

EQUALITY, DIVERSITY AND INCLUSION POLICY

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1 Introduction

1.1 Braunton Academy is an inclusive school. We are committed to realising the ambitions of our communities by raising aspirations, enabling achievement and improving life chances. We promote equality, diversity and inclusion. We have the potential to change lives through education and learning. We empower people to be themselves in school and we celebrate differences. We actively challenge behaviour that does not align with our values of being an inclusive school. We treat everyone with dignity and respect. We strive to ensure that the school environment is free from Harassment, Discrimination Bullying or Victimisation.

1.2 We aim to create a working environment in which all individuals are treated fairly and with respect and are able to make best use of their skills, free from discrimination or harassment. We also value diversity and recognise the varied contributions that a diverse workforce brings to an organisation; we are committed to drawing on different perspectives and experiences of individuals which will add value to what we do.

1.3 We will take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

1.4 We will ensure that we do not discriminate against anyone on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation (the protected characteristics). We also include other factors such as social economic background.

1.5 We expect the same standards of behaviour from our employees as to how they treat their colleagues, pupils, parents and carers, visitors and former employees regardless of whether the legal protection of having a protected characteristic applies.

1.6 This policy complies with the requirements of the Equality Act 2010. Under the general public sector equality duty of the Equality Act 2010, our Academy must have due regard to the need to:

1.6.1 eliminate discrimination, harassment and victimisation;

1.6.2 advance equality of opportunity between people who share a protected characteristic and those who do not; and

1.6.3 foster good relations between people who share a protected characteristic and those who do not.

The duty covers the protected characteristics of age, disability, gender reassignment, pregnancy or maternity, race, religion or belief, sex or sexual orientation. The first part of the duty - the duty to eliminate discrimination, harassment and victimisation - also applies to the protected characteristic of marriage and civil partnership.

1.7 As part of the application of this policy, the Academy may collect, process and store personal data and special categories of data in accordance with our data

protection policy. We will comply with the requirements of **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018) in relation to how we collect, hold and share personal data.

1.8 This policy has been formally adopted by the Board of Trustees after appropriate consultation with the recognised Trade Unions.

1.9 This policy does not form part of any employee's contract of employment and may be amended at any time, after the consultation with the recognised Trade Unions.

2. Scope and purpose

2.1 This policy covers all individuals within in the Academy including students, trustees, the principal, senior leadership, employees, consultants, contractors, trainees, part-time and fixed-term employees, volunteers, casual workers and agency staff (collectively referred to as **employees** in this policy).

2.2 This policy applies to all aspects of the Academy, its students and employment relationship and covers job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, leave for parents, requests for flexible working, disciplinary and grievance procedures, and termination of employment. It also applies to former employees for example in the provision of employment references.

2.3 The purpose of this policy is to set out our approach to equal opportunities, how we will tackle discrimination and how we will put our commitment into action and comply with the law, to ensure that equality and diversity is promoted in the workplace and our students and employees are not subject to and do not commit unlawful acts of discrimination.

3. Roles and responsibilities

3.1 Our Board of Trustees has overall responsibility for the effective operation of this policy and for ensuring compliance with equality legislation. Day-to-day operational

responsibility including ensuring full implementation of this policy, has been delegated to the Principal and the wider Senior Leadership Team.

3.2 All senior leaders 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 regarding equal opportunities.

3.3 All students and employees must be aware of this policy and have a duty to act in accordance with this policy and not to discriminate against or harass other people including students, former students, employees, former employees and job applicants treating them with dignity at all times. They should also apply this to how they treat members of the public in the provision of services and should support the Academy in meeting its commitment to provide equal opportunities for all and promoting diversity in the education setting and workplace.

4. Forms of discrimination

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

4.2 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics as set out above. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim. It will only be exceptional circumstances that this will apply in our Academy.

4.3 Indirect discrimination occurs where someone is disadvantaged by a provision, criterion or practice that applies to everyone but puts people with a protected characteristic at a disadvantage. Such a requirement will need to be objectively justified.

4.4 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. Pregnancy and maternity, and marriage and civil partnership are not protected directly under the harassment provisions. However, pregnancy and maternity harassment would amount to harassment related to sex,

and harassment related to civil partnership would amount to harassment related to sexual orientation.

4.5 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.

4.6 Discrimination by association is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

4.7 Discrimination by perception is where an individual is directly discriminated against or harassed based on a perception that a person has a protected characteristic irrespective of whether they do have that protected characteristic (this does not include marriage and civil partnership and pregnancy and maternity).

4.8 Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as parents and carers, clients or customers.

4.9 Part-time and fixed-term employees should be treated the same as comparable fulltime or permanent employees and enjoy no less favourable terms and conditions unless different treatment is justified.

