policy.
- 9.2. Requirements of contractors and other services managers will be monitored and documented through service level agreements.
- 9.3. Complaints will be monitored by the CEO's PA and the HR Manager will monitor any grievances brought in relation to this policy.
- 9.4. The academy has in place an Equality Impact Assessment tool to ensure that any new policy, or amended policies, are assessed to ensure that a policy, project or scheme does not discriminate against, or disadvantage a particular group of people.
- 9.5. Any reviews to the policy will be consulted on, and brought to a Directors' meeting.

## 10. Further Advice

- 10.1. The trust recognises that there is a wealth of information relevant to the provisions of the Equality Act 2010. Advice on this policy and more specific legal requirements and definitions is available via:
  - [www.gov.uk/government/publications/equality-act-guidance](http://www.gov.uk/government/publications/equality-act-guidance)
  - [www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/-equality-act-2010](http://www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/-equality-act-2010)
  - [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## 11. Equality Impact Assessment

- 11.1. This policy sets out to ensure all stakeholders are treated equally and fairly during their relationship with the academy.

## Appendix 1

The Equalities Act 2010 defines four kinds of unlawful behaviour – direct discrimination, indirect discrimination, harassment and victimisation.

**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 a school were to refuse to let a student be a prefect because she is a lesbian, or 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.

The Dignity at Work policy contains more specific advice and examples in relation to Harassment and Victimisation in employment situations.

## **Appendix 2 – Equality Objectives**

Our equality objectives are based on our analysis of data and other information. They focus on those areas where we have agreed to take action to improve equality and opportunity. Trinity Multi Academy trust has set out the following equality objectives for the next three years. All of these objectives and actions to achieve them are detailed in academy and trust improvement plans.

### **In relation to Achievement:**

- We are committed to improving the attainment of vulnerable groups of students, including students with Special Educational Needs, students with disabilities and those entitled to Free School Meals so that the gap between their attainment and that of other students is narrowed.
- We will aim to raise aspirations among children and young people, their parents and communities and raise awareness of career and higher education opportunities, to challenge stereotypes.

### **In relation to Teaching and Learning:**

- We will ensure that our curriculum (including our programme of enrichment and extra-curricular activities) actively is broad and balanced and provides opportunities for all students and promotes understanding between different groups of people, cultures and societies.
- Our curriculum will include an element of PHSE education that tackles stereotypes and challenges student's perceptions.

### **In relation to Behaviour and Safety:**

- We will maintain a rigorous anti-bullying stance so that all students and staff, including those with protected characteristics, are protected from harassment and discrimination of all kinds.
- We will ensure that the promotion of our Christian values and British values through our curriculum. This will support and develop our students into responsible citizens of the future.
- Our behaviour for learning policies will outline how we will deal with students who use discriminatory homophobic or otherwise offensive language.

### **In relation to Leadership and Management:**

- We will demonstrate our commitment to equality and diversity through consistent application of our policies and procedures.
- We will ensure that our systems for recruiting, retaining and managing staff (and potential applicants) support all those in groups protected by the Equalities Act.
- We will undertake equality assessments of all new and existing policies and procedures.

### **How we will consult and engage our stakeholders with regard to our PSED:**

We aim to engage and consult with our stakeholders (including parents, students, governor's staff and local communities) so we can develop our awareness and review the impact of our policies and equality objectives.

Examples of our engagement and consultation include:

- Student surveys, 'Student Voice' forums and school council structures
- Student school leader programmes
- Staff surveys
- Recognised Trade Union consultation instrument
- Parents forum
- Parent and Community governors
- Open events/Parents Evenings/SLG 'drop in' sessions
- School magazines and other communication channels.

## **How we will demonstrate we meet our PSED:**

The following information demonstrates how we comply and achieve our PSED objectives:

- Reviewing pupil progress and attainment data, particularly from identified sub-groups. This data will be used to plan intervention.
- Mentoring and enrichment programmes.
- PSHE programmes, including tutor sessions, assemblies and celebrations involving students.
- Data and information published on our websites, including; Pupil Premium and SEN reports.
- Academy Improvement Plans, Governing Body reports and minutes.
- School improvement officer, SENCo and Directors reports.
- Taking advice from relevant parties e.g. disability experts, HR professionals, the LA.
- Information on SEN or specific support programmes.
- Work profile data and recruitment monitoring information.
- Equality Impact Assessments.
- Policies that are in place across the trust.