

Title	Author	Approved By and Date		Review
Equality and Diversity Policy	Ian Clennan & Sharon Slinger	Trust Meeting	Oct 2022	Oct 2025

*To be reviewed at least every 3 years*

## EQUALITY, DIVERSITY AND INCLUSION POLICY

### 1 Policy Statement

Selby Educational Trust welcomes, promotes and celebrates diversity and equality and via this policy we will demonstrate our commitment to continue to advance equality of opportunity, foster good relations and address discrimination, harassment and victimisation.

### 2 Purpose of the Policy

The purpose of this policy is to establish clear Trust guidance regarding equality, diversity and inclusion and to establish key principles, structures and monitoring arrangements for the Trust. Selby Educational Trust will make all trustees, governors, staff, students, partners, visitors, contractors and sub-contractors working on behalf of the Trust aware of this commitment.

In support of this policy, the British Values and Challenging Radicalisation, Extremism and Terrorism Policy and Safeguarding Policy are elements within the overall Trust arrangements to Safeguard and Promote the Welfare of all learners in line with our statutory duties set out at s175 of the Education Act 2002 and the Counter Terrorism and Prevent Duty 2015.

The Trust will monitor, review and reinforce the policy through:

- Schools' Single Equality Scheme and Action Plan
- The cycle of Self-Assessment and continuous quality improvement
- Staff and student surveys and data analysis, including Learner Voice: Learner Impact initiatives
- Collecting and sharing examples of good practice
- Trust wide promotion of equality and the celebration of diversity
- Embedding equality and diversity within curriculum, teaching, learning and assessment

### 3 Key Principles

Selby Educational Trust believes that all forms of prejudice and discrimination are unacceptable and seeks to ensure that no member of the Trust community receives less favourable treatment because of their age, disability, marital status, race, ethnicity, nationality, religion or belief, sex, gender reassignment, sexual orientation, or any other type of discrimination and the Trust's Equality, Diversity and Inclusion Policy will embody the issues specific to discrimination. Our aim is to create an environment in which people treat each other with mutual respect.

### 4 Equality Principles within the Employment Code of Practice

The Trust embraces diversity in all of its aspects and aims to employ a workforce, which reflects, at every level, the community, which it serves.

In seeking to achieve a balanced workforce, the Trust will ensure that no employee, job applicant or candidate for promotion or training will be disadvantaged.. Reasonable adjustments will be made to arrangements and premises, to ensure equal access for employees or potential employees who have particular needs or who have a disability.

In order to ensure that employees and potential employees are treated with equality and fairness throughout their employment, and that their treatment is based on objective and job related criteria, the Trust will ensure that equality issues are embedded into all its policies, practices procedures, ways of working and culture. Employment policies and procedures will continue to be progressed through existing consultation/negotiation arrangements, as appropriate.

Support to employees will be available through their line managers, human resources and Headteacher.

## **5 Equality Objectives**

The curriculum offered by schools in the Trust will fulfil this policy.

We recognise that the public sector equality duty has three aims and they are to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct under the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who have a shared characteristic and those who do not.

Selby Educational Trust will annually review how well we achieve these aims with regard to the protected groups under the Equality Act (2010) (race, disability, gender, gender re-assignment, age, pregnancy and maternity, marital status, religion and belief and sexual orientation).

We aim to provide the highest possible education for all of our pupils. The ethos of our trust clearly reflects our commitment to fully including and respecting all members of our trust community.

We have set ourselves the following objectives for 2022-2025:

- To ensure that staff, governors, trustees and members are aware of current legislation surrounding equality and diversity and understand the trust's responsibility.
- To promote cultural understanding, awareness and tolerance of different religious beliefs between different ethnic groups within our trust and wider community.
- To promote a whole trust approach mental health awareness and develop appropriate interventions where necessary
- Actively close gaps in attainment and achievement between pupils; especially pupils eligible for Pupil Premium, pupils with special educational needs and disabilities, looked after children and pupils from minority ethnic groups.
- Continue to improve accessibility across the trust site for pupils, staff and visitors with disabilities.
- Monitor the incidences of the use of homophobic, sexist and racist language by pupils in our trust. If such incidences arise, educate young people through our curriculum and support so that they understand and respect other people's views and beliefs.
- To continuously review and revise the curriculum so that it represents a diverse culture and society and encourages tolerance and respect.

## **6 Scope of the Policy**

The Equality Policy covers all members of the Trust community including learner admissions. In ensuring that this policy is fully effective and that all Trust employees and students are fully committed to it, the Trust will consult with Trust managers, employers, staff and pupils, in the development and implementation of its policy.

