London South East Academies Trust

Equality and Diversity Policy

Responsible post holder	Executive Headteacher
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1. PURPOSE

1.1 London South East Academies Trust (LSEAT) is committed to the promotion of equality of opportunity for all and values the diversity of its learners and other stakeholders. The purpose of this policy is to provide equal opportunities to all who learn and work for and with LSEAT irrespective of gender, race (including colour, nationality, ethnic and national origins), disability, age, sexual orientation, religion and belief, including political belief (or lack of religion or belief), gender re-assignment, marriage and civil partnership and pregnancy and maternity. These are known as protected characteristics in employment law.

1.2 LSEAT is also committed to ensuring equal treatment for all staff regardless of the type of contract they are employed on e.g. fixed-term or part-time.

1.3 LSEAT opposes all forms of unlawful and unfair discrimination (forms of discrimination are outlined in Appendix 1).

1.4 LSEAT will also give due regard and consideration to spiritual, moral, social and cultural values or beliefs of both staff and students in so far as these do not contravene either LSEAT's Policy or any legislation and to actively support decision making and personal choices which are made free from oppression, coercion or fear.

1.5 LSEAT will work with all stakeholders to seek positively to remove conditions and barriers which place people at a disadvantage and promote community harmony and social cohesion by actively promoting equality for all and celebrating diversity.

1.6 All of LSEAT's learners and members of staff will be helped and encouraged to develop their full potential within an ethos which recognises and values the benefits that a diverse workforce supporting a diverse student body can bring to both the local and wider community.

1.7 LSEAT has a number of partnership arrangements with external organisations, which actively promote and support Equality and Diversity initiatives. This includes Positive About Disabled People Scheme (Two Ticks Scheme), Stonewall, Mindful Employer, Network for Black Professionals (NBP), Equality and Diversity UK, Royal British Legion Industries (RBLI).

1.8 This policy has been prepared taking account of prevailing legislation and new legislative requirements and follows effective practice by enabling LSEAT to demonstrate that all Equality and Diversity practices are fair, equitable and transparent. Accordingly, the policy has been subject to an Equality Impact Assessment and is suitable for publication under the Freedom of Information Act.

2. SCOPE

2.1 This policy applies to all learners and staff, wherever they learn or work and operates within the framework of LSEAT's mission, vision and values base. This includes temporary workers or organisations working in partnership with LSEAT where contractual arrangements are put in place.

2.2 The policy will be implemented within the framework of the Equality Act 2010 and will include the extended protections for carers and disabled people. The Equality Act supersedes all previous Equality legislation including:

- Equal Pay Act 1970 (Equal Value Amendment 1984)
- Sex Discrimination Act 1975 (Gender Reassignment Regulations 1999) & (Indirect Discrimination & Burden of Proof Regulations 2001)
- Race Relations Act 1976 (Race Relations Amendment Act 2000)
- Disability Discrimination Act 1995 & DDA (Amendment) 2005

3. EQUALITY AND DIVERSITY OBJECTIVES

For London South East Academies Trust this will mean:

3.1 Access

3.1.1 All key materials used to market learning and employment opportunities will explicitly convey our positive attitude to Equality and Diversity. Means of distribution will be kept under review to ensure information reaches those who do not traditionally respond to learning or employment opportunities available within LSEAT.

3.1.2 Guidance and admissions procedures will be clear, transparent and free from unfair discrimination. All appropriately qualified applicants will be given equal consideration during the selection process and entry qualifications will only include those that are necessary and justifiable.

3.1.3 Efforts will be made to ensure that any kind of gender stereotyping within the Curriculum is challenged e.g. ensuring that female students are encouraged and supported to enrol onto courses which are more commonly associated with male students e.g. motor vehicle, construction and male students are equally encouraged and supported to enrol onto courses more commonly associated with female students.

3.1.4 Effective plans will be in place to make the learning environment safe, welcoming and accessible for all groups of learners, employees and other users in terms of timing and location of provision, physical access, amenities and services, including off campus activities.

3.2 Curriculum

3.2.1 A diverse portfolio of relevant programmes will be offered which are responsive to learner need and enable learners to study at an appropriate level with good opportunities for success and progression. Progression routes will be clearly published and advice given impartially.

3.2.2 Inclusive learning practices including teaching students strategies for effective learning behaviours, perseverance, growth mindset and social skills; diverse and inclusive teaching and learning materials; evidence-based teaching and learning strategies which have high effect sizes with regard to student achievement such as providing effective formative feedback, reciprocal teaching and problem-solving teaching as well as differentiation of teaching and formative assessment based on catering for individual learner needs whilst challenging each learner appropriately with stretch targets enabling ambitious learning progress.

3.2.3 Learning materials which are free from bias, which celebrate diversity and challenge stereotyping will be used throughout the curriculum. If discriminatory material is used to support a teaching point, students should be challenged to think critically about the resource and if they don't conclude so themselves, the discriminatory nature of the resource should be pointed out by the member of staff using the material.

3.2.3 Opportunities to promote Equality and Diversity, wherever possible and appropriate, should be capitalised upon by all members of staff. This will require students to be able to think critically about equality & equity, human and earth rights, ethical thinking, decision-taking and behaviour as well as diversity.

3.2.4 Provision of additional learning support tailored to individual needs is be provided to all who require it and are eligible to support access, success and progression. Support mechanisms will be in place to catch learners who may academically fail in order to help them succeed.

3.3 Learner Experience

3.3.1 Induction procedures which familiarise learners with LSEAT's policies and processes and commitment to Equality and Diversity will be delivered to all new learners. This will include work on values of listening, showing respect and tolerance, valuing diverse perspectives as well as equipping learners with learning strategies to help them succeed.

