



OAK MULTI ACADEMY TRUST

EQUALITY AND DIVERSITY POLICY

- INCLUDING CURRICULUM

Version	1.0
Approved By	Trust Board 24-06-2020
Issue Date	25-06-2020
Review Date	June 2021

REVIEW HISTORY

VERSION NO.	DATE OF CHANGE	CHANGE SUMMARY	REF

1. PURPOSE

Oak Multi Academy Trust is committed to developing, maintaining and supporting a culture of equality and diversity across all aspects of the Trust's work. The Trust aims to create an environment in which all employees, pupils and stakeholders are recognised as being of equal value and are able to grow and develop through equality of opportunity. This is reflected in our vision and values.

2. RELATED ACTS, GUIDANCE, POLICIES AND DOCUMENTS*

- Appraisal Policy
- Behaviour Management Policy
- Complaints Policy
- Dealing with Allegations Against a Member of Staff
- Disciplinary Policy
- Equality Act 2010
- Grievance Procedure 1998
- Human Rights Act
- Learning and Teaching Policy
- Managing Absence Policy
- Reorganisation Policy
- Safeguarding and Child Protection Policy
- Special Education Needs Policy
- Spiritual, Moral, Cultural and Social Development Policy
- Supporting Pupils with Medications Policy
- Teachers' Standards
- UN Convention on the Rights of the Child
- UN Convention on the Rights of People with Disabilities
- Whistleblowing Procedure

*This is not an exhaustive list.

3. POLICY STATEMENT AND OBJECTIVES

3.1 The Trust takes its public sector equality duty very seriously, in particular to have due regard to the need to:

- eliminate discrimination
- advance equality of opportunity
- foster good relations between different groups of people.

3.2 The objectives of this policy are to establish, promote and provide accountability in relation to the Trust's commitment to:

- 3.2.1 Develop an ethos which respects and values all people.
- 3.2.2 Actively advance equality of opportunity.
- 3.2.3 Prepare pupils for life in a diverse society.
- 3.2.4 Create an environment in which diversity is valued and celebrated.
- 3.2.5 Promote good relations amongst people within each school's community and the wider communities within which we work.

- 3.2.6 Eliminate all forms of unfair indirect and direct discrimination, bullying, harassment, victimisation or other oppressive behaviour.
- 3.2.7 Deliver equality and diversity through the Trust's policies, procedures and practice.
- 3.2.8 Make reasonable adjustments and do our utmost, within available resources, to remove barriers which limit or discourage access to Trust provision and activities.
- 3.2.9 Take positive action to provide encouragement and support to individuals and groups whose progress has been limited by protected characteristics, stereotyping and cultural expectations.
- 3.2.10 Ensure that recruitment and selection procedures and practices within the Trust are open and transparent and ensure that fair and equal selection criteria are applied.
- 3.2.11 Monitor the implementation of equality and diversity within the Trust.

4. SCOPE AND PRINCIPLES

4.1 The Equality Act 2010 provides a single legal framework designed to be more effective at tackling disadvantage and discrimination. It places legal responsibilities on the Trust and covers the following nine protected characteristics:

- 4.1.1 **Age** - a person of a particular age or belonging to a particular age group.
- 4.1.2 **Race** - a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
- 4.1.3 **Disability** - a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
- 4.1.4 **Sex** - a man or a woman.
- 4.1.5 **Sexual Orientation** - whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.
- 4.1.6 **Gender Reassignment** – a person who has undergone the process of transitioning from one gender to another.
- 4.1.7 **Marriage and Civil Partnership** – regardless of between a man and a woman or a same-sex couple.
- 4.1.8 **Pregnancy and Maternity** - being pregnant or expecting a baby and the period up to 26 weeks after giving birth, including breastfeeding.
- 4.1.9 **Religion and Belief** - religious and philosophical beliefs, including lack of belief, which affect life choices or the way a person chooses to live.

4.2 Equality of opportunity and inclusivity are fundamental to the vision and values of the Trust. The commitment to equality and diversity is, in part, achieved through the eradication of discrimination and is implemented through appropriate policies, procedures and good practice which reflect the following key principles:

- 4.2.1 Equality and social justice.
- 4.2.2 Acknowledging and valuing diversity.
- 4.2.3 Respect for others.
- 4.2.4 Compliance with equality legislation.
- 4.2.5 Elimination of all forms of prejudice and unfair discrimination.
- 4.2.6 Active challenge to stereotypes and prejudiced attitudes.