## **7 Structures**

The Equality Policy will be reflected in schools within the Trust and will be a fundamental guide to working practices.

## **8 Monitoring**

The Trust undertakes to conduct comprehensive and effective monitoring of all aspects of staffing and the student body. Monitoring will be undertaken in accordance with best practice recommendations and with regard to the Trust GDPR Policy.

The Trust as a whole is responsible for monitoring the data available for each of the protected characteristics and taking appropriate action to advance equality and diversity.

- The local Governing Body in each school will ensure that enrolment, retention, achievement, success, progression, work placements data and learner voice at appropriate points throughout the academic year are monitored. They will evaluate this data in self-assessment reviews and identify actions which inform quality improvement plans and are monitored regularly. Further key data includes those relating to pupils enquiries, applications, interviews, admissions, complaints, appeals, disciplinaries, breaches of assessment, additional learning support, safeguarding

Personnel key data includes those relating to staff applications, interviews, employment, turnover and staff satisfaction. The Trust will use the two main forms of monitoring, ie of the composition of the existing workforce and the recruitment and selection process. In particular, reviewing the workforce with reference to protected characteristics. After the employment relationship has ended, the Trust may retain statistics - data about the composition of the workforce, including appraisal and promotion records for the purpose of carrying out equality and diversity monitoring, and may also look at reasons for resignation and resignation rates.

- The Trust Board evaluates the full range of data in the Trust's self-assessment report and identifies actions which are inserted into the quality improvement plan which are monitored regularly.

## **9 Positive Action**

The Trust may follow positive action measures allowed by law to rectify disadvantages in employment or education identified through monitoring.

Positive action, allows the Trust to:

- Provide facilities or services (in the form of training, education, or welfare) to meet the particular needs of people from under-represented groups
- Target job training at particular groups that are under-represented in a particular area of work
- Encourage applications from groups that are under-represented in particular areas of education or work.

Positive action strategies will be kept under regular review, and will not be used once the particular needs have been met, or if under-representation no longer exists. The Trust will ensure that when using positive action as a strategy, it complies with the law.

## **10 Meeting Our Duties**

The Trust will ensure through its core values that that it meets its general and specific duties under the Equality Act 2010:

- The Trust Members and Trustees, Governors, staff, pupils and their sponsors (including work placement providers) are aware of our Equality Policy and the actions needed for its implementation
- Parents, staff, students and partner organisations (including work placement providers) are aware of the value placed upon equality and that action will be taken in the event of any breach of the policy
- The Trust Board and staff have access to information, which assists them to plan, implement and monitor actions to carry out their responsibilities under the policy.

**Other relevant actions/activities will include:**

In accordance with the Public Sector Equality Duty 2011, due consideration is given to the potential impact of quality of service delivery/Trust experience, on groups of staff and students for all its policies and procedures. Equality Analysis (impact assessment) of Trust policies, procedures, plans and proposals is a process whereby a policy, procedure or practice is reviewed, and if necessary amended, to ensure that it does not discriminate against any group or individual with a protected characteristic.

The Trust will also ensure that publicity materials and those for teaching, learning and assessment, present appropriate and positive messages to promote equality, encourage respect and celebrate diversity.

**11 Complaints Procedure**

Any parent, student, potential student, job applicant or member of staff may raise, complaints of unfair and/or discriminatory treatment. The Trust will deal with all complaints fully and sensitively. In some cases this may involve initiating disciplinary action.

Complaints can be raised through the Complaints Procedure. Specific support may be available to enable those with a difficulty/disability to use particular services or facilities, including an interpreter.

Complaints from staff can be made via the Grievance Procedure.

**12 Publicising Our Policy and Progress**

- The Trust's commitment to equality and diversity will be recognised in its prospectuses and major publications, including this policy on the SET website.
- The Trust will publish its Single Equality Action Plan and make them available on the Trust SharePoint.

**13 Review**

This policy will be reviewed in accordance with legislative developments and the need for good practice, using the local consultation/negotiating arrangements within the Trust. The Single Equality Action Plan will be reviewed annually and reported to trustees via the Standards Committee.