3.3.2 Cultural awareness and the promotion of community cohesion and equality for all should be integrated into every aspect of LSEAT life and embedded into the curriculum.

3.4 Employment and Professional Development

3.4.1 Equality of opportunity exists for all staff and for recruitment purposes this extends to include potential employees. Equality of opportunity is also applied to career promotion opportunities where individuals meet the minimum criteria as well as access to CPD and other training opportunities.

3.4.2 LSEAT is committed to the Two Ticks Scheme, operated by the Department for Work and Pensions (DWP) and accredited by Jobcentre Plus, whereby those applicants who formally disclose a disability and meet the requirements of the Guaranteed Interview Scheme will be guaranteed an interview.

3.4.3 All LSEAT staff (regardless of their type of contract, hours of work or any other protected characteristic listed in Section 1.1) have equal access to career progression and development opportunities which are available at LSEAT.

3.4.4 LSEAT takes account of the changing needs of individual members of staff and will implement reasonable adjustments, where this is required in accordance with advice from the Occupational Health Service e.g. some one who is or who becomes disabled during their employment.

3.4.5 LSEAT's Flexible Working Policy and Special Leave Policy and Career Break Policy are available to support staff to achieve a sustainable work life balance. Wherever practicable, LSEAT will support religious observances.

3.4.6 LSEAT will take advantage of national initiatives and programmes which provide opportunities for BAME and disabled staff and managers to develop their careers e.g. the Network for Black Professionals and will collaborate wherever possible to recruit staff from any under-represented groups within LSEAT.

3.4.7 The HR Department ensures that Equality Impact Assessments (EIAs) are carried out on all Policies/Procedures, recruitment and selection documentation and all consultation papers, where proposals have either a direct or indirect impact on staff.

3.5 Bullying, Harassment and Discrimination

3.5.1 Any form of bullying, harassment or victimisation discrimination within LSEAT is unacceptable and should be challenged by staff. In a teaching context, where appropriate, this should also be used as an opportunity for wider learning.

3.5.2 Any allegations will be dealt with sensitively and investigated fairly and thoroughly in line with the Dignity at Work Policy and Procedure or Grievance Procedure. Disciplinary action may be taken when necessary.

4 MONITORING AND REVIEWING

4.2 Reports will be monitored by the Executive Headteacher and the Senior Leadership Teams in each school.

4.3 The effectiveness of the policy will be reviewed through:

4.2.1 learner achievement, success and progression.

4.2.3 analysis of the staffing profile in relation to recruitment, staff turnover, retention and levels of responsibility.

4.2.4 analysis of access to professional development opportunities and to promotion for staff in minority groups.

5 MANAGEMENT RESPONSIBILITIES

5.1 SLT will take responsibility for ensuring that the principles outlined in this policy will be integrated throughout their strategic and operational decision making process.

5.2 Trustees, Executive Headteacher, Heads of School and Business Manager will monitor their performance against the standards set out in this policy and according to the relevant legislation.

5.3 HR will ensure that staff employed by LSEAT have access to regular mandatory training opportunities to ensure that they understand the principles implicit within this policy and the relevant legislation.

5.4 All users of LSEAT and contractors will be expected to adhere to the central tenets of this policy.

5.5 Breaches of the policy by staff or learners will be regarded as misconduct and in some case gross misconduct and therefore could potentially lead to disciplinary action.

Appendix 1

Definitions of Discrimination
Discrimination can occur either directly or indirectly. Direct discrimination cannot be legally justified and individuals can be held personally liable by tribunals and/or other UK/EU courts.

Direct Discrimination occurs when a person is treated less favourably than others would be treated in the same circumstances on the grounds of having a protected characteristic.

Indirect Discrimination occurs when applying a provision, criterion or practice which puts someone from a particular group having one or more protected characteristics at a particular disadvantage. Indirect discrimination may only be justified in exceptional circumstances if it can be shown that the action was reasonable in managing the business or organisation, i.e. that it is "a proportionate means of achieving a legitimate aim".
A legitimate aim might be any lawful decision made in running the business or organisation, but if there is a discriminatory effect, the sole aim of e.g. reducing costs is likely to be deemed unlawful. In this context, being proportionate means being fair and reasonable, including showing e.g. that 'less discriminatory' alternatives to any decision made have been considered, documented and recorded.

Discrimination by Association is direct discrimination against someone because they associate with another person who possesses one or more protected characteristic. For example, disability discrimination against someone who is a carer of a disabled dependant.

Discrimination Linked to a Perceived Characteristic is direct discrimination against an individual because of a belief that they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic, for example, discrimination against someone because they are thought to be gay but are not.

Harassment is defined as being *"unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual"*..

Employees are able to complain of behaviour that they find offensive, even if it is not directed at them and the complainant need not possess the relevant characteristic themselves.

Victimisation takes place where one person treats another less favourably because he or she has asserted their legal rights in line with the Equality Act (2010) or helped someone else to do so. This includes making a complaint, taking legal action, providing evidence related to proceedings or alleging that discrimination has taken place.
Victimisation may occur if, for example, a student alleges that they have encountered racism from a tutor, and as a result they are ignored by other staff members.
An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Genuine Occupational Requirements – Under current legislation, certain jobs/roles may be restricted to a particular characteristic if the characteristic is a "genuine occupational requirement" (GOR) for the job, or for the context within which it is carried out. However, the circumstances in which this applies are very limited and would be exceptional at Bromley LSEAT.