These examples provided are not exhaustive.

5. Applying our policy to recruitment and selection

5.1 We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. Our recruitment procedures are reviewed regularly to ensure that individuals are treated based on their relevant skills and abilities. All applications forms will include a copy of our Recruitment Privacy Notice which sets out how we will gather, process and hold personal data of individuals during the recruitment process.

5.2 Job selection criteria, as set out in the person specification, will be regularly reviewed to ensure that they are relevant to the job. Short listing of applicants should be done by more than one person wherever possible and will be carried out objectively against the requirements of the job.

5.3 Job advertisements should use inclusive language and avoid using language, phrases or requirements that may discourage people from applying.

5.4 Where possible we will advertise our vacancies to a diverse labour market and to groups that have been identified as underrepresented in our Academy.

5.5 Applicants will not be asked about health or disability before a job offer is made, other than where it is necessary to;

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

5.5.2 establish if any reasonable adjustments need to be made to enable an applicant to have a fair interview or assessment.

5.5.3 carry out equal opportunities monitoring (which will not form part of the decision-making process).

Job offers will be conditional upon a satisfactory medical check in accordance with our obligation under Keeping Children Safe in Education, where a school must verify the candidate's mental and physical fitness to carry out their work responsibilities in accordance with the Education (Health Standards) (England) Regulations 2003.

5.6 Selection panels will only ask job related questions, while covering legitimate questions as defined within the parameters of safer recruiting guidelines.

5.7 We are 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, name or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original specified documents before employment starts to satisfy current immigration legislation.

5.8 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our Academy, we monitor diversity data as part of the recruitment process and as set out in our Recruitment Privacy Notice and Data Protection Policy. Provision of this information is voluntary, and it will not adversely affect an individual's success at 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.

5.9 We keep on file information from application forms, equal opportunities forms and any documents candidates may attach. This is required for recruitment and

equal opportunities monitoring purposes, the payment of employees and the prevention and detection of fraud. All information will be dealt with in accordance with data protection legislation and will not be sold to any third party. Unsuccessful application forms will be securely destroyed after 6 months; anonymised data will be kept for monitoring purposes.

6. Applying our policy to training, promotion, pay decisions and conditions of service

6.1 All employees will be provided with a copy of our Workforce Privacy Notice which sets out how we will collect, hold and share personal data of individuals during their employment.

6.2 Employees training needs will be identified through the appraisal process. All employees will be given appropriate access to training for their job and in order to enable them to progress within the Academy.

6.3 Pay and promotion decisions will be based on an employee's performance (where relevant), skills and experience and as detailed in our Pay policy which can be found in our Staff Policy folder in the Inclusion section of our staff portal.

6.4 Our benefits and facilities are reviewed regularly to ensure that they are available to all employees who should have access to them.

6.5 Relevant national and local conditions of service as applied to our employees, will meet the requirements of equal opportunities.

7. Applying our policy when terminating employment

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

7.2 We will also ensure that disciplinary procedures and sanctions are applied without discrimination, regardless of outcome.

8. Disability discrimination

8.1 Disability discrimination includes direct or indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate the effects caused by a disability.

8.2 If you are disabled or become disabled, we require you to tell us about your condition and any medication that you have to take, so that we can support you as appropriate (including making any reasonable adjustments) in order that you are able to carry out the full range of your duties or tasks without any risks to your own health or wellbeing of others.

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

8.4 We will monitor the physical features of our premises to consider whether they place disabled students, employees or job applicants at a substantial disadvantage compared to other students, employees. Where reasonable, we will take steps to improve access for all students or employees who have a disability.

9. Breaches of this policy

9.1 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 through our Code of Conduct for Employees Policy which can be found in each schools relevant policy store area. If you are uncertain which applies or need advice on how to proceed you should speak to Human Resources.

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

9.3 Any employee 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.

10. The Curriculum and Student Experience

10.1 The curriculum includes course content, learning and teaching methods, work experience and methods of review, assessment and evaluation. Braunton Academy will provide a curriculum that offers all students an equal opportunity to achieve their academic potential.

10.2 The curriculum of the Academy will promote positive images of all people, regardless of Age, Disability, Gender, Gender Reassignment, Pregnancy and Maternity, Marriage & Civil partnership Race, Religion and Belief, Sex and Sexual Orientation or other personal circumstances. In every course and subject the resource materials will be free of discriminatory attitudes, images and language (unless they are to be analysed critically in the context of the pursuit of equal opportunities) and will promote good relations between people from different groups.

10.3 Students will have equal opportunity to access pastoral and academic support, enrichment, facilities, trips and visits.

11. Review of policy

This policy is reviewed every year by Trustees (in consultation with the recognised trade unions). We will monitor the application and outcomes of this policy to ensure it is working effectively.