



Staff Policy

Equality and Diversity Policy

Policy Version Control

Date	Version	Amendments/Comments	Reviewer/s
February 2021	1.1	Approved 01/02/2021	HR
February 2024	2.0	Minor amendments to text and formatting Alignment with Trust	People Services Approved by Trustees 21/03/24 Next Review March 2027

1 Policy

- 1.1 The Board of Trustees at 5 Dimensions Trust are committed to promoting equality, diversity and inclusion amongst our workforce and eliminating unlawful discrimination. We aim to create a supportive and inclusive working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.
- 1.2 The aim is for our workforce to be truly representative of all sections of society and for every employee to feel respected and able to give their best.
- 1.3 We do not discriminate against employees on the basis of age; race; sex; disability; sexual orientation; gender reassignment; marriage and civil partnership; pregnancy and maternity; religion, faith or belief. (Equality Act 2010 protected characteristics). The principles of non-discrimination and equality of opportunity also apply to the way in which employees and Governors/Trustees treat visitors, volunteers, contractors and former employees.
- 1.4 All employees 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 employees.
- 1.5 This policy does not form part of any employee's contract of employment and may be amended at any time.

2 Who is covered by the policy?

- 2.1 This policy covers all individuals working at all levels and grades, including senior managers, employees, trainees, part-time and fixed-term employees, volunteers, casual workers, agency staff, governors and trustees. (collectively referred to as employees in this policy).

3 Who is responsible for this policy?

- 3.1 The Board of Trustees has ultimate responsibility for the effective implementation of this policy. Responsibility for implementation and day to day application of the policy rests with the People Services team and line managers.
- 3.2 The CEO is responsible for monitoring the implementation of the procedure across the Trust Shared Service functions to ensure that the procedure is communicated to employees and that it is applied consistently.
- 3.3 The Head of School/Headteacher is responsible for monitoring the implementation of the procedure in their schools to ensure that the procedure is communicated to employees and that it is applied consistently.
- 3.4 All line 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. Line Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.
- 3.5 Employees will be required to complete Equality and Diversity training as part of their induction with the Trust and thereafter on an annual basis. All

employees are personally responsible for ensuring that they adhere to the policy and promote our aims and objectives with regard to equal opportunities. In certain circumstances the Trust Board could be held to be vicariously liable for actions of the employees of the Trust. Employees should be aware that they may be personally liable if they are found to have discriminated against another person whilst in School or on School/Trust-related business.

- 3.6 If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact People Services to request training or further information.

4. Scope and purpose of the policy

- 4.1 This policy applies to all aspects of our relationship with employees and to relations between employees at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.
- 4.2 The Trust will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

5. Forms of discrimination

- 5.1 Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 5.2 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.
- 5.3 Indirect discrimination is where there is 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, a requirement to work full time adversely affects women because they generally have greater childcare commitments than men. Such a requirement will be discriminatory unless it is objectively justified.
- 5.4 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. Harassment is dealt with further in our Anti-harassment and Bullying Policy.
- 5.5 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.
- 5.6 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.

6 Our Commitment

- 6.1 The organisation commits to:
- 6.1.1 Encourage equality, diversity and inclusion in the workplace as they are good practice and make business sense.
 - 6.1.2 Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued. This commitment includes training managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination. All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.
 - 6.1.3 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. Such acts will be dealt with as misconduct under the Trust's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice. 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.
 - 6.1.4 Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
 - 6.1.5 Make decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
 - 6.1.6 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.

7 Training, promotion and conditions of service

- 7.1 Training needs will be identified through regular staff appraisals. All employees 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. 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.

- 7.2 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

8. Discipline and Termination of Employment

- 8.1 We will ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.
- 8.2 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

9. Disability discrimination

- 9.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.
- 9.2 If you experience difficulties at work because of your disability, you should speak to People Services to discuss any reasonable adjustments that would help overcome or minimise the difficulty. People Services 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. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.
- 9.3 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants at a substantial disadvantage compared to other employees. Where reasonable, we will take steps to improve access for disabled employees.

10. Fixed-term employees, Casual and Agency Workers

- 10.1 We monitor our use of fixed-term employees, casual and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

11. Part-time work

- 11.1 We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

12. Breaches of this policy

- 12.1 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 or bullying, you are encouraged to raise the matter through our Harassment and Bullying Policy.
- 12.2 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 to have been made in bad faith will, however, be dealt with under our Disciplinary Procedure.
- 12.3 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.

13. Monitoring and review of the policy

- 13.1 We will continue to review the effectiveness of this policy to ensure it is achieving its objectives.
- 13.2 Employees are invited to comment on this policy and suggest ways in which it might be improved by contacting People Services.