- 4.2.7 Commitment to inclusive education and a working environment which enables and supports all pupils and staff to flourish and meet their potential.
 - 4.2.8 Commitment to the positive development of all staff, governors and Trustees.
 - 4.2.9 Accountability for compliance with this policy by all members of the Trust, school communities and all those engaged in Trust or school activities.
- 4.3 All staff, pupils and stakeholders have a duty to act in accordance with both the content and spirit of this policy and treat one another with respect and dignity at all times. The Trust will not tolerate discrimination on the basis of any of the protected characteristics listed above and will treat all instances of such conduct extremely seriously. Conduct which does not comply with this policy may be dealt with under the Trust’s Disciplinary Policy (staff) or Behaviour Management Policy (pupils) as appropriate.
- 4.4 This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation with staff and recognised trade unions.
- 4.5 Oak MAT Public Sector Equality Duty Statement is attached as Appendix A.
- 4.6 Oak MAT Public Sector Equality Objectives are attached as Appendix B.

5. DEFINITIONS

5.1 Equality

The Equality and Human Rights Commission describes equality as *“ensuring that every individual has an equal opportunity to make the most of their lives and talents, and believing that no one should have poorer life chances because of where, what or whom they were born, what they believe, or whether they have a disability”*.

5.2 Diversity

Diversity can be described as having or being composed of differing elements. In the context of this policy, diversity exists in both visible and non-visible ways through our employees, pupils and stakeholders having physical, religious and cultural differences and varied life experiences and choices, views and perspectives. The Trust aims to foster an environment in which diversity is promoted and celebrated through inclusion, respect and appreciation of one another.

5.3 Direct Discrimination

Direct Discrimination is the term used in law to describe a situation in which an individual is treated less favourably than someone else has been treated (or would be treated) because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic under the Equality Act (see paragraph 2.1 above). Unless there is a statutory exception, direct discrimination cannot be excused or defended in law.

5.4 **Indirect Discrimination**

Indirect discrimination can occur when action is taken which appears to treat everyone equally, but which in practice leads to people from a particular protected group under the Equality Act 2010 (see paragraph 2.1 above) being treated less favourably than others. This may occur through the implementation of policies or procedures and will not be justified unless the action is needed to achieve a legitimate aim, and the means of achieving that aim are appropriate and necessary.

5.5 **Victimisation**

Victimisation occurs when a person is treated less favourably because they have asserted their legal rights in line with the Equality Act 2010 or supported another individual to do so.

5.6 **Harassment**

Harassment can be described as unwanted conduct related to one of the protected characteristics under the Equality Act 2010 (see paragraph 2.1 above) which has the purpose or effect of violating the individual's dignity or of creating an intimidating, hostile, humiliating, or offensive environment.

6. **POLICIES AND PROCEDURES**

All Trust policies and procedures will be designed to promote equal opportunity and protection against discrimination for all employees, pupils and stakeholders. The impact of any policy changes on equality issues will be considered prior to implementation. In some instances of substantial changes to policies or procedures, a formal equality impact assessment will be required.

7. **DISABILITY DISCRIMINATION**

7.1 The Trust supports the ethos of the social model of disability which attempts to remove barriers that restrict life choices for disabled people. The Trust encourages all employees, pupils (or their parents/carers) or stakeholders to alert a relevant member of staff if they are disabled or become disabled in order that the Trust can support them as appropriate.

7.2 If employees, pupils or stakeholders experience difficulties at work or school because of their disability, they (or their parents/carers in the case of a pupil) should speak to their line manager or a senior member of staff to discuss any reasonable adjustments that would help overcome or minimise the difficulty. It may be necessary for the line manager or senior member of staff to consult with other senior staff, HR, the individual (and their parents/carers in the case of a pupil) and their medical adviser(s) about possible adjustments. In the case of an employee, the Trust may also seek advice and guidance from an occupational health advisor. The Trust will consider the matter carefully and try to accommodate the individual's needs. If the Trust consider a particular adjustment would not be reasonable, the reasons will be explained and the Trust will try to find an alternative solution where possible.

7.3 The Trust will monitor the physical features of the organisation's premises and buildings to consider whether they place disabled workers, pupils or stakeholders at a substantial

disadvantage compared to other staff, pupils or stakeholders. Where reasonable, the Trust will take steps to improve access for disabled individuals.

8. RESPONSIBILITIES AND ACCOUNTABILITIES

8.1 It is important to remember that each individual is responsible for their acts, carried out both within and outside employment. Any person instructing, inducing or encouraging others by inaction or action to behave in a manner which is inconsistent with this policy will themselves be in breach of this policy and will be dealt with accordingly.

