



**Interaction &  
Communication**

— Academy Trust —

# **STAFF EQUALITIES POLICY**

Date Published	September 2020
Review Cycle	3 Years
Review Date	September 2023

## 1. General Policy Statement

At the Interaction and Communication Academy Trust (ICAT) we commit to providing to provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time

The policy's purpose is to highlight ICAT's commitment to:

- not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation
- oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities

## 2. Legal requirements

ICAT welcomes its duties under the new Equality Act (2010).

The Equality Act 2010 ("the Act") provides a modern, single legal framework with three broad duties:

- Eliminate discrimination;
- Advance equality of opportunity; and
- Foster good relations.

The Equality Act establishes 9 protected characteristics.

- Disability
- Race
- Sex (gender)
- Gender reassignment
- Pregnancy and maternity
- Religion or belief
- Sexual orientation
- Marriage & civil partnership
- Age (this is not a protected characteristic for pupils, but it is for others, including staff)

In order to meet our general duties, listed above, the law requires us to undertake some specific duties to demonstrate how we meet the general duties.

These are to:

- monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability

in order to encourage equality and diversity, and to meet the aims and commitments set out in this policy

Monitoring will also include assessing how the equality policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

### Public Sector Equality Duty

The Public Sector Equality Duty (section 149 of the Act) gives public bodies such as the Trust some more detailed requirements. The Trust and all its schools must always have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This includes taking steps to tackle prejudice, improve understanding, removing disadvantages, taking steps to meet needs.

### Equality Act 2010 (Specific duties) regulations 2011 – publication of information and equality objectives

These regulations require the trust to publish information to demonstrate its compliance with the public sector equality duty, at intervals not exceeding one year. In addition, one or more specific and measurable objectives must be published every four years or more often, to do any of the three things mentioned in the Public Sector Equality duty above. These duties are covered in this document at Appendix A.

## **3. Equal opportunities – staff**

### **3.1 Policy statement**

ICAT is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment.

We do not discriminate against staff on the basis of any of the protected characteristics.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status.

The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, governors, third party organisations and former staff members.

This policy does not form part of any employee's contract of employment and may be amended at any time.

### **3.2 Who is covered?**

This policy covers all individuals working at all levels and grades, including members of the senior leadership team, teachers, teaching assistants, learning mentors, support staff, trainees, home workers, part-time and fixed-term employees, volunteers (including Local Governing Body members, Directors and Members), interns, consultants, casual workers and agency staff (collectively referred to as staff in this policy).

### **3.3 Who is responsible for this policy?**

The ICAT board has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Resource, Audit and Risk Committee.

All ICAT members and directors, local governors of schools within ICAT, and members of the senior leadership teams ("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. The ICAT board has overall responsibility for ensuring its schools comply with the latest statutory guidance/law regarding Equal Opportunities.

### **3.4 Scope and purpose of the policy**

The aims of this policy are to ensure that the Trust and its management will:

- provide equality, fairness and respect for all staff, whether substantive or fixed-term, part-time or full-time
- make decisions concerning staff on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act)
- not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation
- oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities

We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

### **3.5 Forms of discrimination**

Discrimination by or against an employee is prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above.

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else's complaint. (See also Whistleblowing policy and Dignity at Work policy)

### **3.6 Recruitment and selection**

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Short listing of applicants will be done by more than one person on all occasions.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor 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 applicant's chances of recruitment or any other decision related to their employment. The information is removed from applications before short listing and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

### **3.7 Staff training and promotion and conditions of service**

We are committed to training managers and all other employees about their rights and responsibilities under the equality policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in

employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

Other staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation.

Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

Conditions of service, benefits and facilities will be reviewed regularly to ensure that they provide equal opportunities for all.

#### **4.8 Termination of employment**

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

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

#### **4.9 Disability discrimination**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your line manager or the HR team to discuss any reasonable adjustments that could be considered to help overcome or minimise the difficulty. Your line manager or a member of the HR team may wish to consult with you and a medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

#### **4.10 Breaches of this policy**

If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter with your line manager and / or a member of the HR team.

If you believe that you have witnessed any breach of this policy, not affecting yourself directly, please raise the matter through our Whistleblowing procedure (please visit the documents section of the ICAT website for access to this policy).

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.

Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

#### **4.11 Monitoring of this policy**

This policy is reviewed by ICAT staff and HR advisors in conjunction with the Risk, Audit and Resource committee and the ICAT Board.

We will continue to review the effectiveness of this policy to ensure it is achieving its objectives. As part of this process we monitor the composition of the workforce and job applicants and the benefits and career progression of our staff.

We will also review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law

Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting any member of the ICAT finance or administration staff, any ICAT director, the Chief Executive, or ICAT's HR advisors.