**In doing so the Trust is mindful of the following legislative responsibilities:**

- The Equality Act 2010 including
- Public Sector Equality Duty 2011

- Prevent Duty Guidance: in England and Wales issued under Section 29 of the Counter-Terrorism and Security Act 2015
- Safeguarding requirements including - Ofsted: Common Inspection Framework 2012
- Consideration to Female Genital Mutilation, Sexual Exploitation and Extremism, 'Working Together to Safeguard Children' 2013 and the Revised Safeguarding Statutory Guidance 2 'Framework for the Assessment of Children in Need and their Families' 2000.
- Safeguarding Vulnerable Groups Act 2005 and DoH Statement of Government Policy on Audit Safeguarding 2013.

**Related Trust Procedures/Policies:**

- Complaints Procedure
- Disciplinary Procedure
- Grievance Procedure

**Related Policies:**

- Admissions and Enrolment Policy (Students)
- Anti Bullying Policy (students/Staff)
- Complaints Procedure
- Data Protection Policy
- Dealing with Violence and Aggression Policy and Procedure (Staff)
- User Voice: User Impact Policy & Procedure
- Maternity Policy and Procedure (Staff)
- Parental Leave Policy (Staff)
- Recruitment and Selection Policy and Procedure (Staff)
- Single Equality Scheme
- Safeguarding Policy
- British Values & Challenging Radicalisation, Extremism And Terrorism Policy
- Student Positive Behaviour Policy
- Whistle Blowing Disclosure Policy and Procedure
- Work Placement Experience Policy and Procedure (Student)

**14 Equality and Diversity Statement**

Selby Educational Trust welcomes and celebrates equality and diversity. We believe that everyone should be treated equally and fairly regardless of their age, disability, sex, gender identity, race, religion or belief, sexual orientation and socio-economic background. We seek to ensure that no member of the Trust community receives less favourable treatment on any of these grounds which cannot be shown to be justified.

This document is written with the above commitment, to ensure equality and diversity is at the centre of working life at Selby Educational Trust.

**15 Safeguarding Policy**

Selby Educational Trust recognises its moral and statutory responsibility to safeguard and promote the welfare of students. We work to provide a safe and welcoming environment where students are respected and valued. We are alert to the signs of abuse, radicalization and extremism, neglect and follow our procedures to ensure our students receive effective support,

protection and justice. Selby Educational Trust expects governors, staff and volunteers working on behalf of the Trust to share this commitment.

**16 Fraud, Bribery & Corruption**

Selby Educational Trust follows good business practice and has robust controls in place to prevent fraud, corruption and bribery. Due consideration has been given to the Fraud Act 2006 and the Bribery Act 2010 in the development/review of this policy document and no specific risks were identified.

**17 General Data Protection Regulations**

The GDPR requires transparency. This means that individuals have a right to be informed about the collection and use of their personal data.

To help ensure compliance with this duty. The organisation will collect and use personal data to ensure the health, safety and welfare of its staff and others.

## **Legislative Framework**

Key legislative requirements relating to equality are identified in the following:

### **Equality Act 2010**

The Equality Act 2010 brings together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Act simplifies, strengthens and harmonises the current legislation to provide Britain with a new discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society

### **Protected Characteristics**

The Act identifies nine protected personal characteristics; these are Age, Disability, Gender Reassignment, Race, Religion or Belief, Sex, Sexual Orientation, Marriage and Civil Partnership, and Pregnancy and Maternity. An individual may have a number of these personal characteristics.

The Equality Act 2010 gives protection to people who have, are perceived to have, or associate with someone who has a protected characteristic. It also gives protection against harassment and victimisation.

### **The Equality Duty which arises from the Act creates a single framework which outlaws discrimination against individuals and this includes:**

- Direct discrimination/Discrimination by Association/Discrimination by Perception - occurs where a person treats another less favourably because of a protected characteristic than they treat, or would treat, others. Indirect discrimination - when a working condition or rule, disadvantages one group of people more than another.
- Harassment - offensive or intimidating behaviour for example sexist language or racial abuse, which aims to humiliate, undermine or injure its target or has that effect.
- Victimisation - treating somebody less favourably than others because they tried to make, or made, a complaint about discrimination.
- Discrimination arising from disability - a disabled person is treated less favourably because of something connected to their impairment
- Reasonable Adjustment - the Act reinforces the duty to provide reasonable adjustments extending physical features of premises to any provision, criterion or practice such as altering the physical environment, working hours or working arrangements. This is a **positive** duty which means employers/learning providers are required to take active steps in order to reduce disadvantage.

### **Other Provisions under the Act**

#### **Enquiries about disability and health**

- The Act brings in new provisions which limit the circumstances when job applicants can be asked about their health prior to the job being offered. The allowed circumstances are, using health questions to:
- Decide whether there is a need to make any reasonable adjustments for the person in the selection process
- Decide whether an applicant can carry out a function that is essential to the job
- Monitor diversity among people making applications for jobs
- Take positive action to assist disabled people

- Assure the employer that a candidate has the disability where the job genuinely requires the jobholder to have a disability.



