



# Equality and Diversity Policy

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# Our Mission

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The school communities of The Bishop Wheeler Catholic Academy Trust will work together in truth and love to provide the best possible opportunities for all our young people and their families.

Our mission is the provision, development and future safeguarding of a World Class Catholic Education where every child, member of staff and family matters

The schools, their governors and the trust directors will work together, based on the principle of subsidiarity, in faithfulness and humility, to provide an education where Christ and His values of respect, service, tolerance, dignity and forgiveness are at the heart of everything we do.

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**This policy was adopted by the Trust Board**

Signature:

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Mrs C Hyde  
Chair of Trust Board

Date:

14.3.17

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## 1. Definition

The Bishop Wheeler Catholic Academy Trust has adopted the Equalities Review 2007 definition of an equal society which strengthens our approach to equality and diversity. The definition is:

***'An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognises different people's different needs, situations and goals and removes the barriers that limit what people can do and can be'***

This policy covers the provisions of the Equality Act which became law in October 2010. As an employer, our obligations remain largely the same. The Act harmonises and replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency to make the workplace a fair environment and to comply with the law.

## 2. Introduction

The Trust is committed to providing an environment free from discrimination, bullying, harassment and victimisation where all members of its community are treated with respect and dignity. The Trust aims to create a culture of diversity within its community, providing a dynamic working and learning environment, where all members are valued for their contribution.

Our aim is to ensure that these commitments, reinforced by our values, are embedded in our day to day working practices with the individual schools' communities.

The Trust is committed to proving equality of opportunity for all irrespective of:

- Age
- Disability
- Race or racial group (including colour, nationality and ethnic origin or national origins)
- Religion or belief
- Sex
- Marriage and Civil Partnership
- Gender reassignment
- Pregnancy and maternity
- Sexual orientation
- Caring responsibilities
- Social class
- Trade union activity

Our aims are to promote equality of opportunity for all in line with the Public Sector Equality Duty, in line with Equality Act 2014 (Section 149):

- Complying with its legal obligation
- All our existing and potential service users are treated with dignity and respect
- Our partnership and contract arrangements promote equality of opportunity
- We will work with and between communities to help develop and strengthen relationships
- Our workforce will be reflective of all sections of society
- Ensuring that both existing staff and students, as well as those who seek to apply to work or study with us, are treated fairly and that individuals are judged solely on merit and by reference to their skills, abilities, qualifications, aptitude and potential

- Ensuring that all contractors and service providers operating on behalf of the Trust are aware of this policy and expected to adhere to it.

#### **Direct Discrimination:**

Direct Discrimination occurs when an individual receives less favourable treatment than another person in similar circumstances. This includes discrimination based on factual information, or the perception or assumptions relating to any of the above categories. Examples of direct discrimination include:

- Failure to short-list any BME applicants even though they meet the relevant criteria
- Refusing a woman a promotion because you are concerned that she might want to take time off to start a family in the future
- Choosing not to give a female teacher a pay rise because she is pregnant
- Unfavourable treatment of an individual because they are suffering from cancer or are HIV positive

#### **Indirect discrimination:**

Indirect discrimination occurs when there is a practice, policy or rule which applies to everyone in the same way, places a group who share a characteristic at a particular disadvantage. Examples of indirect discrimination include:

- Stipulating that people must speak clear fluent English where the job does not require verbal communication
- Refusal to consider part time working hours

#### **Discrimination by association:**

Associative discrimination occurs when someone discriminates against someone because they associate with another person who possesses a protected characteristic.

- Unfavourable treatment because a person has homosexual friends or relations or because a person is married to someone of a particular religion

#### **Genuine occupational requirements:**

Indirect discrimination may on rare occasions be justifiable by law if it relates to a specific requirement of a job where race, sexual orientation, religion, belief or gender is a genuine occupational requirement for the job. For example, an advertisement for the post of Head Teacher at a Catholic school can reasonably state that candidates must be practicing Catholics.

If such a requirement cannot be justified by an organisation, it may be deemed unlawful. An employment tribunal may deem a finding of unlawful discrimination even though an employer has no intention to discriminate.

