FURNESS ACADEMIES TRUST

Equal Opportunities Policy
General Arrangements and Responsibilities

Approved by the Trust Board			
Committee	Name	Signature	Date
Chair of the Trust Board		Tony Bumbridge	4/7/18
Headteacher		J.P. Lee	2/5/18

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Responsible for policy/document	The Trust Board

1. EQUAL OPPORTUNITIES STATEMENT

The Trust is committed to promoting equal opportunities in employment. Any employees and job applicants will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (**Protected Characteristics**).

2. ABOUT THIS POLICY

2.1 This policy sets out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with the Trust, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.

2.2 This policy has been implemented following consultation with trade unions.

2.3 This policy covers all employees, officers, consultants, contractors, volunteers, casual workers and agency workers.

2.4 This policy does not form part of any employee's contract of employment and the Trust may amend it at any time.

3. WHO IS RESPONSIBLE FOR THIS POLICY?

3.1 The Trust Board has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility for this policy, including regular review of this policy, has been delegated to the Trust's Business Manager.

3.2 All managers must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.

3.3 This policy is reviewed annually by the Trust Board.

3.4 Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Trust's HR department.

4. DISCRIMINATION

4.1 Staff must not unlawfully discriminate against or harass other people including current and former employees, job applicants, pupils, parents of pupils, suppliers and visitors. This applies in the workplace, outside the workplace, and on work-related trips or events including social events.

4.2 The following forms of discrimination are prohibited under this policy and are unlawful:

(a) **Direct discrimination:** treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.

(b) **Indirect discrimination:** a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, requiring a job to be done full-time rather than part-time would adversely affect women because they generally have greater childcare commitments than men. Such a requirement would be discriminatory unless it can be justified.

(c) **Harassment:** this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Anti-harassment and Bullying Policy.

(d) **Victimisation:** retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.

(e) **Disability discrimination:** this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

5. RECRUITMENT AND SELECTION

5.1 Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person and with the involvement of the HR department, where possible. Our recruitment procedures should be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.

5.2 Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying. They should include a short policy statement on equal opportunities and a copy of this policy will be made available on request.

5.3 The Trust takes steps to ensure that its vacancies are advertised to a diverse labour market. Where appropriate, the HR department may approve the use of lawful exemptions to recruit someone with a particular Protected Characteristic, for example, where the job can only be done by a female staff member. The advertisement should specify the exemption that applies.

5.4 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

5.5 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of HR. For example:

(a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).

(b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.

(c) Positive action to recruit disabled persons.

(d) Equal opportunities monitoring (which will not form part of the selection or decision-making process).

Where necessary, job offers can be made conditional on a satisfactory medical check.

5.6 The Trust is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from UK Visas and Immigration.

5.7 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in this organisation, the Trust monitors applicants' ethnic group, gender, disability, sexual orientation, religion and age 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 is 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.

6. TRAINING AND PROMOTION AND CONDITIONS OF SERVICE

6.1 Training needs will be identified through regular appraisals. Staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.

6.2 Conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

7. TERMINATION OF EMPLOYMENT

7.1 The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

7.2 The Trust will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

8. DISABILITIES

8.1 Anyone who is or becomes disabled is encouraged to tell the Trust about their condition so that the Trust can support them as appropriate.

8.2 If anyone experiences difficulties at work because of their disability, they may wish to contact the Headteacher or HR department to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Trust may wish to consult with them and a medical adviser about possible adjustments. The Trust will consider the matter carefully and try to accommodate needs within reason. If the Trust considers a particular adjustment would not be reasonable they will explain their reasons and try to find an alternative solution where possible.

8.3 The Trust will monitor the physical features of its premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, the Trust will take reasonable steps to improve access.

9. PART-TIME AND FIXED-TERM WORK

Part-time and fixed-term staff should be treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

10. BREACHES OF THIS POLICY

10.1 The Trust takes a strict approach to breaches of this policy, which will be dealt with in accordance with the Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

10.2 If any staff member believes they have suffered discrimination they can raise the matter through the Trust Grievance, Bullying and Harassment Policy as appropriate. Complaints will be treated in confidence and investigated as appropriate.

10.3 There must be no victimisation or retaliation against staff who complain about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under the Trust's Disciplinary Procedure.

11. RELATED POLICIES

This policy is supported by the following other policies and procedures:

(a) Grievance, Bullying and Harassment Procedure.
(b) Disciplinary Procedure.
(c) Flexible Working Procedure.
(d) Maternity, Paternity, Adoption and Shared Parental Leave Policies.
(e) Parental Leave Policy.
(f) Time Off Work Policy.