## Pay

- **Equal Pay:** The Equality Act 2010 states Employers must give men and women equal treatment in the terms and conditions of their employment contract if they are employed to do: 'like work' - work that is the same or broadly similar work rated as equivalent under a job evaluation study work found to be of equal value in terms of effort, skill or decision making
- **Pay Secrecy:** The Equality Act 2010 makes it unlawful to prevent employees from having discussions to establish if there are differences in pay. However, an employer can require their employees to keep pay rates confidential from people outside of the workplace.

## Extension of Employment Tribunal Powers

- Tribunals can now make recommendations to an organisation that steps are taken to eliminate or reduce the effect of discrimination on employers, not only the claimant. The overriding objective is to enable Employment Tribunals to deal with cases fairly and justly. Further information is available via the ACAS website [www.acas.org.uk](http://www.acas.org.uk)

## The Equality Act 2010 (Specific Duties) Regulations 2011

- The specific duties support the Public Sector Equality Duty which requires the Trust to publish relevant information demonstrating their compliance with the Equality Duty.

## The Race Equality Duty

On 5 April 2011, the Public Sector Equality Duty came into force. The Equality Duty was created under the Equality Act 2010 and replaces the race, disability and gender equality duties. The equality duty covers the following protected characteristics: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. It also covers marriage or civil partnerships, but not for all aims of the duty.

## Further Legislation and Guidance

- Offender Rehabilitation Act 2014
- Human Rights Act 1998
- Marriage (Same Sex) Act 2013
- Forced Marriages(Civil Protection) Act 2014.
- The Children's Act 2004
- The Education Act 2002
- Prevent Duty Guidance in England and Wales issued under Section 29 of the Counter-Terrorism and Security Act 2015
- Safeguarding requirements including Ofsted: Common Inspection Framework 2012
- Consideration to Female Genital Mutilation, Sexual Exploitation and Extremism, 'Working Together to Safeguard Children' 2013 and the Revised Safeguarding Statutory Guidance 2 'Framework for the Assessment of Children in Need and their Families' 2000.
- Safeguarding Vulnerable Groups Act 2005 and DoH Statement of Government Policy on Audit Safeguarding 2013
- HM Government – Advancing transgender equality: a plan for action - December 2011
- HM Government – Working for Lesbian, Gay, Bisexual and Transgender Equality: Moving Forward - March 2011
- Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002

## Further Information

- ACAS website [www.acas.org.uk](http://www.acas.org.uk)
- The Equalities and Human Rights Commission [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

- The Government Equalities Office [www.equalities.gov.uk](http://www.equalities.gov.uk)
- Business Link [www.businesslink.gov.uk](http://www.businesslink.gov.uk)
- Direct.Gov [www.direct.gov.uk](http://www.direct.gov.uk)

## Appendix 2

### Glossary of Terms

#### Disability

A person has a disability if they have 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. Long-term means that the disability has lasted or is likely to last for at least 12 months.

#### Discrimination

The term '*discrimination*' is used in this document to mean less favourable treatment of an individual on the grounds of age, disability, gender, transgender, race, religion and other beliefs, sexual orientation, marriage and civil partnership, pregnancy and maternity.

#### Diversity

Diversity is about recognising, valuing and taking account of people's different backgrounds, knowledge, skills, and experiences, and encouraging and using those differences to create a productive and effective educational community and workforce.

#### EHRC

The Equality and Human Rights Commission has duties to promote human rights and equality and to provide advice about the law so that discrimination is avoided. It also has powers to enforce discrimination law in some circumstances.

#### Equality

Equality is about making sure people are treated fairly and given fair chances. Equality is not about treating everyone in the same way, but it recognises that their needs are met in different ways. Equality is the framework that enables opportunity, access, participation and contribution that is fair and inclusive.

#### Ethnicity

A strict definition of an ethnic group is a group regarded as a distinct community by virtue of certain essential characteristics - a shared history which distinguishes it from other groups and a cultural tradition of its own. The expression '*ethnic monitoring*' is used in reference to groups defined by colour, race or national origin as well.

#### Harassment

Behaviour which is unwelcome or unacceptable and which results in the creation of a stressful or intimidating environment for the victim amounts to harassment.

#### Victimisation

Occurs when someone is treated badly because they have made/supported a complaint or grievance under the Act.