8.2 The Trust Board and Local Governing Bodies

The Trust Board and Local Governing Bodies are responsible for:

8.2.1 Ensuring they fulfil the legal responsibilities of the organisation in relation to equality.

8.2.2 Ensuring Trust wide and local policies adopted are designed to support equality and diversity.

8.2.3 Ensuring the schools within the Trust adhere to the equality and diversity policy and other associated policies and procedures.

8.3 Chief Executive Officer (CEO) and Heads

The CEO and Headteachers are responsible for:

8.3.1 Providing consistent and high-profile leadership in relation to equality and diversity.

8.3.2 Advancing equality and diversity inside and outside the Trust and schools by promoting a culture in which diversity is celebrated and in which discrimination and inequality are understood by all members of the community to be unacceptable.

8.3.3 Ensuring policies and procedures are in place to comply with all equality legislation.

8.3.4 Ensuring that the academies within the Trust implement the relevant equality and diversity policies and practices and that suitable training is provided by the Trust to senior staff to aid them to do so.

8.4 Senior Leaders

Senior Leaders are responsible for:

8.4.1 Ensuring they promote and monitor compliance with the relevant equality and diversity policies and procedures. This is achieved by setting an appropriate standard of behaviour, led by example and ensuring that those they manage adhere to the policy and promote the Trust's aims and objectives with regard to equal opportunities.

8.4.2 Making sure that all staff know their responsibilities in relation to equality and diversity and receive the support and training necessary to carry them out.

8.4.3 Following the relevant procedures and taking action in cases of unfair discrimination, harassment, bullying or victimisation.

8.5 **All Employees**

All employees are responsible for:

8.5.1 Promoting equality and diversity through their own actions and their work within the Trust and avoiding unfair discrimination.

8.5.2 Ensuring pupils' knowledge and experience of diverse religious and cultural ceremonies, practices and traditions is shared in a positive way where possible.

8.5.3 Actively responding to or reporting to management, as appropriate any incidents of unfair discrimination which relate to protected characteristics perpetrated by pupils, other employees or stakeholders.

8.5.4 Keeping up-to-date with equality requirements and participating in equal opportunities and diversity training.

8.6 **Pupils**

Pupils are responsible for:

8.6.1 Behaving in a way that is consistent with the expectations of the Trust's Equality and Diversity Policy and other associated policies, such as the Behaviour Management Policy.

8.6.2 Respecting others in their language and actions.

8.7 **Stakeholders (including parents, regular visitors and volunteers)**

Stakeholders (including parents, regular visitors and volunteers) are responsible for:

8.7.1 Behaving in a way that is consistent with the expectations of the Trust's Equality and Diversity Policy and other associated policies.

8.7.2 Respecting others in their language and actions and avoiding any discriminatory behaviour.

9. **EMPLOYEES**

Conditions of Service

9.1 The Trust will ensure that employee terms and conditions of service are determined and applied in a fair and consistent manner following staff and trade union consultation where applicable.

9.2 The Trust will also ensure that any facilities, benefits and practical support offered to employees, such as the employee wellbeing package, are developed, promoted and delivered in a manner which secures accessibility for all staff in a fair and consistent manner. Furthermore, the Trust will seek to identify and remove any access barriers where possible.

Training, Promotion and Pay Progression

- 9.3 The Trust will ensure provision for spiritual, moral, social, cultural and professional development takes account of the diverse staffing group employed by the Trust and is managed in a way which secures equal opportunities for all employees.
- 9.4 Employee training needs will be identified throughout the academic year and during the staff appraisal process. All employees will be given equal, fair and appropriate access to training and developmental opportunities to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.
- 9.5 The Trust will ensure that pay progression processes and decisions are fair and equitable and avoid discrimination of those who have, or are thought to have, protected characteristics.

Discipline, Capability and Termination of Employment

- 9.6 The Trust will ensure that expectations in relation to employee conduct and capability are determined and measured in a consistent manner. Any disciplinary and capability procedures and associated sanctions will be applied on the facts of the case and without discrimination.
- 9.7 The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

Fixed-term Employees, Casual and Agency Workers

- 9.8 The conditions of service in relation to fixed-term employees, casual and agency workers, will be monitored to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities.

Part-time Employees

- 9.9 The conditions of service in relation to part-time employees will be monitored to ensure that they are being offered appropriate access to benefits, training, pay progression and promotion opportunities. The Trust will ensure requests to alter working hours are dealt with appropriately in accordance with the Trust's relevant policies and procedures.

Training and Guidance in Relation to the Equality and Diversity Policy

- 9.10 Questions in relation to the content or application of this policy should be directed to the Headteacher, CEO or HR to request training or further information.
- 9.11 Employees will be given appropriate training in relation to equality and diversity awareness and equal opportunities recruitment and selection best practice, as appropriate to role.