### **3. Application of the Policy**

#### **Recruitment and Selection:**

- Recruitment advertising will encourage applications from all sectors of the community reflecting the school's commitment to equality and diversity
- Recruitment advertising will appear in publications appropriate to the audience capable of producing the best candidates
- Job descriptions, person specifications and recruitment advertisements will be written on the basis of the essential and justifiable requirements of the position
- Shortlisting, appointment and rejection decisions will be transparent and justifiable and will be supported by written comments

**Staff Development:**

- All staff will have equal access to induction, personal and career development opportunities and facilities

**Appraisal:**

- Probation and appraisal policies and procedures will be clear and transparent and will be applied fairly across all staff
- Pay decisions will be in line with the Pay Policy and decisions made will be applied fairly across all teaching staff including those on maternity leave

**Disciplinary and Grievance:**

- Disciplinary and grievance procedures will be applied fairly and transparently for all staff
- Allegations of discrimination, harassment or inappropriate behaviour will be dealt with under the appropriate disciplinary procedures for staff

**4. Implementation**

This policy will apply to all staff employed by the Trust. The policy will also apply to all governors, volunteers, contractors, job applicants, student placements, trainees and people holding honorary contracts with each individual school.

In the implementation of this policy the Trust aims to:

- develop and promote a culture of equality and diversity throughout the Trust
- develop and promote a culture of dignity, courtesy and respect
- support all staff and students, including provision of relevant support relating to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation
- work to prevent all forms of unlawful discrimination
- deal with all forms of discrimination consistently and effectively

**5. Roles and Responsibilities**

We all have a right to be treated fairly and with dignity and respect. Everyone has a responsibility for working together to promote a harmonious environment which eliminates discrimination and harassment.

**Role of the Trust Board and Academy Councils:**

- The Trust Board and Academy Councils have responsibility for ensuring all the schools' policies promote and sustain equality and diversity in employment practices and in the provision of the service
- They will ensure there are effective policies in place for managing recruitment and selection, appraisal, bullying and harassment, grievances and complaints.

**Role of the Headteacher:**

- To promote equality and diversity throughout the individual schools and ensure that colleagues are aware of their responsibilities and expectations with regard to their conduct. They will recognise the need for continuous professional development on issues of equality and diversity
- To ensure that all customs and practices within the school adhere to the principles stated within this policy
- To ensure that this policy is implemented effectively and that any contravention will be dealt with under the schools grievance policy, disciplinary policy and complaints policy as appropriate

- Ensure staff know how to report discrimination, bullying and harassment and ensuring that reporting incidents does not result in victimisation
- Effectively manage and deal promptly with investigating issues relating to potential discrimination including complaints against employees

**Role of every member of staff:**

- Every employee, irrespective of their job or position within the school, has an individual responsibility to treat others in a fair and non-judgemental manner and to promote positive attitudes and relationships
- Must not harass, abuse, intimidate others and victimise anyone as a result of a member of staff complaining about, reporting or providing evidence of discrimination
- Individual employees will be held accountable for their actions if they contravene the Trust's commitment to act as an equal opportunities employer. Any employee found guilty of unlawful discrimination or harassment will be subject to disciplinary action, including where appropriate, dismissal for gross misconduct

**6. Review**

This policy will be subject to review in line with changes in employment law and related policies and procedures.

**7. Complaints**

Any cases of harassment, discrimination, bullying or victimisation will be taken very seriously by the Trust. Staff who make a complaint of discrimination have the right to do so without fear of victimisation and the individual schools will make every effort to ensure victimisation does not occur and that complaints are dealt with promptly and fairly.

Where an individual feels that they have been treated unfairly in accordance with this policy, they have the right of complaint through the appropriate procedures:

- Where an individual employed by the Trust feels they have been discriminated against by an employee, manager or governor of the school, they should refer to the Trust's Grievance Policy
- Where an individual is not employed by the school, but feels that they have been discriminated against by an employee, manager or governor of the school, they should refer to the Trust's Complaints Policy.

 The 10 schools in our Trust:

St. Mary's Menston, a Catholic Voluntary Academy  
St. Joseph's Catholic Primary School Otley, a Voluntary Academy  
Ss Peter and Paul Catholic Primary School, a Voluntary Academy  
Sacred Heart Catholic Primary School Ilkley, a Voluntary Academy  
St Mary's Horsforth Catholic Voluntary Academy  
St. Joseph's Catholic Primary School Pudsey, a Voluntary Academy  
St Joseph's Catholic Primary School Harrogate, a Voluntary Academy  
St Mary's Catholic Primary School Knaresborough, a Voluntary Academy  
St. Stephen's Catholic Primary School and Nursery, a Voluntary Academy  
Holy Name Catholic Voluntary Academy



## The Bishop Wheeler Catholic Academy Trust

The Bishop Wheeler Catholic Academy Trust is a charity and a company limited by guarantee, registered in England and Wales

Company Number: 8399801

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