

# Equality and Diversity Policy (Staff Only)

Version 3

*This policy has been implemented at NCLT after consultation with relevant recognised trade unions.*

**This policy applies to all NCLT institutions**

 **newcollege** Doncaster  **newcollege** Bradford  **newcollege** Pontefract  **Wingfield Academy**



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## **1.0 Policy Statement**

New Collaborative Learning Trust (NCLT) is committed to providing an inclusive environment free from any form of discrimination, harassment or victimisation. NCLT strives to implement and deliver equality in all areas. Our fundamental belief in ensuring that all members of the NCLT community feel valued underpins everything that we do, both as an education provider and as an employer. The Trust will make every effort to ensure that anyone who comes into contact with the organisation is treated with courtesy, dignity and respect.

The Trust is fully committed to meeting all individual needs, encouraging everyone to achieve their full potential and to raising educational standards. We aim to create a positive, inclusive atmosphere in our schools and colleges, based on respect for peoples' differences and the challenging of stereotypes. Our schools and colleges are committed to making its workforce representative of the communities they serve and to making full use of the skills and knowledge of people from different groups.

This policy is intended to support the Trust to put its commitment to providing equality of opportunity and opposing unlawful discrimination into practice. Compliance with this policy should also ensure that no member of the Trust community commits unlawful acts of discrimination.

The Trust believes that discrimination on any grounds, whether covered by law or not, is unacceptable and will be addressed under the appropriate policies and procedures. This policy applies to all staff, potential employees, temporary staff, contractors, Directors and outlines the Trust expectations in terms of acceptable behaviour by:

- Developing and maintaining a culture where everyone is treated with respect, is valued and diversity is celebrated.
- Actively advancing and promoting equality of opportunity.
- Promoting good relations amongst people within the Trust communities.
- Eliminating all forms of direct or indirect discrimination, bullying, harassment, victimisation.
- Delivering equality and diversity through our policies, procedures and practices.
- Taking positive action and making reasonable adjustments, within available resources, and as required to remove barriers to access and achievement.
- Taking all breaches of the Equality and Diversity Policy seriously and pursuing as a disciplinary matter, where appropriate.
- Fulfilling our legal obligations under the Equality Act 2010.

This policy applies to all conduct in the school/college and also to conduct outside of the school/college that is related to work (eg, at meetings, social events and social interactions with colleagues) or which may impact on NCLT's reputation.

## **2.0 The Legal Framework**

The Equality Act 2010 makes it unlawful to discriminate against anyone who holds one of the nine protected characteristic – as outlined below.

1. Gender
2. Race

3. Disability
4. Marriage and civil partnership
5. Sexual orientation
6. Religion or belief
7. Pregnancy and maternity
8. Gender reassignment
9. Age.

The legislation provides protection from discrimination at the same level across all protected characteristics and fundamentally protects the rights of people to be treated fairly, with dignity and with respect.

As part of the Equality Act, additional statutory obligations are placed on public sector organisations through the Public Sector Equality Duty (PSED) to:

Through the *General Duties*:

- Eliminate discrimination, harassment and victimisation.
- Advance equality of opportunity between people who share a protected characteristic and people who don't.
- Foster good relations between people who share a protected characteristic and people who don't.

Through the *Specific Duties*:

- Publish our approach to equal opportunities, through this policy.
- Set equality objectives.
- Publish how we are meeting our obligations under the PSED. Further information is available on our website.

### **3.0 Types of Discrimination**

Discrimination can come in many forms. The Equality Act 2010 describes groupings as follows:

#### **3.1 Direct Discrimination**

This occurs when a person treats another less favourably than they would treat others because of a protected characteristic that they have or are thought to have. For example, deciding whether to make a job offer to someone because of a protected characteristic.

#### **3.2 Direct Discrimination by Association**

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For example, an individual being treated less favourably because they campaigned to help someone with a particular protected characteristic or refused to act in a way that would disadvantage a person who has, or is believed to have, the characteristic.

#### **3.3 Direct Discrimination by Perception**

This is direct discrimination against an individual because others think they possess a particular protected characteristic. For example, discrimination against someone because they are wrongly perceived to have a certain protected characteristic, for example where someone believes an individual is gay, or is of a particular race, and treats them less favourably as a result. It applies if the person does not actually possess that characteristic.

### 3.4 Indirect Discrimination

This occurs when an organisation's practices, policies or procedures have the effect of disadvantaging people who share a particular protected characteristic. For example, where an employer asks for a minimum number of years of service in a job advert. This could potentially discriminate on age, as the advert may exclude younger applicants who have the relevant skills, qualifications and experience to carry out the role. To be justified the provision or practice must be necessary for legitimate business reasons and where less discriminatory alternatives are not reasonably available.