Breaches of this Policy

- 9.12 If an employee believes that they may have been treated in a way that is inconsistent with this policy, they are encouraged to raise the matter informally with the individual concerned or their line manager where possible. If this is not possible, or does not resolve the situation, they should raise the matter through the Trust's Grievance Policy or other relevant policy where applicable.

- 9.13 If an employee believes the treatment of a colleague, student or stakeholder by another member of staff constitutes a breach of this policy, they should raise this directly with the individual whose conduct is of concern, or with their line manager or through the Trust's Whistleblowing Policy.
- 9.14 Allegations regarding potential breaches of this policy will be taken seriously and will be investigated in accordance with the relevant policy and 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 to have been made in bad faith will, however, be dealt with under the Trust's Disciplinary Policy.
- 9.15 Any member of staff who is found to have committed an act of discrimination or bullying or harassment will be subject to disciplinary action in accordance with the Disciplinary Policy. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal.

10. PUPILS

Access to Education and Curriculum

- 10.1 The Trust is committed to operating admissions arrangements which reflect a fair and equitable process, ensuring admissions applications are assessed in accordance with each academy's Admissions Arrangements Policy.
- 10.2 The Trust is also committed to delivering high quality academic, vocational and enriched education and curriculum for all its pupils. This is with the aim of enabling each pupil to fulfil their potential academically, socially, morally, spiritually and physically.
- 10.3 All pupils in the care of the Trust, regardless of any protected characteristics, ability or circumstance, are expected to become individual, independent learners and fulfil their potential through appropriate levels of attainment and achievement.

Access to Other Opportunities

- 10.4 Each school will ensure that access to wider opportunities will be made available to all pupils in a fair and equitable manner and one which is consistent with the principles of this policy.

Recognition of Positive Behaviour and Behaviour Sanctions

- 10.5 Each school will ensure that any recognition of positive behaviour is based on merit and determined and applied in a consistent manner in order that all pupils have opportunity to be rewarded, recognised and motivated as appropriate.
- 10.6 Each school will ensure that expectations in relation to student behaviour are determined and measured in a consistent manner. Any behaviour sanctions will be applied in accordance with the appropriate Behaviour Policy and on the facts of the situation and without discrimination.

Training and Guidance

- 10.7 Pupils are offered a wide range of opportunities to deepen their knowledge about all aspects of their local, national and wider community. This is achieved in part through high quality assemblies and other relevant sessions. Schools ensure that the personal, social, health and economic education (PHSE) and spiritual, moral, social and cultural development (SMSC) curriculums are underpinned by the celebration of equality and diversity.

Breaches of this Policy

- 10.8 Pupils and/or their parents or carers are encouraged to speak to a member of staff that they trust if they feel that they or anyone else is being treated in a way that is inconsistent with this policy. Regular assemblies and other activities in school promote the roles of the adults within school and aim to create an environment in which pupils feel able to be open about their concerns.
- 10.9 If a student's behaviour is not consistent with the Trust's expectations in relation to equality and diversity, then action will be taken in line with the relevant academy's Behaviour Management Policy. Ensuring a fair investigation, and an educative approach should be the focus for dealing with any student who breaches the expectations.

APPENDIX A: Oak MAT Public Sector Equality Duty – Equality Statement

Oak MAT is committed to developing, maintaining and supporting a culture of equality and diversity across all aspects of the Trust's work. In order to achieve this, the Trust is collecting and using evidence on equality to develop our policy and decision making and to inform the Trust's Equality Objectives (Appendix B).

The Trust is committed to operating as an equal opportunities employer and recognises that a diverse workforce enables us to serve our pupils and communities more effectively. This commitment is embedded in our recruitment material, policies and practices.

The Trust is also committed to ensuring equality of opportunity for all children in an environment in which they are nurtured and are recognised as being of equal value in order to help them fulfil their potential.

APPENDIX B: Oak MAT Public Sector Equality Duty – Equality Objectives

	Objective	Relevant Equality Duty Aim(s)
1	To raise awareness of equality and diversity across the Trust through the delivery of appropriate staff training	Duty 1: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
		Duty 2: Advance equality of opportunity between people who share a protected characteristic and those who do not
		Duty 3: Foster good relations between people who share a protected characteristic and those who do not
2	Achieve a sustained improvement of overall attendance in relation to pupils who have special educational needs or disabilities (SEND) by September 2022	Duty 2: Advance equality of opportunity between people who share a protected characteristic and those who do not
		Duty 3: Foster good relations between people who share a protected characteristic and those who do not