### 3.5 Victimisation

Victimisation is treating a person unfavourably because they made or supported a complaint relating to a protected characteristic (known as a protected act), or someone believes they did. For example, bringing a complaint of discrimination or giving evidence on behalf of someone else who has complained of discrimination. Victimisation may present itself in many ways. It may be that individuals are refused requests for time off, denied promotion or training, ignored by their manager, criticised continually for their work.

### 3.6 Harassment

Harassment is unwanted conduct relating to a protected characteristic that has the purpose of creating an intimidating or hostile environment. An individual can complain of harassment even if they don't personally possess the protected characteristic or the harassment is not directed at them.

## 4.0 Specific Responsibilities

### 4.1 Employees

Every employee, irrespective of their job or position within the Trust, has an individual responsibility not to unfairly discriminate, to treat others in a fair and non-judgemental manner, and to promote positive attitudes and relationships. Staff must conduct themselves properly at all times and in accordance with the Trust's policies and procedures and individual employees will be held accountable for their decisions and actions if they contravene the Trust's commitment to act as an equal opportunities employer and education provider.

Staff should challenge stereotypical behaviour and be aware of possible assumptions and bias within their own attitudes.

In addition, employees are responsible for ensuring that teaching styles, methods, language, questioning and classroom management includes and engages all students and that suitable resources are chosen which motivate and are sensitive to different groups, cultures and backgrounds. Teaching strategies should be reviewed in relation to variations in learning and attainment and in the light of known good practice.

### 4.2 Management - at All Levels

Managers will ensure that an environment is created which affirms and supports all manners of diversity and effectively promotes good personal and community relations, creating a culture where individuals feel confident to raise concerns under this policy. They will promote equality and diversity throughout the Trust and ensure that all students and colleagues are aware of their responsibilities and expectations with regard to their conduct. Managers will deliver equality of opportunity to all employees including access to

information, resources, training, support and fair and consistent application of policies and procedures.

#### **4.3 Equality and Diversity Group**

The purpose of the Equality and Diversity Group is to ensure involvement and consultation regarding equality and diversity across the Trust. The group will work with senior managers to review policies, procedures and practices and share ideas for ways in which the Trust may make improvements. The Equality and Diversity Group will meet once per term at each school/college and its role will include:

- Monitoring the Equality and Diversity Policy.
- Driving forward proactive good practice in equality and diversity matters.
- Discussing data analysis and recommended appropriate action.
- Equality impact assessing policies and procedures.
- Providing advice and guidance on equality and diversity matters.
- Discussing ideas for and celebrating equality and diversity, both inside and outside of the curriculum, including school/college events.

The Group is represented by a broad range of employees and welcomes new members. For anyone interested in joining this Group, please contact your HR Officer/School Business Manager in the first instance.

Relevant data collection and analysis will be undertaken by the MIS Department (for students) and Human Resources Department (for staff), in line with the principles of Data Protection.

#### **4.4 Human Resources**

The Human Resources Team will provide advice and assistance to managers regarding this policy where required. The HR Director is responsible for all employment policies and ensuring the principles of this policy are reflected in all our employment practices.

### **5.0 Positive Action**

The legislation allows the Trust to take positive action if leaders believe that an individual or group who share a protected characteristic suffer a disadvantage, or their participation is proportionately low. Positive action provisions allow the Trust to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, individuals or groups with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim. For example, to increase the number of disabled people in senior roles in which they may be currently under-represented.

### **6.0 Equality Objectives**

All NCLT schools and colleges will set equality objectives to identify areas where we have agreed to focus activities in order to progress and improve on equality and diversity issues. Details of our Equality Objectives and progress towards can be found on our website.

## **7.0 Complaints Procedures**

The Trust will take any complaint seriously and complaints relating to discrimination within employment, should be reported following the Trust's Grievance Procedure which can be obtained on SharePoint or via a member of the Human Resources Team.

Complaints made by those not in employment by the Trust, should be made via the Trust Complaints Policy, which can be found on our website.

Policy Status			
<b>Policy Lead (Title)</b>	Director of HR	<b>Review Period</b>	Every 3 years
<b>Reviewed By</b>	Trust Executive Team/ CEO	<b>Equality Impact Assessment Completed (Y/N)</b>	Y

POLICY AMENDMENTS				
Version	Approval Date (Trust Executive Team)	Trade Union Consultation Date (if applicable)	Page No./Paragraph No.	Amendment
Version 1	14/10/2020		Throughout the whole policy	More information been addressed in the policy
Version 2	09/11/2021	28/09/2021	Throughout	Reference to students removed. Amended as a staff only policy. Extended to include WFA.
Version 3	20/09/2023	06/06/2023	Throughout	Extended to include NCLT Primary Schools.
Updated by Lauren Walker				